

De : Leboeuf, Yves [CEAA]

Envoyé : Wednesday, November 13, 2013 07:39 PM

À : Brian Battison <email address removed>

karl.gustafson <email address removed>

Objet : New Prosperity

Dear Messrs. Battison and Gustafson,

I am writing further to McMillan's letter to Minister Aglukkaq dated November 4, 2013 and Taseko's news release of November 5, 2013.

Specifically, Taseko has expressed its intent to provide a written submission for the Minister's consideration concerning Taseko's view that Natural Resources Canada (NRCan), and subsequently the Federal Review Panel, used the wrong design in their analysis of seepage rates from the New Prosperity Project's proposed tailings storage facility. In light of this, the Agency is seeking Taseko's written response to the following matters:

First, kindly identify the basis for the following assertions, citing explicitly from the information that was before the review panel and referring to specific documents submitted as part of the review panel process or to specific testimony as documented in transcripts from the review panel hearings:

1. that "[t]he design proposed by Taseko for the tailings storage facility includes development of a continuous low permeability compact soil liner to restrict seepage losses";
2. that "NRCan has assumed that the low permeability basin liner is not included and that seepage will therefore readily leak into more pervious overburden and fractured bedrock"; and
3. that any such differences in the models used by Taseko and by NRCan were not taken into account by NRCan and by the review panel.

Second, kindly explain how and why Taseko was, or would have been, prevented from raising its concerns about any differences in the models used by Taseko and by NRCan through submissions to, and testimony before, the review panel itself as part of the review panel process.

Finally, I note that McMillan's November 4, 2013 letter indicated that Taseko intends to provide a written submission to the Minister of the Environment "next week" (i.e. by November 15, 2013). As you know, we remain committed to a timely completion of the environmental assessment process in accordance with the timeline that was by the Minister of the Environment under the *Canadian Environmental Assessment Act, 2012*. Accordingly, the Agency would appreciate receiving your response to these matters this week, at the same time as the submission to which McMillan's letter refers.

Sincerely,

Yves Leboeuf

Vice-President, Operations | Vice président, Opérations

Canadian Environmental Assessment Agency | Agence canadienne d'évaluation environnementale

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