



## For Immediate Release

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### Facts made public, hefty fine urged for Obed mine disaster

We have waited two long years to find out the facts behind the catastrophic Obed coal slurry spill and be privy to the evidence for the criminal charges laid by the Alberta Energy Regulator against the then owner of the mine, Sherritt International, and Coal Valley Resources. It now appears that we may never know all of the facts because of the possibility that the case will never go to trial.

On Halloween 2013, a holding pond at Obed mine near Hinton burst and released over 670 million litres of coal sludge and waste water, destroying both the Apetowan and Plante creeks, and flowing into the Athabasca River. Sherritt International Corporation and their subsidiary Coal Valley Resources Inc. are named on **six criminal charges being laid by the Alberta Energy Regulator**. We've learned that Coal Valley Resources is now Prairie Mines and Royalty ULC, as of December 2015.

**In the Hinton Court House on, January 20, 2016**, this criminal case was adjourned to April 6 for plea. Special Crown Prosecutor Peter Roginski said that these types of cases can be complicated due to the obligation for disclosure, and that exploring how to proceed **without a trial** is part of this process.

The ghosts of thousands of bull trout spawn (Alberta's provincial fish), and Rainbow Trout (species of special concern) need justice. They were listed in 2014 as 'Threatened' under the Provincial Wildlife Act and recommended by the federal Committee on the Status of Endangered Wildlife in Canada as 'Endangered'. Athabasca rainbow trout are under federal review under SARA (Species At Risk Act)

#### **If there is an 'out of court settlement' of any kind, important questions may not be answered:**

- The Obed coal mine was suspended in 2012 for remediation; in any closure, suspension, or remediation plan, there is an inspection schedule set for the facility. An inspection of the Obed mine by the Alberta Energy Regulator did take place the month before the containment pond was breached. They didn't catch the danger: that specific containment pond was not listed on the official provincial tailings pond registry. **Why was this pond not listed on the official registry?** How or why were inspectors kept away from this pond?
- There was no large rain event before-hand; **what caused the pond failure?** Reports of nearby fracking wells need to be investigated, as well as inadequate construction standards (listed cause of the Mt. Polley spill), and potential reckless operation, maintenance or management by the coal mine. Plans to clean out the sediment were scheduled in winter of 2012/13, the year before the disaster, a major operation. The pond structure was reportedly approximately 20 meters high and had no overflow spillway to handle an unexpected flood event or human mistakes.
- Due to large amount of sludge released into the Athabasca River (including mercury), a warning was put in place by Alberta Health. We understand that there is risk of spring run-off disturbing this sludge, most of which remains in the Athabasca river, each year. **What sort of long term environmental and health effects are expected?**

We are calling for a public trial to proceed, in order to shed light on these questions, and if the judge rules in favor of the prosecution, enforcement to the full extent of the law.

For information: Jule Asterisk, Communications, Keepers of the Athabasca 780 805-1709  
Carolyn Campbell, Alberta Wilderness Association 403 283-2025