



Ministry of Environment
Inspection Record

Environmental
Protection
Division

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|------------------------------------------------------------------------------------|--|---------------------------------------------------------------|--|
| Inspection Number: 29167 | | Inspection Status: FINAL | |
| EP System: <u>AMS</u> | | Inspection Date: 2016-07-12 | |
| EP System Number: 108368 | | EP System Status: <u>Active</u> | |
| Region: <u>Okanagan</u> | | Office: <u>Penticton</u> | |
| Trigger: <u>Planned</u> | | Incidents of Non-Compliance Observed: <u>Yes</u> | |
| Non-Compliance Decision Matrix Level: <u>Level 3</u> | | Non-Compliance Decision Matrix Category: <u>Category B</u> | |
| Inspector Name(s): Devan Oldfield | | CPIX: <u>0 to 1 = Low</u> | |
| Audit: | | Total Non-Compliance(s): 3 | |
| Regulated Party: Rhoda Mavis Friesen | | | |
| Regulated Party Contact(s): Wayne Friesen | | | |
| Legal Address: 5021 Parkinson RD Armstrong, BC V0E 1B4 | | | |
| Phone No: 2505038597 | | Fax No: | |
| Contact Email: wbfriesen@telus.net | | | |
| Location Description or Site Address: 5021 Parkinson RD Armstrong, BC | | | |
| Latitude: 50.500334 N | | Longitude: 119.254907 W | |
| Receiving Environment(s): <u>Groundwater & Land</u> | | | |

Summary

| MONITORING AND REPORTING REQUIREMENTS | |
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| Inspection Period: From: 2016-07-12 To: 2016-08-22 | |
| Requirement Source: Pollution Abatement Order | |
| Activity: <u>On Site</u> | Waste Type: <u>Effluent</u> |
| Inspection Summary: <p>On May 12, 2016, Pollution Abatement Order #108368 (Order) was issued to Rhoda Mavis Friesen (Friesen), operator of agricultural operations (poultry farm) located at 5021 Parkinson Road in Armstrong (Lands), as a result of the introduction into the environment of agricultural waste, including manure and/or manure laden effluent.</p> <p>The presence of nitrate is causing the groundwater in the unconfined aquifer that lies in part underneath the Lands (commonly referred to as the Hullcar Aquifer 103) to be unfit for potable purposes for some residents in the Hullcar Valley.</p> <p>On June 29, 2016, an amendment letter to the Order was issued. The amendment was made to allow more time for the order recipient to construct adequate field storage. Specifically, the amendment covered Order requirements 5 and 9 and extended the deadline from June 30 to July 31, 2016.</p> <p>On July 12, 2016, I performed an on site inspection of the poultry operation at the Lands. Joining me on my inspection was Deputy Director Christa Zacharias-Homer, Environmental Protection Division. I met with Mr. Wayne Friesen, on behalf of Ms. Friesen. The intent of the on site inspection was to discuss the Order with Mr. Friesen and answer any outstanding questions. A brief inspection of the Lands was performed. The barn was not entered, a concrete pad outside the barn door was observed. Mr. Friesen informed me that an area nearby situated on visible bedrock was used for field storage. On August 22, 2016, I also performed an office review in order to assess compliance with the specific requirements of the Order.</p> <p>Rhoda Friesen has been determined to be out of compliance with requirements 1 and 3 of the Order, failure to provide the 2016 Farm Book to the Director and post the 2016 Farm Book at the Hullcar Community Hall by July 31, 2016. This matter has been referred to the Conservation Officer Service for Investigation.</p> | Response: <u>Investigation</u> |
| ACTIONS REQUIRED BY REGULATED PARTY: | |
| Provide the 2016 Farm Book to the Ministry and post the 2016 Farm Book at the Hullcar Community Hall, as required by the Order. | |
| Provide proof of manure storage facility (photos would be acceptable). | |
| ADDITIONAL COMMENTS: | |
| I will be contacting you to confirm an appropriate time for an onsite inspection in the near future. | |

| Compliance Summary | In | Out | N/A | N/D |
|---------------------------|-----------|------------|------------|------------|
| Operations | 0 | 1 | 1 | 7 |
| Reporting | 0 | 2 | 1 | 1 |

