



Ministry of Environment
Inspection Record

**Environmental
Protection
Division**

EP System: <u>AMS</u>	Inspection Status: <u>FINAL</u>
System Number: <u>105809</u>	Inspection No: <u>23605</u>
EP System Status: <u>Active</u>	Inspection Date: <u>2015-11-14</u>
Region: <u>West Coast</u>	Office: <u>Nanaimo</u>
Trigger: <u>Incident</u>	Incidents of Non-Compliance Observed: <u>Yes</u>
Non-Compliance Decision Matrix Level: <u>Level 2</u>	Non-Compliance Decision Matrix Category: <u>Category A</u>
Inspector Name(s): <u>Laura Hunse</u>	Risk Ranking: <u>1 to 2 = Medium</u>
Audit: <u></u>	Total Non-Compliance(s): <u>2</u>
Regulated Party: <u>Cobble Hill Holdings (BC0754588)</u>	
Regulated Party Contact(s): <u>Marty Block (director), Pete Craig (SIRM operations manager)</u>	
Mailing Address: <u>Cobble Hill Holdings Ltd. (BC0754588)</u> <u>c/o Herald Street Law</u> <u>101 - 536 Herald Street</u> <u>Victoria BC V8W S61</u>	
Phone No: <u>(250)743-3333</u>	Fax No: <u></u>
Contact Email: <u>marty.sia@shaw.ca</u>	
Location Description or Site Address: <u>460 Stebbings Road, Shawnigan Lake</u>	
Latitude: <u>48.5511</u> N	Longitude: <u>123.6066</u> W
Receiving Environment(s): <u>Groundwater, Land & Surfacewater</u>	

Summary

MONITORING AND REPORTING REQUIREMENTS	
Inspection Period:	
From: 2015-11-13	To: 2015-11-14
Requirement Source: Permit	
Activity: On Site	Waste Type: Effluent
Inspection Summary: <p>The scope of this inspection report includes the clauses and sections listed below in relation to the water seeping through the toe of a disturbed rock and earth pile along the west boundary of Lot 23 (the site) and crossing over the boundary as surface water to the environment.</p> <p>On Nov. 13, 2015, MOE was advised by Nino Morano of Cowichan Valley Regional District (CVRD) Bylaw that he had attended the site following concerns of water leaving the Cobble Hill Holdings (CHH) property onto CVRD property. Photos in support of this were submitted to MOE. Following this report, I contacted Pete Craig, South Island Resource Management (SIRM) Operations Manager (site manager), who noted that they were working to remedy the situation. At approximately 1645h, Craig provided photos showing that ditching had rerouted the flow and this was now being channeled to the settling pond. Silt fencing was installed to aid in containing suspended solids within the site boundary. Further work since the inspection has included substantial widening and lengthening of the perimeter ditch, lining it with geotextile and covered with clear crushed rock.</p> <p>On November 14, 2015, I visited the site with MOE South Authorizations Director AJ Downie, and met with Pete Craig, Todd Mizuik, and Rahim Gaidhar, all of SIRM. We walked the site with a focus along the west perimeter which borders CVRD parkland, and noted the site of the previous day's activities. It was no longer raining on the day of the inspection, and running water/overland flow at and around the site had decreased significantly. We noted approximately 60 m south of the permitted settling pond discharge location where water had crossed over the site boundary and flowed northward the previous day. On the day of the inspection we observed that water was seeping through the toe of the rock and earth pile and gathering into the ditching inside the perimeter (created the day before) and channeling down to the settling pond. Given the expected water dynamics of the site, this water may have consisted of overland flow originating on and off the site, as well as having groundwater input. A minimal amount of flow continued to exit the site at the area in question. Samples of the seepage were taken on both sides of the fence at the point of boundary crossover. A sampling spout was engineered using a lab bottle to obtain the sample on the CVRD side of the perimeter due to low volume and depth of the water. Samples were also taken approximately 15 m west of the settling pond discharge point at the ephemeral creek as there was no actual discharge from the pond at inspection time. It is noted that the pond had discharged the previous day through the outlet and had since emptied. All samples were taken by me, assisted by Downie. Shadow samples were taken by Gaidhar at the same sites chosen by MOE. Parameters analyzed included turbidity, total suspended solids</p>	Response: Warning

(TSS), pH, metals, chloride, sulphate and PAHs. All results were compared to applicable BC and Health Canada Drinking Water Guidelines and BC Water Quality Guidelines (WQGs) for the protection of aquatic life. The onsite sample and ephemeral creek discharge met all guidelines, and the sample on the CVRD side (approx. 1.5 meters away from the inner perimeter sample) exceeded aluminum guidelines slightly. The aluminum guideline is intended as drinking water treatment operational guidance for facilities that use aluminum-based coagulants. These results do not pose a risk to human nor aquatic health downstream of the discharge, and the samples indicate that the water has not contacted landfilled contaminated soils.

