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ALBERTA
ENVIRONMENT AND SUSTAINABLE RESOURCE DEVELOPMENT

Office of the Minister
MLA. Calgary-Klein

September 24, 2014

Mr. Wade Luzny, Chief Executive Officer and Executive Vice-President
Canadian Wildlife Federation
350 Michael Cowpland Drive
Kanata ON K2M 2W1

Dear Mr. Luzny:

Wade

The Office of the Premier forwarded a copy of your August 22, 2014, letter regarding the Canadian Wildlife Federation concerns about tailings ponds in Alberta in the wake of the Imperial Metals' Mount Polley tailings dam breach in British Columbia. As the new Minister of Environment and Sustainable Resource Development, I am able to respond on behalf of the Government of Alberta.

Under the *Emergency Management Act*, Alberta has an integrated emergency management response system for mitigating impacts and assisting in recovery efforts during emergencies. This includes the Alberta Emergency Plan and an agency for co-ordinating the government's response to incidents.

Municipalities and Environment and Sustainable Resource Development have their own emergency plans. The new Alberta Energy Regulator requires oil and gas companies to develop and maintain both corporate-level and site-specific emergency response plans. Mining companies are held responsible for responses to incidents and are required to react immediately to limit impacts to people, property, and the environment.

Tailings ponds and other containment structures store the byproducts used in the extraction of bitumen or minerals so that the solids can settle out, making the water available for reuse by mining operations rather than drawing on freshwater sources. In Alberta, we have several regulations and policies in place to ensure tailings ponds are built, maintained, monitored, closed, and reclaimed in accordance with rigorous standards. The Alberta Energy Regulator routinely inspects projects to ensure strict planning requirements are met and ongoing operations are closely managed.

In case of an incident, the responsible company must pay for the cleanup. Under the *Environmental Protection and Enhancement Act*, the regulator may issue environmental protection orders to ensure the cleanup and followup work is completed. The incidents are investigated and charges may be laid.

The act's Conservation and Reclamation Regulation obliges all mine operators in Alberta to supply a security deposit to the Mine Financial Security Program prior to receiving operating approval for each application. This deposit ensures reclamation activities are completed to provincial standards. Once reclamation activities are completed and a reclamation certificate issued, the security is returned to the operator. In the event an operator is no longer solvent, the security is used to cover the costs of remediation and reclamation work. Approximately \$1.3 billion is currently held in reserve by the Alberta Energy Regulator for reclamation of mines.

Environment and Sustainable Resource Development is leading the development of a tailings management framework, building on the regulator's existing programs. The framework will result in a more comprehensive approach to managing existing and new tailings, using a system that factors in site-specific conditions. Following stakeholder consultations, the framework is expected to be completed and implemented by early 2015.

Sincerely,



Kyle Fawcett
Minister

cc: Honourable Jim Prentice
Premier of Alberta