



OCT 17 2013

993525

Mr. Gary Holman, MLA
Saanich North and the Islands
Room 201 – Parliament Buildings
Victoria BC V8V 1X4

Dear Mr. Holman:

Thank you for your earlier email, regarding your concern about the health effects of Foundation Organics' composting operations, sent on behalf of your constituents in the Tanner Ridge area of Central Saanich.

The Ministry of Health is aware of public concerns and complaints that have been raised about odour emissions from Foundation Organics' composting facility. As such, we have been working with appropriate authorities, including the Ministry of Environment, Island Health, and the Capital Regional District (CRD), to ensure that any potential human health effects are properly addressed.

Please note that while odours from composting operations may be a nuisance to the public, they are not considered a health hazard under the *Public Health Act*. Island Health's Medical Health Officer and Health Protection department have discussed potential health concerns with the District of Central Saanich and, while no specific health risks have been identified at this time, they continue to assess the situation as it unfolds. If any health hazards are identified, please be assured that Island Health will immediately advise residents of recommended actions. Should any of your constituents experience worrying health problems, I encourage them to consult with a physician.

Composting operations are regulated by the Ministry of Environment's *Organic Matter Recycling Regulation* and *Agricultural Waste Control Regulation*, *CRD Bylaw 2736*, *Workers' Compensation Board* regulations, and other applicable regulations. On August 20, 2013, the CRD suspended Foundation Organics' composting facility license. As a result, the facility is temporarily prohibited from receiving and processing food waste.

Foundation Organics has appealed the decision and the matter is now under review. Furthermore, on September 9, 2013, Central Saanich Mayor Alastair Bryson requested that the CRD take immediate action on the issue, including the possible issuance of a court injunction against Foundation Organics. This request is currently being considered by the CRD's environmental services committee. The Ministry of Health will continue to monitor this situation as it develops.

Thank you again for writing and bringing the concerns of your constituents to our attention.

Sincerely,

Terry Lake
Minister

Ministry of
Health

Office of the Minister

Mailing Address:
PO Box 9050 Stn Prov Govt
Victoria BC V8W 9E2

Location:
Parliament Buildings
Victoria

Gary Holman, M.L.A.
Saanich North and the Islands
Room 201 - Parliament Buildings
Victoria, B.C. V8V 1X4
P: 250-387-3655
F: 250-387-4680
E: gary.holman.mla@leg.bc.ca



Gary Holman, M.L.A.
Saanich North and the Islands

September 11, 2013

Honourable Terry Lake
Minister of Health
PO Box 9050, STN Prov Govt
Victoria BC, V8W 9E2
Via email: ENV.minister@gov.bc.ca

Honourable Mary Polak
Minister of Environment
PO Box 9047, STN Prov Govt
Victoria BC, V8W 9E2
Via email: HLTH.health@gov.bc.ca

Dear Ministers,

I am writing to you both on behalf of many constituents of mine residing in the Tanner Ridge area of Central Saanich, who indicate that they are suffering significant health impacts related to odour emissions from a composting facility operated by Foundations Organics at Stanhope farm.


This past summer the number of residents experiencing significant health impacts has increased and as you may be aware, many have contacted Ministry of Environment Protection Officers and or VIHA Environment Health Officers as well as the VIHA Chief Medical Health Officer, to register their concerns and symptoms of nausea, sore throat, headaches and the aggravation of existing asthma conditions.

I want to be clear that my constituents are not complaining about mere nuisance odour, they are rather, concerned about environmental pollution and related serious health impacts. On September 3rd more than 150 of these residents attended a Central Saanich Council meeting to express their growing concerns regarding a variety of impacts on their health.

I understand that numerous requests have been made in recent months for the Ministry of Environment or VIHA to undertake a formal scientific outdoor air quality survey in order to document environmental air pollution that would substantiate health impacts. My constituents believe that their air pollution and health concerns have not been taken seriously and that little or no investigation has been undertaken by either of your ministries.

On behalf of these constituents I am asking you both to look into the handling of these requests and to respond in a formal way to these legitimate health concerns. It may be that your officials have acted on this issue recently in response to concerns that have also been expressed by local government. Thank you for your attention to this request to address the urgent concerns of my constituents.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Holman". The signature is fluid and cursive, with the first name "Gary" and last name "Holman" clearly distinguishable.

Gary Holman, MLA
Saanich North and the Islands

cc: Tanner Ridge Community Group

Mr. Alastair Bryson, Chair Board of directors, Capital Regional District and Mayor, Central Saanich

Spencer Chandra Herbert, Opposition Critic for Environment

Judy Darcy, Opposition Critic for Health

EMAIL RESPONSE

993586

s.22

s.22

Dear ^{s.22}

Thank you for your email of September 19, 2013, addressed to Honourable Terry Lake, Minister of Health, regarding your concern about the health effects of Foundation Organics' composting operations in Central Saanich. I am responding on his behalf.

The Ministry of Health is aware of public concerns and complaints that have been raised about odour emissions from Foundation Organics' composting facility. As such, we have been working with appropriate authorities, including the Ministry of Environment, Island Health, and the Capital Regional District (CRD), to ensure that any potential human health effects are properly addressed.

As explained to you by Jade Yehia of Island Health, while odours from composting operations may be a nuisance to the public, they are not considered a health hazard under the Public Health Act. Island Health's Medical Health Officer and Health Protection department have discussed potential health concerns with the District of Central Saanich and, while no specific health risks have been identified at this time, they continue to assess the situation as it unfolds. If any health hazards are identified, please be assured that Island Health will immediately advise residents of recommended actions. Should you or any Tanner Ridge residents experience worrying health symptoms, I suggest consulting with a physician.

Composting operations are regulated by the Ministry of Environment's Organic Matter Recycling Regulation and Agricultural Waste Control Regulation, CRD Bylaw 2736, Workers' Compensation Board regulations, and other applicable regulations. On August 20, 2013, the CRD suspended Foundation Organics' composting facility license. As a result, the facility is temporarily prohibited from receiving and processing food waste. Foundation Organics has appealed the decision and the matter is now under review. Furthermore, on September 09, 2013, Central Saanich Mayor Alastair Bryson requested that the CRD take immediate action on the issue, including the possible issuance of a court injunction against Foundation Organics. This request is currently being considered by the CRD's environmental services committee. The Ministry of Health will continue to monitor this situation as it develops.

Thank you again for writing and bringing your concerns to our attention.

Yours truly,

Tim Lambert, PhD
Executive Director
Health Protection
Ministry of Health

Benson, Stacey HLTH:EX

From: s.22
Sent: Thursday, September 19, 2013 7:31 PM
To: ;
Subject: In response to email from CRD environmental services Dept re website submission about Stanhope Farms
Attachments: FAQ re composting.pdf

Ladies, gentlemen:

To borrow a phrase, 'Scuse me?

It seems the only department which has not pointed it's finger at another area, proclaimed loudly that "it's their job" and figured that was the end of it is the Ministry of Silly Walks, although I fully expect to hear from the Pythons at any moment. It seems that things in the Capital Region are quite circular in nature. as a result, I am responding to all at once, including the redoubtable Ms Yehia.

In a note (really a form letter, as I learned after the fact) sent at 0911 this morning, Ms Yehia, per the FAQ she so kindly attached, told me that VIHA "does not have a role in air quality testing or sampling". I was instead referred to the CRD, as I (again, from the VIHA note) "...may wish to contact the CRD, the Ministry of Environment or the District of Central Saanich, as the regulatory bodies for the facility..." For those of you who may not have viewed this rather contradictory document, I have attached it to this letter.

Just a few hours later at 5:30 pm, I am instructed by the CRD to contact Ms. Yehia? And oh yes, both the Ministries of Health and Environment have also shunned responsibility. Meanwhile, taxpayers from Hunt Rd to the Butchart Gardens live in fear that they are inhaling gases and chemicals which may have serious long-term effects on their health while the CRD, VIHA and the various Ministries all do their utmost to avoid being seen as doing something that may not be "pro green". Who will be paying the bills if the off gasses do prove carcinogenic, as they did in England? Who will pay the bills of the homeowners who cannot sell their homes because no one wants to live on Tanner Ridge, yet they are unable to stay due to the continued stench?

As a long-suffering taxpayer, I am seriously questioning if anyone in this town will ever step up and take responsibility for this mess. I urge all of you to stop for a moment, retract those pointing fingers, and 'fess up. Someone allowed this to happen.

Whatever happened to responsibility, safeguarding the public, and enforcing existing statutes? Has it all been replaced by the "not my job" mantra?

Please, no more "we are monitoring". WE who have been forced to live in the cloud are monitoring. The problem is that no one can/will tell us what we are breathing. The only monitoring we want right now is air monitoring, and that should not result in 4 separate agencies all ducking responsibility. It has become apparent that all the "monitoring" in the world isn't helping. Take action. Accept responsibility. As I write this, the stench is again rising on the evening breeze. I invite all of you to my house tonight for tea or coffee. We will sit outside on the patio and breathe in the smell. Perhaps it will help.

End this. We are (literally) sick and tired of it.

s.22

From: Anke Bergner
Sent: Thursday, September 19, 2013 5:33 PM
To: s.22
Cc: Russ Smith
Subject: RE: (CRD Website Submission)

Dear s.22

Thank you for your website submission. Mr. Smith has asked me to respond to you. The CRD regulates the operation of the composting facility only. Health concerns are investigated by the Vancouver Island Health Authority. Our contact at VIHA is Jade Yehia, Regional Built Environment Consultant. Can you please contact her at Jade.Yehia@viha.ca

We understand that the District of Central Saanich has also brought residents' health concerns to the attention of the Chief Medical Health Officer.
Regards,

Anke Bergner
Planner, Environmental Resource Management
Parks & Environmental Services Department
Capital Regional District
625 Fisgard Street
PO Box 1000
Victoria, BC
V8W 2S6
T: 250.360.3218
F: 250.360.3047
E: abergner@crd.bc.ca

From: s.22
Sent: Wednesday, September 18, 2013 09:30 AM Pacific Standard Time
To: Russ Smith
Subject: (CRD Website Submission)

The following message was received through the contact form at www.crd.bc.ca. Neither the name or e-mail address can be confirmed as accurate.

.....

Your Name:
s.22

Your E-mail Address:
s.22

Subject:
Air Quality study

Message:

Russ- By now it is quite obvious that the slow process of getting Foundation Organics into compliance has seriously upset the Tanner Ridge community. One of the things that particularly upsets me is the fact no one knows what we have all been breathing over the last year or more as the pile of whoknowswhat has grown. I would sincerely like to know why no one seems willing to do an Air Quality Study of the F/O stench. Studies of similar operations in Britain and northern Europe have shown a grocery list of chemicals, from ammonia to toluene, and spores such as aspergillis (Causes "farmer's lung"). Also present are known and possible carcinogens in varying amounts. However, no one in Central Saanich, nor at the CRD or VIHA knows, as no one is willing to order a study of the air around the place. Instead, we must put up with the glacial pace of incremental enforcement, which appears to have taken away the entire summer for nearly 3,000 residents while Foundation Organics continues to stockpile ever more undesirable waste, turning the once-pristine farm into nothing more than a refuse dump.

Please, order an Air Quality Study. We have the right to know what we are breathing. The CRD is at least partially responsible for it, it is incumbent on the CRD to ensure our safety.

Thank you

(cc Alastair Bryson, Chair)

Submitted at: 9/18/2013 9:30:43 AM
Submitted via: <http://www.crd.bc.ca/contact/default.aspx?r=580>
User Agent: Mozilla/5.0 (Windows NT 6.1; WOW64) AppleWebKit/537.36 (KHTML, like Gecko)
Chrome/29.0.1547.66 Safari/537.36
IP: s.22

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Thank you.

Please consider the environment before printing this email.

FAQ's regarding composting operations

Role of the Island Health's Public Health Department

- (1) What is the role of Island Health's Public Health department regarding composting operations?

Public Health does not oversee or regulate composting facilities. Composting operations are regulated by provincial legislation (the *Organic Matter Recycle Regulation* and the *Agricultural Waste Control Regulation*), administered by the Ministry of Environment, as well as (where applicable) local and regional government bylaws.

- (2) Is odour emitted from composting operations a health concern?

Odours from composting operations may be a nuisance to the public but are not considered a health hazard under the *Public Health Act*. While an odour may be offensive, it does not constitute an elevated risk to health.

The health authority continues to review this issue, consulting with the Ministry of Health and the BC Centre for Disease Control.

- (3) When would the Public Health department typically become involved in assessing composting operations?

If an operation were contaminating a drinking water supply or agricultural food source, then there is a requirement under *Organic Matter Recycle Regulation* that the applicant must notify the Medical Health Officer.

- (4) Will the Public Health department carry out air quality testing in reference to composting operations?

The health authority does not have a role in air quality testing or sampling.

EMAIL RESPONSE

993457

s.22

Dear s.22

Thank you for your emails of September 09 and 19, 2013, addressed to Honourable Terry Lake, Minister of Health, regarding your concern about the health effects of Foundation Organics' composting operations in Central Saanich. I am responding on his behalf.

The Ministry of Health is aware of public concerns and complaints that have been raised about odour emissions from Foundation Organics' composting facility. As such, we have been working with appropriate authorities, including the Ministry of Environment, Island Health, and the Capital Regional District (CRD), to ensure that any potential human health effects are properly addressed.

I am sorry to hear about your family's recent health problems. As explained to you by Jade Yehia of Island Health, while odours from composting operations may be a nuisance to the public, they are not considered a health hazard under the *Public Health Act*. Island Health's Medical Health Officer and Health Protection department have discussed potential health concerns with the District of Central Saanich and, while no specific health risks have been identified at this time, they continue to assess the situation as it unfolds. If any health hazards are identified, please be assured that Island Health will immediately advise residents of recommended actions. Should you or any member of your family continue to experience worrying symptoms, I suggest consulting with a physician.

Composting operations are regulated by the Ministry of Environment's *Organic Matter Recycling Regulation* and *Agricultural Waste Control Regulation*, *CRD Bylaw 2736*, Workers' Compensation Board regulations, and other applicable regulations. On August 20, 2013, the CRD suspended Foundation Organics' composting facility license. As a result, the facility is temporarily prohibited from receiving and processing food waste. Foundation Organics has appealed the decision and the matter is now under review. Furthermore, on September 09, 2013, Central Saanich Mayor Alastair Bryson requested that the CRD take immediate action on the issue, including the possible issuance of a court injunction against Foundation Organics. This request is currently being considered by the CRD's environmental services committee. The Ministry of Health will continue to monitor this situation as it develops.

Thank you again for writing and bringing your concerns to our attention.

Yours truly,

Tim Lambert, PhD
Executive Director
Health Protection Branch

Benson, Stacey HLTH:EX

From: Minister, HLTH HLTH:EX <HLTH.Minister@gov.bc.ca>
Sent: Monday, September 9, 2013 2:53 PM
To: Health, HLTH HLTH:EX
Subject: FW:

Categories: Katy

From: s.22
Sent: Monday, September 09, 2013 12:41:35 PM
To: Minister, HLTH HLTH:EX
Cc: OfficeofthePremier, Office PREM:EX
Auto forwarded by a Rule

Sept. 9, 2013

Attention: Health Minister Dr. Terry Lake

Dear Dr. Lake,

I am writing to you with regard to a health concern which has impacted me, my family and many in my neighborhood of Tanner Ridge, Central Saanich BC.

As you may know the composting facility called Foundation Organics is currently suspended from processing their full 10,000 tons per annum of garbage, however, they have managed to maintain some of their smaller restaurant contracts and their contract with the cruise ships. He is operating through a loop hole that allows him to feed the semi loads of garbage to his (7) pigs and then compost the leftovers under the umbrella of normal farm waste. **No one has yet questioned the fact that he is not allowed to feed meat products to pigs—but that is another matter.**

But why I am writing to you is purely about health—mine, and my family's. The pollution off gassing from this site has been enveloping the Tanner Ridge area regularly for the past several months. It hit a critical level this summer and since we were away for almost three weeks in July I had a clear indication of before, after and then a re-emergence into the toxic mess.

s.22

s.22

It makes us sound like real complainers and my neighbors were feeling the same way. Last week, s.22 the municipal council with our complaints there were approximately 150 people present and you could hear the persistent coughing. I thanked them—it made my point. Until then everyone was viewing their health problems in isolation but now they could see they were part of a larger picture. We are the victims of intolerable pollution and we feel it is time that the proper authorities know it.

Composting on an industrial scale should not be left in the hands of amateurs and most certainly should not be able to operate without any environmental overview. The fact that he could be feeding meat to pigs in order to keep composting during a suspension only serves to illustrate that there is no governmental controls here at all. And it is making us sick—literally!

Sincerely,

s.22

Benson, Stacey HLTH:EX

From: Minister, HLTH HLTH:EX <HLTH.Minister@gov.bc.ca>
Sent: Thursday, September 19, 2013 8:54 PM
To: Health, HLTH HLTH:EX
Subject: FW: Stanhope Farms health concerns

From: s.22
Sent: Thursday, September 19, 2013 8:54:04 PM
To: jade.yehia@viha.ca
Cc: Minister, HLTH HLTH:EX; OfficeofthePremier, Office PREM:EX
Subject: FW: Stanhope Farms health concerns
Auto forwarded by a Rule

September 19, 2013

Dear Ms Yehia:

I am writing to express my disappointment and distress with regard to the attitude expressed by you and the Health Administration in general with regard to our insistence that the off-gassing from Foundation Organics was making us sick.

I would like you to imagine that you have come to work and said to your boss that you are feeling sick and that you think it might be due to the noxious air quality in your neighborhood. He then says that he doubts that could be so. You further inform him of your symptoms and how really rough you are feeling and he looks you over and says—well, how sick are you really? You are here after all. Have you had formal proof of illness? And what makes you think that it has anything to do with the noxious odors enveloping your neighborhood? You tell him that your neighbors are exhibiting similar symptoms. He shakes his head dismissively and tells you that he, in fact, talked to your community and there is nothing to suggest that you are really sick or that the air quality would have anything to do with it in any case. Probably you just don't like the nuisance smell.

That, by the way, is exactly how dismissive you sound to us. This is not worthy of you as a human being and it is certainly not worthy of someone in your position.

I ask you this—if this same stench were enveloping the hospitals in our region and the patients and medical staff were struggling to breathe deeply—those with compromised lungs were now needing assistance, those with asthma were having to increase their medications and restrict their time outside. You start to see sinus infections, skin rashes, and allergy reactions that are new, non stop headaches and even phantom toothaches are finally examined with ct scans only to discover there is nothing wrong with the tooth in question. Then you notice that so many in the hospital are coughing and yet they don't have a cold. So—after witnessing all this, would you tell all those patients and medical staff that there is no reason to assume that they are sick, as such. It is only an odor after all. Or would you make it your business to get involved in exploring the situation properly and in shutting that stench down permanently? I doubt very much that you would allow this type of facility to be in the airshed of a hospital. Why should it be in the airshed of anyone?

s.22

So if I have made this letter sound a little personal I will excuse myself by suggesting that it IS very personal to all of us.

If you spoke with someone in Central Saanich about this situation I can only suggest that it was not with someone who lives in my area. I know how I was feeling this summer and exactly how I feel when that putrid off gassing fills my home even temporarily now.

Sincerely,

s.22

From: s.22

Sent: Wednesday, September 18, 2013 12:39 PM

To: jade.yehia@viha.ca

Cc: s.22

Subject: Re: Stanhope Farms health concerns

Ms. Yehia,

In regards to your assessment of the current health issues in Tanner Ridge. I have 2 questions that I would like clarified please:

1. What discussions did you have with Central Saanich and with who?
2. What information made you decide that there are NO health risks at this time?

We have spoken before on many occasions this Summer, and you may recall that s.22
s.22 That is becoming more and more difficult due the unbearable
situation we are dealing with.....I invite you to join me for lunch in my backyard today and then you can let me
know if you would recommend immediate action???

s.22

From: Jade.Yehia@viha.ca

Subject: RE: Stanhope Farms

Date: Wed, 18 Sep 2013 16:11:46 +0000

Hello,

Thank you for your email regarding concerns about the Stanhope Farms/Foundation Organics composting operation.

Island Health's medical health officer and Health Protection department staff have had discussions with the District of Central Saanich about the health concerns brought forward by residents of the area. While no specific health risk has been identified at this time, we continue to assess the situation and are reviewing the issues raised, in consultation with experts at the Ministry of Health and the BC Centre for Disease Control. Please be assured that if any health hazards are identified as part of this process, Island Health would advise residents of any recommended actions immediately.

If you or someone in your family is experiencing health symptoms that you are worried about, I would encourage you to see a physician for assessment.

You may also wish to contact the Capital Regional District, District of Central Saanich and/or Ministry of Environment, as the regulatory bodies for the facility, for the most current update on the situation.

Attached are some frequently asked questions regarding the health authority's role in this matter.

Sincerely,

Jade Yehia, CPHI(C)

Regional Built Environment Consultant

201 - 771 Vernon Avenue Victoria, BC V8X 5A7

Ph: 250.519.3401 Fax: 250.519.3402

Jade.Yehia@viha.ca www.viha.ca/mho

<image001.gif>

EMAIL RESPONSE

993454

s.22

Dear s.22

Thank you for your email of September 04, 2013, addressed to Honourable Terry Lake, Minister of Health, regarding your concern about the health effects of Foundation Organics' composting operations in Central Saanich. I am responding on his behalf.

The Ministry of Health is aware of public concerns and complaints that have been raised about odour emissions from Foundation Organics' composting facility. As such, we have been working with appropriate authorities, including the Ministry of Environment, Island Health, and the Capital Regional District (CRD), to ensure that any potential human health effects are properly addressed.

I am sorry to hear about your recent health problems. Please note that while odours from composting operations may be a nuisance to the public, they are not considered a health hazard under the Public Health Act. Island Health's Medical Health Officer and Health Protection department have discussed potential health concerns with the District of Central Saanich and, while no specific health risks have been identified at this time, they continue to assess the situation as it unfolds. If any health hazards are identified, please be assured that Island Health will immediately advise residents of recommended actions. Should you continue to experience worrying health symptoms, I suggest consulting with a physician.