Inspection Details

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| Requirement Type: Reporting |
| <p>Requirement Description:</p> <p>1. Retain a Qualified Professional to prepare a report (the _Farm Book_) for the 2016 calendar year which includes at a minimum the following information:</p> <p>—</p> <p>The 2016 Farm Book must be provided to the Director under the Environmental Management Act (the _Director_) by July 31, 2016. Subsequent updates to the 2016 Farm Book indicating any changes to the above required information must be provided to the Director by October 30, 2016 and January 30, 2017.</p> |
| <p>Details/Findings:</p> <p>Ms. Friesen has failed to provide the 2016 Farm Book to the Director by July 31, 2016. As of August 22, 2016, no Farm Book has been received by the Ministry.</p> |
| Compliance: Out |
| Requirement Type: Reporting |
| <p>Requirement Description:</p> <p>2. Retain a Qualified Professional to prepare a 2017 Farm Book which includes at a minimum the information required by section 1 of this order to be included in the 2016 Farm Book, but for the 2017 calendar year.</p> <p>The 2017 Farm Book must be provided to the Director by January 30, 2017. Subsequent updates to the 2017 Farm Book indicating any changes to the required information must be provided to the Director by April, 30 2017; July 31, 2017; and, October 30, 2017.</p> |
| <p>Details/Findings:</p> <p>As the date of this Order requirement has not passed, this requirement is not applicable at this time.</p> |
| Compliance: Not Applicable |
| Requirement Type: Reporting |
| <p>Requirement Description:</p> <p>3. Publicly post the Farm Books and subsequent updates required by this order, including physically posting the Farm Books and subsequent updates at the Hullcar Community Hall, on the same day the respectively Farm Book or update is required to be provided to the Director.</p> <p>Requirement 1 of the Order requires the 2016 Farm Book to be provided to the Director by July 31, 2016.</p> |
| <p>Details/Findings:</p> <p>Ms. Friesen has failed to post the 2016 Farm Book at the Hullcar Community Hall by July 31, 2016. On August 16, 2016, the sign board outside the Hullcar Community Hall was inspected for Farm Books. Only one was present and it did not belong to Ms. Friesen. As of August 22, 2016, the Ministry has not</p> |

received any indication that the 2016 Farm Book was posted at the Hullcar Community Hall.

Compliance: Out

Requirement Type: Operations

Requirement Description:

4

Retain a Qualified Professional to identify drainage management measures necessary to effectively control runoff and to ensure that solids, leachate, contaminated runoff and drift from sprayed materials do not enter watercourses or any source of water for irrigation or drinking purposes or leave the property. Implement drainage management measures identified by the Qualified Professional by July 31, 2016.

Details/Findings:

No information on the implementation of drainage management measures identified by a Qualified Professional has been provided to the Ministry and compliance with this requirement cannot be determined.

Compliance: Not Determined

Requirement Type: Operations

Requirement Description:

5. By July 31, 2016 establish functional manure storage facilities, which have, at a minimum, the storage capacity identified in the Farm Book necessary to store all manure produced by your agricultural operation, for the length of time necessary to allow for storage of such manure in accordance with this order until it can be applied to the Lands in accordance with the rates and timing of application determine under section 10 of this order.

On June 29, 2016, an amendment letter was issued effectively changing the date of completion for this requirement from June 30 to July 31, 2016 and requiring photos of the completed manure storage facility and details on how leachate is collected.

Details/Findings:

No information on the establishment of functional manure storage facilities has been provided to the Ministry.

Ms. Friesen has also failed to provide photos of the completed structure including description of how leachate is collected as requested in the June 29, 2016 amendment letter.

Compliance: Out

Requirement Type: Operations

Requirement Description:

6

By June 30, 2016 ensure all permanent manure storage facilities have a minimum setback of:
i) 30 meters from any source of water used for domestic purposes including drinking water well or surface water intake;
ii) 15 meters from the high water mark of all watercourses; and
iii) 4.5 meters from all property lines.

Details/Findings:

During the July 12 site inspection, Mr. Friesen confirmed that the Lands do not have any permanent manure storage facilities so this requirement is not applicable.

