

**Schroeter, Tom EM:EX**

Ymir Camp  
889857

VGS → Ymir  
(Yankee Girl)

**From:** Chamber of Mines of Eastern BC [chamberofmines@netidea.com]

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82 FSW 068,  
074

**Sent:** Thursday, December 16, 2004 11:05 AM

**To:** Undisclosed-Recipient;

**Subject:** Yankee Girl Tailings

Good Morning,

It has come to our attention that some people on our mailing list may have not received this important e-mail about the Yankee Girl reclamation situation. If you have any comments please contact us at 250-352-5242 or at [chamberofmines@netidea.com](mailto:chamberofmines@netidea.com).

Regards,

Mark Dennison

# **WARNING TO ALL CLAIM OWNERS, LAND OWNERS AND INVESTORS IN B.C.**

An information meeting was held on Nov.29/04 about the Yankee Girl tailings. This appears to be the start of a major initiative by MSRM, DFO on "Contaminated sites" (minesites). DFO ordered the Province to do something at the site, under Section 36 of the Federal Fisheries act.

The main concern of the Chamber of Mines of Eastern B.C. is

**"anybody who has Current or Past claims staked ... ownership interest could be Jointly Liable for Clean-up Costs."**

Yankee Girl Tailings meeting notes:

Players

1. Salmo Streamkeepers
2. MSRM Contaminated Sites (new 4 man team)
3. DFO

MSRM....This province is committed to dealing with the Yankee Girl and addressing the problem and cleaning it up.

Yes there is a contamination problem.

Public Questions:

Q-What would happen if this was staked?

MSRM ... Legal liability ... it can get complicated ... anybody who ... under the current Legislation of the Environmental Management Act **anybody who has Current or Past claims staked ... ownership interest could be Jointly Liable for Clean-up Costs.**

Q---So this sort of thing will be the end of mining here.

MSRM ... **If anybody staked it today they may be partially responsible for the clean-up costs.**

Q- There may be claims there now ... there are some close.

MSRM ... We've done some look-up of past owners to determine weather any of the companies that were formally involved in operating the mine still exist.

Q---Who says it's contaminated? ... What happens if the study says it's good for the fish? ... the Pilot Bay Smelter is one of the best places for fishing on the lake ... with all the Lead and Zinc leaching into the lake, that's why the fish are there lots of nutrients.

MSRM ... Well we'd take that information ... DFO has issued an order against the province to take some action. If our study says there are actually beneficial impacts we'll take that to DFO and say look what do you think?

Q---There's lots of natural occurrences where you can get bigger numbers in arsenic and mercury and what have you ... places where there are absolutely no mines.

MSRM ... That's true some of these types of metals will occur naturally just because of mineralized rock ... In this case because it's man made it's viewed based on the knowledge it's viewed as a problem.

Q---Why was this bumped up as a priority?

MSRM ... A combination of things ... the initial studies indicate that there are elevated levels of metals discharging into the Salmo River ... there's elevated levels of metals on the site ... we were concerned about the health impact ... We've had discussions with the **Medical Health Officer ... he feels that it is not a health issue.**

Q---What is the cost of this study?

MSRM ... \$140,000.00 ... cost of clean-up we don't know yet ... minimum \$500,000.00

Q---DFO has been a problem all across the province ... DFO issue these directives and everybody else has to jump ... jump to their tune ... now is the exchange with the DFO public knowledge?

MSRM...well I can answer that by saying it's not confidential ... we've got the order and we'd be prepared to share it ... blah ... one of the reasons MSRM took on this role is to create separation between the regulatory role of WLAP and the role of land manager ... as far as the fisheries act we may have an order issued against us just as any private owner.

DFO ... I can add to that and respond to that. Our role is a regulator in this particular case and it's similar to the separation the province tries to ... our habitat office is a regulator ... we issued a section 36 which is deposit of a deleterious substance into fish bearing waters ... so in this particular circumstance we became aware of the issue ... we were made aware of the issue and responded accordingly as a regulator ... the fisheries act is binding on the crown both federal and provincial.

Q---What role does the MEM play?

MSRM ... very little other than providing information on past owners.

Q---Liability

MSRM...that's the very first question we ask before taking any action ... the province does not want to take on any liabilities that it doesn't have to ... we look very carefully at current and past ownership ... either a surface interest or a subsurface interest ... we do corporate registry searches to see if any prior companies are still around to determine are there any responsible parties out there that should be taking on costs.

Q---Some people are saying that there is a woman right down stream that drinks the water ...

URS...the drinking water all passed

Q---can you repeat that?

URS...for the drinking water there was no exceedance of the drinking water standards

Q---what is a contaminated site?

MSRM blah blah

Q---What is the problem on this site?

MSRM...high metals

Q---Do any of the metals exceed human health standards?

MSRM...mass confusion maybe...but some aquatic standards were exceeded.

Q---to determine that that site was contaminated what land use designation did you use?

If it's classified as an industrial site I don't see any metals being exceeded.

MSRM...that's not true ....confusion...I am not sure it may have been based on parkland standards

Q---that's what you did...you made it look as bad as possible by using the classification that hardly allows anything in those soils, there is just as much in these hillsides as there is in those tailings

MSRM...that's part of the process to use the lowest numbers possible to be conservative ... be safe

Q---how many wells drilled and is there an end to the project?

MSRM-DFO 20 wells and monitoring continues into the future with less and less if the numbers are low and stable

Q---Given these high standards is there a single mine in B.C. that can live up to them? ... There's hundreds of mines around here and there are many local people that stake them and try do something with them ... should they all be afraid of what you guys are doing?

MSRM ... .. um ... .. other people in the crowd say you can answer it yourself, if there is a threat to human health ...

Q---well there are different standards for different sites ... if you eat dirt in an industrial site you are not going to die but if you eat that same dirt in a park site you are going to die? These standards are different for different zoning but what is actually harmful to a human? So if you set these standards so high that not a single mine in the province can live up to them ...

MSRM ... keep in mind we're talking about standards for remediation and the standards being determined by the end use of the site ... in this instance because the community wants to use the site for recreation maybe parkland standards are best for this particular site ... if you are dealing with a site in another location where its not being used by the community the standards could be lower

MSRM....mine sites usually have orders of magnitude greater concentration of metals ... they are recognized as being different ... these standards were built for residential commercial properties in the lower mainland ... built up urban area ... downtown Nelson or something like that .... the way the standards are applied at mine sites is different ... you determine what the natural concentrations in that area are (END)