Composting operations are regulated by the Ministry of Environment's Organic Matter Recycling Regulation and Agricultural Waste Control Regulation, CRD Bylaw 2736, Workers' Compensation Board regulations, and other applicable regulations. On August 20, 2013, the CRD suspended Foundation Organics' composting facility license. As a result, the facility is temporarily prohibited from receiving and processing food waste. Foundation Organics has appealed the decision and the matter is now under review. Furthermore, on September 09, 2013, Central Saanich Mayor Alastair Bryson requested that the CRD take immediate action on the issue, including the possible issuance of a court injunction against Foundation Organics. This request is currently being considered by the CRD's environmental services committee. The Ministry of Health will continue to monitor this situation as it develops.

Thank you again for writing and bringing your concerns to our attention.

Yours truly,

Tim Lambert, PhD
Executive Director
Health Protection Branch

Benson, Stacey HLTH:EX

From: Health, HLTH HLTH:EX
Sent: Thursday, September 5, 2013 2:13 PM
To: Minister, ENV ENV:EX
Subject: FW: Central Saanich/Foundation Organics Compost Facility

-----Original Message-----

From: s.22
Sent: September 4, 2013 10:34 PM
To: Lake.MLA, Terry
Subject: Central Saanich/Foundation Organics Compost Facility

To the Minister,
I will first apologize as this letter will certainly not be eloquent.

I am instinctively trying to reach out to anyone who will listen, to anyone that will pay attention to the situation we are living with in our community.

We are living in an unrelenting cloud of a putrid stench coming from a composting facility licensed to operate metres from an established residential neighbourhood. This business, last month, had his license suspended yet continues to receive kitchen waste from many sources in a blatant display of defiance to all agencies involved. I apologize again for not providing you with more information regarding this situation and I will tell you why...

As someone who has enjoyed good health all of my life, a common cold here and there, I have reached the end of my rope. s.22
s.22

I am sick of feeling this way through no fault of my own, we need someone to deal with this situation NOW. Please direct your attention to this matter, make it a priority. It is affecting many, many people in this community.

PLEASE DO WHAT YOU CAN TO MAKE THIS STOP! Someone must be able to stop this one man from affecting so many people this way. We did nothing to deserve this.

THIS IS NOT JUST AN ODOUR ISSUE ANYMORE.

s.22

EMAIL RESPONSE

993447

s.22

Dear s.22

Thank you for your email of September 06, 2013, addressed to Honourable Terry Lake, Minister of Health, regarding your concern about the health effects of Foundation Organics' composting operations in Central Saanich. I am responding on his behalf.

The Ministry of Health is aware of public concerns and complaints that have been raised about odour emissions from Foundation Organics' composting facility. As such, we have been working with appropriate authorities, including the Ministry of Environment, Island Health, and the Capital Regional District (CRD), to ensure that any potential human health effects are properly addressed.

I am sorry to hear that s.22 and neighbours have been experiencing recent health problems. Please note that while odours from composting operations may be a nuisance to the public, they are not considered a health hazard under the *Public Health Act*. Island Health's Medical Health Officer and Health Protection department have discussed potential health concerns with the District of Central Saanich and, while no specific health risks have been identified at this time, they continue to assess the situation as it unfolds. If any health hazards are identified, please be assured that Island Health will immediately advise residents of recommended actions. Should any members of your family or neighbourhood continue to experience worrying symptoms, I suggest consulting with a physician.

Composting operations are regulated by the Ministry of Environment's *Organic Matter Recycling Regulation* and *Agricultural Waste Control Regulation*, *CRD Bylaw 2736*, Workers' Compensation Board regulations, and other applicable regulations. On August 20, 2013, the CRD suspended Foundation Organics' composting facility license. As a result, the facility is temporarily prohibited from receiving and processing food waste. Foundation Organics has appealed the decision and the matter is now under review. Furthermore, on September 09, 2013, Central Saanich Mayor Alastair Bryson requested that the CRD take immediate action on the issue, including the possible issuance of a court injunction against Foundation Organics. This request is currently being considered by the CRD's environmental services committee. The Ministry of Health will continue to monitor this situation as it develops.

Thank you again for writing and bringing your concerns to our attention.

Yours truly,

Tim Lambert, PhD
Executive Director
Health Protection

Benson, Stacey HLTH:EX

From: Ainsworth, Diana ENV:EX
Sent: Tuesday, September 17, 2013 3:24 PM
To: Health, HLTH HLTH:EX
Subject: RE: Health Concerns with Composting Operation

Categories: Katy

Hi,

As per my discussion with Jo, MoE won't be able to respond to this incoming as it is primarily concerned with health impacts. I apologize for the delay in responding - this has been a tricky issue!

Thanks!

Diana Ainsworth
A/Manager, Correspondence Projects
Ministry of Environment
Phone: 250 387-9874

From: Health, HLTH HLTH:EX
Sent: Monday, September 9, 2013 12:01 PM
To: Ainsworth, Diana ENV:EX
Subject: FW: Health Concerns with Composting Operation

Hi there

Is this something that Ministry of Environment would respond to?

Thank you

Katy Craig de Boer
A/Issues Assessment and Liason Analyst | Correspondence and Documents Management | Ministry of Health | 5-2, 1515
Blanshard Street, Victoria, BC, V8W 3C8 | Phone: 250.952.2264

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From: s.22
Sent: Friday, September 06, 2013 9:56:55 PM
To: Minister, HLTH HLTH:EX

Cc: judy.darcy.mla@leg.bc.ca

Subject: Health Concerns with Composting Operation

Auto forwarded by a Rule

September 6, 2013

Hon. Terry Lake
Minister of Health
Room 337, Parliament Buildings
Victoria, BC V8V 1X4

Hon. Terry Lake:

Re: Concerns of Health Issues Stemming from Compost Facility

I am writing to you to address a very big problem that exists in my neighbourhood of Central Saanich. We have been subjected to the toxic airborne pollution of a renegade composting facility (it has flouted many municipal bylaws) that is being operated next to a residential neighbourhood on ALR land.

The operators of Foundation Organics Ltd. (6341 Old East Road, Central Saanich) received licensing from the Capital Regional District of Victoria (CRD) based upon a loophole in the ALR land use guidelines which permits composting as part of normal farm operations. While composting is obviously a necessary part of farm operations, wholesale composting of diverted post-consumer food waste from landfills and cruise ships was obviously not even on the radar when the original legislation and regulations were drafted.

Beside the horrific odours coming from this facility, there are some serious health repercussions that seem to be resulting that really need to be looked into. At our local municipal council meeting in Central Saanich on Tuesday, September 3, 2013, a number of residents brought up concerns about health issues they have been suffering. Very serious sinus problems were reported by a number of individuals, and asthma and other breathing problems were mentioned as well. Many individuals also complained of headaches, nausea, vomiting restlessness at night (due to high levels of ammonia in the air), and problems with concentrating on tasks. ^{s.22}
s.22

Because of this loophole in the ALR land use guidelines, our neighbourhood is essentially now functioning as an unwilling test group for the health problems that can result from living in close proximity to an industrial composting facility. This is unacceptable and it must be stopped. A facility of this type needs to be located in an industrial area where it does not have the ability to endanger the health of residents and farm animals living in close proximity.

I would respectfully request that you investigate the health concerns of the residents of Central Saanich that have been affected by this composting facility, and please intervene with the necessary agencies to ensure this facility is no longer permitted to negatively affect the health of our neighbourhood.

Kind Regards,

s.22

Cc: Judy Darcy, NDP Health Critic

EMAIL RESPONSE

993445

s.22

Dear s.22

Thank you for your email of September 06, 2013, addressed to Honourable Terry Lake, Minister of Health, regarding your concern about the health effects of Foundation Organics' composting operations in Central Saanich. I am responding on his behalf.

The Ministry of Health is aware of public concerns and complaints that have been raised about odour emissions from Foundation Organics' composting facility. As such, we have been working with appropriate authorities, including the Ministry of Environment, Island Health, and the Capital Regional District (CRD), to ensure that any potential human health effects are properly addressed.

I am sorry to hear about your family's recent health problems. Please note that while odours from composting operations may be a nuisance to the public, they are not considered a health hazard under the *Public Health Act*. Island Health's Medical Health Officer and Health Protection department have discussed potential health concerns with the District of Central Saanich and, while no specific health risks have been identified at this time, they continue to assess the situation as it unfolds. If any health hazards are identified, please be assured that Island Health will immediately advise residents of recommended actions. Should you or any member of your family continue to experience worrying symptoms, I suggest consulting with a physician.

Composting operations are regulated by the Ministry of Environment's *Organic Matter Recycling Regulation* and *Agricultural Waste Control Regulation*, *CRD Bylaw 2736*, Workers' Compensation Board regulations, and other applicable regulations. On August 20, 2013, the CRD suspended Foundation Organics' composting facility license. As a result, the facility is temporarily prohibited from receiving and processing food waste. Foundation Organics has appealed the decision and the matter is now under review. Furthermore, on September 09, 2013, Central Saanich Mayor Alastair Bryson requested that the CRD take immediate action on the issue, including the possible issuance of a court injunction against Foundation Organics. This request is currently being considered by the CRD's environmental services committee. The Ministry of Health will continue to monitor this situation as it develops.

Thank you again for writing and bringing your concerns to our attention.

Yours truly,

Tim Lambert, PhD
Executive Director
Health Protection Branch

Benson, Stacey HLTH:EX

From: Ainsworth, Diana ENV:EX
Sent: Tuesday, September 17, 2013 2:32 PM
To: Health, HLTH HLTH:EX
Subject: RE: Kids Washing Cars.....and they can't?

Hi,

As per my discussion with Jo, MoE won't be able to respond to this incoming as it is primarily concerned with health impacts. I apologize for the delay in responding - this has been a tricky issue!

Thanks!

Diana Ainsworth
A/Manager, Correspondence Projects
Ministry of Environment
Phone: 250 387-9874

-----Original Message-----

From: Health, HLTH HLTH:EX
Sent: Friday, September 6, 2013 10:51 AM
To: Ainsworth, Diana ENV:EX
Subject: FW: Kids Washing Cars.....and they can't?

Hi there

Can you confirm that this is an issue Environment would respond to?

Thank you

Katy Craig de Boer
A/Issues Assessment and Liason Analyst | Correspondence and Documents Management | Ministry of Health | 5-2, 1515
Blanshard Street, Victoria, BC, V8W 3C8 | Phone: 250.952.2264

WARNING - CONFIDENTIALITY NOTICE

This email message and any attachments thereto are intended solely for the use of the individual or entity to whom it is addressed. If you have received this email in error, please notify the sender immediately by return email and delete the message unread without making any copies.

☐ Please consider the environment before printing this email

-----Original Message-----

From: Minister, HLTH HLTH:EX [mailto:HLTH.Minister@gov.bc.ca]
Sent: Friday, September 6, 2013 10:36 AM
To: Health, HLTH HLTH:EX
Subject: FW: Kids Washing Cars.....and they can't?

From: s.22
Sent: Friday, September 06, 2013 10:35:39 AM
To: Minister, HLTH HLTH:EX
Subject: Kids Washing Cars.....and they can't?
Auto forwarded by a Rule

To: 'AGR.MINISTER@Gov.BC.ca'; 'Colin.Fry@gov.bc.ca'; 'Env.Minister@gov.bc.ca'; 'HLTH.MIN@gov.bc.ca'
Subject: Kids Washing Cars.....and they can't?

Good Morning:

I won't dredge on about the issues surrounding the composting situation in Central Saanich.

I know you are fully aware, and I don't need to write you pages about the inconveniences, odours, and health issues that Foundations Organics business is causing not to mention the silent, hidden, potential problems that this business could be causing to each of us living, working, or passing through the community.

As much as you are heading smoothly into your Friday, I wanted to head into mine. I can't work in my yard as I can't stand the pungent smell, as I run around the house closing the windows I worry about the gases in the air and what are they doing to my health. Not to mention to my families health.
Last night at a political members town hall meeting, they rattled off the gases that were allegedly in our air....there was both a retired doctor and a lawyer in the room and they were astonished!! Here I sit, bewildered, confused and frustrated. How can this continue?

In addition, last night at the meeting, a group of Tanner Ridge residences were all comparing notes on their health ailments....sore throats, headaches, teeth hurting, eye infections, sinus infections, breathing issues....isn't this enough to stop the process and take a step back? If this ends up in court with his lawyer, there is not a judge in the community that could argue that the gasses they listed off in conjunction with the health issues is not just cause to stop, take a pause and do the adequate research that is required!!

I need to protect my family. Do we move? Do we exercise patience and hope that the people with the power will hear our cries and do what is right?

What do we do? Are you all looking at each other trying to decide what to do, just as we are? Are you colouring between the lines, following policy, and trying to respect the process while he merrily makes a mockery of the system? I know things take time, and I know we want to do it right so it is effective.....but in the mean time, people's health is at risk!!

As I sit here trying to type once again another letter as instructed by my local politicians the tears are filling my eyes. I feel desperate and scared. s.22

s.22 We have not been outside all summer. And really, is anyone reading our letters?

Yesterday s.22 wanted to wash their cars which they often do in our front yard, and they all said they couldn't stand the smell. One young boy looked at me and told me his parents won't let him stay here anymore as they

don't know what is in the air and they don't want him breathing it. They can't believe nothing is being done..... I felt my stomach hit the floor....

I pay my taxes, I colour within the lines of the law, I am respectful to my neighbours...the group of hundreds of people who are so desperately trying to get your attention are law abiding citizens. And yet regardless of the fact that Foundations Organics have had their license suspended he is still in operations. One man is controlling the strings of our lives, our politicians, and our government officials? Why? This is not a disrespectful statement, it is how it is being perceived!

I don't care that he sees "gold", it is not about the money. It is just wrong and irresponsible to allow this to carry on when so many innocent people's lives are being effected and their health is at potential risk.

I know the CRD started this by approving the licence. So I appreciate they are trying to find a solution to resolve this without political backlash or financial implication.

Who cares who did what....I tell my kids, it is not that you fail, it is what you do with that failure that counts.

Every community needs a hero and someone needs to stand up and stop this operation until more research and investigation can be done. Will you be our hero? Stop ALL operations and deliveries until the CRD, Provincial Government, Municipal Government can regroup to look at what SHOULD be done, instead spending so much time analyzing what he is doing and trying to figure out what laws he is not abiding by. Someone must be able to stop this solely based on the fact he is not colouring within the lines and the fact that he is causing inconvenience to the community and the potential health risk and safety of not only him, his staff, and our members of our community.

I know he is saying he is "composting" but seriously, the tonnage he is STILL having delivered and the constant smell from the processing is not composting...this is waste management. This waste is being brought in from Cruise Ships? I can't even get a bag of apples across the border when I head down to shop for my family in Bellingham? Don't you think Border Services should be looking at this?

And yes one can feed a small amount to a dozen pigs, or spread a residual amount on the fields and call that his right under the "agricultural by-laws"...but seriously...just me driving by I can see with my naked eye the piles of food waste that are being processed.

So how does this work? Everyone you talk to asks the question, why is this allowed to go on? Why don't they STOP this contamination in the air? To our land, to our community?

Political figures stop bears being shot, they stop rebel groups with causes from embarking in large amounts and camping in our island parks, they stop sewage plants from being built....and yet no one seems to be able to stop one man from having garbage delivered to his property whereby he is damaging the air quality, potential land contamination, breaking bylaws, and clearly contravening WCB regulations. Please help me and our community understand this?

I am writing you in the hopes that you will be our community hero. The whole city is watching to see how this unfolds. It does not matter whether I go to coffee shop in Oak Bay, or a business meeting in Esquimalt....people are asking the same question...What is going on here? Yes it takes "guts". But every hero has guts! They do what is right, until they can figure out what the solution is. It should be stopped solely on the air pollution that is being emitted across the community. It is uncomfortable to all. PERIOD! Then as a political group, and a community we should move forward on what needs to be done and do it right.

Please help us. Please put a stop to this. Please do what is right.

Respectfully submitted,

s.22

EMAIL RESPONSE

989253

s.22

Dear s.22

Thank you for your email of August 17, 2013, in which you express your concerns regarding odour and potential health issues resulting from the operation of the Central Saanich commercial composting facility (Stanhope Wedgewood Farm).

The BC Ministry of Health does not test the efficacy of or approve disinfection products or technology.

The OPURA Aqueous Hand Wash Sanitizer has been approved by the Canadian Food Inspection Agency (CFIA). You may wish to contact CFIA and ask for information on the nature of their approval of the OPURA Aqueous Hand Wash Sanitizer (<http://active.inspection.gc.ca/scripts/fssa/reference/srresults.asp?lang=e&c=1&msg=&q=OPURA>).
A).

I hope that this information is helpful to you, and thank you again for writing to my Ministry.

Yours truly,

Tim Lambert, PhD
Executive Director
Health Protection
Ministry of Health

Benson, Stacey HLTH:EX

From: s.22
Sent: Saturday, August 17, 2013 10:51 PM
To: HLTH HP-PHW HLTH:EX
Subject: Health hazard in Central Saanich

Dear Sirs

I would like to voice my concern with the smell and health hazards resulting from the operations a commercial composting operation in Central Saanich.

I live in the Tanner Road area, at s.22 The odour is coming from the Foundation Organics commercial facility (part of Stanhope-Wedgewood Farm) at 6341 Old East Road. Through-out the summer this odour was evident continuously, on almost a daily basis. Further, even on those days when it is not as strong, the smell lingered in our home. On the days when it is not strong (far and few between), I can smell it when I walked into my house. We cannot leave our windows open, or use our yard or deck, but rather need to hide away inside with doors and window closed. If you have any doubts as to the power and strength of this obnoxious toxic odour, just drive by and take a whiff.

Certainly this is not a pleasant smell, and diminishes the enjoyment of life for people in the vicinity. However my concern is more for the health of my family. s.22 As I understand the process it is a chemical decomposition of farm waste. It seems that the smell is a result of an emission of chemical by-product. This is more than discomfort, but I believe it is also a health risk. Anything that smells that bad cannot be good for you.

My concern is that the CRD and the District of Central Saanich allow this to continue, when there is a clear and obvious contravention of the by-laws. The odour bylaws- were set in part, to protect the health of the residents of the province, however those responsible to enforce the bylaws, have not done so.

This operation is in contravention of CRD bylaws No 2736 which requires composting facilities to prevent odours from being detectable beyond the boundary of the land on which the composting facility is located. I believe that this bylaw violation is an extreme case of bylaw contravention, resulting in potential harm to the public and the prudent action is for Central Saanich and the CRD is to suspend these operation immediately, and investigate the health risk. However, residents of Central Saanich have been complaining about this process for 2 years, yet it continues to exist. In fact as production at the facility continues to grow, the health risk has increased. It seems that the CRD is afraid they will be sued by the operator, and so take no action.

As a minimum the operation needs to be shut down until the operators can come up with a plan (one that actually works) to contain the odour with the bylaw.

Refer to page 4 of the document: SUPPORTING INFORMATION FOR THE OPERATION OF COMPOSTING FACILITIES IN THE CAPITAL REGIONAL DISTRICT

"First, odours detectable beyond the boundary of the parcel on which the composting facility is situated would constitute a violation of this bylaw. Second, enforcement procedures, including fines, will be in place which will ensure a rapid response to any odour violations. Third, the operator will have a powerful incentive to treat any odour problems quickly as a condition of maintaining a valid licence.

The enforcement section of this document explains how facilities which violate the requirements of the composting bylaw will be required to comply."

Link to document: <http://www.crd.bc.ca/waste/organics/documents/compostbylawssupportinginformation.pdf>

Additionally, I have noticed far more dust on my deck and on my vehicles this year than in past years. And although this may be attributable to the hotter weather, I also feel the cause of the increased dust is from the commercial activity taking place at 6341 Old East Road s.22 The Stanhope Farms and Foundation Organics location should also be investigated for its compliance with dust control bylaws and regulations.

An additional concern is that this facility is processing waste material from cruise ships. This means organic material from all parts of the world are being introduced to our local agricultural environment. This may be an extremely dangerous and have

detrimental consequences to our environment, and I sure hope the CRD is monitoring and managing this risk, and that the Ministry of Health has been advised and informed of this situation.

It is my understanding that the CRD has ceased to deliver waste to this facility for composting (Aug 01). Clearly the CRD recognizes there is a problem. However not contributing to the problem is simply not enough. Elected governing bodies have a responsibility to stop the problem, and mitigate the risk to our environment, our families health, and the CRD agricultural community (the long term health of our communities).

I ask that the Ministry of Health investigate this dangerous situation.

Your truly,

s.22



Making a difference...together

625 Fisgard Street, Victoria, BC V8W 1R7

Information Bulletin
For Immediate Release
August 20, 2013

Suspension Issued to Foundation Organics Ltd. Composting Facility

Victoria, BC - The Capital Regional District has conditionally suspended the licence issued to Stanhope Dairy Farm and applicable to the Foundation Organics Ltd. composting facility on Old East Road following the issuance of a number of warning notices. The effect of the suspension is the cessation of food waste materials being received by the Foundation Organics facility.

In 2004, the Capital Regional District developed the Composting Facilities Regulation Bylaw (Bylaw 2736) to regulate the operation of composting facilities in the region. The purposes of licensing composting facilities include ensuring that the facilities do not contaminate ground or surface water, or generate unacceptable levels of nuisance odour, vectors, litter or dust. In addition to complying with CRD Bylaw 2736, composting facilities must also comply with the BC Organic Matter Recycling Regulation, BC Agriculture Waste Control Regulation, the host municipality's bylaws, Workers' Compensation Board regulations and other applicable regulations.

The CRD conducted a hearing with the facility operator on August 16th and after careful consideration of all parties concerns and views, it was determined that the Foundation Organics facility was non-compliant with Bylaw 2736 and terms of its Recycler Licence. The facility will still be allowed to continue receiving and processing materials other than food wastes and to process those materials that are currently present on site but will be required to address the bylaw violations in order to have the suspension lifted and prior to again receiving food waste materials.

