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Guide to Understanding the Inspection Results

What is included in this report?
This report covers the results of inspections under the Environmental Management Act from January to December 2015. This report is a point in time assessment of the compliance of a regulated party, often for a large number of parameters chosen by an inspector. All data used to compile this report is available online via the Government of B.C.’s website.

What is important to note?
Not all non-compliances present a threat to the environment or human health: the vast majority of non-compliances are administrative in nature or have minor, temporary impacts to the environment. Many of the sites inspected by ministry staff are large, complex operations that must comply with a myriad of general regulatory requirements, as well as their site-specific permit conditions. Just because a regulated party is out of compliance, it does not necessarily mean they are a “bad operator” or there has been environmental damage.

In 2015, 95% of inspections were either in compliance (40%) or only required the issuance of an advisory or warning as a first level enforcement response (55%).

Why such high rates of non-compliance?
When determining which sites and facilities to inspect, the ministry intentionally targets areas where there may be non-compliance. A problem focused approach is used to best protect the province against environmental and human health harms. This approach, however, yields higher than expected rates of non-compliance because the ministry is looking for problems.

If any one parameter is out, the whole inspection is marked out of compliance – regardless of how few or how minor the non-compliance(s). During an inspection, many parameters may be checked, especially in cases where the ministry is working with large scale operators.

What did we find?
632 inspections were conducted under the Environmental Management Act:
• 95% were either in compliance or only required the issuance of a first level enforcement response (advisory or warning).
• 40% were in compliance and 60% were found out of compliance.

Of the 632 inspections:
• 1% resulted in an order (to address environmental risk).
• 4% were referred for further action (to consider escalating enforcement action).
• 16% resulted in a warning (to address major administrative issues or minor to moderate, temporary impact to the environment).
• 39% resulted in an advisory (to address minor administrative issues or little to no environmental impact).
• 40% resulted in a notice of compliance (to confirm all parameters were in compliance).
Of the 4% of inspections (28 in total) that were referred for further action in 2015:

- 3 administrative penalties have been issued and paid.
- 7 administrative penalties are under consideration.
- 11 violation tickets have been issued.
- 18 charges have been laid.

While the inspections occurred in 2015, the majority of these actions were taken in 2016 as further investigation was required.

Other notable highlights:

- Over 270 regulated parties were inspected, some several times.
- Over 350 different sites were inspected.

How does the ministry respond to non-compliance?

Different responses are chosen to address non-compliances based on the severity of actual or potential impact to the environment, human health or public safety, the factual circumstances of the alleged contravention and the compliance history of the operator.

Advisories and warnings are first level enforcement responses issued to address administrative or minor to moderate, temporary environmental impacts. These were issued for over half the inspections conducted in 2015. For example, Canfor Pulp Ltd. is a large scale operator in B.C. with numerous facilities throughout the province. As such, Canfor Pulp Ltd. was subject to 15 inspections in 2015. Of these, one parameter during one of the inspections was found to be out of compliance. Canfor Pulp Ltd. did not include certain information in their annual report and was accordingly issued an advisory. All other fourteen inspections were in-compliance for every parameter inspected.

Orders are imposed to address non-compliance or manage environmental risk when an inspector determines that an advisory or warning will not be sufficient to address the situation. These were issued for 1% of the inspections in 2015. For example, Timber West Forest Corp. was issued an order for depositing wood waste and refuse without authorization. The order required that all wood waste and associated refuse be moved to an approved location with detailed reporting on measures taken to restore the unauthorized dump site to ministry satisfaction.

In cases where the impact to the environment, human health or public safety is more serious, or where there is a continued lack of regard for the regulatory requirements, the non-compliance is referred for further action. This could include inspectors recommending the issuance of an administrative penalty or that an investigation be undertaken, leading to a violation ticket or charges. This was the case for only 4% of inspections in 2015. For example, as a result of inspections conducted in 2015, a total of 18 charges were laid against Banks Island Gold Ltd. (a mining company), as well as two individuals under the Environmental Management Act for failure to report a spill of a polluting substance and for repeatedly failing to comply with environmental permits.

The ministry is committed to ensuring compliance with all aspects of the Environmental Management Act. To best protect the environment, human health and public safety, the ministry directs resources to the areas of highest risk and of most serious concern.
Introduction

Over the past several years, the ministry has been actively working to expand public reporting to include compliance inspections. The ministry is pleased to be in a position to share publicly, for the first time, the results of inspection efforts and looks forward to sharing these results annually.

This report was undertaken to examine program performance, to inform future management decisions and to share with the public the results of the ministry’s work.

Inspection data used in this report was collected by ministry staff and input into an online data management program designed specifically for the ministry. Data was thematically analyzed and interpreted by staff for the purpose of this report. Note: the term “regulated party” used throughout this report includes large corporations, small companies, local and provincial government agencies, and private individuals.

The report is organized into two main sections:

Part A: Overview
- Regulatory Context
- Approach to Compliance and Enforcement
- Geographical Distribution
- Compliance Inspections

Part B: Compliance Activities for 2015
- Setting Requirements
- Promoting Compliance
- Verifying Compliance
- Enforcing

As a result of the breach of the tailings storage facility at Mount Polley in August of 2014, ministry inspectors increased their presence at mines throughout the province. In 2015, one in four inspections was conducted at a mine. A section called an ‘Overview of Mining Inspections’ has been provided to detail the results of those inspections.

It is noteworthy to mention that in the ministry, inspectors are classified as Environmental Protection Officers. This title demonstrates the true significance of the inspection program: to prevent and protect against impacts to the environment, human health and public safety. The ministry is committed to providing technical and skills-based training for staff. In 2015 most inspectors received approximately 35 hours of training, and the ministry is looking to increase this to 100 hours annually. The ministry wishes to express its appreciation to the dedicated and professional staff who conduct this important role throughout the province.

Inspection information from the ministry’s land remediation and extended producer responsibility activities is not included in this analysis. Information related to extended producer responsibility activities will be included in the next annual report; information related to land remediation can be found on the ministry’s website.
Part A: Overview

1. Regulatory Context
Effective regulations ensure a safe and healthy environment for British Columbians, sustainable economic development, and clear and predictable decisions for the public and business community.

