



File: MO1701

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Dear Sirs:

**Re: Spill Prevention Order for Cobble Hill Holdings Landfill – Reporting Requirements**

This letter clarifies the reporting requirements contained in the Second Amended Spill Prevention Order MO1701 dated June 29, 2017 (the “SPO”), and Minister’s letter to the above Named Parties dated August 11, 2017. This clarification follows the Named Parties’ October 2, 2017 submission with the attached September 30, 2017 Progress Report, subsequent discussion on October 4, 2017 between the Ministry (Maureen Bilawchuk) and Sperling Hansen Associates (Scott Garthwaite), and email correspondence dated September 28, 2017 between Allterra Construction (Rahim Gaidhar) and the Ministry (Connor Fraleigh) with regard to the expectations and intent of the required reporting requirements.

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The reporting requirements outlined by the Minister are in place to provide timely information and data to the Ministry as well as a written record regarding the state of the Cobble Hill Holdings site. Submissions will inform future decisions regarding the site, so it is essential for information to be clear, accurate and complete.

This letter does not change or replace any of the requirements mandated by the Minister. It is intended to provide additional guidance to ensure a consistent interpretation of those requirements which can then be used to inform future submissions and compliance efforts. If there is any conflict, the SPO and Minister's letters, as written, take precedence.

Please note the following items:

- 1) The Updated Final Closure Plan is still under review by the Ministry. Only specific minor construction works for 2017 were approved.
- 2) Both the SPO and the Minister's August 11, 2017 letter must be read together to understand the requirements.
- 3) In accordance with Section 1 of the SPO, leachate records must be submitted twice a month on the 15<sup>th</sup> and 30<sup>th</sup>. The intent was to have the additional information from Section 4 of the SPO, plus the reporting under Section 6 of the Minister's letter (dated August 11, 2017) in one submission, although this was a convenience aspect and not a requirement.
- 4) In accordance with Section 4 of the SPO, the semi-monthly reports:
  - a. must be certified by a Qualified Professional,
  - b. must be submitted by the 15<sup>th</sup> and 30<sup>th</sup> (with exceptions for weekends and holidays), and
  - c. must include the status of closure activities, inspection results, quality control (QA/QC), testing results and documentation, inspection reports and other supporting documents.
- 5) Further to the Minister's August 11, 2017 letter, semi-monthly reports must also:
  - a. identify any deviations to the construction work plan (i.e. activities completed or changed),
  - b. identify any deviations to the work schedule,
  - c. confirm activities planned for the next reporting schedule (1-15<sup>th</sup> of the month, and 16-31<sup>st</sup> of the month (i.e. this may include any planned inspection and /or maintenance work), and
  - d. include water quality results received from the lab, suitability tabulated along with copies of the reports.

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- 6) Semi-monthly report submissions must cover the period from the end of August 2017, through the winter, and until further notice. According to the SPO, these ongoing submissions must be certified by a Qualified Professional.
- 7) The Minister's letter does not specifically identify the recording period for each semi-monthly report so the Named Parties have some flexibility with this aspect. However, the submission dates and frequency cannot be varied. It may be possible for the Named Parties to change the recording period from time to time if necessary, but regardless of the period, every day must be accounted for. For example, the Named Parties may cut off a reporting period before the last day (e.g. Oct. 11 to meet the submission date of Oct. 15), so the report can be appropriately compiled, reviewed, and formatted for submission. However, the next report would need to detail activities beginning on the cut-off date (e.g. Oct 12) to ensure the data documentation period is complete and continuous. It is a best management practice to ensure that each report clearly identifies the reporting period, and it is preferred that the reporting period be generally consistent.
- 8) Where QA/QC information is unavailable because of delays in lab analysis, etc. the report should note which results are outstanding and will be included with the next report.
- 9) Quarterly implementation reports must be submitted once all closure activities have been approved and completed. Quarterly implementation reports are currently not required since the Updated Final Closure Plan has not been approved and final closure activities have not been completed.
- 10) No Annual Report is required at this time for the same reason as the Quarterly reports identified in Number 9 above.
- 11) In accordance with Section 5 of the SPO, detailed final "As-Built" plans and specifications, certified by a Qualified Professional, must be submitted to the Ministry 30 days after the works are constructed.
- 12) Best management practices associated with data reporting include documenting activities that have occurred, and in some cases documenting activities that have not occurred, clearly. This will eliminate uncertainty regarding whether an item was forgotten or simply did not occur.
- 13) All submissions, except where otherwise specified, should be sent electronically to the environment compliance mailbox at [EnvironmentalCompliance@gov.bc.ca](mailto:EnvironmentalCompliance@gov.bc.ca).

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I trust this additional guidance will assist with your submissions. As mentioned previously, the requirements of the Second Amended Spill Prevention Order MO1701 remain in full force and effect. Failure to comply with the requirements of the SPO is a contravention of the *Environmental Management Act* and may result in legal action.

Sincerely,



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Regional Director, Authorizations - South  
Regional Operations Branch  
Ministry of Environment and Climate Change Strategy

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