



Environmental Appeal Board

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DECISION NO. EAB-EMA-22-A005(a)

In the matter of an appeal under section 100 of the *Environmental Management Act*, S.B.C. 2003, c. 53

BETWEEN:

Gavin Mines Inc.

Appellant

AND:

Director, *Environmental Management Act*

Respondent

(Collectively, the “Parties”)

Consent Order

WHEREAS on March 7, 2022, the Respondent, having found that the Appellant had failed to comply with sections 4.1, 5.1, 5.2, 5.3, and 7 of its Permit 104869, imposed an administrative penalty of \$72,000 on the Appellant pursuant to section 115 of the *Environmental Management Act*, S.B.C. 2003, c. 53;

AND WHEREAS the Appellant appeals the administrative penalty to the Environmental Appeal Board;

AND WHEREAS the Parties have reached a settlement agreement in respect of the appeal and have agreed to fix the administrative penalty amount at \$61,400;

NOW THEREFORE the Environmental Appeal Board orders as follows, pursuant to section 16 of the *Administrative Tribunals Act*, S.B.C. 2004, c. 45:

1. In full resolution of the Appellant's appeal in this matter, and by consent of the Parties, the administrative penalty amount is fixed at \$61,400.
2. The Appellant shall pay the administrative penalty amount fixed at \$61,400 to the Minister of Finance within 30 days of the date of this order.
3. There shall be no costs payable by any party.

Approved and consented to by:

"Rana Vig"

Rana Vig, Representative of
the Appellant

"Robyn Gifford"

Robyn Gifford, Counsel for the
Respondent

For the Board:

"David Bird"

David Bird, Vice Chair

September 2, 2022

Date