The Ministry of Environment is responsible for the protection, management and conservation of B.C.’s water, land, air and living resources. In order to fulfill this mandate, the ministry establishes and administers a broad suite of regulatory requirements.

The Environmental Management Act (EMA, or, the act) is one of the key ministry statutes governing environmental protection and management in British Columbia. The act regulates industrial and municipal waste discharges, pollution, air quality, hazardous waste and contaminated site remediation. It provides powers and authorities for ministry staff to verify compliance, to prevent and correct detrimental environmental impacts, and to take enforcement action and respond to environmental emergencies.

The term the “act” refers to the legislation itself, as well as associated regulations and various authorizations such as permits.

In British Columbia, any industry, trade, business, activity or operation must comply with all applicable regulatory requirements under EMA. These regulatory requirements are outlined in a variety of specific regulations and codes of practice such as the Hazardous Waste Regulation and the Code of Practice for the Slaughter and Poultry Processing Industries. The act also provides a blanket provision that no activity can cause pollution.

In the case of high risk activities, site-specific permits are required to ensure that conditions specific to that activity are met and maintained. Examples of activities requiring a permit include open-pit mining, pulp and paper production and sawmill operations.

Ministry staff also conduct inspections against orders that have been issued by ministry officials to a regulated party. Orders require that certain actions to be undertaken within a specific timeframe; they may be issued to prevent problems from occurring or they may be issued in response to an incident that requires certain mitigation and corrective actions.
Guidelines and Standards

A guideline is an environmental objective or target. For example, water quality guidelines provide specific advice on managing fluoride and iron levels, among other physical, biological and chemical parameters, to ensure healthy ecosystems and to protect human health.

These ministry guidelines are used by decision makers to inform the establishment of legally binding standards into a regulatory requirement or permit. Once these standards are set in a regulation or permit, they become the legal standard against which compliance is verified.

Range of Activities Regulated

The act regulates activities related to many large commercial operations in the province such as mining, pulp and paper production, sawmills operations, concrete and cement plants, smelting and foundry facilities, oil and gas facilities, landfills, residential sewage works, as well as manufacturing of chemical and synthetic materials. The act also regulates a host of other activities such as open burning, agricultural operations, vehicle dismantling, and the hauling and storage of hazardous waste.

Regulatory Partners

The ministry has a variety of partners who support the administration of EMA. The Oil and Gas Commission has specified authorities under the act to permit oil and gas facilities in the province and to enforce compliance with those permits. For years, the Greater Vancouver Regional District has been regulating air emissions within its boundaries. This entails all aspects of administration of the act including issuing permits and ensuring compliance. In addition, ministry staff also conduct joint inspections with a number of other regulators. For example, ministry inspectors coordinate inspections with the Conservation Officer Service, Environmental Assessment Office, Ministry of Forests, Lands and Natural Resource Operations, Ministry of Energy and Mines, Department of Fisheries and Oceans and Environment Canada. Related to the protection of human health and public safety specifically, ministry inspectors also work alongside inspectors from Worksafe BC and Health Authorities, as well as local government bylaw officers. Officers from all of these agencies provide ministry inspectors with information about activities that they observe during the conduct of their respective duties and vice versa.
2. **Approach to Compliance and Enforcement**

The ministry uses a variety of compliance and enforcement tools to ensure compliance with regulatory requirements. When responding to non-compliance, ministry staff consider the severity of actual or potential impact to the environment, human health or public safety, the factual circumstances of the alleged contravention and the compliance history of the offender.

In many cases, voluntary compliance can be achieved through promoting an understanding of the applicable regulatory requirements and early intervention through the issuance of advisories and warnings. However, in cases where the impact to the environment, human health or public safety is more serious, or where there is a continued lack of regard for the regulatory requirements, inspection staff will refer the non-compliance for investigation which may lead to prosecution.

**Compliance Management Framework**

The ministry’s [Compliance Management Framework](#) (the framework) outlines a consistent approach and vision for ensuring compliance. The framework describes in detail the model that guides all ministry compliance and enforcement activities. The model outlines four key steps to compliance management:

1. Setting regulatory requirements that are clear, practical and enforceable
2. Promoting requirements to encourage voluntary compliance
3. Verifying compliance to determine if requirements are being met
4. Enforcing requirements using a variety of enforcement responses

The framework also highlights the ministry’s commitment to continuous improvement, accountability and public reporting of compliance and enforcement results.

**Compliance and Enforcement Policy and Procedure**

The [Compliance and Enforcement Policy and Procedure](#) sets out how ministry staff assess and respond to non-compliance. It provides consistency, clarity and predictability regarding the consequences of non-compliance, and ensures that ministry resources are directed to the highest priorities. The Non-Compliance Decision Matrix, a key part of the policy, is a risk-based tool that guides staff in their selection of appropriate responses to non-compliances.

The ministry has at its disposal a variety of compliance and enforcement tools. Some tools are administrative and can be issued by ministry staff such as
Compliance and Enforcement Tools:

warnings, orders and administrative penalties. Some tools can only be issued by a Conservation Officer subject to an investigation, i.e. violation tickets and recommendation of charges to Crown counsel that may result in a court prosecution.

Key compliance and enforcement tools:

**Notice of Compliance**: is issued by an inspector when all parameters of an inspection are found in compliance.

**Advisory**: is issued by an inspector advising a non-compliant party that they are not in compliance and often recommending a course of action to achieve compliance.

**Warning**: is issued by an inspector and is similar to an advisory, but warns of a possible escalated enforcement response if non-compliance continues.

**Order**: is a tool issued by designated ministry officials to address non-compliance and/or manage environmental risk. Orders may create new requirements to undertake specific, time bound actions or cease specific actions. Non-compliance with an order is an offence and may be prosecuted accordingly. Alternatively, non-compliance with an order may be dealt with by imposing an administrative penalty.

**Administrative Penalty**: is a financial penalty that can be imposed by designated ministry officials on regulated parties for failing to comply with a particular provision of a statute, regulation, an order or the terms of an authorization. These penalties can be administered with less onerous procedural and legal requirements than required by a court prosecution.

**Community Environmental Justice Forum**: is a dispute resolution process that uses the principles of restorative justice to address non-compliance. The forum, conducted by a certified ministry facilitator, is designed to ensure offender accountability, repair the harm caused by the offence and restore compliance.

