



Ministry of Environment

Information Sheet

on

Cobble Hill Holdings/ South Island Aggregates

Summary of Compliance with Permit 105809



This Information Sheet provides a summary of compliance with *Environmental Management Act* Permit 105809 issued to Cobble Hill Holdings Ltd. The permit was assessed for compliance by Ministry of Environment (MOE) staff on May 13, 2015 and July 10, 2015.

What are the requirements that must be met?

- Permit 105809 lists requirements for the design, operations, discharge, monitoring and reporting associated with the acceptance, treatment, and landfilling of contaminated soil within the area defined by the permit (generally understood as within Lot 23). A copy of the current permit can be viewed online and additional information about permit requirements can be found on Information Sheet *Summary of Permit 105809*.
- The MOE permit does not include requirements from other regulators such as Ministry of Energy and Mines or Cowichan Valley Regional District. It also does not apply to areas outside of the permit boundaries (such as the area generally referred to as Lot 21).

How was compliance with the permit assessed?

- On May 13, 2015, the site and operations covered by the permit were assessed for compliance.
- The period covered by this inspection was from June 2014, up to and including the date of inspection.
- MOE staff and company representatives inspected the site, including the soil management area (where soil is held prior to landfilling), the future landfill area (still under construction), the effluent treatment plant, settling pond, and the discharge point to the ephemeral (seasonal) stream which leads to a tributary of Shawnigan Creek.
- Staff also collected samples of groundwater and surface water at and around the site in established monitoring locations. Details of the findings can be found in the Information Sheet *South Shawnigan Creek Receiving Environment Monitoring*.

Who was involved in conducting the assessments?

- MOE officers from the Compliance and Authorizations Sections conducted the assessment of works, operations and discharges. Groundwater and surface water monitoring experts from the provincial government conducted receiving environment monitoring. CVRD bylaw staff attended portions of the site inspection. MOE Land Remediation Section staff carried out sampling at Lot 21, which is outside of the MOE permit area and not included in this compliance assessment.

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What were the findings of the May 13, 2015 compliance inspection?

- 45 permit clauses were assessed for compliance including clauses pertaining to discharges, operational requirements, monitoring, and reporting. Of these:
 - 19 clauses were marked in compliance
 - 21 clauses were marked not applicable or not determined
 - 5 clauses were marked out of compliance
- Reasons for assessing compliance as *not applicable* or *not determined* include:
 - Only soils meeting requirements for immediate landfilling have been accepted at the site; soils intended for bioremediation had not been accepted up to the time of inspection
 - Landfill construction is not yet complete, therefore no soil had been discharged to the land
 - Water levels in the settling pond did not reach the outlet to the ephemeral creek during the period covered by the inspection; therefore no effluent was discharged to surface water via the outlet discharge point during this time
- Clauses marked *out of compliance* were related to reporting and monitoring, including:
 - One background groundwater monitoring well was not functional
 - Though the Soil Acceptance Plan was essentially followed as required, a coded tracking ID was not issued to the existing loads of soil accepted at the site
 - Monthly sampling of the water treatment system effluent and quarterly sampling of the receiving environment were not conducted during the time that the permit was in the appeal process, nor were quarterly reports including the sampling results submitted during this time

What Happens Next?

- Following the inspection, results were provided to the permittee, including an advisory of non-compliance for the clauses listed above
- MOE Compliance Section staff conducted a follow-up visit to the site on July 10, 2015
- The permittee has retained South Island Resource Management to manage and operate the site
- Non-compliance items have been addressed:
 - The background monitoring well has been repaired and is now operational
 - A revised Soil Acceptance Plan with improved tracking has been fully implemented
 - Sampling and monitoring has resumed as required
- Significant site improvements have been implemented, including improved safety, signage, security and housekeeping. Security cameras have been installed and other improvements have been made in non-active areas.
- Wheel rinsing works are now in place and functional
- All concerns noted on the permit inspection are resolved or are in process of resolution
- Quarterly reports from the permittee will include monitoring results as well as any non-compliances and actions taken to resolve them
- Terms of Reference for the Technical Advisory Committee are being drafted for approval
- MOE staff will continue to assess compliance with permit conditions according to Ministry Policy