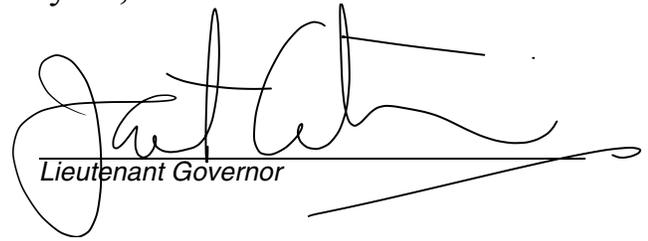


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 296

, Approved and Ordered May 17, 2021



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Placer Mining Waste Control Regulation, B.C. Reg. 107/89, is amended as set out in the attached Schedule.



Minister of Environment and Climate Change Strategy



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Environmental Management Act*, S.B.C. 2003, c. 53, s. 138 (2) (s)

Other: OIC 524/89

R10467277

SCHEDULE

- 1** *Section 1 of the Placer Mining Waste Control Regulation, B.C. Reg. 107/89, is repealed and the following substituted:*

Definitions

- 1** In this regulation:

“**Act**” means the *Environmental Management Act*;

“**placer mineral**” has the same meaning as in the *Mineral Tenure Act*.

- 2** *Section 2 is amended by striking out “Environmental Management Act” and substituting “Act”.*

- 3** *Section 3 (c) is repealed and the following substituted:*

(c) mining production where

(i) neither mercury nor chemicals are used,

(ii) tailings are discharged to a tailings pond with a minimum of 0.5 m freeboard, and

(iii) the water in the tailings pond

(A) is pumped back to the operation for reuse,

(B) is left in the pond and allowed to seep into the ground in a manner which does not result in suspended solids entering a body of water at any point downstream of the operation, or

(C) is partly pumped back as referred to in clause (A) and is partly left as referred to in clause (B).

- 4** *The following section is added:*

Transition – permit application in progress

- 4** (1) This section applies to a person who is exempt from section 6 (2) and (3) of the Act in respect of discharges referred to in section 3 (c) (i) of this regulation as it read immediately before the coming into force of this section.
- (2) A person to whom this section applies, other than a person who is exempt from section 6 (2) and (3) of the Act in respect of discharges referred to in section 3 (c) of this regulation, as it reads after the coming into force of this section, is exempt from section 6 (2) and (3) of the Act in respect of discharges referred to in subsection (1) of this section
- (a) if the person applies before January 1, 2022 to a director for a permit under section 14 of the Act in relation to the discharge, and
- (b) until the date a director makes a decision in relation to the person’s permit application.