**Violation Ticket**: is issued by a Conservation Officer and provides a summary means of dealing effectively and quickly with minor offences.

**Court Prosecution**: is a legal proceeding that is recommended by a Conservation Officer and initiated by Crown Counsel to hold accountable a party alleged to have committed an offence.
Within the ministry, the province is broken into the following three main regions:

- the **Coast Region** which includes the Lower Mainland, Vancouver Island and the coast north to Haida Gwaii;
- the **South Region** which includes the Cariboo, Okanagan and Kootenays; and
- the **North Region** which includes the rest of the province north of Quesnel.

Inspection focus and frequency varies by region depending on population density and presence of industrial and resource-based activities. Mining operations tend to be located in more remote parts of the province, while municipal waste facilities and manufacturing and processing plants are more prevalent in higher population density areas. Forest sector related activities are located throughout the province and hazardous waste transport and storage facilities tend to be more concentrated in the Lower Mainland.
3. Compliance Inspections

Compliance inspections are conducted to verify whether a party is in compliance with applicable regulatory requirements.

Nature of Inspections

The basic intent of an inspection is not to uncover a breach of regulatory requirements; rather, the intent is to verify compliance with the applicable requirements that have been defined for the specific activity in question. Inspectors select a few key parameters to examine out of the myriad of applicable permit conditions or regulatory requirements.

Inspectors conduct both proactive and reactive inspections. Proactive inspections are planned whereas reactive inspections are conducted in response to emerging problems or complaints. Inspections can include in-office reviews of monitoring data submitted by regulated parties or on-site examinations of facilities and works. Inspections can also include audits of key regulatory requirements across a sector or within a geographical area. It is important to note that inspections are a “point-in-time” assessment of these parameters.

Frequency of Inspections

The ministry inspection policy dictates the frequency of inspections for high, medium and low risk sites. Many factors dictate the frequency of these inspection activities including the environmental risk posed, prior findings of non-compliance, as well as the need to maintain contact with regulated parties. Inspections may also be conducted more frequently in newly regulated sectors or for sectors and facilities where trends of non-compliance are emerging.

Notice of Inspections

Ordinarily, inspectors provide very little or no advance notice to regulated parties when they are conducting an on-site inspection; this ensures the site is inspected under typical operating conditions. In some cases, advance notice is required to ensure inspectors can conduct their work in a timely, thorough and safe manner. This applies to instances when facilities are in a remote location, administrative records require advance preparation, inspectors require certain employees to be present or inspectors themselves must undergo site specific safety training prior to entering the work site.

Inspectors

Inspectors are ministry staff designated under the Environmental Management Act. The qualifications and backgrounds of inspectors are science-based and range from expertise in engineering, chemistry, geophysics, biology, environmental risk assessment and environmental sciences. Inspectors either hold a professional designation such as an agrologist, biologist or engineer, or they hold a Bachelor of Science Degree in Environmental Management, Applied Science or Natural Sciences.
Ministry inspectors are located throughout British Columbia in various regional offices. The spatial distribution of inspectors allows for access to regulated industries and facilities all over the province. Inspectors undertake a wide variety of activities including reviewing monitoring data, sampling discharges, entering facilities or private land and examining industrial works. Inspectors are also responsible for recommending enforcement action to address non-compliance.

Role of the Inspector

The primary role of the inspector is to verify compliance. When an inspection results in a finding of non-compliance, the inspector may:

- Issue an advisory or warning;
- Recommend that a designated ministry official issue an order or administrative penalty; or
- Refer the matter for investigation.

While the majority of time spent by inspectors is on compliance verification duties, inspectors also play an important role in permit administration, as well as compliance promotion. To this end, inspectors will conduct educational workshops, liaise with industry associations and field a variety of inquiries from regulated parties and the public.

Investigations

If a non-compliance poses an actual or potential risk to the environment, human health or public safety, or it is unlikely that the regulated party will comply, the inspector may refer the file for investigation.

In the Ministry of Environment, Conservation Officers conduct investigations under the *Environmental Management Act*. They are specially trained to gather evidence, execute search warrants and take statements. Conservation Officers can issue violation tickets, as well as build a case for possible prosecution. Not all files referred for investigation will result in a violation ticket or court prosecution as the investigation may not yield supporting information and evidence.
1. Setting Requirements

From a compliance perspective, the way in which the ministry sets a regulatory requirement is as important as what the requirement entails. When setting requirements, the ministry considers how the requirement contributes to the protection of the environment, human health and public safety, but it also considers the impact on the regulated party and feedback or concerns raised by stakeholders and the public.

It is important that regulatory requirements keep pace with emerging science on contaminant impacts to the environment, technological advancements and the changing nature of industrial sectors and businesses over time. In 2015, two key changes were made to update the Waste Discharge Regulation under the Environmental Management Act.

**Waste Discharge Regulation: Schedule 1**

This amendment clarified which materials can or cannot be disposed of by backyard burning without a permit. It set out an itemized list of prohibited materials, providing a clear basis for conducting compliance and enforcement activities when investigating backyard burning.

**Waste Discharge Regulation: Schedule 2**

This amendment reduced the requirements affecting small operations in the beverage industry. It eliminated waste discharge permitting requirements for beverage operations that produce less than 16 million litres of beverages per calendar year. This change was made after ministry analysis determined that discharges by small operations in the beverage industry pose low risks to the environment and human health.
2. Promoting Compliance
Compliance promotion involves educating and building awareness of environmental regulations in order to encourage voluntary compliance. Promotion can be conducted on a provincial or sector wide scale, targeted at a watershed or airshed, or it can occur in conjunction with site-specific inspection activities. Compliance promotion can take the form of workshops, presentations, technical assistance and guidance materials, outreach and social marketing programs.

In 2015, the ministry conducted various promotion activities directed towards the mining sector and various other sectors.

Ministry staff conducting a compliance workshop

In addition to increasing the number of inspections conducted in the mining sector, the ministry also held a workshop and issued three key guidance documents. In early February 2015, a workshop was held in Vancouver to discuss a variety of topics including environmental benchmarks and recently developed technical guidance for the mining industry. Attendees included the ministry’s mining team and mining industry representatives.

Technical Guidance 3 helps mining companies develop sound practices for erosion and sediment control. This document helps users exercise professional judgment in developing site-specific management strategies. Technical Guidance 3: Developing a Mining Erosion and Sediment Control Plan.