This inspection records non-compliance as a result of water crossing the perimeter boundary instead of channelling to the settling pond as required (Permit, 1.5.4, 1.5.5, 2.12). In addition, the permittee did not immediately contact the director upon discovering the discharge (Permit, 2.12).

ACTIONS REQUIRED BY REGULATED PARTY:

The permittee is found to be non-compliant with sections 1.5.4, 1.5.5 and 2.12 of PR-105809 and this is a Warning that escalating compliance response is expected if the non-compliance continues. As per section 6.1 of the permit, the permittee is required to submit a report detailing test results, explanations and remedial actions implemented and planned. This written report must be submitted to my attention no later than December 14, 2015.

Please contact me with any questions at laura.hunse@gov.bc.ca or 250.751.3224.

ADDITIONAL COMMENTS:

The category and level of non-compliance is 2A, for minor, temporary impact to the environment and high indication of future compliance.

MOST RECENT COMPLIANCE REPORT 2015-09-15 concerned only the non-compliances noted during the May 13, 2015 inspection. Each of the non-compliances were addressed within the 30 days of the notification of non-compliance advisory, and are now in compliance.

Compliance Summary	In	Out	N/A	N/D
Operations	0	2	0	1

Inspection Details

Requirement Type: Operations

Requirement Description:

1.5 Ancillary Discharge _ Settling Pond

1.5.4 The authorized works are surface runoff collection and diversion ditches, leachate, surface runoff and leak detection control reservoirs, one surface settling pond, flow measurement device, monitoring and sampling equipment, emergency overflow and related appurtenances approximately located as shown on Figure A.

1.5.5 The authorized works must be complete and in operation while discharging.

Details/Findings:

Westside perimeter surface runoff collection and diversion ditches as shown on Figure A were not complete and in operation while discharging.

Compliance: Out

Requirement Type: Operations

Requirement Description:

2.12 Maintenance of Works and Emergency Procedures

The Permittee must inspect the authorized works regularly and maintain them in good working order. In the event of an emergency or condition beyond the control of the Permittee which prevents effective operation of the authorized works or leads to unauthorized discharge, the Permittee must comply with all applicable statutory requirements, immediately notify the Director, and take appropriate remedial action for the prevention or mitigation of pollution. The Director may reduce or suspend operations to protect human health or the environment until the authorized works have been restored and/or corrective steps have been taken to prevent unauthorized discharges.

The Permittee must prepare and maintain an Emergency Response Plan (ERP) to the satisfaction of the Director that describes the procedures to be taken to prevent or mitigate any discharge in contravention of the EPM. The ERP must be immediately implemented if there is a discharge, or any risk of a discharge in contravention of the EPM. In addition, an up-dated ERP, including a report on any emergency responses, taken in the previous year, must be kept available, on site for inspection, as defined under Subsection 5.1.

Details/Findings:

The water management system did not divert and channel the seepage from the toe of the disturbed earth and rock pile at the west boundary effectively to the settling pond at a time of high precipitation, i.e. works were not maintained in good working order in contravention with section 2.12 of the permit and in accordance with the Environmental Procedures Manual, Rev 1.0 (July 2015) sections 7.2 and 7.8. In further contravention of section 2.12, the permittee did not immediately notify the Director upon discovery of the water leaving the property boundary. Director was first notified by CVRD bylaw officer Nino Morano on the morning of the event. Permittee was cooperative and thoroughly responsive and took appropriate remedial action as required. Emergency procedures were followed as prescribed by the ERP.

Compliance: Out

Requirement Type: Operations

Requirement Description:

6.1 Non-compliance Reporting

For any non-compliance with the requirements of this permit, the Permittee must submit to the Director, Environmental Protection, a written report within 30 days of the non-compliance occurrence. The report must include, but is not necessarily limited to, the following:

all relevant test results related to the non-compliance;
an explanation of the most probable cause(s) of the non-compliance; and
remedial action planned and/or taken to prevent similar non-compliance(s) in the future.

Details/Findings:

This is a reminder that the following report is expected no later than December 14, 2015.

Compliance: Not Determined

Were the following collected during inspection:

Samples? ☐ Photos? ☐ EMS No.

Other (please specify)

Groundwater and surface water reports submitted under separate memo.

Is the Inspection related to an EA Project?

EA Project Certificate Number:

**INSPECTION CONDUCTED BY:***Signature*

Laura Hunse

Date Signed

2015-11-18

ENCLOSURE(S) TO REGULATED PARTY & DESCRIPTION:CVIS Archives**REGULATORY CONSIDERATIONS:**

This inspection document may not list all requirements as listed in the permit PR-105809. Please refer to the official permit document for full text and all requirements.

DISCLAIMER:

Please note that sections of the permit, regulation or code of practice referenced in this inspection record are for guidance and are not the official version. Please refer to the original permit, regulation or code of practice.