While the CRD regulates the composting facility, the land application of compost material to land in the Agricultural Land Reserve in British Columbia is regulated by The Provincial Agricultural Land Commission.

-30-

For media inquiries, please contact:
Russ Smith, Senior Manager
CRD Environmental Resource Management
Tel: 250.360.3080
Cell: 250.516.6639

s.22

Dear s.22

Thank you for your letter of September 12, 2013, addressed to Honourable Terry Lake, Minister of Health, regarding your concern about the health effects of Foundation Organics' composting operations in Central Saanich.

The Ministry of Health is aware of public concerns and complaints that have been raised about odour emissions from Foundation Organics' composting facility. As such, we have been working with appropriate authorities, including the Ministry of Environment, Island Health, and the Capital Regional District (CRD), to ensure that any potential human health effects are properly addressed.

s.22

Please note that while odours from composting operations may be a nuisance to the public, they are not considered a health hazard under the *Public Health Act*. Island Health's Medical Health Officer and Health Protection department have discussed potential health concerns with the District of Central Saanich and, while no specific health risks have been identified at this time, they continue to assess the situation as it unfolds. If any health hazards are identified, please be assured that Island Health will immediately advise residents of recommended actions. Should you or any members of your family experience worrying health problems, I suggest consulting with a physician.

Composting operations are regulated by the Ministry of Environment's Organic Matter Recycling Regulation and Agricultural Waste Control Regulation, CRD Bylaw 2736, Workers' Compensation Board regulations, and other applicable regulations. On August 20, 2013, the CRD suspended Foundation Organics' composting facility license. As a result, the facility is temporarily prohibited from receiving and processing food waste. Foundation Organics has appealed the decision and the matter is now under review. Furthermore, on September 09, 2013, Central Saanich Mayor Alastair Bryson requested that the CRD take immediate action on the issue, including the possible issuance of a court injunction against Foundation Organics. This request is currently being considered by the CRD's environmental services committee. The Ministry of Health will continue to monitor this situation as it develops.

- 2 -

Thank you again for writing and bringing your concerns to our attention.

Yours truly,

Tim Lambert, PhD
Executive Director
Health Protection Branch

September 12, 2013

Re: Central Saanich Composting Site

Honourable Terry Lake
Minister of Health
PO Box 9050
Stn. Prov. Gov.
Victoria, BC V8W 9E2

MINISTER'S OFFICE	
HEALTH	
# 993538	
DRAFT <input type="checkbox"/>	SEP 19 2013
REPLY <input type="checkbox"/>	REPLY DIRECT <input type="checkbox"/>
FYI <input type="checkbox"/>	FILE <input type="checkbox"/>
REMARKS refer to Agriculture	
<input type="checkbox"/> AA	<input type="checkbox"/> MA
<input type="checkbox"/> EA	<input type="checkbox"/> SA

Dear Honourable Terry Lake:

Further to a Central Saanich Council "Special Meeting" with residents of the area held on September 03, 2013, one of the motions passed was to contact the Vancouver Island Health Authority with health concerns to the odor. As a resident of the area, I would like to support that motion and request immediate and swift action.

For 30 years we've lived in Central Saanich in the midst of ALR and the farming community, with no previous incident. We concur and practice responsible composting; however, to put it mildly, this summer has been completely, absolutely abysmal! Residents miles away from the composting site as far as Brentwood Bay are affected, and have been held hostage all summer by a stench so pervasive doors and windows can't be open. The time to end it has long passed.

Residents, including ourselves have been submitting "complaints" to the CRD, with deteriorating hope of any action. Last Saturday, September 07, 2013 morning I was awakened from a deep sleep at 3am by a strong, acrid, noxious stench permeating into our closed up bedroom.

For the sake of resident's physical and mental health and welfare, we implore you to issue an immediate cease to the practice of composting "food waste" in this region until such time as an appropriate location and responsible practice is established and enforced. Proper composting is one matter; this business is nothing short of a garbage dump.

According to public press, the attorney for Foundation Organics Ltd. "It is nothing to do with the composting facility – the airy farm has been spreading the finished compost on its grasslands, which has resulted in 40 percent higher yields".

To which, I respectfully pose the following questions:

Higher yields of what nature?

Truthfully? Is the farmer in question spreading the compost at 3-5am?

Are CRD bylaw officers on site 24/7 to ensure no further food waste is being received, and the compost is not being delivered off site, contrary to existing Municipal and CRD bylaws? It appears monitoring of suspensions are not enforced anytime, and certainly not even monitored nights, weekends, and stat holidays?

Composting is a highly scientific, complex process, which when done properly and responsibly evidentially works in other regions. However, the public governing bodies regulating the procedure here need to study and enforce the established technique prior to issuing any further licenses allowing the practice to continue. It would benefit the entire Province if health authorities define what can be included in food waste management and cease the practice of composting any food waste until such time as proper parameters and laws are determined, in place and strictly enforced.

As example: What is included in the waste at this time? Is it properly "source separated" with only biodegradable plastics included? Is it composted with enough carbon materials and proper ratio of carbon to nitrogen at a temperature of 120-150°(F)?

Aside from putrid, toxic stench adversely influencing resident's lives over the summers, our main, primary concern is the health issue. ^{s.22}
^{s.22}

Further it's a known fact that the smallest amount of food waste attracts rats and lethal vermin carrying toxic organisms.

Of particular distress is much of the waste is allegedly trucked in from cruise ships. It's certainly common knowledge that industry is frequently plagued by the Norwalk and other communicable viruses. Further, why is it we can't take so much as a lime or tomato to the US, and yet they're allowed to dump their garbage here from who knows the origin? Are all potatoes, citrus and food items disallowed into Canada removed first?

As residents and consumers, we have the right to know where and for what purpose the apparent toxic compost is being spread, as I for one do not wish to consume anything grown on the farms in question.

Health authorities are amongst the first to advocate getting "flu" shots, and perpetually speculating the possible threat of a "pandemic" or various other contagious infections. In my personal humble hopeful opinion, for everyone's sake, it is imperative that you ensure this will not be proven to be a future potential source. This business should never have been approved in the first place, and should have ended months, if not a few years ago.

This correspondence is being copied to our physicians, as well as other governing authorities as testimony of our real concerns. Immediate and swift action is long overdue. We look forward to receiving a favourable decision to end this atrocity.

Sincerely,

s.22

Subject: Fw: Bio Solids

From: s.22

To: HON TERRY LAKE

Date: Saturday, January 10, 2015 9:08 PM JAN 3 0 2014

MINISTER'S OFFICE HEALTH		
<input type="checkbox"/> DRAFT	<input type="checkbox"/> REPLY	<input type="checkbox"/> DISPOST
<input type="checkbox"/> FYI	<input type="checkbox"/> FILE	<input type="checkbox"/> s.22
REMARKS		
<input type="checkbox"/> AA	<input type="checkbox"/> MA	<input type="checkbox"/> SJ
<input type="checkbox"/> EA	<input type="checkbox"/> CCU	<input type="checkbox"/> DTA

Dear Terry Here is a paper copy of the email letter I recently sent you. Please stand up for s.22

----- Forwarded Message -----

From: s.22

To: "premier@gov.bc.ca" <premier@gov.bc.ca>

Cc: "jackie.tagart.mla@leg.bc.ca" <jackie.tagart.mla@leg.bc.ca>; "jessy.bhatti@interiorhealth.com" <jessy.bhatti@interiorhealth.com>; "env.minister@gov.bc.ca" <env.minister@gov.bc.ca> s.22

Sent: Friday, January 9, 2015 12:18 PM

Subject: Bio Solids

I look forward to your reply. Thank you

Madam Premier.

Hello Christy,

I recall your election slogan, 'Families First', but what has recently been happening to s.22

s.22

is putting her anything

but first; and we need your assistance to put things right.

s.22

Well it **was** an idyllic location until the day dump truck after dump truck arrived to dump bio solids at a property very near her home. She was not informed this was going to happen by any government representative, or anyone else, it just suddenly started to stink, in a very repulsive way.

Since that day our family has had an education in bio solids, and the more you learn, the more appalled you are. What they are doing is criminal.

For starters, s.22

s.22

Imagine, your breath of life taken away from you in your own home and yard. It hardly seems right does it? And then add to that the consistent noise from machinery operating rather regularly. You buy and

make a home in the country for the love of peace and quiet, and get blasted out by the racket and din of a commercial bio solids 'composting' operation. Dump trucks coming and going raising dust and even more stink.

Then there is the genuine fear regarding the very possible issue of contaminating their water supply. Less than a year ago she installed a very expensive brand new well. (Surely you know how expensive that has become with all the new legislation) So now this 'composting' facility is uphill from her well; of course, in an extreme wet weather event it is entirely possible that contamination could occur, as the facility is located^{s.22}

s.22

In my research on bio solids I have learned it is a toxic cocktail comprised of varying amounts of human feces, fire retardants, heavy metals, pathogens, pharmaceuticals and perhaps other elements. Class A or B bio solids differ primarily based on the difference in fecal coliform counts and level of metal contained in the matter. Cornell Waste Management Institute, Dept. of Crop and Soil Sciences, has done a considerable amount of research, including a study on what they call 'facilitated transport'. "New understanding about the movement of contaminants (both chemicals and pathogenic organisms) through soils into groundwater has been developed. This includes information showing that contaminants may 'piggy-back' on other chemicals that move in water (this is termed facilitated transport). Thus a chemical which by itself is relatively immobile in soils (such as many metals) can move rapidly through soils when other chemicals are present (such as organic matter in bio solids). In addition, another mechanism that provides for rapid movement of chemicals through soils is that water and the contaminants carried in it can move through soils along preferential flow paths (such as worm holes, root channels or wetting fingers)"¹

Combine those possibilities with an extreme wet weather event and you have a very real possibility of contaminated water flowing into ^{s.22}

Christy do you intend to make things right for the innocent folks like ^{s.22} who are facing health risks from both air borne particles and groundwater contamination, devaluation of their home and property, and overall decline in quality of life?

^{s.22}

The 'composting' facility is located at 2988 Sunshine Valley Rd, which is ^{s.22}

^{s.22}

¹

Case for Caution Revisited: Health and Environmental Impacts of Application of Sewage Sludges to Agricultural Land. Ellen Z. Harrison, retired Director, and Murray McBride, Director, Cornell Waste Management Institute, Dept. of Crop and Soil Sciences, Rice Hall, Cornell University, Ithaca, NY. (cwmi.css.cornell.edu)
Posted at: cwmi.css.cornell.edu/case.pdf
September2008 (updated March 2009)

To the Premier Christy Clark,

CC To the Dept. of Health Jessy Bhatti, To the MLA Jackie Tegart and to The Dept. of the Environment Hon. Mary Polak.

The government of this province, which includes the Premier, the Dept. of Environment and the Dept. of Health, and the MLA; have allowed a private sector company to pile a massive heap of toxic contaminant containing bio solids, a mere s.22 from my new well.

s.22

the agricultural land s.22 To allow to be used as a composting location for bio solids is detrimental to both my health and quality of life.

s.22

My son and I grow an orchard and a garden and we are worried about what airborne contaminants will do to our crops, in addition to our lungs.

There is no doubt in my mind that these bio solids will negatively affect my property value.

This is NOT compost. My family has been doing research and this sewage sludge is quite toxic, as I am sure you are all aware. There is a lot of information available regarding this and I would be happy to assist you by forwarding some of the information.

Will you please put a stop to this practice Ms. Clark and please have trucks come and take this stuff back to where it came from, both the coast and the Okanagan.

I look forward to your reply, each of you.
Thank you s.22

s.22

MINISTER'S OFFICE HEALTH		
#		
DRAFT <input type="checkbox"/>	FEB 23 2015	REPLY DIRECT <input type="checkbox"/>
REPLY <input type="checkbox"/>		FILE <input type="checkbox"/>
FYI <input type="checkbox"/>		
REMARKS		
<input type="checkbox"/> AA	<input type="checkbox"/> MA	<input type="checkbox"/> SA
<input type="checkbox"/> EA	<input type="checkbox"/> CCU	<input type="checkbox"/> DM

Benson, Stacey HLTH:EX

From: s.22
Sent: Tuesday, May 31, 2016 12:40 PM
To: Minister, HLTH HLTH:EX
Cc: Darcy.MLA, Judy LASS:EX; Mark.MLA, Melanie LASS:EX
Subject: PPH - Regulations for Greywater and composting toilets

Categories: FYI

Hello,

I strongly support new regulations for greywater and composting toilets in residential buildings. I believe we need to accommodate alternative waste treatment systems that are less harmful to the environment and save valuable fresh water supplies. I believe that properly constructed greywater and composting toilets can be safely and effectively used to treat waste and should be an option for people building or retrofitting homes. I eagerly await new regulations that will allow this.

s.22

Benson, Stacey HLTH:EX

From: Henry, Pauline <fileclerk@lnib.net>
Sent: Monday, March 16, 2015 2:20 PM
Cc: 'NTA'; 'ubcic@ubcic.bc.ca'; 'director@sylix.org'; 'president@ubcic.bc.ca'; 'ENV.Minister@gov.bc.ca'; 'hlth.minister@gov.bc.ca'; Dick, Arthur J; Peterson, Nicholas; Sam, Aaron; Leesa Mike; Helder Ponte; 'ABR.Minister@gov.bc.ca'
Subject: FW: Response to Biosolid operations in Sunshine Valley
Attachments: 20150316142021735.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: FYI

Please find attached a letter of response from Lower Nicola Indian Band, Dated February 25, 2015, in regards to Composting and Spreading of Biosolids in the Sunshine Valley.

If you require any further information or clarification, please do not hesitate to contact Dave Caswell, RPBio at: 250.378.5157

Thank you ,

Pauline Henry
File Clerk
Economic Development Department
Lower Nicola Indian Band



LOWER NICOLA INDIAN BAND

181 Nawishoskin Lane | Merritt, British Columbia, Canada V1K 0A7

Email: reception@lnib.net | website: www.lnib.net

Administration

Tel 250 378.5157
Fax 250 378.6188

Community Services & Health

Tel 250 378.4089
Fax 250 378.9137

LNIB School

Tel 250 378.5527
Fax 250 378.5389

LNIB Fire Dept.

Tel 250 378.5110
Fax 250 378.6063
911 Emergency

Shuluts Community Arena

Tel 250 378.5180
Fax 250 378.5137

Natural Resources & Lands & Economic Development

Tel 250 378.5157
Fax 250 378.6158

February 25, 2015

LNIB File No. ARR_2015_1354

BioCentral Green Depot Ltd
7357 Pioneer Avenue,
Agassiz BC, V0M 1A0

Attn: Richard Timmers, Cornell Timmers and Andres Murillo

Re: Biosolid operations in the Sunshine Valley.

The Lower Nicola Indian Band (LNIB) has received the February 20, 2015 letter regarding the *Composting and Spreading of Biosolids in the Sunshine Valley*. Based on our understanding of the project location we can confirm that the project location is within our territory, and that the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

We would like to make you aware that the Supreme Court of Canada continues to re-affirm that the Crown has been applying an incorrect and impoverished view of Aboriginal Title and that Aboriginal Title includes the exclusive right of Indigenous people to manage the land and resources as well as the right to benefit economically from the land and resources. The court has also concluded that when the Crown allocates resources on Aboriginal title lands without the consent of the Indigenous peoples, it commits a serious infringement of constitutionally protected rights and that permits may be cancelled and damages owed.

Based on our current understanding of the practice we remain strongly opposed to biosolid operations until a meaningful dialogue with the Crown and ministry regulators can be completed which addresses our concerns regarding this activity. Be clear that should any of the bio-waste facilities continue operation or new notifications be allowed to proceed without consultation, that we will take every action available to us to ensure that our interests are protected.

If you require further information or clarification, please do not hesitate to contact: Dave Caswell, RPBio at: 250.378.5157.

Sincerely,

Councillor Arthur Dick
Lower Nicola Indian Band.

Cc: LNIB Negotiations Committee, Union of BC Indian Chiefs, Minister Mary Polak, MEd, Terry Lake, Minister of Health, Minister John Rustad, MARR, , Chiefs Council Grand Chief Bobby Pasco, Nlako'pamux Nation Tribal Council NNTC Chiefs of the Nicola Tribal Association, Okanagan Nation Alliance (ONA), Linda Pillsworth, CEO, FNHA

Benson, Stacey HLTH:EX

From: Barnhartvale Bio-Solids <barnhartvalebiosolids@gmail.com>
Sent: Friday, April 8, 2016 4:50 PM
To: Todd Stone; Minister, HLTH HLTH:EX
Subject: Biosolids in Barnhartvale
Attachments: image.jpg; image.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: FYI

To Todd Stone,

We are a group of residents who live close to Blackwell Dairy in Barnhartvale, where there are now tonnes and tonnes of biosolids - Class A and Class B - composting on different areas of the property. We have been experiencing various health issues since last summer that include runny noses, sinus problems, sore throats, the feeling of having a blockage in our throats with phlegm, shortness of breath, chest infections, coughing, as well as feelings of extreme fatigue. We are all healthy non smokers, and these are new health concerns for us. This is impacting our lives and well being and we are concerned for all the residents in the area including Dallas, where some residents live directly below these bluffs. There is machinery working from early in the morning to late at night creating clouds of dust in an already dry and dusty environment. Some days the smell is horrendous and it is definitely not a normal farming smell.

There are also environmental concerns as the silt bluffs are considered environmentally sensitive by the City, Campbell Creek runs through the property and the South Thompson River is in the valley below.

For more information please take a look at our Facebook:

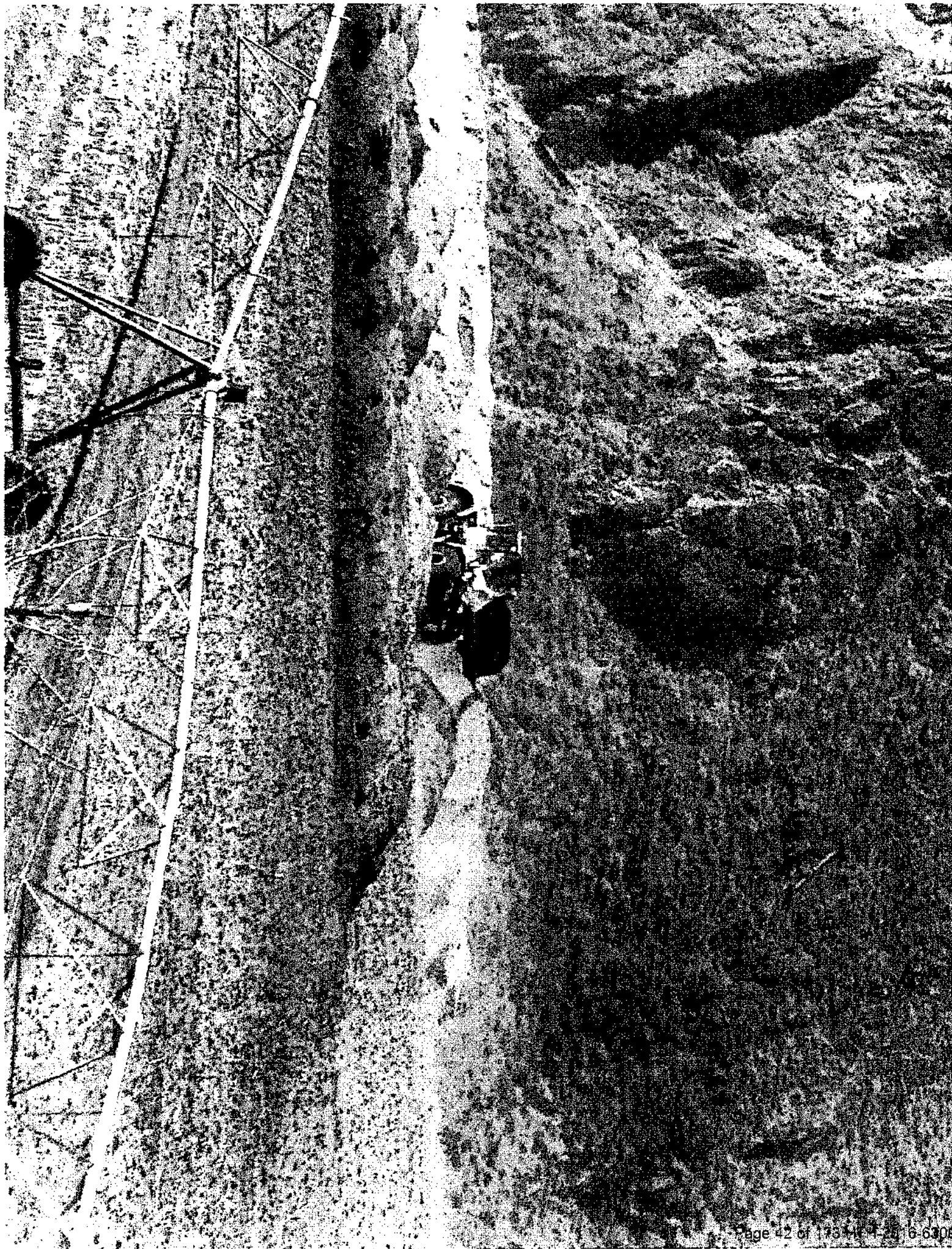
<https://www.facebook.com/barnhartvalekamloopsbiosolids/>

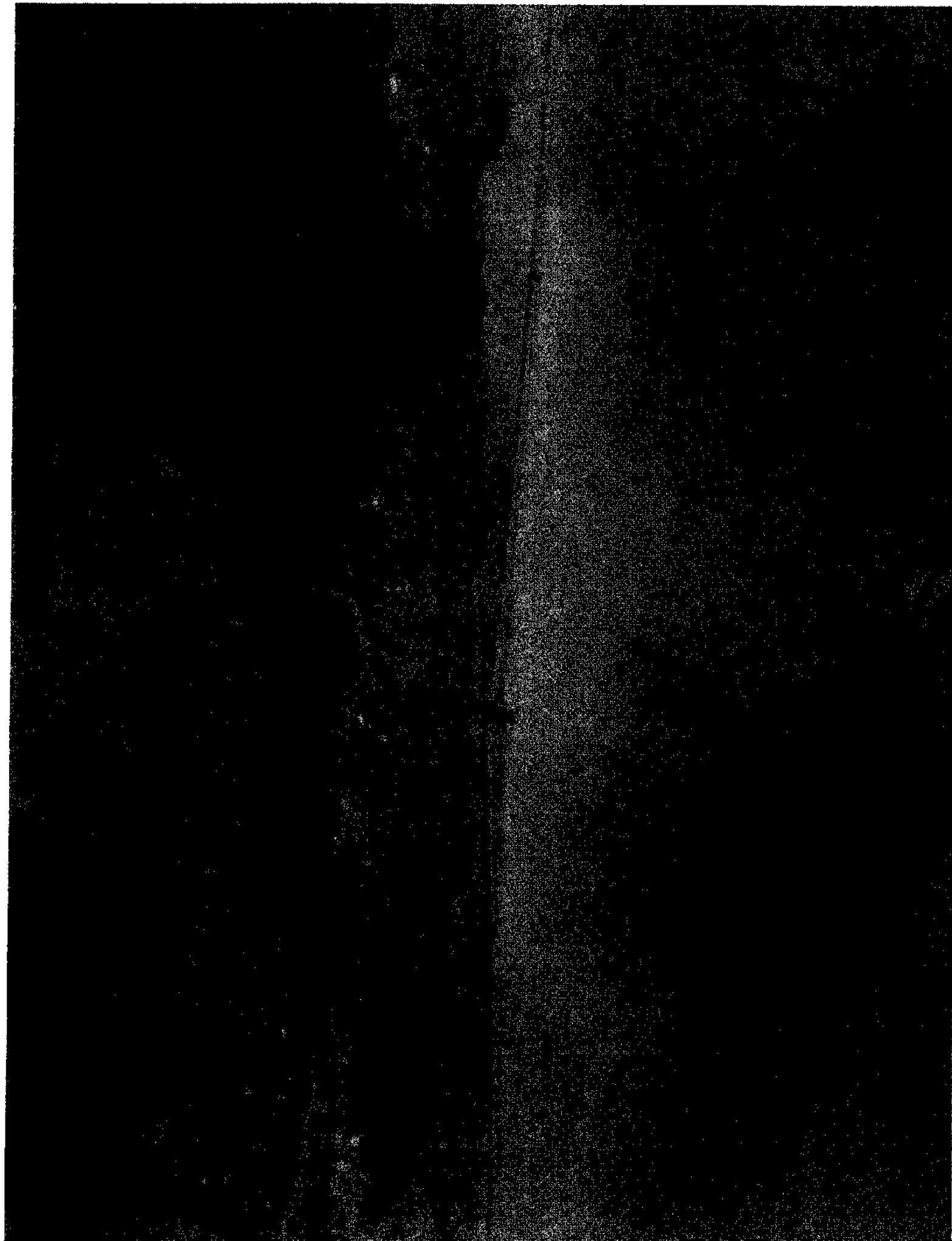
We are contacting you to make an appointment so we can meet with you to discuss this problem - please can you advise us as to the earliest date you have?