Technical Guidance 4 summarizes the ministry's expectations for annual reports submitted by mining companies operating in British Columbia. It also recommends a reporting format that makes it easy for the reader to recognize both compliance issues and environmental concerns. Technical Guidance 4: Annual Reporting Under the Environmental Management Act

Technical Guidance 7 provides technical detail on the background, considerations and methodology of sediment pond design as well as best practices for pond operation. These ponds help to reduce the sediment load to the environment at mine sites. Technical Guidance 7: Assessing the Design, Size and Operation of Sediment Ponds Used in Mining.

The ministry will continue to issue and update promotional materials in 2016, including frameworks for development and use of freshwater science-based environmental benchmarks in mines.
Industrial Camps

When industrial camps are established to house workers within the province, sewage and solid waste is generated. In 2015, the ministry issued a document that provides guidance on managing waste from camps with an emphasis on describing when authorizations are required. Information was also provided for best management practices when an authorization is not required. 

Fact Sheet Industrial Camps: Waste Authorizations and Best Practices

Oil and Gas Transporters and Tanker Cleaners

In response to concerns in northeastern British Columbia regarding objectionable odours from oil and gas operations, the ministry sent information letters to 21 business operators. The letters reminded businesses of the regulatory requirements regarding mitigation of objectionable odours under the Oil and Gas Waste Regulation, particularly as they relate to the transport, filling, cleaning and storage of tanks.

Concrete Sector

Promotional materials were developed in relation to the concrete sector, including documents and presentations specific to:

- Disposal of waste concrete;
- Maintaining water quality; and
- Maintaining air quality.

These materials will be used to promote understanding of regulatory requirements when inspections in the concrete sector are conducted.

Agricultural Sector

Promotional materials were developed in relation to the agricultural sector, including documents and presentations specific to:

- Composting;
- Biomass boilers and heaters;
- Feeding areas and access to water;
- Manure storage;
- Disposal of mortalities; and
- Storage and use of wood waste.

These materials will be used to promote understanding of regulatory requirements when inspections in the agricultural sector are conducted.

Hazardous Waste Sector

Promotional materials were developed in relation to the hazardous waste sector, including documents and presentations specific to:

- Waste characterisation;
- Hazardous waste generators and transporters;
- Hazardous waste storage; and
- Use of qualified professionals.

These materials will be used to promote understanding of regulatory requirements when inspections in the hazardous waste sector are conducted.
3. **Verifying Compliance**

Ministry inspectors verify whether parties are in compliance with environmental regulations that apply to them by conducting **compliance inspections**. The results of the 632 inspections included in this report are detailed in the following sections:

- 3.1 Inspection Outcomes
- 3.2 Sector Profile
- 3.3 Types of Requirements Inspected
- 3.4 Proactive and Reactive
- 3.5 Priority Ranking
- 3.6 Geographic Distribution
- 3.7 Waste Discharge
- 3.8 Receiving Environment

As a result of the breach of the tailings storage facility at Mount Polley in August of 2014, ministry inspectors increased their presence at mines throughout the province. A section called 'Overview of Mining Inspections' has been provided to detail the results of those inspections for 2015. In addition to the increased presence at mines, ministry inspectors also undertook a number of targeted inspections. Examples of targeted inspections undertaken in 2015 include those conducted under the:

- Hazardous Waste Regulation;
- Vehicle Dismantling and Recycling Industry Environmental Planning Regulation; and
- Oil and Gas Waste Regulation.

Findings from these targeted inspections are included in this report.

To prevent harming human health and the environment, it’s essential that hazardous waste is handled, stored, transported, treated and disposed of properly. Waste that is classified or defined as hazardous waste must be managed according to the rules and standards set out by the act and the **Hazardous Waste Regulation**.

Targeted inspections focussed on verifying that operators were correctly labelling and storing hazardous waste, in addition to ensuring proper manifests for transport. A key concern for ministry inspectors was whether hazardous waste was being stored and transported correctly, as well as being taken to approved facilities. The inspections proved to be a good opportunity to raise operators’ awareness of the regulatory requirements as some operators were not aware of all the rules.
Vehicle dismantlers and recyclers can generate large quantities of hazardous waste when they process end-of-life vehicles. Operations have the potential of causing significant environmental harm through the release of contaminants to the environment.

The Vehicle Dismantling and Recycling Industry Environmental Planning Regulation requires the development of environmental management plans that demonstrate how operators will comply with environmental protection standards under the act and regulations. It also imposes a system of monitoring and reporting to ensure operations are carefully managed.

In spring 2015, targeted inspections focussed on identifying unauthorized vehicle dismantlers to determine if their operations required registration under the regulation. The inspections increased awareness of the regulation and created a compliance history for future inspections.

The Oil and Gas Waste Regulation applies to small to medium volume discharges from the oil and gas industry's drilling and production activities. The regulation authorizes select small discharges unconditionally, and sets out discharge and registration requirements for others. Permits or approvals are required for large facilities.

In February 2015, ministry inspectors visited a number of businesses in the Fort St. John area. The purpose of these inspections was to follow up on specific objectionable odour complaints received and to explain the relevant regulatory requirements. Inspectors focussed on objectionable odours from oil and gas operations, in particular the transport, filling, cleaning, and storage of tanks.
3.1 Inspection Outcomes

In 2015, a total of 632 inspections were conducted. Of these, 40% were in compliance and 60% were out of compliance. If any one parameter of an inspection is non-compliant, the inspection is determined to be out of compliance, regardless of how few or how minor the non-compliance(s).

Figure 1: Inspection Outcomes

Discussion
Figure 1 shows the vast majority of inspections, 95%, were either in compliance or only required the issuance of a first level enforcement response (advisory or warning) to address the non-compliance(s). Advisories are issued when the non-compliance has little to no environmental impact or it is administrative in nature and the regulated party is cooperative. Warnings are similar to advisories; however, warnings are issued when there is minor to moderate, temporary impact to the environment or a more significant administrative non-compliance, but where the regulated party is still cooperative.

The remaining 5% of inspections were either issued an order (1%) or referred for further action (4%).
Discussion of Inspection Outcomes, continued

Figure 1 shows that 40% of inspections resulted in the issuance of a **notice of compliance**. Notices of compliance are issued when every parameter inspected is determined to be in compliance.