To see the most up to date version of regulations and codes of practices please visit:

<http://www.bclaws.ca/>

If you require a copy of the original permit, please contact the inspector noted on this inspection record or visit: [http://www2.gov.bc.ca/gov/topic.page?](http://www2.gov.bc.ca/gov/topic.page?id=DF89089126D042FD96DF5D8C1D8B1E41&title=Publicly%20Viewable%20Authorizations)

[id=DF89089126D042FD96DF5D8C1D8B1E41&title=Publicly%20Viewable%20Authorizations](http://www2.gov.bc.ca/gov/topic.page?id=DF89089126D042FD96DF5D8C1D8B1E41&title=Publicly%20Viewable%20Authorizations)

It is also important to note that this inspection record does not necessarily reflect each requirement or condition of the authorization therefore compliance is noted only for the requirements or conditions listed in the inspection record.

**Ministry of
Environment****West Coast****Region**Environmental Protection
Division

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<http://www.gov.bc.ca/env>

Authorization: PR-105809	Cobble Hill Holdings Ltd. (BC0754588)
CVIS IR #:	November 14, 2015 Site Inspection Photos

Photo 1

Site Map
with
approx.
sample
points for
reference



Photo 2

Contained
landfill area
and 180°
view of site
looking
north (Nov
14)



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Photo 3

CVRD
Bylaw
photo from
Nov 13
a.m., prior
to channel
diversion
looking
north



Photo 4

CVRD
Bylaw
photo from
Nov 13
a.m., prior
to channel
diversion
looking
south



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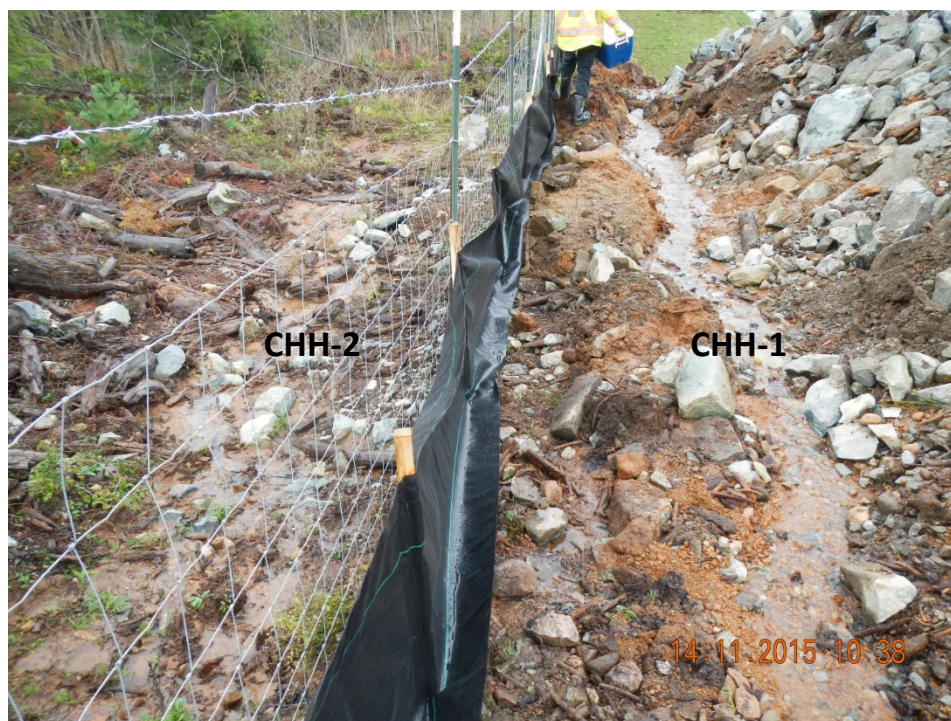
Photo 5

Site of seepage.
Ditching
and silt
fencing
installed
Nov 13



Photo 6

Nov 14 Sample
sites on either
side of western
perimeter fence
(CHH-1 – inside
perimeter; CHH-2
– outside
perimeter)



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Photo 7

Nov 17 photo shows perimeter ditching lengthened, widened, lined with geotextile, and covered with clear crushed rock.



Photo 8

Nov 17 perimeter ditching channeling to settling pond



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Photo 7

Sample CHH-1
inside west
perimeter fence
(Nov 14)



Photo 8

CHH-2 sample
site, outer
perimeter. Note
spout fashioned
from lab bottle to
allow sufficient
flow volume and
depth to sample
from trickle (Nov
14)



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Photo 9

Settling pond on Nov 14. Note no significant standing water. Pond was discharging through outlet on the day previous to the inspection (Nov 13) during periods of high precipitation



Photo 10

No flow from discharge point at time of inspection (Nov 14)



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Photo 11

Nov 14 Sample site at ephemeral stream breakout point, approximately 15 m downstream of settling pond surface discharge point (Sample named SW-1)