Regards

s.22

Some Concerned Barnhartvale Residents





Benson, Stacey HLTH:EX

From: Docs Processing HLTH:EX
Sent: Friday, May 6, 2016 4:53 PM
To: HLTH Ministers Office
Cc: Docs Processing HLTH:EX; Will, Jordan HLTH:EX; Michell, Jennifer HLTH:EX; Stearn, Anne HLTH:EX
Subject: FW: 1054892 - Minister Meeting Request - Biosolids/Blackwell Dairy Issue
Attachments: 1054892-IBN-Biosolids Application at Blackwell Dairy.doc; 1054892 - Min Mtg - Bio Solids Blackwell Dairy Issue.docx

Importance: High

Hi all,

I have attached the documents produced by PPH for MTL's meeting, approved by Arlene Paton.

All the best,

Kyle Falk-Varcoe

Program Assistant | Executive Operations | DMO | Ministry of Health |
1515 Blanshard Street, Victoria, BC, V8W 3C8 | Phone: 250.952.1040

From: Morris, Kirsty L [<mailto:Kirsty.Morris@leg.bc.ca>]

Sent: Wednesday, May 4, 2016 10:34 AM

To: Robertson, Derek HLTH:EX; Shiff, Alexander ENV:EX

Cc: Caldow, Leah LASS:EX

Subject: Biosolids /Blackwell Dairy Issue - BN Request & Staff Request - MLAs Lake & Stone

Importance: High

Good Morning Derek & Alexander

MTL & MTS have just confirmed a meeting with a group of constituents who have concerns regarding a biosolids issue in our community – I have attached a couple of the most recent emails for your information. This has been an ongoing issue for some time and I know your ministries are fully aware of the situation.

The MLAs will be meeting with a group of 6 constituents on **Friday May 13th at 2:00 pm** at MLA Lake's constituency office.

Both MLAs would like a current BN from both MoH and MoE and also wondering whether staff from both ministries (and maybe IHA) involved in this issue, could be arranged to call into this meeting?

Sorry for the short notice – but this only just got confirmed.

Any questions, give me a shout! Many thanks.....Kirsty

Kirsty L Morris | Constituency Assistant

Terry Lake, MLA Kamloops - North Thompson
Minister of Health

Email: kirsty.morris@leg.bc.ca

Phone #: [250-554-5413](tel:250-554-5413) Fax #: [250-554-5417](tel:250-554-5417)

Toll Free #: [1-888-299-0805](tel:1-888-299-0805)

Website: www.terrylakemla.bc.ca



12 – Be Green! Read from the screen

MEETING MATERIAL

Cliff #: 1054892

PREPARED FOR: Honourable Terry Lake. Meeting is on Friday May 13th at 2:00 pm

TITLE: Meeting between Minister Stone, Minister Lake and six constituents regarding health concerns over air quality from the Barnhartvale biosolids facility.

MEETING REQUEST/ISSUE: s.22

s.22 have concerns with a biosolids facility: odours, respiratory health and ecological issues.

SHOULD MINISTRY STAFF ATTEND THIS MEETING: Yes-Tim Lambert (MoH) and Mark Zacharius (MoE) should attend.

BACKGROUND: *See attached briefing note.*

ADVICE: Deliver the message that MOE plans to inspect the property in May to verify the operation's compliance with the Organic Matter Recycling Regulation, confirm potential dust sources and meet with complainants. MOE will follow-up with Interior Health with regards to findings.

JOINT MINISTER MEETING: Y

IF SO, CAN THIS MATERIAL BE SHARED: Y

APPROVED BY: Mark Zacharias, ADM, MoE; Arlene Paton, ADM, MoH

DATE APPROVED:

**MINISTRY OF ENVIRONMENT/HEALTH
INFORMATION BRIEFING NOTE**

Cliff # 1054892

PREPARED FOR: Honourable Terry Lake, Minister of Health – **FOR
INFORMATION**

TITLE: Barnhartvale Residents concerns over Biosolids application at
Blackwell Dairy

PURPOSE: Background for meeting with constituents, Minister of Health and
Minister of Transportation, on May 13, 2016

BACKGROUND:

The Blackwell Dairy Farm in Kamloops is the site of several non-agricultural operations including a waste landfill (operated since 1993), gravel and rock operations and a Biosolids Growing Medium production facility using Class A biosolids (operated by Arrow Transportation Systems). In addition, Arrow has registered under the Organic Matter Recycling Regulation (OMRR) to apply Class B biosolids on Blackwell land.

The application of Class B biosolids is for soil amendment/reclamation only at the Blackwell property and not for redistribution. Reclaimed soils contain up to maximum of 15% dry weight biosolids which is blended wet using sand, sawdust and existing soil mediums.

A qualified professional inspected the operation 4 times in 2015 and determined that Arrow was managing the biosolids in accordance with the Organic Matter Recycling Regulation (OMRR). MoE inspects the landfill annually. The most recent inspection in June 2015 found that the operation was meeting authorized landfill requirements.

During the summer of 2015, the facility received numerous complaints regarding stockpiled sawdust blowing on to residents below the property. In response, Arrow moved the stockpile and reduced its size and dust issues from the piles were resolved.

Recently the province received numerous complaints from Barnhartvale citizens living below (Dallas Dr.) and adjacent to the dairy farm (Gardiner Rd.). Citizens are concerned about health impacts of biosolids from dust from the farm. Their concerns have been highlighted by several media stories.

In April 2016, Interior Health issued a response to Barnhartvale citizens recommending they consult directly with their primary health care provider for a comprehensive clinical assessment of their symptoms. The documentation of the diagnosis and its potential association with biosolids could be used as part of a detailed investigation by Interior Health if deemed necessary.

DISCUSSION:

Recent discussions between MOE and Arrow Transport have confirmed that dust is occurring off the Blackwell property. Principle sources appear to be the gravel pit, gravel roads and springtime tilling of the soil. Arrow will be providing further information to MOE documenting dust sources.

MoE does not have sufficient evidence to suggest that the biosolids as applied at Blackwell pose a significant health risk. The biosolids at Blackwell come from sewage plants that are carefully monitored for compliance with environmental and human health standards and, based on compliance reviews in 2015, Arrow is meeting all land application requirements under OMRR.

It is also likely that biosolids application reduces dust at the farm given that the biosolid medium is damp, holds moisture and provides an organic layer for vegetative growth.

ADVICE:

MOE plans to inspect the property in May to verify the operation's compliance with OMRR, confirm potential dust sources and meet with complainants. MOE will follow-up with Interior Health with regards to findings.

Program ADM/Division:	Mark Zacharias, ADM, MoE/Arlene Paton, ADM, MoH
Telephone:	250-356-0121 / 250-952-1731
Program Contact (for content):	Mark Graham, MoE/Tim Lambert, MoH
Drafter:	Mark Graham, Compliance Operations Manager - MOE
Date:	May 6, 2016
File Name with Path:	

Benson, Stacey HLTH:EX

From: Will, Jordan HLTH:EX
Sent: Thursday, May 5, 2016 10:09 AM
To: Muller, Bev HLTH:EX; Barnes, Renee A HLTH:EX
Cc: Stearn, Anne HLTH:EX; Docs Processing HLTH:EX
Subject: 1054892 - Minister Meeting Request - Biosolids/Blackwell Dairy Issue
Attachments: foul odour; Fwd: Biosolids in Barnhartvale

Importance: High

Categories: Kathy

Hi Bev,

The MO has confirmed the above noted Minister meeting with Minister Stone. Details are below.

Date: May 13, 2016
Time: 2:00pm-2:30pm
Location: Teleconference

Access codes:
Dial-in Phone Numbers:
TBD

Participants:

- Minister Stone
- Minister Lake
- Tim Lambert
- IH Staff (tbd)

Additional details: Please see attached emails

Calendar invites will also be sent to Lynn Stevenson to attend. Please advise if any additional staff will need to be included.

Materials: DocsProcessing will assign formally for materials as per usual process. Due date for final materials to the Associate is noon May 6, 2016. Due date to the MO is May 6, 2016

Please don't hesitate to give me a call if there are any concerns.

JORDAN WILL
a/Manager, Executive Program Operations
Office of the Deputy Minister
Ministry of Health

P: 250.952.1908 | C: 250.217.3655 | jordan.will@gov.bc.ca

From: Morris, Kirsty L [<mailto:Kirsty.Morris@leg.bc.ca>]
Sent: Wednesday, May 4, 2016 10:34 AM
To: Robertson, Derek HLTH:EX; Shiff, Alexander ENV:EX
Cc: Caldow, Leah LASS:EX
Subject: Biosolids /Blackwell Dairy Issue - BN Request & Staff Request - MLAs Lake & Stone
Importance: High

Good Morning Derek & Alexander

MTL & MTS have just confirmed a meeting with a group of constituents who have concerns regarding a biosolids issue in our community – I have attached a couple of the most recent emails for your information. This has been an ongoing issue for some time and I know your ministries are fully aware of the situation.

The MLAs will be meeting with a group of 6 constituents on **Friday May 13th at 2:00 pm** at MLA Lake's constituency office.

Both MLAs would like a current BN from both MoH and MoE and also wondering whether staff from both ministries (and maybe IHA) involved in this issue, could be arranged to call into this meeting?

Sorry for the short notice – but this only just got confirmed.

Any questions, give me a shout! Many thanks.....Kirsty

Kirsty L Morris | Constituency Assistant

***Terry Lake, MLA Kamloops - North Thompson
Minister of Health***

Email: kirsty.morris@leg.bc.ca
Phone #: [250-554-5413](tel:250-554-5413) Fax #: [250-554-5417](tel:250-554-5417)
Toll Free #: [1-888-299-0805](tel:1-888-299-0805)
Website: www.terrylakemla.bc.ca



Be Green! Read from the screen

Benson, Stacey HLTH:EX

From: s.22
Sent: Monday, May 2, 2016 8:08 PM
To: ENV Environmental Complaints ENV:EX
Cc: Stone.MLA, Todd; Lake.MLA, Terry LASS:EX; XT:HLTH Baytalan, Greg; Graham, Mark ENV:EX; Brent.Zaharia@interiorhealth.ca
Subject: foul odour

Good evening, well I hope the people reading this are enjoying their evening!
Out here in Dallas the weather is spectacular, just feels like one of those beautiful Spring or Summer evenings Kamloops is famous for.
There is a gently wind blowing down the valley, just a really nice time to sit in your back yard and thank God that you live in the most gorgeous and beautiful Province in all of Canada! It is great to be a British Columbian!
While this used to apply to us I must confess it does not anymore where we live at s.22

s.22

The truth is I took my dog outside to enjoy the magnificent evening only to be greeted by that putrid and foul smelling air coming off the commercial biosolid operation above us. Just a "nuisance" from a "regular farm operation" you say?

Almost instantly my sinus starts to burn and I hurry inside and shut all our windows. Once again we, and our neighbours are robbed of their right and entitlement to have an open window on a spectacular evening, not to mention having thieves rob us of our right to enjoy our yard or start the barbecue? Does not matter that many people who live here have compromised immune systems, or that many s.22 have had heart attacks and have COPD, or even that some have MS and other pre-existing health issues.

Nope, does not matter whatsoever because when you are one of British Columbia's largest employers, it appears you have the right to dictate not only where they operate, but how they operate, at least it seems this way to us.

A strong statement until you realize that a corporation like Ajax has to jump through hoops trying to prove their mine will not affect the health or well being of Kamloops residents!

Not so for the owner/operator of this Class B commercial biosolid operation, they don't have to even tell the neighbours below what their plans are? They just start the operation up when and where they want, furthermore they will stop only when they are done or ready to stop! Not one hoop? One day we noticed an odour, we had to struggle to find out what it was, no transparency starting this operation.

On one hand our Mayor flies across the Country to assess what effects an operating mine has on populations living near the mine. For us living in a trailer park complaining for two years about health concerns do we get similar consideration? Our Mayor will not drive the ten minutes out here to assess what is happening in real time from a real working operation, he will not even return an email?

This is wrong, not just on the Mayor's end! Last week there was interest in possible air quality testing during a severe wind event. Then the official spoke to the owner/operator, my next conversation with that official was as different as night and day. "No need to worry, they will do some testing on their own", etc., etc., etc., this happens every time any official begins to help? And we mean every time.

This is the only community in BC where Class B biosolids are shredded directly above populations with no concern for possible health issues, completely contrary to all the research on the dangers?

Again -- This is wrong! We are British Columbians and deserve as much consideration for our health and well being as the Ajax issue has!

s.22

Dallas/Barnhartvale residents

Benson, Stacey HLTH:EX

From: s.22
Sent: Tuesday, April 12, 2016 8:26 PM
To: Lake.MLA, Terry LASS:EX
Subject: Fwd: Biosolids in Barnhartvale
Attachments: image.jpg; image.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Minister Lake,

This is our 3rd request for a meeting with you. As our Health Minister and a resident of our city, we would greatly appreciate the chance to sit down with you at your earliest convenience.

Our personal contact information is at the bottom of this email.

Thank-you,

s.22 on behalf of my neighbors

----- Forwarded message -----

From: Barnhartvale Bio-Solids <barnhartvalebiosolids@gmail.com>
Date: Fri, Apr 8, 2016 at 4:50 PM
Subject: Biosolids in Barnhartvale

To Terry Lake,

We are a group of residents who live close to Blackwell Dairy in Barnhartvale, where there are now tonnes and tonnes of biosolids - Class A and Class B - composting on different areas of the property. We have been experiencing various health issues since last summer that include runny noses, sinus problems, sore throats, the feeling of having a blockage in our throats with phlegm, shortness of breath, chest infections, coughing, as well as feelings of extreme fatigue. We are all healthy non smokers, and these are new health concerns for us. This is impacting our lives and well being and we are concerned for all the residents in the area including Dallas, where some residents live directly below these bluffs. There is machinery working from early in the morning to late at night creating clouds of dust in an already dry and dusty environment. Some days the smell is horrendous and it is definitely not a normal farming smell.

There are also environmental concerns as the silt bluffs are considered environmentally sensitive by the City, Campbell Creek runs through the property and the South Thompson River is in the valley below.

For more information please take a look at our Facebook:

<https://www.facebook.com/barnhartvalekamloopsbiosolids/>

We are contacting you to make an appointment so we can meet with you to discuss this problem - please can you advise us as to the earliest date you have?

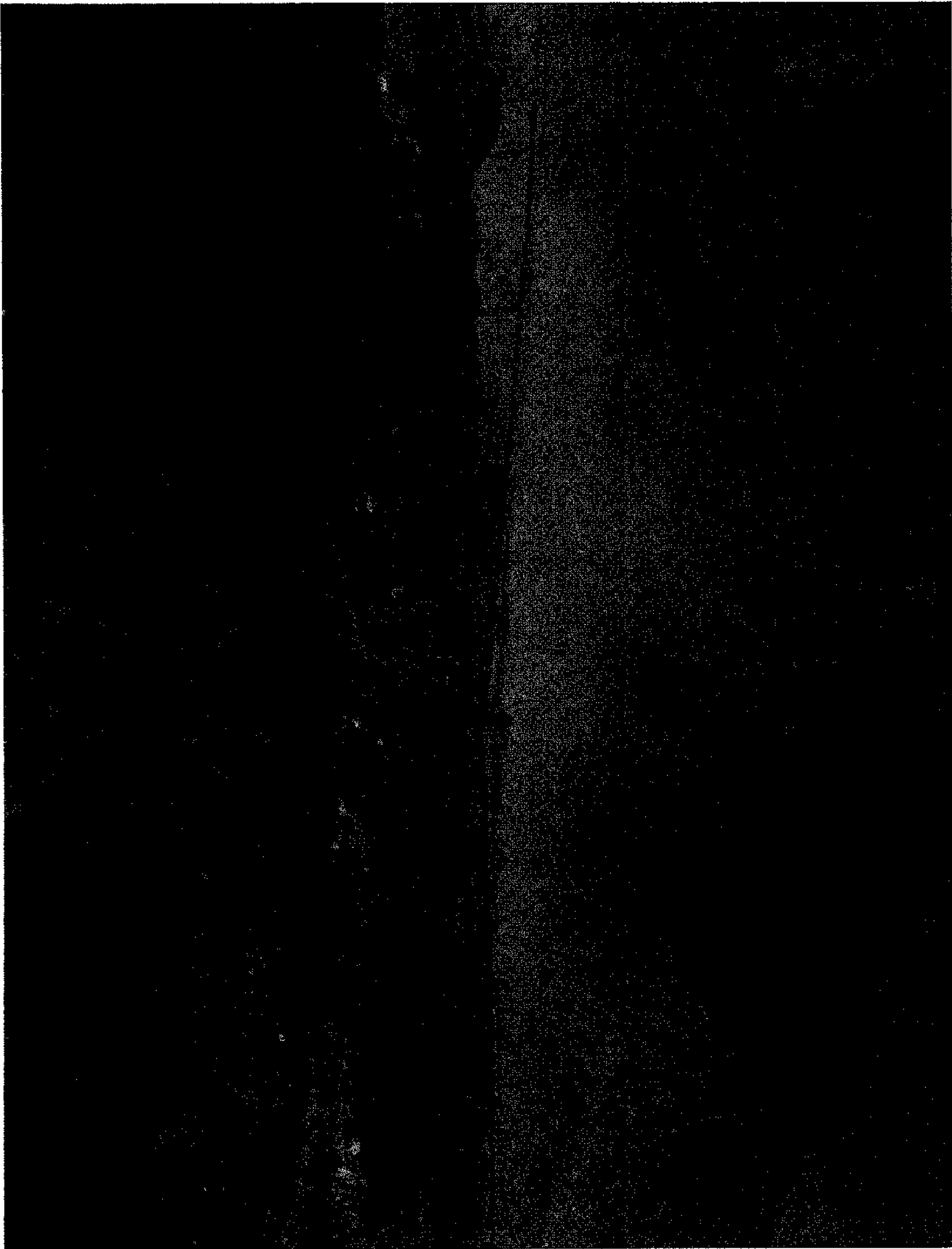
Regards

s.22

Some Concerned Barnhartvale Residents

s.22





Benson, Stacey HLTH:EX

From: WWW ENVMail ENV:EX
Sent: Wednesday, April 13, 2016 2:02 PM
To: 'barnhartvalebiosolids@gmail.com'
Cc: Minister, HLTH HLTH:EX; Minister, AGRI AGRI:EX; Minister, FLNR FLNR:EX
Subject: RE: How we are impacted by the biosolids facility.

Categories: FYI

Reference: 297596

April 13, 2016

Concerned Residents of Barnhartvale
Email: barnhartvalebiosolids@gmail.com

Dear Residents of Barnhartvale:

Thank you for your emails of March 15 and 28, 2016, addressed to the Honourable Mary Polak, Minister of Environment, regarding the biosolids operation at Blackwell Farm. As Assistant Deputy Minister for the Environmental Protection Division in the Ministry of Environment, I am pleased to have the opportunity to respond.