If one or more parameters are out of compliance and the non-compliance is minor, an **advisory** is issued. Thirty-nine percent of inspections resulted in the issuance of an advisory. Advisories are an official acknowledgement of non-compliance and are issued when the non-compliance has little to no environmental impact or it is administrative in nature and the regulated party is cooperative. For example, a late submission of an environmental monitoring report.

There were a considerable number of inspections, 16%, for which a **warning** was issued. Warnings are similar to advisories; however, warnings are issued when there is minor to moderate, temporary impact to the environment or a more significant administrative non-compliance, but where the regulated party is still cooperative. An example of a non-compliance necessitating a warning is a point-in-time permit exceedance that did not have any environmental impact or a minor spill that was promptly reported and cleaned up.

One percent of inspections resulted in the issuance of an **order**. An order is not necessarily triggered by a non-compliance; orders are issued when ministry staff determine it is necessary to intervene at a site and compel the responsible party to take action. Orders frequently require mitigation and remediation of environmental damage be undertaken within specified timelines; they can also require additional sampling, installation of works or assessments by third party professionals. For example, information orders are issued to compel the provision of information; pollution prevent orders are issued to prevent pollution from occurring; and pollution abatement orders are issued to address pollution that is occurring.

Four percent of inspections were **referred for further action**. This entails recommending the non-compliance be addressed through the issuance of an administrative penalty or that the non-compliance be investigated with an eye to a prosecutorial response such as a violation ticket or court conviction. In both instances, further analysis or investigative work may reveal that enforcement action is not warranted or that a lesser response such as a warning is appropriate.

**Public Reporting**

If an enforcement action is warranted, the information is publicly reported in the ministry’s [Quarterly Environmental Enforcement Summary](#) and entered into the on-line searchable [Environmental Violations Database](#). The names of all regulated parties (including individuals) issued orders, administrative penalties, violation tickets and court convictions are publically reported. See the section on ‘Enforcing’ for a summary of the enforcement actions taken by the ministry in 2015.

Additionally, the ministry posts [online all permits](#), as well as [permitting and compliance information for sites that are of particular interest](#) to the public and communities. This latter page provides information on how the file is being managed and key documents such as orders, management plans, draft permits, etc.
3.2 Sector Profile

Under the *Environmental Management Act*, the ministry serves as a regulator for a wide variety of industrial sectors. Given the province’s wealth of natural resources, it is not surprising to see sectors related to mining, forestry, oil and gas, as well as agriculture represented below. Other sectors involved in the handling of potentially toxic substances such as hazardous waste, chemical and synthetics and vehicle dismantling are also represented.

**Figure 2: Inspections by Sector**

- **Mining and Coal**: 25%
- **Wood Processing**: 18%
- **Residential Waste Management**: 13%
- **Pulp and Paper**: 9%
- **Other**: 8%
- **Hazardous Waste**: 7%
- **Agriculture**: 5%
- **Oil and Gas**: 4%
- **Vehicle Dismantling**: 4%
- **Smelting and Foundry**: 3%
- **Concrete and Cement**: 2%
- **Chemical and Synthetics**: 2%

**Discussion**

As discussed in more detail in the ‘Overview of Mining Inspections’ section, one in four inspections were of the mining sector. The second highest represented sector was wood processing which includes all establishments that handle and process wood, ranging from log sorting to the manufacturing of furniture. In 2015 inspections focussed mainly on sawmills and wood pellet processing plants. The third highest category, residential waste management, included inspections of landfills, as well as sewage works managed by municipalities, strata corporations and other private developers. The vehicle dismantling sector would not typically be one of the most frequently inspected sectors in relation to the other sectors, but targeted inspections conducted in spring 2015 increased these numbers.

Note: Category ‘other’ includes individuals, organizations and companies such as equipment rental businesses, taxi services and golf courses.
Overview of Mining Inspections

Mining is one of the province’s major industries and is a key driver of B.C.’s economy. More than 30,000 people work in mineral exploration, mining and related sectors, which include non-metallic and primary metallic manufacturing. Mining operations range from major open pit mines to smaller placer mines and industrial mineral quarries.

The degree of environmental risk varies for each mine type and site. Key environmental concerns related to mining production include water contamination from the processes of acid rock drainage and heavy metal and non-metal leaching. To ensure environmental protection, the ministry regulates effluent discharges, landfills, air emissions and hazardous waste produced by mine sites through site-specific permits under the Environmental Management Act and applicable regulations, such as the Hazardous Waste Regulation. In 2015, there were 146 active mine permits held by 80 different companies across B.C.

Of the 632 inspections completed in 2015, one in four was conducted in the mining and coal sector (159 inspections out of 632). In total, 49 different mines sites were inspected, some several times. A third of the mine inspections are the result of the ministry’s ongoing concerted compliance efforts in the Elk Valley, or southeast coal block, where Teck Coal Limited has five coal mines.

Advisories and warnings are first level enforcement responses issued to address administrative or minor to moderate, temporary environmental impacts. The vast majority of the inspections, 145 of 159, were either in compliance or only required the issuance of one of these responses. The remaining 14 inspections resulted in the issuance of four orders and 10 inspections being ‘referred for further action.’

The following orders were issued to mining companies as a result of the inspections:

Barkerville Gold Mines Ltd. was issued an amended information order after ministry staff were informed that the mining company would no longer be reinstating discharges from a seepage collection pond into the receiving environment. The order was amended, but still required the company to undertake an ecological risk assessment report on the risk to aquatic life of elevated sulphate levels.

Bralorne Gold Mines Ltd. was issued an information order regarding increased levels of arsenic in mine water discharge. The order required the company to retain a qualified professional to examine the source of the increased arsenic loading and assess water treatment options.

Copper Mountain Mine (BC) Ltd. was issued a pollution prevention order after inspections revealed that cleanup efforts in response to a tailings spill were not completed in accordance with ministry standards. The order required cleanup activities, mitigation measures and site restoration to prevent any further discharge of tailings into Wolfe Creek.
Overview of Mining Inspections, continued

Banks Island Gold Ltd. was issued a pollution abatement order for the release of unauthorized mine effluent discovered through staff inspections. The order required the immediate stop of all unauthorized discharges, as well as the implementation of cleanup activities, mitigation measures and site restoration.

