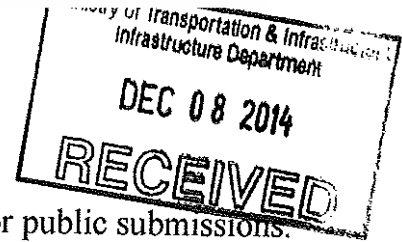


Mount Polley Independent Expert  
Engineering Review Panel  
5B-940 Blanshard Street  
Victoria, B.C. V8W-3E6

Nov.30<sup>th</sup> , 2014

Dear Sirs:

I am writing to the Expert Panel in response to the call for public submissions. I applaud the Panels decision to allow the general public (the non experts) to have their say and to offer their input as to the possible causes or contributing factors in this disaster.



I am dismayed, however, at the limitations placed on the Expert Panel by our Provincial Government.

I am not an engineer, but that is not a problem as the three panel members are engineers. It is reasonable to expect that the engineering of the tailings storage facility will be exhaustively reviewed. I am not a lawyer either, but then I expect the "Terms of reference" for the panel were written by Government lawyers.

I am of the opinion that the failure of the Mount Polley tailings dam was Not due to an "engineering" problem. I base this opinion on the simple facts that

1. The tailings dam had stood intact and unfailing for 20 years.
2. The dam was not holding back a fluid filled reservoir as a hydro dam does. It was holding back essentially a "solid" rock with some fluid on top of that solid rock.

The problem was that the solid rock was composed of settled and compacted fine rock particles and that this solid rock liquifies if water ever flows across its surface, as it did when the tailings dam was breached.

If the failure was not due to an engineering problem then clearly, it would have been due to a monitoring and/or maintenance problem. (Assuming any "Act of God" events like an earthquake or landslide have been ruled out)

The evidence suggesting a monitoring or maintenance problem are.

1. the failure occurred during a hot dry spell
2. the failure occurred during the summer vacation season.
3. The failure occurred during a long weekend.

Working people who take vacations like to have a long weekend on one end of their vacation. Given that companies strive to have a lean and flexible workforce, a lean operation during summer vacation and a long weekend when unplanned events like accidents, illness or bereavements occur a lean operation can easily become dangerously understaffed.

Just as a twenty year old car needs more monitoring and maintenance than a new car, a twenty year old tailings dam needs more monitoring and maintenance than a new dam.

There is another matter that the Panel must consider if the Panel truly wants to ensure that a similar failure does not occur at other mine sites in B.C. But the panel is prevented from considering due to the limitations placed on it by the B.C. Provincial Government.

That issue is the possibility that corruption may have taken place within the Government, the corporation or the Union. I offer this as a possibility due to the facts that.

1. It is legal (under certain conditions) to bribe Government officials. See Frauds on Government section Criminal Code of Canada.
2. The World Bank has said that "no country is untouched by corruption".
3. The World Economic Forum in Davos Switzerland has said that "corruption is entrenched and pervasive" in our modern societies.

Corruption can not exist without the involvement of intermediaries. These intermediaries are either negligent, wilfully blind, or actively complicit.

I expect the panel will be faced with presented facts or expert testimony that that conflict and that some things will just not make any sense. If and when that happens you are simply not considering enough possibilities. It will be at that point that the Panel must consider that corruption may have occurred and that those involved are trying to conceal their involvement. It would then make sense to recommend that the RCMP special fraud section be called in to either confirm or deny the possibility of corruption.

Given the wording of the Frauds on Government section of the Criminal Code and given the fact that the Government of the province of B.C. has precluded the possibility of the Panel recommending that this be investigated, I am not at all optimistic that the panel can fulfil its mandate as stated in the terms of reference "To ensure that a similar failure does not occur at other mine sites in B.C." I am optimistic that the panel will find out the direct "cause of the failure of the tailings storage facility at the mount Polley mine".

In my view the fix was in before the Panel even got started and contrary to the assertions and protestations of The Honourable Mines Minister, The Government of B.C. Does "have something to hide" several things.

In my view the Panel has conflicted terms of reference, the panel has been ordered to commit acts of wilful blindness, the Panel has been ordered to be complicit in a cover up.

Good luck.

Respectfully Submitted

I authorize and give my consent to the Independent Expert Engineering Investigation and Review Panel to use this submission as they see fit. Including sharing it with any appropriate Government or Police body.