I would like to thank you for sharing your health concerns with us. We understand that representatives from Interior Health are following up with you regarding further steps you can take in regards to the concerns you have outlined.

As you may be aware, the use of biosolids in British Columbia must be carried out in compliance with the requirements of the *Environmental Management Act*'s Organic Matter Recycling Regulation (OMRR). Arrow Transportation is registered under OMRR to apply and reclaim areas of the Blackwell farm with Class B biosolids from Metro Vancouver. These biosolids come from plants that are carefully monitored for compliance with environmental and human health standards.

Based on our inspections to date, the facility is operating within the requirements of OMRR and biosolids are being handled and applied appropriately. Although there are numerous dust sources in the area, including gravel pits and roads, we have not observed evidence of dust from biosolids to date. We will continue to perform routine inspections to ensure ongoing compliance.

Thank you again for taking the time to write.

Sincerely,

Mark Zacharias
Assistant Deputy Minister
Environmental Protection Division

cc: Honourable Terry Lake, Minister of Health

Honourable Norm Letnick, Minister of Agriculture
Honourable Steve Thomson, Minister of Forests, Lands and Natural Resource Operations

From: Barnhartvale Bio-Solids [<mailto:barnhartvalebiosolids@gmail.com>]

Sent: Monday, March 28, 2016 7:34 PM

To: Minister, ENV ENV:EX; Minister, FLNR FLNR:EX; Minister, AGRI AGRI:EX; Minister, HLTH HLTH:EX; Lake.MLA, Terry LASS:EX; Cathy Mcleod

Subject: Fwd: How we are impacted by the biosolids facility.

Below is a letter that was sent to the city of Kamloops. As our Health, Environment and Agriculture ministers we fail to see how you can not respond to our concerns.

What are our concerns with the biosolids being dumped in Barnhartvale?

It is our health, plain and simple. Below is a list of how we are affected, this is a summary of the 13 concerned residents. The number at the front represents how many of us are affected. Please note that we were careful to include only what we have experienced since last summer. These are new conditions for all of us, and have been continual. We are all healthy, active, non smokers.

- 3 Eyes (sting/water)
- 6 Sinus (pain/pressure/infection)
- 7 Ears (pressure/ache)
- 9 Nose (continual running)
- 9 Throat (constantly sore/full of phlegm)
- 10 Lungs (coughing/short of breath)
- 11 Fatigue
- 1 Rash
- 4 Digestive (gas/bloating)
- 4 Headache (sudden and severe)

The people with the most severe health effects live the closest. The worst of them being a sinus infection that started last summer. This person has had sinus xrays, a cat scan, 4 heavy doses of antibiotics, and the Dr.s can find no physical reason for this infection.

It seems pretty clear to us from the list above that we are breathing in something unhealthy. The only thing that has changed in our environment in the last decade is the addition of biosolids.

Please take our health concerns seriously.

Thank-you,
A group of concerned residents of Barnhartvale.

Since this letter was written another of our neighbors is on an inhaler and antibiotics, and a 3rd is on steroids, and a 4th is being sent to an E.N.T specialist. We are incredibly frustrated that the officials who are supposed to represent us have not even bothered to respond to our concerns. Do we need to become more ill? Do more people need to become ill? What needs to happen for our concerns to be taken seriously? Do we need to become more ill? Do more people need to become ill?

Please at the very least, give us some direction as to how to solve this problem.

From: Barnhartvale Bio-Solids [<mailto:barnhartvalebiosolids@gmail.com>]

Sent: Tuesday, March 15, 2016 7:02 PM

To: Minister, AGRI AGRI:EX; Minister, ENV ENV:EX; Minister, FLNR FLNR:EX; Minister, HLTH HLTH:EX; Cathy Mcleod

Subject: Fwd: How we are impacted by the biosolids facility.

As a follow up to our previous letter, we want you all to be aware of how we are being affected by the biosolids operation at Blackwell Farm.

We have never complained about any activity on the farm, or effects of the gravel pit that has been operating for a few years, we were never involved with last summer's protest. We are people who live and let live. That being said we have lived with this for long enough. We've tried to be good neighbors and wait for this whole operation to end, but are very tired of being unwell and are seriously worried about our long term health.

Below is a summary of the health effects on 13 people living close to Blackwell Farms.

The number at the front represents how many of us are affected. Please note that we were careful to include only what we have experienced since last summer. These are new conditions for all of us, and have been continual. We are all healthy, active, non smokers.

- 3 Eyes (sting/water)
- 6 Sinus (pain/pressure/infection)
- 7 Ears (pressure/ache)
- 9 Nose (continual running)
- 9 Throat (constantly sore/full of phlegm)
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The people with the most severe health effects live the closest. The worst of them being a sinus infection that started last summer. This person has had sinus xrays, a cat scan, 4 heavy doses of antibiotics, and the Dr.s can find no physical reason for this infection.

It seems pretty clear to us from the list above that we are breathing in something unhealthy. The only thing that has changed in our environment in the last decade is the addition of biosolids.

We are desperate for some help.

Thank-you,
A group of concerned residents of Barnhartvale.

Benson, Stacey HLTH:EX

From: s.22
Sent: Friday, January 30, 2015 4:20 PM
To: ajdick@lnib.net
Cc: XT:Hance, Ray Union of BC Indian Chiefs EAO:IN; XT:Terbasket, Pauline Okanagan Nation Alliance EAO:IN; president@ubcic.bc.ca; Minister, ENV ENV:EX; Minister, HLTH HLTH:EX; asam@lnib.net; 'Helder Ponte'; Minister, ABR ABR:EX; 'Scott Garthwaite'; fileclerk@lnib.net; s.22
administration@nicolatribal.org; npeterson@lnib.net; 'Leesa Mike'
Subject: RE: Notification of Beneficial use of Biosolids Project as Rey Lake Ranch for 2015
Attachments: LNIB Letter-TS, sg 150130 signed.pdf

Councillor Dick. Thank you for your letter dated January 21st, 2015 Biosolids Application at Rey Creek Ranch. Sperling Hansen Associates and our project partners Highland Biocycle Ltd. and Rey Creek Ranch look forward to engaging with the Lower Nicola Indian Band on this important sustainability project.

Dr. Tony Sperling, P.Eng.
President
Sperling Hansen Associates Inc.
Landfill Fire Control Inc.
8-1225 East Keith Road
North Vancouver B.C., V7J 1J3
Tel: 604-986-7723
Cell: 604-220-4862
Fax: 604-986-7734
Email: sperling@sperlinghansen.com

*...Designing Better Landfills Today
For a Cleaner Tomorrow...*

From: Scott Garthwaite [<mailto:sgarthwaite@sperlinghansen.com>]
Sent: January-28-15 8:41 PM
To: Tony Sperling
Subject: Fwd: Notification of Beneficial use of Biosolids Project as Rey Lake Ranch for 2015

Begin forwarded message:

From: "Henry, Pauline" <fileclerk@lnib.net>
Date: January 27, 2015 at 10:26:40 AM PST
To: "'sgarthwaite@sperlinghansen.com'" <sgarthwaite@sperlinghansen.com>
Cc: "NTA (administration@nicolatribal.org)" <administration@nicolatribal.org>, "'ubcic@ubcic.bc.ca'" <ubcic@ubcic.bc.ca>, "'director@syilx.org'" <director@syilx.org>, "'president@ubcic.bc.ca'" <president@ubcic.bc.ca>, "'ENV_Minister@gov.bc.ca'" <ENV_Minister@gov.bc.ca>, "'hlth.minister@gov.bc.ca'" <hlth.minister@gov.bc.ca>, "Dick, Arthur J" <ajdick@lnib.net>, "Peterson, Nicholas" <npeterson@lnib.net>, "Sam, Aaron" <asam@lnib.net>, Leesa Mike <leesa@lnib.net>, Helder

Ponte <helder@lnib.net>, "ABR.Minister@gov.bc.ca" <ABR.Minister@gov.bc.ca>

Subject: Notification of Beneficial use of Biosolids Project as Rey Lake Ranch for 2015

Good day,

Please find attached a copy of the letter of response from the Lower Nicola Indian Band in regards to the Notification of Beneficial Use of Biosolids Project at Rey Creek Ranch for 2015.

Signed and dated January 21, 2015. If you require any further information or clarification, please do not hesitate to contact Dave Caswell, RPBio at: 250.378.5157

Thank you,

Pauline Henry
File Clerk
Economic Development Department
Lower Nicola Indian Band



SPERLING HANSEN ASSOCIATES

- Landfill Engineering
- Solid Waste Planning
- Environmental Monitoring
- Landfill Fire Risk Control

January 30th, 2015

PRJ 14055

Lower Nicola Indian Band
181 Nawhishaskin Lane
Merritt, British Columbia
Attention: Councilor Arthur Dick

Re: Biosolids Application Project at Rey Creek Ranch -DRAFT

Honourable Councilor Dick and LNIB Council:

Sperling Hansen Associates (SHA) and our project partners Highlands Biocycle Ltd. (HBL) and Rey Creek Ranch (RCR) are in receipt of your letter dated January 21st, 2015 received yesterday expressing an interest to engage in consultation on the project.

RCR, situated on 3,500 Ha of private land around Mamit Lake, has been beneficially using Metro Vancouver biosolids to enhance the fertility and to restore organic content of its grazing lands since 1998.

s.21

s.21

Biosolids application on RCR has been, and with your support, will continue to be carried out in strict accordance with the Organic Matter Recycling Regulation (OMRR) and following a detailed land application plan prepared by Ruth McDougall, P.Ag. and Holly Suggitt, P.Ag., our qualified professionals. Both Ruth and Holly have decades of experience in the execution of sustainable biosolids application projects.

The plan has been reviewed and approved by the Ministry of Environment and Interior Health and representatives from both agencies toured the site.

We are sincerely apologetic that LNIB was not properly engaged on our plan and we can assure you that this occurred purely from a lack of understanding of expectation and duties resulting from the June, 2014 Tsilhqot'in decision. SHA and our operating partners HBL look forward to engaging with your Council and support staff on what we hope will be a timely review of and support for our project.

Proudly
Supporting:



Sperling Hansen Associates Inc. · 1332 McGill Road
Kamloops · British Columbia · V2C 6N6
Phone (604) 986 7723 · (778) 471 7088 www.sperlinghansen.com



SPERLING
HANSEN
ASSOCIATES

Page 2

Lower Nicola Indian Band
January 30th, 2015

Based on extensive and balanced research of the pros and cons of biosolids application we believe strongly that it is an environmentally sustainable practice, one that is much better for the environment than incineration of the material (since biosolids is 80% water) or landfilling (which leads to the production of methane, a potent greenhouse gas). Also, application of biosolids is much more protective of the environment than the use of chemical fertilizers, a practice that has never been supported by Rey Creek Ranch.

We will be pleased to make a brief presentation to the LNIB Council at the earliest opportunity at which time we would share with you our history, our future plans and available monitoring data. We will carefully listen to your council and elders and we will do our best to address any concerns that you may have about the project. As well, we would be pleased to provide a site tour to the 2014 application area and to demonstrate to you the tremendous benefits that are being realized from the application of biosolids at Rey Creek Ranch.

Based on our exposure to projects in the Terrace area, SHA and HBL are aware of the win-win opportunities that can be realized from business relationships with First Nations that are built on mutual trust. Like you, our project team has a deep love for the lands around Mamit Lake and we will value any guidance from your qualified professionals on steps that we can take to ensure that the LNIB's interests in the area will continue to be protected. I trust that this matter will be straightforward as I am confident that our interests in sustainability and environmental protection are fully aligned.

As our 2015 application program is very time sensitive and scheduled to coincide with cattle movements, as long standing neighbors we respectfully request that your Council support our continued operation of the 2015 program while we faithfully work with you to ensure that our application program is adjusted as necessary to protect your interests.

Although our project is not a big budget project, if considered necessary, we are prepared to financially support an independent review by David Caswell, RPBio or an expert of your choosing, provided such review costs are reasonable and completed in a timely manner. We are committed to full transparency and are willing to share any and all of our data with your staff.

Regards,

SPERLING HANSEN ASSOCIATES


Dr. Tony Sperling, P.Eng.
President



January 30th, 2015

Cc: LNIB Negotiations Committee, Union of BC Indian Chiefs, Minister Mary Polak, MoE, Terry Lake, Minister of Health, Minister John Rustad, MARR., Chiefs Council Grand Chief Bobby Pasco, Nlaka'pamux Nation Tribal Council NNTC Chiefs of the Nicola Tribal Association, Okanagan Nation Alliance (ONA), Linda Pillsworth, CEO, FNHA, Gordon Garthwaite, Scott Garthwaite, Dennis Garthwaite, Ruth McDougall, Holly Suggitt

Benson, Stacey HLTH:EX

From: Martin, Rhiannon HLTH:EX
Sent: Thursday, June 4, 2015 11:31 AM
To: Martin, Rhiannon HLTH:EX
Subject: FW: Biosolids and the current Science

From: s.22
Sent: June 2, 2015 11:48 AM
To: Lake.MLA, Terry
Subject: Biosolids and the current Science
Dear Terry Lake,

A number of our community members who have taken their time to write to various levels of government about the biosolids issue have met with replies that suggest they are naïve as to the scientific facts around composted sewage sludge. This is just not so. Our community is not the illiterate, ignorant constituency you seem to want to believe it to be. We have done our research. We have done more than you have in merely accepting the sludge-industry's one-sided, self-justifying science. We have looked at other countries, and more recent independent studies. What we find is very troubling indeed. The dangers fall into a number of categories, including, Hormones and Synthetic Hormones, Prion Contamination, Toxin Contamination (heavy metals and toxic organic chemicals), and so-called Emerging Substances of Concern - ESOCs - (microbial, organic and inorganic contaminants, pharmaceuticals and personal care products (amongst a number of ESOCs)). They are all worrying and all demand far more study. You folks in government ignore these findings at your peril. Below is a sample of such science which clearly backs our claim that we need to stop this land application of toxic sewer sludge until we are entirely clear as to what we are dealing with. We need to be cautious with Mother Earth. We understand that you see this dispersal as a cheap way to deal with big-city sludge, but frankly, we are the ones taking all the risks for this decision. This burden you put on rural areas is unfair, unhealthy and unsustainable. It is time you reconsidered this method of dealing with waste.

Some of the new independent studies our government should be taking seriously - "A case for caution re-visited" Harrison and McBride, Cornell, 2008/9. A compendium of some 65 studies <http://cwmi.css.cornell.edu/case.pdf> These represent some of the finest soil scientists in the world - and they simply see too many issues/problems/worries with land application of biosolids.

A recent in-depth German study (2013) clearly states that risks are too high for land application and urges an end to this practice as soon as possible.

[https://www.umweltbundesamt.de/.../sewage_sludge_management i...](https://www.umweltbundesamt.de/.../sewage_sludge_management_i...)

A new study (2012) from Scientists at the University of Aberdeen "studying sheep maintained on pastures fertilized with sewage sludge ... found a high incidence of abnormalities in the animals." As the article states, "It is our opinion that all spreading of sewage sludges, humanure and biosolids on agricultural land in the UK should be stopped until it is PROVED to be safe" http://www.wte-ltd.co.uk/sewage_sludge_biosolids.html

"National Toxics Network of Australia" media release from May, 2015 recommends - "Stop the use of biosolids as fertiliser pending further investigation of pharmaceutical contaminants" see full article at - <http://www.ntn.org.au/.../NTN-Media-release-Pharmaceutical-po...>

A very good piece of objective journalism from The Guardian a few years ago, clearly maps out the issues with land application of "biosolids" -

"Switzerland - which used to land-apply 40% of its sludge - has banned the practice because of fears from farmers that it was harming their soil. The Netherlands has banned agricultural use of sludge, and national farmers' associations in France, Germany, Sweden, Luxembourg and Finland are against it, partly because of concerns about organic contaminants such as PCBs and brominated flame retardants (linked to liver and neurodevelopmental toxicity and hormone disruption), which some research has shown persist in sludge." Please read the whole article at -

<http://www.theguardian.com/enviro.../.../aug/29/waste.recycling>

A disturbing study from 2011, "Survival of infectious prions in Class B biosolids."

<http://www.ncbi.nlm.nih.gov/pubmed/21391030>

An article in the highly respected Nature Journal - "Prions' great escape"

<http://www.nature.com/n.../2008/080701/full/news.2008.926.html>

A recent and worrying study from 2012 - "Persistence of the bovine spongiform encephalopathy infectious agent in sewage"

<http://www.sciencedirect.com/.../article/pii/S0013935112001934>

In light of the recent win (against the tobacco industry) by the class action suit in Quebec (of some 12 billion dollars in damages) I believe it behooves both the sludge industry, and the government endorsing it, to be aware of the direction that recent independent science is pointing, and consider carefully if they (both industry & government) too are not opening themselves up to liability. The knowledge is out there, and denial will not be a protection from future prosecution.

What our Provincial and Federal Governments have neglected to take into consideration is that they have agreed to act in environmental issues (like the one we are facing) with the Precautionary Principle in mind. The precautionary principle denotes a duty to prevent harm, when it is within their power to do so, even when all the evidence is not in. This principle has been codified in several international treaties to which Canada is a signatory.

It is time to reconsider this dubious practice of land application of biosolids. There are alternatives (see recent clean incineration methods in Denmark and Germany that actually return energy to the grid) that may have an initial cost for the government to implement, but future medical costs and environmental clean-up costs will surely amount to much more in the long-term.

Yours sincerely,

s.22

Benson, Stacey HLTH:EX

From: Barnhartvale Bio-Solids <barnhartvalebiosolids@gmail.com>
Sent: Tuesday, March 15, 2016 7:02 PM
To: Minister, AGRI AGRI:EX; Minister, ENV ENV:EX; Minister, FLNR FLNR:EX; Minister, HLTH HLTH:EX; Cathy Mcleod
Subject: Fwd: How we are impacted by the biosolids facility.
Categories: FYI

SG – Saved as Barnhartvale Bio-Solids, March 15

--

As a follow up to our previous letter, we want you all to be aware of how we are being affected by the biosolids operation at Blackwell Farm.

We have never complained about any activity on the farm, or effects of the gravel pit that has been operating for a few years, we were never involved with last summer's protest. We are people who live and let live. That being said we have lived with this for long enough. We've tried to be good neighbors and wait for this whole operation to end, but are very tired of being unwell and are seriously worried about our long term health.

Below is a summary of the health effects on 13 people living close to Blackwell Farms.

The number at the front represents how many of us are affected. Please note that we were careful to include only what we have experienced since last summer. These are new conditions for all of us, and have been continual. We are all healthy, active, non smokers.

3 Eyes (sting/water)
6 Sinus (pain/pressure/infection)
7 Ears (pressure/ache)
9 Nose (continual running)
9 Throat (constantly sore/full of phlegm)
10 Lungs (coughing/short of breath)
11 Fatigue
1 Rash
4 Digestive (gas/bloating)
4 Headache (sudden and severe)

The people with the most severe health effects live the closest. The worst of them being a sinus infection that started last summer. This person has had sinus xrays, a cat scan, 4 heavy doses of antibiotics, and the Dr.s can find no physical reason for this infection.

It seems pretty clear to us from the list above that we are breathing in something unhealthy. The only thing that has changed in our environment in the last decade is the addition of biosolids.

We are desperate for some help.

Thank-you,
A group of concerned residents of Barnhartvale.

Benson, Stacey HLTH:EX

From: Barnhartvale Bio-Solids <barnhartvalebiosolids@gmail.com>
Sent: Monday, March 28, 2016 7:34 PM
To: Minister, ENV ENV:EX; Minister, FLNR FLNR:EX; Minister, AGRI AGRI:EX; Minister, HLTH HLTH:EX; Lake.MLA, Terry LASS:EX; Cathy Mcleod
Subject: PPH - Fwd: How we are impacted by the biosolids facility.
Categories: FYI

Below is a letter that was sent to the city of Kamloops. As our Health, Environment and Agriculture ministers we fail to see how you can not respond to our concerns.

What are our concerns with the biosolids being dumped in Barnhartvale?

It is our health, plain and simple. Below is a list of how we are affected, this is a summary of the 13 concerned residents. The number at the front represents how many of us are affected. Please note that we were careful to include only what we have experienced since last summer. These are new conditions for all of us, and have been continual. We are all healthy, active, non smokers.

- 3 Eyes (sting/water)
- 6 Sinus (pain/pressure/infection)
- 7 Ears (pressure/ache)
- 9 Nose (continual running)
- 9 Throat (constantly sore/full of phlegm)
- 10 Lungs (coughing/short of breath)
- 11 Fatigue
- 1 Rash
- 4 Digestive (gas/bloating)
- 4 Headache (sudden and severe)

The people with the most severe health effects live the closest. The worst of them being a sinus infection that started last summer. This person has had sinus xrays, a cat scan, 4 heavy doses of antibiotics, and the Dr.s can find no physical reason for this infection.

It seems pretty clear to us from the list above that we are breathing in something unhealthy. The only thing that has changed in our environment in the last decade is the addition of biosolids.

Please take our health concerns seriously.

Thank-you,
A group of concerned residents of Barnhartvale.

Since this letter was written another of our neighbors is on an inhaler and antibiotics, and a 3rd is on steroids, and a 4th is being sent to an E.N.T specialist. We are incredibly frustrated that the officials who are supposed to represent us have not even bothered to respond to our concerns. Do we need to become more ill? Do more people need to become ill? What needs to happen for our

concerns to be taken seriously? Do we need to become more ill? Do more people need to become ill?

Please at the very least, give us some direction as to how to solve this problem.

EMAIL RESPONSE

993449

s.22

Dear s.22

Thank you for your email of September 11, 2013, addressed to Honourable Terry Lake, Minister of Health, in which you expressed concerns regarding the effects of Coast Environmental's facilities on odour and air quality in Chemainus. I am responding on his behalf.