The remaining 10 inspections that were ‘referred for further action’ were either recommended for an administrative penalty or transferred to the Conservation Officer Service for investigation.

The following provides additional information on the 159 mines inspections conducted in 2015:

<table>
<thead>
<tr>
<th>Proactive and Reactive</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Proactive</td>
<td>132</td>
</tr>
<tr>
<td>Reactive</td>
<td>27</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Regional Distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southern</td>
</tr>
<tr>
<td>Northern</td>
</tr>
<tr>
<td>Coast</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Waste Discharge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effluent</td>
</tr>
<tr>
<td>Air Emissions</td>
</tr>
<tr>
<td>Refuse</td>
</tr>
<tr>
<td>Hazardous Waste</td>
</tr>
</tbody>
</table>
3.3 Types of Requirements Inspected

A variety of requirements prompt an inspection. Inspections against permit conditions are typically the most common. These inspections examine whether a regulated party with a site-specific permit is meeting the requirements of that permit. Examples of activities that often require site-specific permits are pulp and paper manufacturing, wood processing, mining, smelting and landfilling.

Inspections against general regulatory requirements are the second most common type of inspection. These include:

- Environmental Management Act section 6.4 (prohibition against causing pollution);
- Regulations such as the Open Burning Smoke Control Regulation and the Hazardous Waste Regulation; and
- Codes of practice such as the Code of Practice for Slaughter and Poultry Processing, and the Code of Practice for Concrete and Concrete Products.

Ministry staff also conduct inspections against orders that have been issued to a regulated party. Orders require certain actions to be undertaken within a specific timeframe. They may be issued to prevent problems from occurring (such as Pollution Prevention Orders) or they may be issued in response to an incident and require certain mitigation and corrective actions (such as Pollution Abatement Orders).

**Figure 3: Types of Requirements Inspected**

![Pie chart showing the distribution of inspections: Permit Conditions 70%, Regulatory Requirements 28%, Orders 2%]

**Discussion**

Figure 3 shows that 70% of inspections were conducted against permit conditions, 28% against regulatory requirements and 2% against orders. The largest proportion of inspections was conducted against permit conditions because they have a higher priority ranking. The large number of inspections at mines sites in 2015, one in four, is also reflected in this category of inspections.
**Figure 4: Range of Regulatory Requirements Inspected**

<table>
<thead>
<tr>
<th>Regulatory Requirements</th>
<th>178</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hazardous Waste Regulation</td>
<td>54</td>
</tr>
<tr>
<td>Other</td>
<td>26</td>
</tr>
<tr>
<td>Vehicle Dismantling and Recycling Industry Environmental Planning Regulation</td>
<td>22</td>
</tr>
<tr>
<td>Municipal Wastewater Regulation</td>
<td>21</td>
</tr>
<tr>
<td>Organic Matter Recycling Regulation</td>
<td>15</td>
</tr>
<tr>
<td>Petroleum Storage and Distribution Facilities Storm Water Regulation</td>
<td>11</td>
</tr>
<tr>
<td>EMA Section 6.4 Prohibition Against Pollution</td>
<td>7</td>
</tr>
<tr>
<td>Oil and Gas Waste Regulation (facility registration)</td>
<td>7</td>
</tr>
<tr>
<td>Agricultural Waste Control Regulation</td>
<td>5</td>
</tr>
<tr>
<td>Code of Practice for Concrete and Concrete Products</td>
<td>5</td>
</tr>
<tr>
<td>Open Burning Smoke Control Regulation</td>
<td>5</td>
</tr>
</tbody>
</table>

**Discussion**

Figure 4 shows the wide range of regulations and codes of practice inspected against under EMA. A large number of inspections were conducted against the Hazardous Waste Regulation in 2015, particularly in the Lower Mainland, as a result of targeted inspections. Similarly, a large number of inspections were conducted against the Vehicle Dismantling and Recycling Industry Environmental Planning Regulation as a result of targeted inspections.

Note: The category ‘other’ reflects almost 40 different regulations and codes of practice under the *Environmental Management Act*. This category included inspections related to mushroom composting, wood residue, aquaculture, non-hazardous landfills, etc.
Figure 5: Types of Requirements Inspected and Outcome

<table>
<thead>
<tr>
<th>Types of Requirements</th>
<th>Compliance Rating</th>
<th>Inspection Outcome (for those out of compliance)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>In</td>
</tr>
<tr>
<td>Permit Conditions</td>
<td>444</td>
<td>181</td>
</tr>
<tr>
<td>Regulatory Requirements</td>
<td>178</td>
<td>68</td>
</tr>
<tr>
<td>Orders</td>
<td>10</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>632</td>
<td>252</td>
</tr>
</tbody>
</table>

Discussion
Figure 5 shows the types of requirements inspected, whether it was in or out of compliance and, if out, the inspection outcome. As previously noted, an inspection is categorized as out of compliance regardless of how few or how minor the non-compliance(s).
3.4 Proactive and Reactive Inspections

**Proactive** inspections are based on a planned schedule which considers factors such as discharge size, proximity to sensitive air and watersheds, geographic location, and the need to maintain an appropriate level of contact with regulated parties. Proactive inspections address previous findings of non-compliance, as well as verify compliance with the introduction of new regulatory requirements. The annual list of proactive inspections is also determined by the ministry’s inspection policy which dictates the frequency of inspections for high, medium and low priority sites.

**Reactive** inspections address unexpected incidences such as spills or respond to complaints received from the public and other government agencies. In 2014, the ministry began routing all environmental complaints through the Report All Poachers and Polluters (RAPP) line. Information is collected from callers and then verified through inspections.

**Figure 6: Proactive and Reactive Inspections**

**Discussion**
Approximately three-quarters of 2015 inspections were proactive (74%) and approximately one-quarter were reactive (26%). More than half of the reactive inspections were related to the following sectors: wood processing; mining and coal; residential waste management; and agriculture.

In 2015, the ministry received over 2600 complaints. A large number of these complaints related to objectionable odours from composting facilities, air emissions from vegetative burning and illegal dumping of garbage.
3.5 Priority Ranking

Priority ranking for compliance purposes is based on a comparative priority index that is determined by the magnitude of the discharge fee and the financial security required. A discharge fee is based on the quantity and quality of the discharge. Financial security is required for operations where long term monitoring may be required or where post operation remediation may be necessary. Mines typically require financial security.

