

Province halts private prosecution against Mount Polley tailings spill

Bev Sellars had filed court documents alleging that Mount Polley Mining Corp. polluted the environment

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The B.C. Prosecution Service announced Tuesday it will not pursue private charges in the 2014 collapse of the tailings dam at the Mount Polley mine.

The charges were filed by Indigenous woman Bev Sellars days after British Columbia's government announced that [provincial charges would not be laid](#).

- [Bev Sellars says private charges her 'sacred responsibility'](#)

On August 4, 2017, Bev Sellars swore a private Information alleging that the Mount Polley Mining Corporation (MPMC) had committed various offences contrary to the provincial Environmental Management Act and Mines Act.

The prosecution service says it does not usually permit a private prosecution to proceed. In this situation however it reviewed everything Sellars submitted.

"After conducting its review, the BCPS concluded that the material provided does not meet the charge assessment standard for approval of charges," it said.

Citizens can pursue private prosecution if they believe an offence has been committed, but in B.C., the Crown can decide not to proceed if it believes there is no reasonable prospect of conviction.

Sellars was the acting chief of the Xat'sull First Nation, located near the gold and copper mine in B.C.'s Cariboo region, when the dam collapsed on Aug. 4, 2014.



 **Wilderness Committee**
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Proud to support @BevSellars as she seeks justice after the #MtPolley disaster, three years ago today: bit.ly/2fglqJh #bcpoli

2:28 PM - Aug 4, 2017

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An [investigation into the dam's collapse](#) is ongoing by the B.C.'s Conservation Officer Service.

Officials have said that the service is working with the federal government concerning possible violations of the Fisheries Act. There is a five-year deadline for charges to be laid.

Two reports, by B.C.'s chief inspector of mines and an independent panel of engineering experts, found the collapse involving the mine operated by Imperial Metals Corp. (TSX:III) was caused by a poorly designed dam that didn't account for drainage and erosion failures.

The Mount Polley mine went back to full operations in 2016.

- [No B.C. charges in Mount Polley dam collapse as federal investigations continue](#)

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