Coast Environmental's facilities are regulated under the Cowichan Valley Regional District's (CVRD) Bylaw 2570. This bylaw was adopted in 2004, and amended in 2006, in order to regulate and help reduce the social and environmental impacts associated with private municipal solid waste and recycling facilities. For more information on the CVRD's Waste Management Plan, please visit: <http://www.cvrld.bc.ca/DocumentCenter/Home/View/522>.

The CVRD has been tracking public feedback about Coast Environmental's operations and has, in response, issued warnings to ensure they are complying with municipal regulations. Should compliance measures not be met, enforcement penalties will be applied. I have been advised that Coast Environmental has identified possible improvements to its biofilter system and is currently looking into potential modifications to reduce odour emissions. Furthermore, they also recently rewrote their composting operation plan to ensure better containment and storage measures in order to minimize odour. To view a copy of the plan, please visit: <http://www.cvrld.bc.ca/DocumentCenter/View/61250>.

Coast Environmental has applied under their current licence to add a recycling facility to manage the following materials: cardboard, paper, drywall, shingles, metal, wood, furniture/mattresses, glass/ceramics, concrete, construction/demolition waste, and residual garbage. They have also applied to amend their current composting licence to address worker's safety issues associated with grinding yard and garden inside the composting building. For a summary on the proposed amendments, see: <http://www.cvrld.bc.ca/DocumentCenter/View/61251>.

As mentioned in the above link, an Open House was held at Coast Environmental's Chemainus Industrial Park operation on Thursday, September 19th, 2013, including a question period for citizens to ask about the firm's planned recycling operation. I have spoken with Ilse Sarady of the CVRD who informs me that you attended the Open House and provided your feedback. If you wish to submit additional feedback to the CVRD about Coast Environmental's above-mentioned plans, please submit written comments by September 30, 2013, by emailing: es@cvrld.bc.ca.

Ms. Sarady also advised me that WorkSafe BC is conducting interviews with concerned citizens about this issue and that you are in the midst of being put in contact with a WorkSafe BC

representative. I encourage you to continue working with the CVRD and WorkSafe BC about this matter.

I hope this information helps to both inform you and address some of your concerns.

Yours truly,

Tim Lambert, PhD
Executive Director
Health Protection Branch

Benson, Stacey HLTH:EX

From: Minister, HLTH HLTH:EX <HLTH.Minister@gov.bc.ca>
Sent: Wednesday, September 11, 2013 8:15 AM
To: Health, HLTH HLTH:EX
Subject: FW: Chemainus

Categories: Katy

From: s.22
Sent: Wednesday, September 11, 2013 8:13:43 AM
To: Minister, HLTH HLTH:EX
Cc: bmcdonald@cvrd.bc.ca; isarady@cvrd.bc.ca
Subject: Chemainus
Auto forwarded by a Rule

Dear Mr Lake,

I am not sure if you are aware of our current situation in Chemainus with our air quality. I heard on the news today that the minister of health advisory of the Cowichan valley is at a very poor level at certain times of the year. It was blamed on wood stoves, I am really concerned on the quality much more severe than wood stoves in our industrial area in Chemainus. I work in an office and am effected by the disgusting smell that comes from COAST ENVIRONMENTAL at 9401 Trans Canada Hwy. Our staff that have to work outside suffer far more than I do. It is to the point of making people gag and throw up and we seriously wonder what it is doing to our health. I have talked to many neighbouring businesses who are also affected by it. This is something that has got to STOP! And needs attention right away! The local businesses are standing together on this and are hoping for some help from you.

Thanks,

s.22

TELEPHONE RESPONSE SUMMARY

Cliff #: 1043332

Assignment Due Date: November 24, 2015

Date / Time of Call: November 24, 2015/9:35 pm

Name of Person Contacted: s.22

ISSUE: Air quality complaint regarding composting facility in Richmond.

Details of Conversation:

- On November 24, 2015, (9:35 am), Esther Parker contacted s.22 not available, so Esther left a message on her voicemail directing s.22 to contact Metro Vancouver's Air Quality Program at (604) 436-6777. was

Follow up correspondence requested? No

Name of Staff Member who Contacted the Individual: Esther Parker

Telephone: 250-952-1463

Program Area: Air Quality

Benson, Stacey HLTH:EX

From: Chan, Jennifer K HLTH:EX on behalf of Population and Public Health HLTH:EX
Sent: Friday, March 27, 2015 2:17 PM
To: s.22
Subject: Ministry of Health Response - 1031743

1031743

s.22

Dear s.22

Thank you for your email of March 21, 2015, outlining your community group's concerns with the biosolids composting facility located along Sunshine Valley Road, west of Merritt, and the land application of biosolids near your community.

As you are aware, the Organic Matter Recycling Regulation, under which these facilities and the land application of biosolids are permitted, is administered by the Ministry of Environment. As such, we cannot comment on the permitting process that is required under that regulation.


Health officers at the local health authority have the opportunity to comment on land applications of biosolids when a Land Application Plan is referred by the applicant to the health authority office. Concerns with a proposed land application can be raised by the health officer at that time, including, if necessary, a directive to not apply the biosolid. Health officers can also respond to concerns raised by community members over the perceived risks to human health that may result from a proposed biosolid application or a composting facility.

We appreciate the amount of effort that the Friends of the Nicola Valley have made to raise your concerns around biosolid composting and the land application of biosolids. We encourage you to continue your dialogue with local health authority staff and representatives from the Ministry of Environment to have your concerns duly considered.

Yours truly,

Tim Lambert, PhD
Executive Director
Health Protection Branch
Ministry of Health

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 Studies show trees live longer when they're not cut down.
Please do not print this email unless you really need to.

From: s.22

Sent: Saturday, March 21, 2015 5:22 PM

To: Quinn, Emily HLTH:EX

Subject: Biosolids issue in Nicola Valley

Dear Emily Quinn,

Our united response to the Government's failure to address our issue:

The Friends of the Nicola Valley, now almost a 1,000 strong (and supported by a local petition of some 3,000) have been struggling hard for many months now to safeguard our local environment. Our visible protests along Hwy 8 have rallied a great deal of community support and awareness on this issue. So many have expressed their joy at working together (First Nations and non-Native peoples of the Valley) to bring about change - to work towards a future that will ensure health and security for everyone living in this wonderful valley.

What is our goal? Simply this - to end all importation of sewer sludge into our Valley, and to immediately have the facility on Sunshine Valley Road dismantled, and the sludge piles taken back to the communities that trucked it here. This is a modest request. This is a reasonable request. Mostly however, it is a fair request! Other communities must look after their own sewer sludge. We will not be the dumping ground for the concentrated end-product of other people's water treatment facilities. We will not stand idly by and watch the heavy metals and other toxins accumulate in our forest, on our lands, or in our waters.

This area is known for its beauty and its healthy environment. Our tourism economy will only suffer as we get buried deeper and deeper by other cities' toxic waste. But more than this is jeopardized by this reckless practice. First Nations Elders have spoken of how they are gravely concerned about how traditional hunting and gathering in the forests have been disrupted. They have spoken about not being able to drink from the streams they once did, or eat the herbs and berries they once collected. This land application of sewer sludge is a disgraceful and disrespectful attack on this population and their way of life.

Together, as Friends of the Nicola Valley, we are going to continue this battle to end this insidious practice. We know we are doing what is best for our valley, for our people, and for the future. Many of us have never protested before, never carried a sign before, never written to our MLA's before, but this issue has galvanized us to stand firm and fight for what is right. Rest assured, we will not stop this protest until our goals are addressed and our valley is safe.

s.22

Benson, Stacey HLTH:EX

From: Chan, Jennifer K HLTH:EX on behalf of Population and Public Health HLTH:EX
Sent: Monday, June 22, 2015 12:28 PM
To: Martin, Rhianon HLTH:EX
Cc: Transportation, Minister TRAN:EX; John, Barb ENV:EX
Subject: Ministry of Health Response - 1035955

1035955

s.22

Dear s.22

Thank you for your email of June 13, 2015, to the Honourable Terry Lake, Minister of Health, expressing your concerns regarding the biosolid facility operated by Arrow Transportation Systems near Barnhartvale. I am responding on his behalf.

This type of soil development facility is permitted under the Organic Matter Recycling Regulation and overseen by the Ministry of Environment. The Ministry of Environment contact is Barb John and I have copied her on this email to register your concerns with their office.

It is not within the jurisdiction of the Ministry of Health to impose operating conditions on these facilities, unless a threat to human health is evident.

A biosolid growing medium from this facility is derived by combining a finished biosolid product, in this case a 'Class A' biosolid, with a material that reduces the organic matter content and increases the overall carbon to nitrogen ratio of the material, in this case sand and wood/bark chips. A Class A biosolid is derived from the solid part of treated municipal waste, and is a stabilized, pathogen-reduced substance that meets the quality parameters of B.C.'s Organic Matter Recycling Regulation. These stringent quality parameters are established to protect the environment and human health.

I appreciate that the amount of truck traffic to and from the facility is also of concern to you and it is not clear from your photos whether the dust is a result of the private roadway to the facility, the material being transported, or the handling of material at the facility. In any event, concerns regarding air quality can be raised with both the Ministry of Environment and with your local municipality or Regional District, as there may be bylaws or permit requirements that set limitations on dust pollution.


If you have specific concerns regarding your respiratory health or are feeling unwell, please seek medical attention. If you have concerns regarding the quality of your drinking water, I encourage you to raise your concerns with the Kamloops Health Protection Office at 250-851-7340. Some water supplies, such as the one serving Kamloops, are disinfected prior to public consumption, so that any potential impacts from pathogens in the water source are mitigated.

Thank you again for writing. I appreciate the opportunity to respond.

Yours truly,

Tim Lambert, PhD
Executive Director
Health Protection Branch
Ministry of Health

Warning: This email is intended only for the use of the individual or organization to whom it is addressed. It may contain information that is privileged or confidential. Any distribution, disclosure, copying, or other use by anyone else is strictly prohibited. If you have received this in error, please telephone, or e-mail the sender immediately and delete the message.

 Studies show trees live longer when they're not cut down.
Please do not support the Arrow Biosolid Facility, located within the City Limits of Kamloops.

From: s.22
Sent: June 13, 2015 1:43 PM
To: Lake.MLA, Terry
Cc: citycouncil@kamloops.ca
Subject: Arrow Biosolid Facility Operation on Blackwell Farm

Attn: Dr. Terry Lake - MLA, (current Minister of Health, former Minister of Environment)

As the BC Minister of Health could you please step up and put a stop to the Arrow Biosolid Facility operating within the City Limits of Kamloops at the Blackwell Dairy Farm.

The following pictures tell a story and we have many more telling pictures.

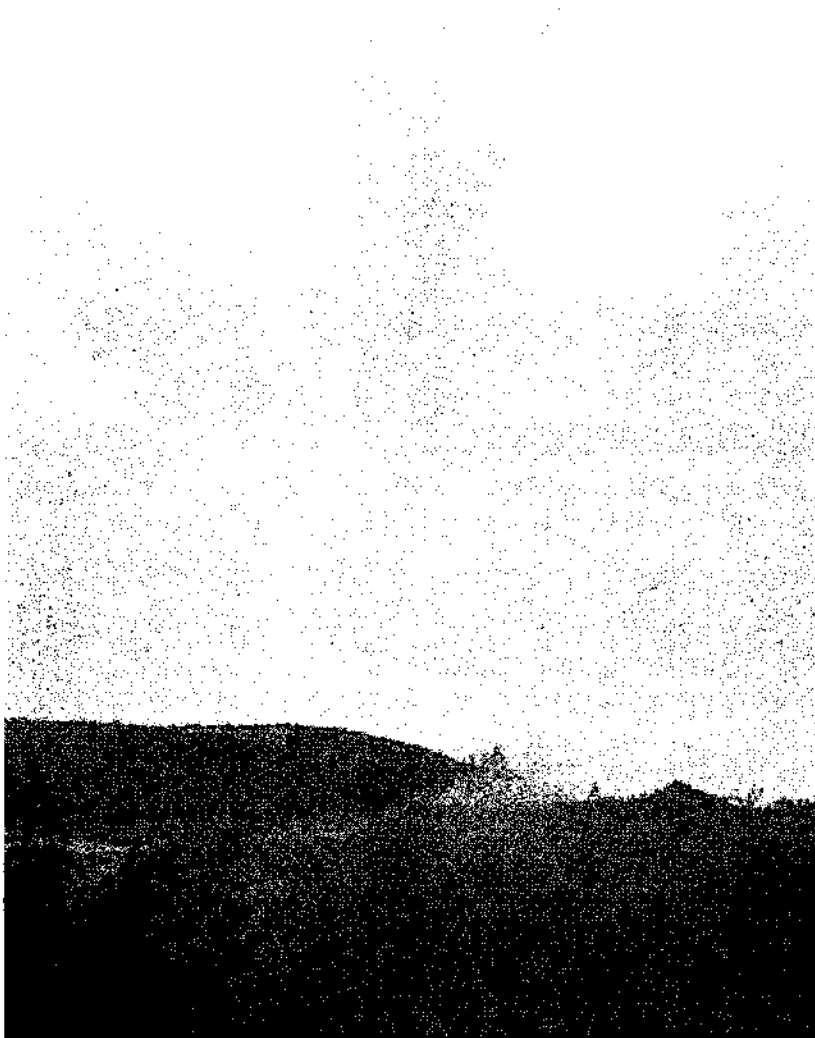
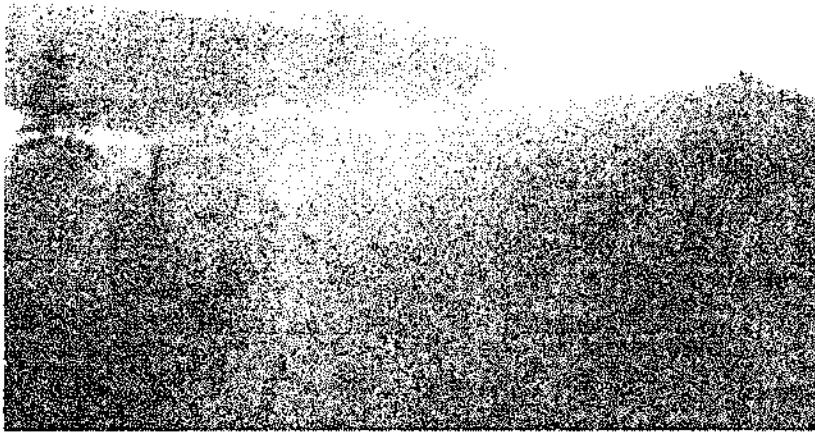
This is not healthy for the residents and environment. Everyday the residents, pets, wildlife and birds are at risk.

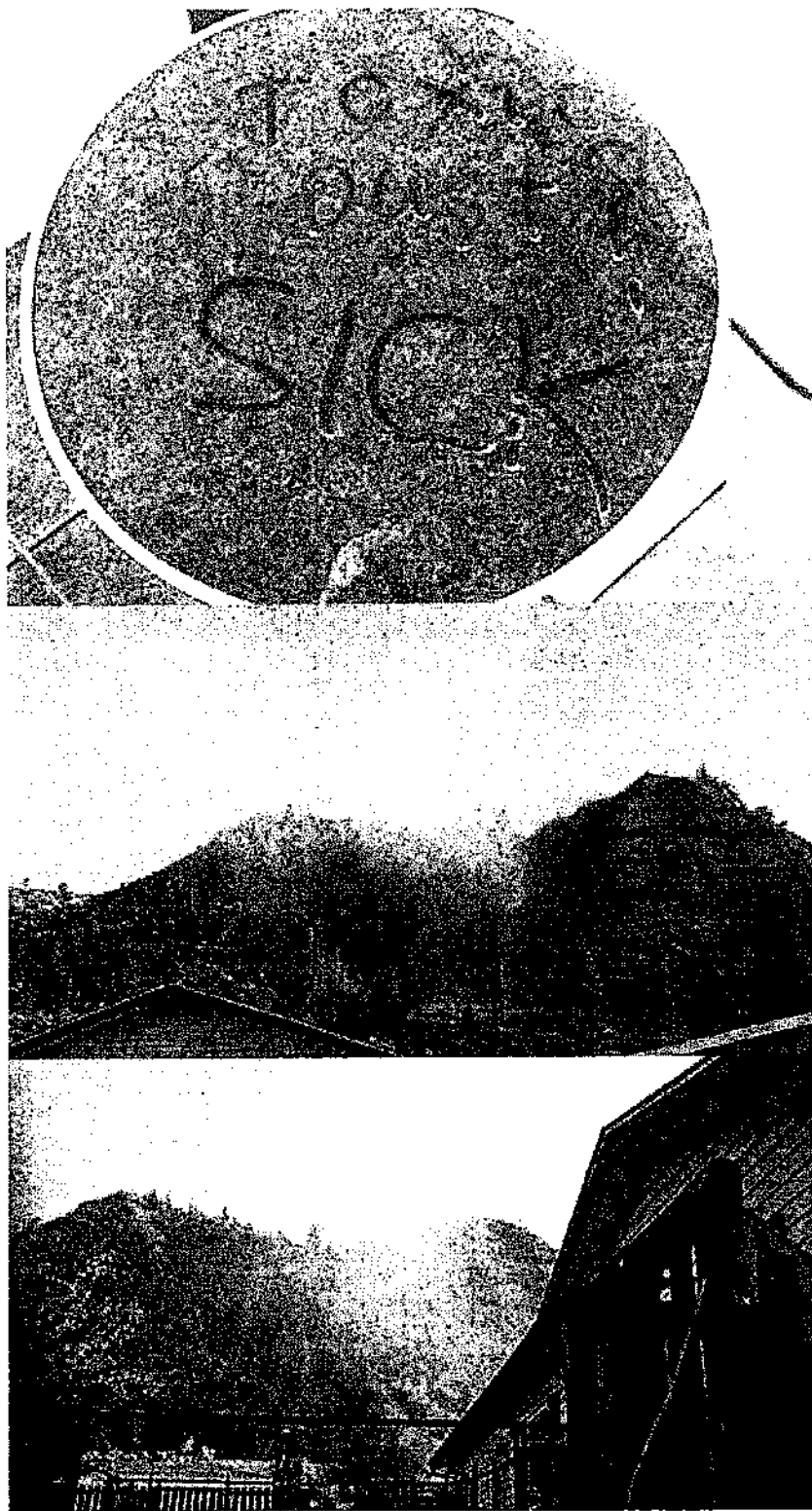
The City of Kamloops should take an active part as well because the City's drinking water comes from the South Thompson River located below this facility.

We trust that Dr. Terry Lake receives this email and replies in a timely manner.

Thank you.
s.22







Benson, Stacey HLTH:EX

From: Paton, Arlene HLTH:EX
Sent: Friday, September 27, 2013 3:14 PM
To: Kendall, Perry HLTH:EX; Lambert, Tim HLTH:EX
Subject: RE: composting

Environment and Agriculture DMs agreed to have staff attend our next meeting. Tim, can you ask Karen to arrange and give her the names? Thanks.

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
Tel: 250-952-1731

From: Kendall, Perry HLTH:EX
Sent: Friday, September 27, 2013 1:42 PM
To: Lambert, Tim HLTH:EX; Paton, Arlene HLTH:EX
Subject: Re: composting

Sounds good. Can we specify info on bio aerosols?

P. R. W. Kendall
OBC, MBBS, MSc, FRCPC

Provincial Health Officer
Ministry of Health Services

4th Floor, 1515 Blanshard Street
Victoria BC V8W 3C8
Phone: 250 952-1330
Fax: 250 952-1362

perry.kendall@gov.bc.ca
<http://www.healthservices.gov.bc.ca/pho>

From: Lambert, Tim HLTH:EX
Sent: Friday, September 27, 2013 12:51 PM Pacific Standard Time
To: Paton, Arlene HLTH:EX
Cc: Kendall, Perry HLTH:EX
Subject: Re: composting

agreed!

Sent from my iPad

On 2013-09-27, at 12:41 PM, "Paton, Arlene HLTH:EX" <Arlene.Paton@gov.bc.ca> wrote:

We could ask Environment to come and present on this at our next meeting...

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
Tel: 250-952-1731

From: Kendall, Perry HLTH:EX
Sent: Friday, September 27, 2013 11:17 AM
To: Paton, Arlene HLTH:EX; Lambert, Tim HLTH:EX
Subject: FW: composting

Arlene, Tim- does the or the committee have the capacity?
It would seem the issue is really related to bio-aerosols and therefore quite limited.
PK

P. R. W. Kendall
OBC, MBBS, MSc, FRCPC
Provincial Health Officer
Ministry of Health
4th Floor, 1515 Blanshard Street
Victoria BC V8W 3C8
Phone: 250 952-1330
Fax: 250 952-1362
perry.kendall@gov.bc.ca
<http://www.health.gov.bc.ca/pho/>

From: Fyfe, Murray W. (Dr) [<mailto:Murray.Fyfe@viha.ca>]
Sent: Thursday, September 26, 2013 1:09 PM
To: Kendall, Perry HLTH:EX; Paton, Arlene HLTH:EX
Cc: XT:HLTH Kosatsky, Tom; XT:HLTH Stanwick, Richard
Subject: composting

Arlene and Perry,
Could the provincial Environmental Health Advisory Committee undertake a review of organic matter composting? A commercial composting facility in the CRD has raised public concerns about odours, and more recently concerns have been expressed about the possibility of bioaerosols. The provincial composting regulation addresses odours as a nuisance issue, but does not address bioaerosols. The UK has addressed bioaerosols in composting facilities by requiring a 250 metre setback from residences. I have not seen anything similar from other jurisdictions. It would be helpful to review this issue provincially to determine if there is sufficient evidence to request that the current provincial regulations be updated to require something similar to the UK in addition to any changes that may be needed in regard to odours.

I know, by searching on google, that the issue of odours has been expressed associated with commercial composters in other BC communities.