In effect, the comparative priority index measures the degree of influence a facility has on the environment based on the “polluter pay” principle. Using this index, facilities are classified into high, medium and low categories to inform frequency of inspections. While the comparative priority index helps to inform setting a schedule of planned, or proactive, inspections for a given year, there are also a variety of other factors that influence which inspections are undertaken within any given year.

**Figure 7: Inspections by Priority Ranking**

**Discussion**

It is important for ministry inspectors to have a presence at sites of all risk levels; however, focused attention is placed on high priority sites. Figure 7 shows that almost 40% of inspections were conducted at high priority sites and about 60% were conducted at medium and low priority sites. Inspections are frequently required at low priority sites due to complaints, such as those associated with odour at composting facilities.
3.6 Geographic Distribution

The province is broken into three main regions: the Coast Region which includes the Lower Mainland, Vancouver Island and the coast north to Haida Gwaii; the South Region which includes the Cariboo, Okanagan and Kootenays; and the North Region which includes the rest of the province north of Quesnel.

Figure 8: Inspections by Regions

Figure 8 shows the distribution of inspections by region: 32% in the North Region; 51% in the South Region; and 17% in the Coast Region.

Discussion

In 2015, the South Region had a focus on proactive inspections of mines in the Southeast coal block, specifically related to Teck Coal Limited operations. This effort was driven by the need to verify compliance with recently approved permits for new and expanded mining operations in the Elk Valley by Teck Coal Limited.
3.7 Waste Discharge

Waste discharges can be categorized into the following four general categories: air emissions; effluent; hazardous waste; and refuse. Each type of discharge is associated with technical definitions which are outlined in detail in the *Environmental Management Act* and Hazardous Waste Regulation.

**Figure 9: Inspections by Waste Discharge**

![Diagram showing percentage of inspections for different types of waste discharge]

**Discussion**

Figure 9 shows the percentage of inspections that were conducted for various waste discharges.

Typically **air emissions** refer to discharges such as nitrogen oxide, sulfur oxide and particulate matter. Some major operations with air emissions are petroleum refineries, base metal smelters, pulp and paper operations, sawmills and pellet plants, concrete plants and thermal energy facilities, etc.

**Effluent** is sewage or liquid waste discharged into a waterway. Operations with effluent discharges include municipal sewage works, mines, pulp and paper operations, compost facilities, etc.

**Hazardous waste** is toxic material that poses substantial or potential threats to public health or the environment. Inspections usually focus on licenced transporters and sites where the hazardous waste is generated, moved and stored.

**Refuse** is discarded or abandoned materials such as residential garbage, woodwaste and contaminated soil that is usually disposed of in municipal or industrial landfills.
### 3.8 Receiving Environment

The receiving environment is the medium to which a waste is discharged and includes:

- Land;
- Surface water; and
- Air.

Permitted sites may have multiple discharge types (effluent, air emissions, refuse and hazardous waste). Accordingly, a single inspection may identify one or more receiving environments, depending on the nature of the discharge(s). Note, while hazardous waste is created as a waste discharge, it cannot be discharged to a receiving environment.

#### Figure 10: Frequency of Inspections by Receiving Environment

<table>
<thead>
<tr>
<th>Receiving Environment</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>46%</td>
</tr>
<tr>
<td>Surface water</td>
<td>28%</td>
</tr>
<tr>
<td>Air</td>
<td>26%</td>
</tr>
</tbody>
</table>

#### Discussion

Figure 10 shows the frequency for which a receiving environment was identified in 2015 inspections. Land was identified most frequently at 46%, with surface water and air each both examined approximately a quarter of the time.

Examples of activities that create discharges to receiving environments include:

- Municipalities that discharge refuse to land through landfill operations;
- Mining operations that discharge effluent to surface water; and
- Wood pellet processing plants that discharge air emissions to the air.

Discharges to surface water include both freshwater and marine waters.
4. **Enforcing**

Enforcement is necessary to compel compliance when voluntary compliance cannot be achieved or where the nature of the circumstance warrants a more stringent response. The ministry's [Compliance and Enforcement Policy and Procedure](#) guides the selection of appropriate responses to non-compliance.

Enforcement responses serve to protect the environment, human health and public safety; create a level playing field; and provide a deterrent effect for other potential violators. To that end, the ministry publically reports all regulated parties, including individuals, issued enforcement responses via the [Quarterly Environmental Enforcement Summary](#) and the on-line searchable [Environmental Violations Database](#).

Note: Not all of the enforcement actions can be directly correlated to 2015 inspections. For example, an inspection conducted in late 2015 may result in the issuance of a ticket in early 2016 or court conviction at an even later date.

Summary of actions taken in 2015:

**Orders**

The following orders were issued by ministry officials:

**Information Orders**

- Barkerville Gold Mines Ltd. was issued an amended information order after ministry staff were informed that the mining company would no longer be reinstating discharges from a seepage collection pond into the receiving environment. The order was amended, but still required the company to undertake an ecological risk assessment report on the risk to aquatic life of elevated sulphate levels.

- Bralorne Gold Mines Ltd. was issued an information order regarding increased levels of arsenic in mine water discharge. The order required the company to retain a qualified professional to examine the source of the increased arsenic loading and assess water treatment options.

- Tolko Industries Ltd. was issued an information order after ministry staff had reason to believe discharges of air contaminants (dust emissions) may have been causing pollution. The order required an assessment of the operating efficiency of the planer baghouse used on site.

**Pollution Prevention Orders**

- Copper Mountain Mine (BC) Ltd. was issued an order after inspections revealed that cleanup efforts in response to a tailings spill were not completed in accordance with ministry standards. The order required cleanup activities, mitigation measures and site restoration to prevent any further discharge of tailings into Wolfe Creek.
• Windermere Water and Sewer Company Inc. was issued an order after inspectors discovered that municipal sewage was being stored at full capacity in three lagoons without functioning treatment and disposal. The order required the company to stop adding to storage activity, to create an action plan for treatment and to supply the ministry with regular reporting on implementation and water balance data.

• Timber West Forest Corp. was issued an order for depositing wood waste and refuse without authorization. The order requires that all wood waste and associated refuse be moved to an approved location with detailed reporting on measures taken to restore the unauthorized dump site to ministry satisfaction.

