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December 4, 2014

Mount Polley Independent Expert Engineering Investigation and Review Panel: Nobert Morgenstern, Dirk van Zyl, and Steven Vick.

On the morning of December 3rd, 2014, I forwarded a link via our press release with my recent December 1st report, *Scene of the Crime: A Preliminary Analysis and History of the Mount Polley Tailings Storage Facility*, to the panel via the electronic submission page on the www.mountpolleyreviewpanel.ca website. I did so without providing an introductory letter.

My report was not intended as a submission for the panel, but was a coincidental consequence after learning in late November of the panel's call for written submissions. Had that been the originating purpose, I would have re-framed the contents of my report accordingly. As such, there may be matters in my report undertaking that fall under the panel's specific and narrow Terms of Reference.

One of the main problems (frustrations) that the public has with regard to the aftermath of the Mount Polley tailings catastrophe is that there is no formal public forum or legal dialogue interface on addressing this mining disaster, which has great public significance. For instance, the provincial government ought to have properly widened the legal framework of the panel's responsibilities incorporated under a legislative Hearing process, where documented evidence and recorded testimonies would form a written record under an open website, so that the public could learn and understand all of the relevant information and cross examine those called to the witness stand. Under the current limitations, the public's hands are tied. As a result, how can the public provide the panel with proper information, especially if our government has placed illegitimate restrictions on public documents related to Mount Polley? The primary reason, then, for the panel's request for written submissions, must have something to do with soliciting insider or privileged knowledge about the catastrophe.

In addition, there are no public meeting Minutes posted from numerous public forums held with Imperial Metals Corporation and the government in the Town of Likely, where the public, who could not attend the meetings, could have learned more information.

With respect to the issues and matters in my report, I was unable to find any professional assistance to address technical questions I had during my report undertaking. This was quite frustrating, considering that I am a novice in mining issues.

One of the questions I have of the panel is to solve one of a few mysteries addressed in my report. In Chapter 7, *A Bizarre Promise*, on pdf page 70, I include a quote from the former Engineer of Record, Knight Piesold, the estimation that with every rise of one meter within the recent lift

configuration of the Mount Polley Tailings Storage Facility, there is an approximate equivalent of 2 million cubic meters of storage capacity. If, as Imperial Metals Corporation states in its September 1, 2014 website update, that the TSF held 10.6 million cubic meters of supernatant surface water prior to the breach of August 4th, this would have meant that there was needed about 5.25 meters in elevation of storage room to hold this much surface water. I am curious about this matter, because I find it difficult to imagine that there was that much storage capacity available in the TSF to hold that much surface water. Of course, Mount Polley's Upstream type dam, which I describe at length in my report, was never designed to safely contain this much surface water, where definitely no tailings beach could ever be present with that reported volume of supernatant surface water.

Lastly, I asked Kevin Richter, the panel's secretariat, some time ago for more descriptive information to be posted on the government's website for each of the panel's backgrounds, i.e., for a proper curriculum vitae (c.v.). That has not transpired. Would the panel members be willing to submit their c.v.'s and instruct the secretariat to post them on the panel's website?

Sincerely, Will Koop.

Website links to our press release and report.

[December 1, 2014, Media Release](#)

[Scene of the Crime - Executive Summary](#)

[Scene of the Crime - Full Report](#)