

<b>A</b>	<b>Licensee/ Tenure Holder:</b> VILLAGE OF CHASE 826 OKANAGAN AVE CHASE BC V0E1M0  <b>Operator/Contractor:</b> Heavy Metal Marine <b>In Attendance:</b> Patrick Regush, Village of Chase/ Michael Tjader, FLNRO / Edi Torrans, FLNRO	<b>Tenure (type/no):</b> / <b>Site ID:</b> WS_TO <b>Inspection Date (yyyy/mm/dd 24:mm):</b> 2013/03/04 14:15 <b>Regional Inspection:</b> <input type="checkbox"/> <b>Location (optional):</b> Village of Chase Warf
	<b>Inspection Method</b>	<b>Area Inspected</b>
<b>B</b>	<b>Ocular:</b> <input checked="" type="checkbox"/> <b>Recce:</b> <input type="checkbox"/> <b>Detailed Survey:</b> <input type="checkbox"/> <b>Admin/Office:</b> <input type="checkbox"/>	<b>Area Inspected:</b> <b>Location Inspected:</b>
<b>C</b>	<b>Site or Activity Status:</b> VILLAGE OF CHASE had contracted HEAVY METAL MARINE LTD. out of Victoria to replace the existing warf with a new one. Patrick REGUSH, Village of Chase, was under the impression that all approvals had been handled by the contractor. TORRANS investigated the case and no approvals were found to be in place under the Water Act of Land Act. TORRANS and TJADER, met with REGUSH and visited the site. Demolition of the old warf was complete, metal sleeves had been placed on existing pilings and construction of the new warf had begun. There was evidence of heavy equipment working on the beach and in the lake. There was also evidence of a burn pile of demolition waste on the beach. Brian FREETHY owner of HEAVY METAL MARINE LTD. indicated that they had been issued a burning permit from the VILLAGE OF CHASE for burning of prohibited materials.	
<b>D</b>	<b>Alleged Non-Compliance:</b> <input checked="" type="checkbox"/> <b>Further Research:</b> <input type="checkbox"/>	
	<b>Compliance Summary Comments:</b> Once TORRANS advised REGUSH that approvals under the Water Act were not in place, REGUSH voluntarily stopped works. A Section 9 approval under the Water Act is necessary for any works below the high watermark. Burning demolition waste is in contravention of Section 6 of the Environmental Management Act.	
<b>E</b>	<b>Inspector:</b> Edi Torrans <b>Signature: X</b> (I certify that this inspection conforms to Ministry of Forests' compliance procedures)	<b>Received by:</b> Patrick Regush <b>Signature: X</b> (Signing does not imply agreement with findings)
	<b>Attachment Description:</b> Checklist: <input type="checkbox"/> Digital Image: <input type="checkbox"/> Other: <input type="checkbox"/> Checklist: Other:	<b>Delivery Method:</b> Email: <input type="checkbox"/> Fax: <input type="checkbox"/> Mail: <input type="checkbox"/> Hand Delivered: <input checked="" type="checkbox"/>
	File #    File #	

<b>I</b>	<b>Licensee/ Tenure Holder:</b> VILLAGE OF CHASE 826 OKANAGAN AVE CHASE BC V0E1M0  <b>Operator/Contractor:</b> Heavy Metal Marine <b>In Attendance:</b> Patrick Regush, Village of Chase/ Michael Tjader, FLNRO / Edi Torrans, FLNRO				<b>Tenure (type/no):</b> / <b>Site ID:</b> WS_TO <b>Inspection Date (yyyy/mm/dd 24:mm):</b> 2013/03/04 14:15 <b>Regional Inspection:</b> <input checked="" type="checkbox"/> <b>Location (optional):</b> Village of Chase Warf			
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<b>J, K</b>	<b>General Req #</b>	<b>Row</b>	<b>Action Taken</b>	<b>Compliance Action Type</b>	<b>Est. Incident Date</b>	<b>Act/Reg Section</b>	<b>Warning Ticket #</b>	<b>Issued To</b>	<b>Licence Plate</b>
	1.00	A	Enforcement Action						

**Comment/Notice:**  

Failure to obtain a Section 9 Approval for works within and about a stream is an offence under Section 93(2)(q) of under the Water Act. The Water Act defines "stream" as "a natural watercourse or source of water supply, whether usually containing water or not, and a lake, river, creek, spring, ravine, swamp and gulch".

A person who commits an offence under this section may face a fine of \$230 per offence and is liable upon conviction for the following:

(a) in the case of an offence that is not a continuing offence, a fine of not more than \$200 000 or imprisonment for not longer than 6 months, or both;

(b) in the case of a continuing offence, a fine of not more than \$200 000 for each day the offence is continued or imprisonment for not longer than 6 months, or both.

1.00	B	Compliance Action	Warning Ticket	2013/03/04	Environmental Management Act 6 (3)	151683	Village of Chase	BC
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**Comment/Notice:**  

The Village of Chase issued a burning permit to HEAVY METAL MARINE LTD. to dispose of demolition waste. This is a violation of Section 6 (3) of the Environmental Management Act. Permits issued by the Village of Chase do not supercede provincial legislation.

Contravention of section 6 (2), (3) or (4) of the Environmental Management Act can result in a fine of \$575 per offence and is an offence that may be liable on conviction to a fine not exceeding \$1 000 000 or imprisonment for not more than 6 months, or both.

<b>L</b>	<b>Inspector:</b> Edi Torrans <b>Signature: X</b> (I certify that this inspection conforms to Ministry of Forests' compliance procedures)				<b>Received by:</b> Patrick Regush <b>Signature: X</b> (Signing does not imply agreement with findings)			
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