Thanks.
Murray

**MINISTRY OF ENVIRONMENT/HEALTH
INFORMATION BRIEFING NOTE**

Cliff # 1054892

PREPARED FOR: Honourable Terry Lake, Minister of Health – **FOR
INFORMATION**

TITLE: Barnhartvale Residents concerns over Biosolids application at
Blackwell Dairy

PURPOSE: Background for meeting with constituents, Minister of Health and
Minister of Transportation, on May 13, 2016

BACKGROUND:

The Blackwell Dairy Farm in Kamloops is the site of several non-agricultural operations including a waste landfill (operated since 1993), gravel and rock operations and a Biosolids Growing Medium production facility using Class A biosolids (operated by Arrow Transportation Systems). In addition, Arrow has registered under the Organic Matter Recycling Regulation (OMRR) to apply Class B biosolids on Blackwell land.

The application of Class B biosolids is for soil amendment/reclamation only at the Blackwell property and not for redistribution. Reclaimed soils contain up to maximum of 15% dry weight biosolids which is blended wet using sand, sawdust and existing soil mediums.

A qualified professional inspected the operation 4 times in 2015 and determined that Arrow was managing the biosolids in accordance with the Organic Matter Recycling Regulation (OMRR). MoE inspects the landfill annually. The most recent inspection in June 2015 found that the operation was meeting authorized landfill requirements.

During the summer of 2015, the facility received numerous complaints regarding stockpiled sawdust blowing on to residents below the property. In response, Arrow moved the stockpile and reduced its size and dust issues from the piles were resolved.

Recently the province received numerous complaints from Barnhartvale citizens living below (Dallas Dr.) and adjacent to the dairy farm (Gardiner Rd.). Citizens are concerned about health impacts of biosolids from dust from the farm. Their concerns have been highlighted by several media stories.

In April 2016, Interior Health issued a response to Barnhartvale citizens recommending they consult directly with their primary health care provider for a comprehensive clinical assessment of their symptoms. The documentation of the diagnosis and its potential association with biosolids could be used as part of a detailed investigation by Interior Health if deemed necessary.

DISCUSSION:

Recent discussions between MOE and Arrow Transport have confirmed that dust is occurring off the Blackwell property. Principle sources appear to be the gravel pit, gravel roads and springtime tilling of the soil. Arrow will be providing further information to MOE documenting dust sources.

MoE does not have sufficient evidence to suggest that the biosolids as applied at Blackwell pose a significant health risk. The biosolids at Blackwell come from sewage plants that are carefully monitored for compliance with environmental and human health standards and, based on compliance reviews in 2015, Arrow is meeting all land application requirements under OMRR.

It is also likely that biosolids application reduces dust at the farm given that the biosolid medium is damp, holds moisture and provides an organic layer for vegetative growth.

ADVICE:

MOE plans to inspect the property in May to verify the operation's compliance with OMRR, confirm potential dust sources and meet with complainants. MOE will follow-up with Interior Health with regards to findings.

Program ADM/Division:	Mark Zacharias, ADM, MoE/Arlene Paton, ADM, MoH
Telephone:	250-356-0121 / 250-952-1731
Program Contact (for content):	Mark Graham, MoE/Tim Lambert, MoH
Drafter:	Mark Graham, Compliance Operations Manager - MOE
Date:	May 6, 2016
File Name with Path:	

MEETING MATERIAL

Cliff #: 1054892

PREPARED FOR: Honourable Terry Lake. Meeting is on Friday May 13th at 2:00 pm

TITLE: Meeting between Minister Stone, Minister Lake and six constituents regarding health concerns over air quality from the Barnhartvale biosolids facility.

MEETING REQUEST/ISSUE: ^{s.22}
^{s.22} have concerns with a biosolids facility: odours, respiratory health and ecological issues.

SHOULD MINISTRY STAFF ATTEND THIS MEETING: Yes-Tim Lambert (MoH) and Mark Zacharius (MoE) should attend.

BACKGROUND: *See attached briefing note.*

ADVICE: Deliver the message that MOE plans to inspect the property in May to verify the operation's compliance with the Organic Matter Recycling Regulation, confirm potential dust sources and meet with complainants. MOE will follow-up with Interior Health with regards to findings.

JOINT MINISTER MEETING: Y

IF SO, CAN THIS MATERIAL BE SHARED: Y

APPROVED BY: Mark Zacharias, ADM, MoE; Arlene Paton, ADM, MoH
DATE APPROVED:

INFORMATION NOTE

May 6, 2016

File: 280-20/299355

CLIFF/tracking #: 299355

PREPARED FOR: Honourable Mary Polak, Minister of Environment (ENV)
Honourable Terry Lake, Minister of Health (HLTH)
Honourable Todd Stone, Minister of Transportation and
Infrastructure (TRANS)

ISSUE: Barnhartvale Residents' Concerns over Biosolids at Blackwell Dairy

BACKGROUND:

- The Blackwell Dairy Farm in Kamloops is the site of several non-agricultural operations including a waste landfill (operated since 1993), gravel and rock operations and a Biosolids Growing Medium production facility using Class A biosolids (operated by Arrow Transportation Systems). In addition, Arrow is registered under the Organic Matter Recycling Regulation (OMRR) to apply Class B biosolids on Blackwell land.
- The application of Class B biosolids is for soil amendment/reclamation only at the Blackwell property and not for redistribution. Reclaimed soils contain up to a maximum of 15% dry weight biosolids which is blended wet using sand, sawdust and existing soil mediums.
- A qualified professional inspected the operation four times in 2015 and determined that Arrow was managing the biosolids in accordance with OMRR. ENV inspects the landfill annually. The most recent inspection in June 2015 found that the operation was meeting authorized landfill requirements.
- During summer 2015, the facility received complaints regarding stockpiled sawdust blowing on to residential properties below the operation. In response, Arrow moved the stockpiled sawdust and reduced its size, which resolved the blowing sawdust issues.
- Recently, the Province received numerous complaints from Barnhartvale citizens living below (Dallas Dr.) and adjacent to the dairy farm (Gardiner Rd.). Citizens were concerned that their health symptoms are related to dust from the biosolids on the Blackwell property. Their concerns have been highlighted by several media stories.

DISCUSSION:

- In April 2016, Interior Health issued a response to Barnhartvale citizens recommending they consult directly with their primary health care provider for a comprehensive clinical assessment of their symptoms. The documentation of the diagnosis and its potential association with biosolids could be used as part of a detailed investigation by Interior Health if deemed necessary.
- Recent discussions between ENV and Arrow Transport have confirmed that dust is generated off the Blackwell property. Dust sources appear to be the gravel pit, gravel roads and springtime tilling of the soil. Arrow will be providing further information to ENV documenting dust sources.

- ENV does not have sufficient evidence to suggest that the biosolids at Blackwell pose a significant health risk or are present in dust sources. The biosolids at Blackwell come from sewage plants that are carefully monitored for compliance with environmental and human health standards and, based on compliance reviews in 2015, Arrow is meeting all land application requirements under OMRR.
- It is also likely that biosolids application reduces dust at the farm given that the biosolid medium is applied damp, holds moisture and provides an organic layer for vegetative growth.

NEXT STEPS:

- ENV plans to inspect the property in May to verify the operation's compliance with OMRR, confirm potential dust sources and meet with complainants. ENV will follow-up with Interior Health with regards to findings.

Contact:

*Mark Zacharias
ADM
EPD
250-356-0121*

Alternate Contact:

*Jennifer McGuire
Exec Director
Regional Operations
604-582-5284*

Prepared by:

*Mark Graham
Compliance Operations Manager
Regional Operations Branch
250-387-9299*

Reviewed by	Initials	Date
DM	WSB for WS	May 10/16
DMO	BC	May 10/16
ADM	MZ	May 10/16
Dir./Mgr.	JLM	May 6/16
Author		

Benson, Stacey HLTH:EX

From: Heinze, Laura R GCPE:EX
Sent: Friday, April 24, 2015 8:19 AM
To: Kendall, Perry HLTH:EX; HLTH HAD Issues HLTH:EX; Lambert, Tim HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Plank, Sarah GCPE:EX; Lawrie, Hannah GCPE:EX; Frattaroli, Angela GCPE:EX
Subject: RE: Heads Up - Biosolids

They are sending it now and I'll flip to you shortly!

From: Kendall, Perry HLTH:EX
Sent: Friday, April 24, 2015 8:05 AM
To: Heinze, Laura R GCPE:EX; HLTH HAD Issues HLTH:EX; Lambert, Tim HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Plank, Sarah GCPE:EX; Lawrie, Hannah GCPE:EX; Frattaroli, Angela GCPE:EX
Subject: RE: Heads Up - Biosolids

Can we see the letter? I am concerned about messaging and a couple of other things too.

P. R. W. Kendall
OBC, MBBS, MSc, FRCPC
Provincial Health Officer
Ministry of Health
Physical Address: 4th Floor, 1515 Blanshard Street
Mailing Address: PO Box 9648, STN PROV GOVT
Victoria BC V8W 9P4
Phone: 250 952-1330 Fax: 250 952-1362
Email: perry.kendall@gov.bc.ca
<http://www.health.gov.bc.ca/pho/>

From: Heinze, Laura R GCPE:EX
Sent: Thursday, April 23, 2015 4:32 PM
To: HLTH HAD Issues HLTH:EX; Kendall, Perry HLTH:EX; Lambert, Tim HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Plank, Sarah GCPE:EX; Lawrie, Hannah GCPE:EX; Frattaroli, Angela GCPE:EX
Subject: FW: Heads Up - Biosolids

Hi folks,

Heads up on this one – IH will be sending a letter to The Nooaitch Indian Band denying their request for a drinking water investigation.

Let me know if any concerns!
Laura

From: Swan, Michaela [<mailto:Michaela.Swan@interiorhealth.ca>]
Sent: Thursday, April 23, 2015 4:18 PM
To: Heinze, Laura R GCPE:EX; Plank, Sarah GCPE:EX; Jabs, Ryan GCPE:EX; May, Stephen GCPE:EX
Cc: XT:Lindsay, Darshan GCPE:IN
Subject: Heads Up - Biosolids

Good afternoon,

Please find a briefing note regarding a Health Protection statutory decision around biosolids in Merritt.

The Nooaitch Indian Band had requested an investigation of threat to drinking water under the Drinking Water Protection Act. Interior Health will be sending a letter denying their request for an investigation.

Please let me know as soon as possible if you have any questions or concerns

Michaela

MICHAELA SWAN

Communications Officer, IH West

INTERIOR HEALTH

office: 250.314.2100 ext 3750 | cell: 250.819.4258

IH QuickDial: 8-200-3750





IH Communications Briefing Note

April 23, 2015

Topic

Merritt Biosolids – Drinking Water Protection Act Investigation Request Denied

Background

- Since December 2014, Interior Health has been involved in significant public and political attention regarding the use of biosolids in the Merritt and Nicola Valley areas. This attention has included media interviews, presenting at a public forum on Jan. 26, and briefing elected officials at the Thompson Nicola Regional District.
- The community and local First Nations continues to protest, lobby various levels of government, and most recently occupied Premier Christy Clark's office in Kelowna.
- On January 12, IH received a letter from the First Nation's Chiefs of the Nicola Valley regarding the application of biosolids within the Nlaka'pamux Territory. They request that all current activities cease and that no new notification proceed until the Crown and ministry regulators establish a meaningful dialogue. This letter references the Supreme Court of Canada's decision regarding the rights of aboriginal title to manage the land and resources in a manner that fits the vision for the territory.
- Interior Health responded to the letter referring the First Nations leaders back to the Ministry of Environment as the agency that oversees the legislation covering biosolids. This includes the Organic Matter Recycling Regulation (OMRR) and the Environmental Management Act.
- IH – Health Protection staff attended a meeting with the Environment Minister and local First Nation representatives on Feb. 2 to discuss their concerns further.
- Throughout this time, Health Protection has established a tracking document to track complaints and calls related to biosolids. To date, ## complaints have been received. In response, Health Protection provides information on the process of biosolids and options for the complainant.
- On March 23, Interior Health received a request from the Nooaitch Indian Band for an investigation of a threat to drinking water under section 29 of the Drinking Water Protection Act (DWPA). This request is in regards to the Class B composting facility and biosolids land application plan located at 2988 Sunshine Valley Road near Merritt. The Nooaitch band is concerned that both the composting facility and land application activities will negatively impact their drinking water, which is supplied by two ground water wells.
- When these requests are received, Interior Health designates a statutory decision maker (Environmental Health Officer) to review the complaint and available information to determine the next steps.
- After reviewing the request from the Nooaitch Indian Band, applicable submissions and the legislation, the Environmental Health Officer concludes that the evidence and facts do not warrant a Section 29 Investigation of a threat to drinking water at this time.
- This is based on the following:
 - Since the composting facility and land application process are regulated by the OMRR, any prohibitions outlined in Sec 23(1) and 23(2) of the DWPA do not apply as it is clearly stated in Section 23 (3)(b) and 23(3)(c) of the DWPA that:
 - (3) The prohibitions in subsection (1) and (2) do not apply

(b) if the introduction or activity is authorized or required under an enactment or the person is otherwise acting with lawful authority, or
(c) in relation to an activity prescribed by regulation that is undertaken in accordance with any conditions prescribed by regulation.

- The land application plan for Sunshine Valley was received and there are no restrictions for the application of Class A biosolids or Class A compost within a watershed.
- The Class A biosolids will be applied as per the land application plan submitted by the Qualified Professional as required by section 7 of OMRR.
- IH also reviewed the Source Water Protection Plan completed by Kala Geosciences Ltd. (qualified professional) in April 2013. This information details that the two groundwater wells servicing the Nooaitch Indian Band are both considered not to be under the direct influence of surface water.
- The Source Water Protection Plan recommends that the source water protection areas are set at a specific area, and both the composting facility and biosolids land application are located outside of these areas.
- Finally, IH does recommend the wells providing water to Nooaitch Indian Band be evaluated for Groundwater at Risk of Containing Pathogens as per the provincial guidelines. It also recommends that a long-term water quality program be developed for the water system that includes both microbiological and chemical parameters, which is best practice for water source protection and the safety of public health.

Key Messages

- Interior Health is committed to the protection of human health through the appropriate management of organic matter, including biosolids. We have recently been requested to conduct an investigation under the Drinking Water Protection Act regarding the impacts of biosolids on Sunshine Valley Road to wells serving the Nooaitch Indian Band.
 - Based on the information available at this time, Interior Health finds the information does not warrant any further investigation of a threat to drinking water.
 - We understand the community is concerned about the safety of biosolids in the Merritt and Nicola Valley and based on the information available there are currently no known drinking water health hazards.
-

PREPARED FOR:	Manager, Public Affairs & VP Public Affairs
PREPARED BY:	Michaela Swan, Communications Officer, IH West
SPOKESPERSON:	TBD

Benson, Stacey HLTH:EX

From: Baumber, Steve HLTH:EX
Sent: Tuesday, January 13, 2015 10:34 AM
To: Lambert, Tim HLTH:EX
Subject: RE: IHA Letter

Hi Tim – referrals are made from MOE to the health authority – it's up to the health authority to route it to the right person to respond. We often are consulted by their staff to provide advice. Our standard advice is that unless there is demonstrable, evidence-base health risk due to the proposed land application, or an obvious error in the proposed land application that is uncompliant, the permitting process through MOE, under the OMRR, for biosolids and land applications sufficiently accounts for risks to human health and pathways of exposure.

Most recently I have been responding to referral questions from Anita Ely at IH.

In this particular case I have not yet seen the correspondence given that MOH was apparently copied on the letter. When we receive the letter I would check in with IH to ensure our response is consistent with theirs.

Steve Baumber, MSc, RPF

Health Protection Professional Specialist – Land and Water Use
BC Ministry of Health
Tel: (250) 952-3591 Fax: (250) 952-1713

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From: Lambert, Tim HLTH:EX
Sent: Tuesday, January 13, 2015 10:22 AM
To: Baumber, Steve HLTH:EX
Subject: Fwd: IHA Letter

Hi Steve

Can you check with MOE to see if they are aware of this one and any issues. Did they change the referral to go to RHAs broadly, EHOs and MHOs, and did they refer to IHA.

Any flags with the letter from FN to IHA?

Tim
Sent from my iPhone

Begin forwarded message:

From: "Parsonage, Roger" <Roger.Parsonage@interiorhealth.ca>
To: "Lambert, Tim HLTH:EX" <Tim.Lambert@gov.bc.ca>
Subject: FW: IHA Letter

Good morning Tim,

Please find attached a letter received yesterday from First Nations in the Merritt area regarding their concerns about land application of biosolids within their traditional territory. I note that a copy was also provided to the Ministry of Health. We will require advice on how to proceed; however, at this point we have not had opportunity to internally discuss next steps. Your initial thoughts would be welcome.

Regards,

Roger

From: David Lawrence [mailto:David@nooaitch.com]
Sent: Monday, January 12, 2015 12:03 PM
To: Ely, Anita; Halpenny, Robert; Parker, Dr. Rob; Norlin, J Ivor; Lisa Montgomery Reid; Linda.Pillsworth@fnha.ca<mailto:Linda.Pillsworth@fnha.ca>; Evan.Adams@fnha.ca<mailto:Evan.Adams@fnha.ca>; David Lindley; Peter Mazey; hlth.minister@gov.bc.ca<mailto:hlth.minister@gov.bc.ca>
Cc: Joyce Sam; Sam, Aaron; Lee Spahan; Percy.joe@shackan.ca<mailto:Percy.joe@shackan.ca>; Harvey McLeod; Shirley Rhodes; 'Lennard Joe'; Caswell, Dave; Arlene Johnston; Christine Oppenheim; president@ubcic.bc.ca<mailto:president@ubcic.bc.ca>; donb@ubcic.bc.ca<mailto:donb@ubcic.bc.ca>; Cheryl.Stump@fnha.ca<mailto:Cheryl.Stump@fnha.ca>; Nooaitch Indian Band [External Email]
Subject: IHA Letter

Anita,

Nice chatting with you. As you indicated Ms. Sigalet no longer works with Interior Health please forward it to the appropriate contact at IHA. Please see the attached correspondence.

In addition to the issues outlined in the letter we anticipate significant environmental health effects from applications of bio-solids, in the Nicola Valley at various locations. I also recently found out materials coming from landfills in both Kelowna and Abbotsford produce class B bio-solids .

Regards,

David

Lands Manager

Nooaitch Indian Band

2954 Shackelly Road

(250) 378-6141

Fax 378-3699

David@nooaitch.com<mailto:David@nooaitch.com>

Chiefs of the Nicola Valley

Nooaitch Indian Band
2954 Shackelly Road
Merritt, B.C V1K-1N9
Ph: 250-378-6141
Fax: 250-378-3699



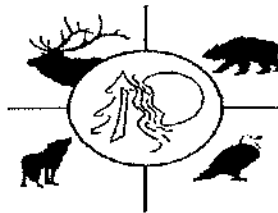
Lower Nicola Indian Band
181 Nawishaskin Lane
Merritt, BC V1K 0A7
Ph: 250-378-5157
Fax: 250-378-6188



Shackan Indian Band
PO Box 1360, 2099 Granite Ave.
Merritt, BC V1K 1B8
Ph: 250-378-5410
Fax: 250-378-5219



Coldwater Indian Band
2249 Quilchena Avenue
PO Box 4600
Merritt BC V1K1B8
Ph: 250-378-6174
Fax: 250-378 -5351



Upper Nicola Indian Band
PO Box 3700 Station Main
Merritt BC, V1K 1B8
Ph: 250-350-3342
Fax: 250-350-3311



Interior Health Authority

December 12, 2014

Public Health and Health Protection
519 Columbia Street.
Kamloops, B.C. V2C 2T8

Attention: Elizabeth Sigalet

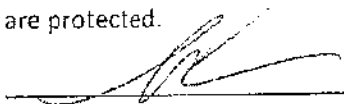
Re: Application of Bio-solids within the Nlaka'pamux Territory.

We the Chiefs of Nicola Valley, have become aware of several bio-waste operations within our territory. We would like to remind you that it is the duty of our leadership to protect our people and our land and water by whatever means necessary when an activity, project and/or development threatens to negatively impact our title and rights.

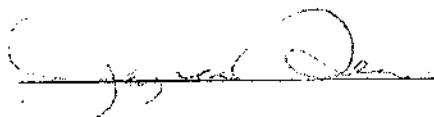
We would also like to remind you that the Supreme Court of Canada continues to re-affirm that the Crown has continually applied a false and impoverished view of aboriginal title and that our title includes the exclusive right of our people to manage the land and resources in a manner that fits our vision for the territory. Therefore please be aware that when the Crown proceeds with decisions that infringe on our constitutionally protected title and rights without our consent, that subsequent outcomes may be cancelled or reversed with damages owed.

Based on our current understanding of bio-waste operations we cannot continue to allow this activity to occur within our territory. We the Chiefs demand that all current activities cease and that no new notifications proceed until the Crown and ministry regulators establish a meaningful dialogue resulting in our support for such activities.

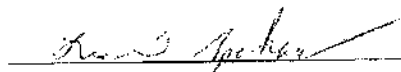
Be clear that should any of the bio-waste facilities continue operation or new notifications be allowed to proceed without consultation, that we will take every action available to us to ensure that our interests are protected.



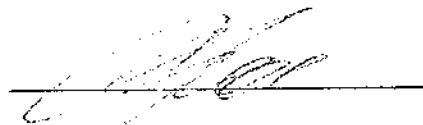
Chief Aaron Sam, Lower Nicola Indian Band



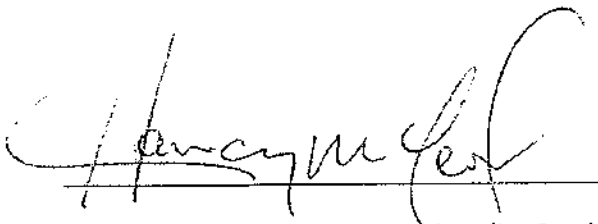
Chief Joyce Sam, Nooaitch Indian Band



Chief Lee Spahan Coldwater Indian Band



Chief Percy Joe, Shackan Indian Band



Chief Harvey McLeod Upper Nicola Indian Band

.Cc Minister Mary Polak
 Minister Steve Thompson , FLNRO
 Minister John Rustad, MARR
 First Nations Leadership
 Okanagan Nation Alliance (ONA), Chiefs Council
 Grand Chief Bobby Pasco, Nlaka'pamux Nation Tribal Council NTC
 Chiefs of the Nicola Tribal Association
 Chiefs of the Nlaka'pamux Nation
 Linda Pillsworth, CEO , FNHA
 Lisa Montgomery - Reid, FNHA
 Peter Mazey , FNHA

Benson, Stacey HLTH:EX

From: Kendall, Perry HLTH:EX
Sent: Friday, April 24, 2015 5:46 PM
To: Paton, Arlene HLTH:EX; Stevenson, Lynn HLTH:EX
Cc: Lambert, Tim HLTH:EX; Marsh, Jania HLTH:EX
Subject: Re: Biosolids issue in Interior

This is helpful. I think IHA would be quite happy to hold off on the letter or any definitive discussion of it's contents, if they knew a bigger process was in play.

