



ARCS: 292-30
File: EGM-2015-50539
Phase 1, 2 and 3 Release

July 20, 2017

Sent via email:

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 and Minister Responsible for Core Review. request is for:

We request copies of all records in the Ministry's possession relating to the Ministry's dealings with the Mount Polley Mine Tailings Storage Facility (the "Facility") dating from January 1, 1995 to the present including, without limitation: all records that relate to the permitting of the Facility and the internal processing of such permitting applications; all records submitted to the Ministry in respect of the breach of the Facility on August 4, 2014, such as reports from accident investigations. (EXCLUSIONS: not including any records that were produced to the Review Panel and that were made available to the public on its website without redactions). All records that were obtained by the Review Panel but withheld from its website that were obtained by the Review Panel and listed on its website but not made available to the public, which are listed in Table 1-2 of Will Koop's "Mount Polley 'Removed' and Released Documents Backgrounder" dated February 1, 2015 (the "Backgrounder"), a copy of which is enclosed; unredacted copies of all records that were obtained by the Review Panel and listed on its website but not made available to the public in full; all records that were obtained by the Review Panel from government and private entities in the context of its investigation and review, whether those documents were compelled or otherwise produced, but were never listed on or posted to its website, including all work product, field notes, drawings and data obtained by Thurber

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Engineering Ltd. (EXCLUSIONS: not including records provided to the Review Panel by AMEC Americas Limited, now known as Amec Foster Wheeler Americas Limited ("Amec"); records listed in Table 1-2 of the Backgrounder with a Document ID beginning with "AMEC"; and records posted to the Review Panel's website and currently available to the public without redaction).

As confirmed on November 9th, 2016, this includes *all handwritten notes, all reports, all investigation records, and all internal Ministry of Energy and Mines (EGM) emails, all emails between EGM and Ministry of Environment, and all emails between the Ministry and the following: Knight Piesold, Imperial Metals, Imperial Mining Corporation, and BGC Engineering. Other emails excluded.*

Please find all records uploaded to the share file site that was provided to us

Some information has been withheld pursuant to sections 13 (Policy advice or recommendations), 14 (Legal advice), 15 (Disclosure harmful to law enforcement) 16 (Disclosure harmful to intergovernmental relations or negotiations), and 22 (Disclosure harmful to personal privacy) of FOIPPA. A complete copy of FOIPPA is available online at:

http://www.bclaws.ca/civix/document/id/complete/statreg/96165_00

As you may already be aware, the Mount Polley Independent Expert Engineering Investigation and Review Panel delivered its final report and recommendations to the Minister of Energy and Mines on January 30, 2015. The full report, appendices, and supporting information which may be of interest to you are publically available here:

<https://www.mountpolleyreviewpanel.ca/>

Your file is now closed.

These records will be published on the BC Government's Open Information website a minimum of five business days after release. To find out more about Open Information, please access the Open Information website at: www.gov.bc.ca/openinformation

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 black ink, appearing to read "Ken Bejcek", enclosed within a thin red rectangular border.

On behalf of,

Ken Bejcek, Manager
Resource Team, Information Access Operations

Enclosures

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