Pollution Abatement Orders
• Clarkson Contracting and Mark Spittael were issued an order for leaking diesel oil into the environment. They were ordered to stop the release of hydrocarbons (diesel) and recover contaminated surface waters. They were also ordered to install provisions to stop further migration of pollution along with adequate spill containment equipment.

• Banks Island Gold Ltd. was issued an order for the release of unauthorized mine effluent discovered through staff inspections. The order required the immediate stop of all unauthorized discharges, as well as the implementation of cleanup activities, mitigation measures and site restoration.

Administrative Penalties
Administrative penalties are financial penalties imposed outside of the court process by designated ministry officials, offering an alternative response to non-compliance. In 2015, ministry staff were able to begin considering this tool as a response to environmental violations. There were no administrative penalties issued in 2015 within the scope of this reporting; however, a number of administrative penalties were initiated.

Restorative Justice Forums
In May 2015, a Community Environmental Justice Forum (CEJF) was held in Kamloops following the release of raw sewage into the South Thompson River. CEJFs apply the principles of restorative justice, focusing on offenders taking responsibility for their roles in offences and causing harms.

The forum brought together representatives of the City of Kamloops, Conservation Officer Service, Interior Health Authority, Tk'emlups Te Secwepemc, and the Kamloops Fly Fishing Association. The forum resulted in the City of Kamloops contributing $20,000 towards improving fish habitats and $8,000 towards preventing similar incidents in the future.
In 2015, 113 violation tickets were issued totalling almost $35,000 in fines. Some tickets were issued as a result of inspections conducted by ministry inspectors and many more were issued as a result of Conservation Officers conducting routine patrols where they observed violations.

**Violation Tickets**

Typically, there are several court convictions in a given year, some resulting in financial penalties in the hundreds of thousands of dollars. In 2015, there was only one court conviction: David Reid Klein was convicted in court under the *Environmental Management Act* for failing to comply with an order to retain a qualified expert to manage specific discharge control measures. He was fined $575.

### Number of Violation Tickets Issued:

<table>
<thead>
<tr>
<th>Violation Description</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discharge litter</td>
<td>55</td>
</tr>
<tr>
<td>Introduce waste by prescribed activity or operation</td>
<td>22</td>
</tr>
<tr>
<td>Burning in unfavourable conditions according to publicly available ventilation index</td>
<td>11</td>
</tr>
<tr>
<td>Introduce waste and cause pollution</td>
<td>5</td>
</tr>
<tr>
<td>Fail to comply with order</td>
<td>4</td>
</tr>
<tr>
<td>Introduce waste from a prescribed industry, trade or business</td>
<td>4</td>
</tr>
<tr>
<td>Introduce waste into the environment without complying with permit or approval</td>
<td>3</td>
</tr>
<tr>
<td>Burning debris within 100 m of neighbour's residence or 500 m of a public institution</td>
<td>2</td>
</tr>
<tr>
<td>Fail to comply with terms of permit or approval</td>
<td>2</td>
</tr>
<tr>
<td>Knowingly provides false information</td>
<td>1</td>
</tr>
<tr>
<td>Contravene hazardous waste regulations</td>
<td>1</td>
</tr>
<tr>
<td>Unlawful burning of prohibited material</td>
<td>1</td>
</tr>
<tr>
<td>Burning debris so as to reduce visibility near airports or highways</td>
<td>1</td>
</tr>
<tr>
<td>Fail to provide adequate control, equipment and staff to follow smoke release limits</td>
<td>1</td>
</tr>
</tbody>
</table>
Appendix A: Regulations under the Environmental Management Act

- Administrative Penalties (Environmental Management Act) Regulation, B.C. Reg. 133/2014
- Agricultural Waste Control Regulation, B.C. Reg. 131/92 (Environmental Management Act, Health Act)
- Antifreeze Regulation, B.C. Reg 142/2009
- Antisapstain Chemical Waste Control Regulation, B.C. Reg. 300/90
- Asphalt Plant Regulation, B.C. Reg. 217/97
- Cleaner Gasoline Regulation, B.C. Reg. 498/95
- Code of Practice for the Concrete and Concrete Products Industry, (M290/2007; effective date March 1, 2008)
- Code of Practice for the Discharge of Produced Water from Coalbed Gas Operations, B.C. Reg. 156/2005
- Code of Practice for Industrial Non-Hazardous Waste Landfills Incidental to the Wood Processing Industry, B.C. Reg. 263/2010
- Contaminated Sites Regulation, B.C. Reg. 375/96 amended 2002
- Environmental Appeal Board Procedure Regulation, B.C. Reg. 1/82
- Environmental Data Quality Assurance Regulation, B.C. Reg. 301/90
- Environmental Impact Assessment Regulation, B.C. Reg. 330/81
- Gasoline Vapour Control Regulation, B.C. Reg. 226/95
- Hazardous Waste Regulation, B.C. Reg. 63/88
- Land-based Finfish Waste Control Regulation, B.C. Reg. 68/94
- Landfill Gas Management Regulation, B.C. Reg. 391/2008
- Municipal Wastewater Regulation, B.C. Reg. 87/2012
- Mushroom Compost Facilities Regulation, B.C. Reg. 413/98
- Oil and Gas Waste Regulation, B.C. Reg. 208/96
- Open Burning Smoke Control Regulation, B.C. Reg. 145/93
- Organic Matter Recycling Regulation, B.C. Reg. 18/02
- Ozone Depleting Substances and other Halocarbons Regulation, B.C. Reg. 387/99
- Permit Fees Regulation, B.C. Reg. 299/92
- Placer Mining Waste Control Regulation, B.C. Reg. 107/89
- Public Notification Regulation, B.C. Reg. 202/94
- Pulp Mill and Pulp and Paper Mill Liquid Effluent Control Regulation, B.C. Reg. 470/90
- Recycling Regulation, B.C. Reg. 449/2004
- Solid Fuel Burning Domestic Appliance Regulation, B.C. Reg. 302/94
- Spill Cost Recovery Regulation, B.C. Reg. 250/98
- Spill Reporting Regulation, B.C. Reg. 263/90
- Storage of Recyclable Material Regulation, B.C. Reg. 133/92
- Wood Residue Burner and Incinerator Regulation, B.C. Reg. 519/95