

Cobble Hill Holdings Ltd
#1 - 505 Fisgard Street
Victoria BC V8W 1R3

August 31, 2017

MOE file number: 105809

Ministry of Environment and Climate change
Regional Operations Branch
Environmental protection Branch

Mr. Douglas Hill, P.Eng
A/executive Director

Dear Sir:

Re: Spill Prevention Order for Cobble Hill Holdings Landfill-Minor Construction Works for 2017

I am in receipt of your letter dated August 3, 2017, and I find your first paragraph to be misleading and quite frankly an unfair representation of the facts.

You have wrongfully stated, that CHH missed the August 25th, 2017 ministry imposed cut off date, for our submissions of the construction work plan, and schedule for the Minor works.

I therefore submit to you, and for the record, the following information that is a true representation of the timing of our August 25th submission to the Ministry.

Below is a breakdown of the correspondence that was had between your office and our engineers, Sperling Hanson Associates (SPA) during the submission period.

The reason for additional correspondence, as you must be aware, was due to a small error in Table 1 of the letter, that was picked up by your staff. A two-line item (No.1 & No.2) of Table 1 - '2017 Minor Construction Work Schedule' were

missing when copied from the Excel Spreadsheet into the Word document. Nothing changed in the Letter from our original submission on August 25th to the submission on August 28th other than the above noted Table 1.

You will find for your review, attached e-mail correspondence, that verifies the accuracy of my statement, and for your convenience I have summarised the time line and the correspondence in the bullets below.

- **Correspondence 1** – Initial Submission of Construction Schedule and Letter to Jennifer McGuire (MoE) –email submission at 4:14 pm August 25th, 2017. Jennifer McGuire (MoE) acknowledges receipt at 5:40 pm, same day.
- **Correspondence 2** – Maureen Bilawchuk (MoE) to Tony Sperling (SHA) on August 28th at 11:20 am regarding error in Table 1 of August 25th Letter. As Tony was in meetings with other clients on August 28th he was not able to respond to Maureen’s e-mail. The email was forwarded to Mairi Dalglish (SHA) after 1:00 pm and missed a phone call at 1:04 pm from Maureen. Mairi called Maureen at approximately 1:30 pm on August 28th to discuss.
- **Correspondence 3** – Mairi to Maureen at 2:05 pm – Submission of Letter with Updated Table 1 (**Letter remained dated August 25th**).
- 2:51 pm – Telephone conversation between Tony and Mairi of SHA regarding Ministry concerns with date on Letter. **MOE requesting the date be updated from August 25th to August 28th.**
- **Correspondence 4** – Mairi to Jennifer McGuire at 3:33 pm, August 28th – Submission of Letter with updated Table 1 and updated date of letter from Aug 25th to Aug 28th, as per MOE instructions.

The submissions were for review and approval by the Ministry, and were always open to change, for the Ministry to find an obvious typographical error, then request us to change the date, “So not to confuse the two reports” then allege us of being late on our submission, I feel is ill responsible on the Ministry’s part, and quite damaging both to our standing with the Ministry and our on going working relationship.

I look forward to your acceptance of the above and I respectfully request that you correct the record in writing.

Respectfully,


Michael Kelly