Compliance: Not Applicable

Requirement Type: Operations

Requirement Description:

7
By June 30, 2016 ensure all manure field storage areas are not located:
i) on areas having standing water,
i) on saturated soils, or
ii) on low-lying areas in fields prone to seasonal flooding.

Details/Findings:

No information on manure field storage areas has been provided to the Ministry and compliance with this requirement cannot be determined.

Compliance: Not Determined

Requirement Type: Operations

Requirement Description:

8
By June 30, 2016 ensure all manure field storage areas have a minimum setback of:
i) 30 meters from any source used for domestic purposes including a drinking water well or surface water intake,
ii) 30 meters from the high water mark of all watercourses, and
iii) 4.5 meters from all property lines.

Details/Findings:

No information on manure field storage areas has been provided to the Ministry and compliance with this requirement cannot be determined.

Compliance: Not Determined

Requirement Type: Operations

Requirement Description:

9
By July 31, 2016 must ensure all manure field storage areas are:
i) covered,
ii) located on a base of low permeability soil (hydraulic conductivity of 10-6), e.g., layer of clay, or on an impermeable liner;
iii) established such that any leachate must be collected and contained, and
iv) established and located such that storm or rain water flowing along the surface of any berms or other works constructed is diverted from entering the field_s stored manure pile(s).

On June 29, 2016, an amendment letter was issued effectively changing the date of completion for this requirement from June 30 to July 31, 2016.

Details/Findings:

No information on manure field storage areas has been provided to the Ministry and compliance with this requirement cannot be determined.

Compliance: Not Determined

Requirement Type: Operations

Requirement Description:

10
By June 30, 2016, ensure that no manure and/or manure effluent is stored in sites other than storage facilities or field storage areas.

Details/Findings:

No information on manure and/or manure effluent storage sites has been provided to the Ministry and compliance with this requirement cannot be determined.

Compliance: Not Determined

Requirement Type: Reporting**Requirement Description:**

11
 Prior to any manure and/or inorganic fertilizer application to fields, retain a Qualified Professional to determine agronomically-correct rates of application of manure and/or inorganic fertilizer. All records and data used to calculate the manure application rate must be retained for two (2) years and must be made available to the Ministry upon request.

Details/Findings:

No information on manure and/or inorganic fertilizer application to fields has been provided to the Ministry and compliance with this requirement cannot be determined.

Compliance: Not Determined**Requirement Type: Operations****Requirement Description:**

12
 Ensure all applications of manure and/or inorganic fertilizer are:
 i) a minimum of 3.5 meters from the high water mark of a watercourse;
 ii) 3.5 meters from all property lines;
 iii) 3.5 meters from any industrial wells; and
 iv) 30 meters from any drinking water wells.

Details/Findings:

No information on manure and/or inorganic fertilizer application to fields has been provided to the Ministry and compliance with this requirement cannot be determined.

During the site inspection on July 12, 2016, Mr. Friesen noted that his wells were situated at the front of his property and away from the poultry barn. However, it is not clear at this point where the manure storage facility (field or permanent) will be situated nor which fields will have manure and/or inorganic fertilizer application. This information should be provided in the Farm Book.

Compliance: Not Determined**Requirement Type: Operations****Requirement Description:**

13
 Prior to conducting any manure and/or inorganic fertilizer application, ensure the buffer requirements above have been visibly identified either using a visual marking system (such as flagging tape) or GPS enabled datalogger.

Details/Findings:

No information on manure and/or inorganic fertilizer application to fields has been provided to the Ministry and compliance with this requirement cannot be determined.

Compliance: Not Determined**Were the following collected during inspection:**

Samples? Photos? EMS Number

Other (please specify)

Is the Inspection related to an EA Project? EA Project Certificate Number:

INSPECTION CONDUCTED BY:*Signature**Date Signed*

| | |
|----------------|------------|
| Devan Oldfield | 2016-08-31 |
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ENCLOSURE(S) TO REGULATED PARTY & DESCRIPTION:

CVIS Archives

REGULATORY CONSIDERATIONS:

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?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.

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