EXHIBIT C
Consent Decree

Teck Washington Incorporated
Pend Oreille Mine Tailings Disposal Facilities Nos. 1 & 2
Scope of Work and Schedule

This Scope of Work implements the Cleanup Action Plan (Exhibit B) to address closing Tailings Disposal Facilities Nos. 1and 2 (TDF-1 and TDF-2), and to address groundwater contamination at the Pend Oreille Mine Tailings Disposal Facilities Nos. 1 and 2 (Site) (Exhibit A) in Metaline Falls, Washington. Teck Washington Incorporated (Teck) will implement this Scope of Work to perform Site cleanup. The Scope of Work requires the development of plans and designs, along with all other work products, that meet the requirements of the MTCA Cleanup Regulation, Chapter 173-340 WAC

Teck shall furnish all personnel, materials, and services necessary for, or incidental to, performing the cleanup action selected for the Site.

The Scope of Work contains the following tasks, to be accomplished in accordance with the schedule below:

Task 1: Engineering Design Report

The Engineering Design Report will comply with the requirements of WAC 173-340-400(4)(a). The report will provide engineering concepts and design criteria for major components of the selected cleanup action. The Engineering Design Report will describe the final grades of TDF-1 and TDF-2, final seismic and slope stability analysis, stormwater control, and cover system design including compaction requirements for the tailings, barrier layer, and vegetation, as well as the materials and methods. The sedimentation basin design will describe the basin size and anticipated load and settlement rates.

The Engineering Design Report should be adequate to obtain the necessary permits or meet the substantive provisions of laws for which there is a permit exemption in MTCA for the Site remediation. The Engineering Design Report will include a section describing the institutional controls for the Site. Institutional controls will be required for TDF-1 and TDF-2 and property where groundwater contamination is present. Teck owns the property where TDF-1 and TDF-2 are situated and where groundwater contamination overlays, and therefore, institutional controls are not necessary for adjacent landowners or third parties. The controls will prohibit groundwater usage except for purposes related to the cleanup action, such as groundwater monitoring.

The restrictive covenant to restrict the groundwater usage is Exhibit E of the Consent Decree. The institutional control section of the Engineering Design Report will provide the location of physical barriers and signs to prevent exposure to contamination.

Following completion of the Engineering Design Report, the Construction Plans and Specifications will be completed, submitted to Ecology for review and approval, and made available for the purpose of bidding on the project construction. The Construction Plans and Specifications will comply with WAC 173-340-400(4)(b). The bid process should be completed in order to meet the construction start date.

Task 2: Permits and Substantive Conditions of Permit-Exempt Laws

Teck must obtain several permits prior to construction of the cleanup action, or identify substantive requirements of laws for which MTCA creates a permit exemption. The permits will include a Critical Area Permit from Pend Oreille County in order to work within close proximity of the wetlands on TDF-1. Public review and comment on each of the above permits and substantive conditions will be provided after entry of the Consent Decree.

Task 3: Compliance Monitoring Plan

The Compliance Monitoring Plan will be developed prior to installation of the remediation systems. The Compliance Monitoring Plan will include protection monitoring, performance monitoring, and confirmational monitoring plans. The Compliance Monitoring Plan will also include a Sampling and Analysis Plan (SAP) and a Quality Assurance Project Plan (QAPP). Each plan will meet the requirements of WAC 173-340-410. All sampling data shall be submitted to Ecology according to the requirements of Section X of the Consent Decree.

Task 4: Operations and Maintenance Plan

An Operations and Maintenance (O&M) Plan will be developed in accordance with WAC 173-340-400(4)(c) for the cover and stormwater system for TDF-1 and TDF-2. The O&M Plan will include the monitoring schedules for the sedimentation basin and cover system components. The O&M Plan shall identify the person(s) responsible for each task outlined in the O&M Plan and relevant contact information. The O&M Plan will be completed prior to installation of the remediation systems. The O&M Plan shall describe and provide for continued implementation of the institutional controls for the Site as developed in the Engineering Design Report.

Task 5: Cleanup Action Implementation

The Engineering Design Report will be used to develop bid specifications to be used in obtaining bids for cleanup action implementation. Based on the Engineering Design Report and the project bids, Teck will prepare a final punch list of items to be completed during cleanup action implementation. The punch list items will be tracked as the implementation progresses.

Cleanup action details may be modified during the final design phase, pending Ecology's review and approval of the Engineering Design Report. Thus, the following description of cleanup action implementation is preliminary.

The cleanup action will be to re-grade the tailings to achieve safe slope configurations as well as appropriate drainage for stormwater control. The tailings will be compacted to achieve a reduced permeability with a goal of 1 X 10^{-6} centimeters per second. A drainage layer that will route stormwater off and away from the tailings will overlie the compacted tailings. A geotextile will be used to separate the drainage layer and the vegetation layer. The vegetation layer should be able to support the selected seed mix. The cover system, as a whole, will provide at least one barrier layer (e.g. geotextile or granular drainage layer) to address the conditional point of compliance for ecological receptors.

Task 6: Institutional Controls

After Teck completes construction of the cleanup action, it will implement the institutional controls described in the approved Engineering Design Report and approved O&M Plan.

Task 7: Cleanup Action Report

Teck will submit a Cleanup Action Report in accordance with WAC 173-340-400 (6)(b), 120 days after completion of the construction of the cleanup as defined by "construction complete" as set forth in schedule below. Laboratory data shall be included in the report and will be completely reviewed according to the quality assurance and quality control procedures outlined in the SAP and QAPP. Raw data shall be submitted Ecology following receipt of the data from the analytical laboratory. The Cleanup Action Report will be submitted with graphical representations of the work performed. The report will also provide documented evidence that institutional controls have been implemented.

SCHEDULE

Each of the documents required below are subject to Ecology's review and approval. Ecology will approve, approve with conditions, or disapprove of such documents. If Ecology disapproves a document, Ecology will provide comments to Teck and the parties will establish a mutually agreed upon date for Teck's re-submittal of the document, not to exceed forty-five (45) days after Teck's receipt of Ecology's comments. Teck will then submit a revised document that addresses Ecology's comments. Ecology recognizes that the Site can be influenced by unfavorable weather conditions. For the purposes of the following schedule, the construction season will be defined as June 1 through October 21. In an effort to complete the cleanup action in one construction season, the schedule will be set with a beginning construction date of July 18, 2011, although in the event the Final Engineering Design Report has not been approved by February 1, 2011, the July 18 date will be extended on a day-by-day basis for each day approval of the Final Engineering Design Report is delayed beyond February 1. Given the potential complexities of the project, an extension may be granted under Consent Decree Section XVI if construction cannot be completed in one construction season as defined above.

Deliverables	Date Due
Effective date of Consent Decree	Start
Teck submits Draft Engineering Design Report	90 days after start
Teck submits Final Engineering Design Report	30 days after Teck receives Ecology's written comments on Draft Engineering Design Report
Teck submits Construction Plans and Specifications	30 days after Ecology approval of Engineering Design Report
Teck submits Operations and Maintenance Plan and Compliance Monitoring Plans	30 days after submittal of Plans and Specifications
Begin constructing cleanup action	July 18, 2011, or 120 days after Ecology approves Final Engineering Design Report, whichever is later
Construction is complete	*October 21, 2011
Teck implements institutional controls	90 days after construction is complete
Teck submits Draft Cleanup Action Report	120 days after construction is complete
Teck submits Progress Reports	In accordance with Section XI of Decree.

* - If extension is granted, then construction schedule will begin again on June 1, 2012, with a new completion date to be established.