



ARCS: 292- 30  
File: EGM-2013-00163

December 12, 2013

Dear \_\_\_\_\_ :

**Re: Request for Access to Records**  
***Freedom of Information and Protection of Privacy Act (FOIPPA)***

I am writing further to your request received by the Ministry of Energy and Mines (Core Review). Your request is for:

*Any records regarding the construction of the tailings pond dam built in relation to permit number M-85 at the Hudson Bay Mine Tailings Storage Facility Dam, located near Salmo, BC southeast of the junction where Emerald Mine Road meets Highway #3 and #6, legally described as Lot A, District Lot 1236, Sublot 36, Kootenay District Plan 14234 (PID# 010-013-911); the Dam's original construction in or around 1955; any modifications to the Dam after its initial construction including the modifications in 1964, 1975 and 1977; the production of talc and the potential for tremolite (asbestos fibre) as part of the mining operations, mine tailings or present in the Tailings Storage Facility Dam. Date range is January 1, 1954 to December 31, 1997*

Please find enclosed a copy of the records located in response to your request. Some information has been withheld pursuant to sections 14 (Legal advice), 21 (Disclosure harmful to business interests of a third party), and 22 (Disclosure harmful to personal privacy) of FOIPPA.

A complete copy of FOIPPA is available online at:

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/96165\\_00](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00)

Please note some information in the records is marked 'not responsive' as it does not respond to the wording and/or the date range of your request, and some information is available for purchase pursuant to s.3. Your file is now closed.

As we now have the actual details of the fees required for processing this request, we are issuing you a refund due to changes to the volume of records located and the time required to conduct the search. Both the details of such and the refund cheque will follow under separate cover.

These records will be published on the BC Government's Open Information website a minimum of 72 hours after it is released electronically or a minimum of five business days after it has been released by mail in hardcopy. To find out more about Open Information, please access the Open Information website at: <http://www.openinfo.gov.bc.ca/ibc/index.page>

If you have any questions regarding your request, please contact Eric Shiplack, the analyst assigned to your request, at 250.356.9155. This number can be reached toll-free by calling from Vancouver, 604-660-2421, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to 250.356.9155.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Ghag', is positioned above the printed name.

Kris Ghag, Manager  
Resource Team  
Information Access Operations

Enclosures

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
--

If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

**Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:**

Information and Privacy Commissioner  
PO Box 9038 Stn Prov Govt  
4th Floor, 947 Fort Street  
Victoria BC V8W 9A4  
Telephone 250-387-5629      Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.