P. R. W. Kendall
OBC, MBBS, MSc, FRCPC
Provincial Health Officer
Ministry of Health
4th Floor, 1515 Blanshard Street
Victoria BC V8W 3C8
Phone: 250 952-1330
Fax: 250 952-1362

perry.kendall@gov.bc.ca
<http://www.health.gov.bc.ca/pho>

From: Paton, Arlene HLTH:EX
Sent: Friday, April 24, 2015 05:31 PM
To: Stevenson, Lynn HLTH:EX; Kendall, Perry HLTH:EX
Cc: Lambert, Tim HLTH:EX; Paton, Arlene HLTH:EX; Marsh, Jania HLTH:EX
Subject: Biosolids issue in Interior

Hi, I just got off the phone with the ADM at Environment. As you can imagine the centre is fully engaged in this situation and everything is being very carefully planned. Environment is spending the weekend pulling together a strategy for consideration next week by the premier's office which may include a 60 – 90 day pause on biosolid permits in the area, initiation of a science panel to review the situation, and some consideration at what additional monitoring and/or consultation could or should be put in place in the future. None of this is approved yet, but I provide this info as an indication of what may be in the plan.

Obviously, lots of implications in getting this wrong (liability issues related to bonefide businesses operating in accordance with the regulation, Right to Farm Act, importance of biosolids as a fertilizer, etc. etc.) and as you are all aware, very little risk to human health. If IHA can wait before any communication with the FNs for this to play out in the next week, that would be helpful.

Perry, I understand that IHA will be invited to the meeting on Wednesday with FNHA and the chiefs but it sounds like the expectation is that they will send the letter or explain what will be in the letter?

MoE is happy to meet with Environmental Health Policy Advisory Committee to work through the various issues MHO's and Health Protection Directors have – so we'll arrange that and hopefully that's a better place for Rob to have the discussion than encouraging a UBCM committee.

Lynn, we put together some info in the document attached, a bit more than was in Perry's earlier note, but might be helpful for your IHA meeting on Tuesday.

Biosolid Land Application - General Information

- The Organic Matter Recycling Regulation (OMRR), under which these facilities and the land application of biosolids are permitted is administered by the Ministry of Environment.
- Under OMRR, health officers at the local health authority have the opportunity to comment on land applications of biosolids when a Land Application Plan is referred by the applicant to the health authority office.
- Concerns with a proposed land application can be raised by the health officer at that time, including, if necessary, a directive to not apply the biosolid. Health officers can also respond to concerns raised by community members over the perceived risks to human health that may result from a proposed biosolid application or a composting facility.
- Operational criteria developed in OMRR is designed to protect human health and the environment, including protection of ground water supplies used for drinking water.

MHO Rob Parker request to support a UBCM Resolution for a Provincial Review of Biosolid Land Application

- The combined City of Merritt and TNRD SILGA resolution approved by TNRD Board and Merritt City Council for convention presentation is as follows:

THEREFORE BE IT RESOLVED that the Province form a committee including local government representatives to examine and make recommendations for changes to the Provincial biosolid review process and changes to the content in the Organic Matter Recycling Regulation and Agricultural Land Commission Act that govern the biosolid regulatory process in the Province of British Columbia.

- The Ministry of Environment had started a review of OMRR two years ago but decided not to open up the regulation and make any changes.
- MOE has presented the biosolids regulation to RHAs at both Environmental Health Policy Advisory Committee and the Drinking Water Leadership Council in December 2012, and RHAs were to provide comments but did not.
- The Environmental Health Policy Advisory Committee, co-chaired by Perry and Arlene, can arrange to have further discussions about bio-solids regulation with the Ministry of Environment to help air concerns and strategize on how to support these often difficult community issues.

IHA Response To First Nations On Drinking Water Protection Order In Nicola Valley

- Since December 2014, Interior Health has been involved in significant public and political attention regarding the use of biosolids in the Merritt and Nicola Valley areas. This attention has included

media interviews, presenting at a public forum on Jan. 26, and briefing elected officials at the Thompson Nicola Regional District.

- On January 12, IH received a letter from the First Nation's Chiefs of the Nicola Valley regarding the application of biosolids within the Nlaka'pamux Territory. They request that all current activities cease and that no new notification proceed until the Crown and ministry regulators establish a meaningful dialogue. This letter references the Supreme Court of Canada's decision regarding the rights of Aboriginal title to manage the land and resources in a manner that fits the vision for the territory.
- Interior Health responded to the letter referring the First Nations leaders back to the Ministry of Environment as the agency that oversees the legislation covering biosolids. This includes the Organic Matter Recycling Regulation (OMRR) and the Environmental Management Act.
- A meeting of the 5 chiefs and the FNHA has been arranged for Wednesday April 29th. The agenda seems to be to give the chiefs a forum where their explicit concerns over health impacts can be heard and addressed. Dr Evan Adams and regional FNHA reps will be in attendance and Evan has committed to get an invitation to IHA.
- In addition to OMRR, under section 29 of the Drinking Water Protection Act, any person has a right to request an investigation by a drinking water officer if they consider there is a threat to their drinking water. The drinking water officer is obligated to consider this request and should be able to make a decision whether to initiate an investigation.
- Based on the evidence brought forward, if a drinking water officer deems that a potential threat exists, they will initiate an investigation.
- If the investigation finds a threat to drinking water, the drinking water officer can require any party causing the threat to mitigate the risk.
- The Nooaitch Indian Band had requested a section 29 investigation under the Drinking Water Protection Act.
- Interior Health has considered the information and will be sending a letter denying the request for an investigation.
- Based on the information available at this time, Interior Health finds the information does not warrant any further investigation of a threat to drinking water.

Benson, Stacey HLTH:EX

From: Paton, Arlene HLTH:EX
Sent: Friday, April 24, 2015 7:47 PM
To: Heinze, Laura R GCPE:EX
Cc: Jabs, Ryan GCPE:EX; Lambert, Tim HLTH:EX
Subject: RE: Heads Up - Biosolids

Perfect, thanks Laura! Happy weekend all...

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
PO Box 9646 Stn Prov Govt
Victoria BC V8W 9P1
Tel: 250-952-1731

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From: Heinze, Laura R GCPE:EX
Sent: Friday, April 24, 2015 7:38 PM
To: Paton, Arlene HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Lambert, Tim HLTH:EX
Subject: Re: Heads Up - Biosolids

Thanks Arlene - not to worry, Have connected w Perry on it. Have a great night,
Laura

Sent from my iPhone

On Apr 24, 2015, at 7:12 PM, "Paton, Arlene HLTH:EX" <Arlene.Paton@gov.bc.ca> wrote:

Hi – just seeing this again and worried that no one got back to you, Laura. MoE is working on this with the Premier's office, very challenging situation. We think best that IHA not respond immediately as the situation may change over the next week or so. We've communicated with the MHO about this, but want to close the loop with you as well.

Perry has also responded to MTL's request that FNHA (Evan Adams) be pulled in and meet with the chiefs and that's happening this Wed. Apparently FNHA was already involved, according to MoE. Anyway, more news to come on this file – IHA should be cautious of taking any steps for a week or two – that's what we've told the MHO and Perry will give him a call next week to reconfirm.

Regards,

Arlene Paton

Assistant Deputy Minister
Population and Public Health
Ministry of Health
PO Box 9646 Stn Prov Govt
Victoria BC V8W 9P1
Tel: 250-952-1731

***Warning:** This email is intended only for the use of the individual or organization to whom it is addressed. It may contain information that is privileged or confidential. Any distribution, disclosure, copying, or other use by anyone else is strictly prohibited. If you have received this in error, please telephone or e-mail the sender immediately and delete the message.*

From: Lambert, Tim HLTH:EX
Sent: Thursday, April 23, 2015 5:29 PM
To: Zemanek, Michael HLTH:EX; Paton, Arlene HLTH:EX
Subject: FW: Heads Up - Biosolids

Fyi

From: Heinze, Laura R GCPE:EX
Sent: Thursday, April 23, 2015 4:32 PM
To: HLTH HAD Issues HLTH:EX; Kendall, Perry HLTH:EX; Lambert, Tim HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Plank, Sarah GCPE:EX; Lawrie, Hannah GCPE:EX; Frattaroli, Angela GCPE:EX
Subject: FW: Heads Up - Biosolids

Hi folks,

Heads up on this one – IH will be sending a letter to The Nooaitch Indian Band denying their request for a drinking water investigation.

Let me know if any concerns!
Laura

From: Swan, Michaela [<mailto:Michaela.Swan@interiorhealth.ca>]
Sent: Thursday, April 23, 2015 4:18 PM
To: Heinze, Laura R GCPE:EX; Plank, Sarah GCPE:EX; Jabs, Ryan GCPE:EX; May, Stephen GCPE:EX
Cc: XT:Lindsay, Darshan GCPE:IN
Subject: Heads Up - Biosolids

Good afternoon,

Please find a briefing note regarding a Health Protection statutory decision around biosolids in Merritt.

The Nooaitch Indian Band had requested an investigation of threat to drinking water under the Drinking Water Protection Act. Interior Health will be sending a letter denying their request for an investigation.

Please let me know as soon as possible if you have any questions or concerns

Michaela

MICHAELA SWAN

Communications Officer, IH West

INTERIOR HEALTH

office: 250.314.2100 ext 3750 | cell: 250.819.4258

IH QuickDial: 8-200-3750

<image001.png> <image002.png> <image003.png>

<BN_Merritt Biosolids Update_23Apr2015_final.doc>



Interior Health

IH Communications Briefing Note

April 23, 2015

Topic

Merritt Biosolids – Drinking Water Protection Act Investigation Request Denied

Background

- Since December 2014, Interior Health has been involved in significant public and political attention regarding the use of biosolids in the Merritt and Nicola Valley areas. This attention has included media interviews, presenting at a public forum on Jan. 26, and briefing elected officials at the Thompson Nicola Regional District.
- The community and local First Nations continues to protest, lobby various levels of government, and most recently occupied Premier Christy Clark's office in Kelowna.
- On January 12, IH received a letter from the First Nation's Chiefs of the Nicola Valley regarding the application of biosolids within the Nlaka'pamux Territory. They request that all current activities cease and that no new notification proceed until the Crown and ministry regulators establish a meaningful dialogue. This letter references the Supreme Court of Canada's decision regarding the rights of aboriginal title to manage the land and resources in a manner that fits the vision for the territory.
- Interior Health responded to the letter referring the First Nations leaders back to the Ministry of Environment as the agency that oversees the legislation covering biosolids. This includes the Organic Matter Recycling Regulation (OMRR) and the Environmental Management Act.
- IH – Health Protection staff attended a meeting with the Environment Minister and local First Nation representatives on Feb. 2 to discuss their concerns further.
- Throughout this time, Health Protection has established a tracking document to track complaints and calls related to biosolids. To date, ## complaints have been received. In response, Health Protection provides information on the process of biosolids and options for the complainant.
- On March 23, Interior Health received a request from the Nooaitch Indian Band for an investigation of a threat to drinking water under section 29 of the Drinking Water Protection Act (DWPA). This request is in regards to the Class B composting facility and biosolids land application plan located at 2988 Sunshine Valley Road near Merritt. The Nooaitch band is concerned that both the composting facility and land application activities will negatively impact their drinking water, which is supplied by two ground water wells.
- When these requests are received, Interior Health designates a statutory decision maker (Environmental Health Officer) to review the complaint and available information to determine the next steps.
- After reviewing the request from the Nooaitch Indian Band, applicable submissions and the legislation, the Environmental Health Officer concludes that the evidence and facts do not warrant a Section 29 Investigation of a threat to drinking water at this time.
- This is based on the following:
 - Since the composting facility and land application process are regulated by the OMRR, any prohibitions outlined in Sec 23(1) and 23(2) of the DWPA do not apply as it is clearly stated in Section 23 (3)(b) and 23(3)(c) of the DWPA that:
 - (3) The prohibitions in subsection (1) and (2) do not apply

(b) if the introduction or activity is authorized or required under an enactment or the person is otherwise acting with lawful authority, or
(c) in relation to an activity prescribed by regulation that is undertaken in accordance with any conditions prescribed by regulation.

- The land application plan for Sunshine Valley was received and there are no restrictions for the application of Class A biosolids or Class A compost within a watershed.
- The Class A biosolids will be applied as per the land application plan submitted by the Qualified Professional as required by section 7 of OMRR.
- IH also reviewed the Source Water Protection Plan completed by Kala Geosciences Ltd. (qualified professional) in April 2013. This information details that the two groundwater wells servicing the Nooaitch Indian Band are both considered not to be under the direct influence of surface water.
- The Source Water Protection Plan recommends that the source water protection areas are set at a specific area, and both the composting facility and biosolids land application are located outside of these areas.
- Finally, IH does recommend the wells providing water to Nooaitch Indian Band be evaluated for Groundwater at Risk of Containing Pathogens as per the provincial guidelines. It also recommends that a long-term water quality program be developed for the water system that includes both microbiological and chemical parameters, which is best practice for water source protection and the safety of public health.

Key Messages

- Interior Health is committed to the protection of human health through the appropriate management of organic matter, including biosolids. We have recently been requested to conduct an investigation under the Drinking Water Protection Act regarding the impacts of biosolids on Sunshine Valley Road to wells serving the Nooaitch Indian Band.
- Based on the information available at this time, Interior Health finds the information does not warrant any further investigation of a threat to drinking water.
- We understand the community is concerned about the safety of biosolids in the Merritt and Nicola Valley and based on the information available there are currently no known drinking water health hazards.

PREPARED FOR:	Manager, Public Affairs & VP Public Affairs
PREPARED BY:	Michaela Swan, Communications Officer, IH West
SPOKESPERSON:	TBD

Benson, Stacey HLTH:EX

From: Paton, Arlene HLTH:EX
Sent: Thursday, May 14, 2015 4:18 PM
To: Lambert, Tim HLTH:EX
Subject: Fw: Biosolids letter
Attachments: Section 29 Request - Nooaitch First Nations - final.pdf

Importance: High

Perry is handling this and asking for edits on this letter, but you should also be looped in.

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Heinze, Laura R GCPE:EX <Laura.Heinze@gov.bc.ca>
Sent: Thursday, May 14, 2015 3:46 PM
To: Paton, Arlene HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Plank, Sarah GCPE:EX
Subject: FW: Biosolids letter

Sorry Arlene – should have included you here.

From: Heinze, Laura R GCPE:EX
Sent: Thursday, May 14, 2015 3:34 PM
To: Kendall, Perry HLTH:EX; Brown, Stephen R HLTH:EX; Jabs, Ryan GCPE:EX; Plank, Sarah GCPE:EX
Cc: Lawrie, Hannah GCPE:EX
Subject: Biosolids letter
Importance: High

Hi all – attached is what I think is being considered the final letter. They are not providing this in advance but will be giving it to them at their meeting tomorrow. I've asked what time the meeting is at.

This has been changed, but it still feels a little problematic to me... Not sure that they would be open to further changes, however.

From: Swan, Michaela [<mailto:Michaela.Swan@interiorhealth.ca>]
Sent: Thursday, May 14, 2015 3:30 PM
To: Heinze, Laura R GCPE:EX
Subject:

MICHAELA SWAN

Communications Officer, IH West

INTERIOR HEALTH

office: 250.314.2100 ext 3750 | cell: 250.819.4258

IH QuickDial: 8-200-3750





Interior Health

May 15, 2015

Arlene Johnston
Administrator
2954 Shackelly Rd
Merritt, BC, V1K 1N9

Dear: Arlene Johnson

Re: Section 29 Investigation Request for Nooaitch Community Water System

This letter is provided in response to the request from the Nooaitch Indian Band for an investigation of a threat to drinking water under section 29 of the *Drinking Water Protection Act* (DWPA), received March 23, 2015.

The concerns that warranted this request were the possible impacts from the existing Class B composting facility and the Class A biosolids land application plan located at 2988 Sunshine Valley Rd., Merritt BC. The Nooaitch Indian Band is concerned that both the composting facility and land application activities will negatively impact their drinking water, which is supplied by two groundwater wells.

Both the composting facility and biosolids land application project are regulated by the *Organic Matter Recycling Regulation (OMRR)* (B.C. Reg. 18/2002). The composting facility was constructed and is operating as per the requirements outlined in Section 24 of the OMRR, and as such, the provisions of Sections 23 of the DWPA do not apply. The evidence provided has, therefore, been reviewed in terms of likelihood of causing a drinking water health hazard under Section 25 of the DWPA.

The biosolids land application project is limited to the application of Class A biosolids and Class A compost. The Class A biosolids will be applied as per the land application plan submitted by the Qualified Professional as required by section 7 of the OMRR. Under section 13 of the OMRR there are no volume restrictions for the distribution of Class A compost. Additionally there are no restrictions for the land application of either Class A biosolids or Class A compost within a watershed.

The *Source Water Protection Plan (SWPP)* completed by Kaia Geosciences LTD., in April of 2013 was also reviewed. In this document it is stated that the two wells being used (PW2 and PW3), are both considered not to be under the direct influence of surface water (Non-GWUDI). There was also chemical sampling conducted for the purposes of this report, and all parameters are within those set by the *Canadian Drinking Water Guidelines*. The SWPP recommends that the source water protection areas be set at an area of 100m around PW2, and 50m around PW3. Both the composting facility and biosolids land application project are located outside of these areas. The wells were not evaluated for *Groundwater at Risk of Containing Pathogens (GARP)* at this time, and it is recommended that this evaluation be conducted as per the Provincial guideline. It is also recommended that a long-term water quality monitoring program

Bus: (250) 851-7322 Fax: (250) 851-7341
Email: Jessy.Bhatti@interiorhealth.ca
Web: interiorhealth.ca

HEALTH PROTECTION
Less Risk ~ Better Health

Kamloops Health Unit
519 Columbia St.
Kamloops BC, V2B 5B2

be developed for the water system which should include both microbiological and chemical parameters.

After reviewing the written request for the investigation, applicable submissions and legislation, I have come to the conclusion that the evidence and facts do not warrant further investigation of a threat to drinking water at this time. If there is further evidence or facts that you would like to submit in relation to this request, please re-submit your application for an investigation of a threat to drinking, including this information.

Sincerely,



Jessy Bhatti, CPHI(C)
Environmental Health Officer
Interior Health

cc by email:

- Dr Rob Parker, *Medical Health Officer, Interior Health*
- Roger Parsonage, *Director Health Protection, Interior Health*
- Ivor Norlin, *Manager Health Protection, Interior Health*
- Robert Birtles, *Team Leader Health Protection, Interior Health*
- Christina Yamada, *Program Coordinator Health Protection, Interior Health*
- Michaela Swan, *Communications, Interior Health*
- Peter Mazey, *Manager, First Nations Health Authority*
- Casey Neathway, *Manager, First Nations Health Authority*
- David Lawrence, *Nooaitch Indian Band*

Benson, Stacey HLTH:EX

From: Heinze, Laura R GCPE:EX
Sent: Friday, May 15, 2015 10:49 AM
To: Kendall, Perry HLTH:EX; Lambert, Tim HLTH:EX; Zemanek, Michael HLTH:EX
Cc: Lawrie, Hannah GCPE:EX; Jabs, Ryan GCPE:EX; Plank, Sarah GCPE:EX; Frattaroli, Angela GCPE:EX
Subject: FW: Merrit Biosolids
Attachments: BN_Merritt Biosolids Update_15May2015_final.doc

Hi folks – Just FYI, an updated note from IH on this...

Laura Heinze
Manager, Media Relations – Ministry of Health
(250) 952-3387
(cell) 250-208-6295
Laura.Heinze@gov.bc.ca



Interior Health

IH Communications Briefing Note

May 15, 2015 - **UPDATED**

Topic

Merritt Biosolids – Drinking Water Protection Act Investigation Request Denied

Background

- Since December 2014, Interior Health has been involved in significant public and political attention regarding the use of biosolids in the Merritt and Nicola Valley areas. This attention has included media interviews, presenting at a public forum on Jan. 26, and briefing elected officials at the Thompson Nicola Regional District.
- The community and local First Nations continues to protest, lobby various levels of government, and most recently occupied Premier Christy Clark's office in Kelowna.
- On January 12, IH received a letter from the First Nation's Chiefs of the Nicola Valley regarding the application of biosolids within the Nlaka'pamux Territory. They request that all current activities cease and that no new notification proceed until the Crown and ministry regulators establish a meaningful dialogue. This letter references the Supreme Court of Canada's decision regarding the rights of aboriginal title to manage the land and resources in a manner that fits the vision for the territory.
- Interior Health responded to the letter referring the First Nations leaders back to the Ministry of Environment as the agency that oversees the legislation covering biosolids. This includes the Organic Matter Recycling Regulation (OMRR) and the Environmental Management Act.
- IH – Health Protection staff attended a meeting with the Environment Minister and local First Nation representatives on Feb. 2 to discuss their concerns further.
- Throughout this time, Health Protection has established a tracking document to track complaints and calls related to biosolids. To date, ## complaints have been received. In response, Health Protection provides information on the process of biosolids and options for the complainant.
- On March 23, Interior Health received a request from the Nooaitch Indian Band for an investigation of a threat to drinking water under section 29 of the Drinking Water Protection Act (DWPA). This request is in regards to the Class B composting facility and biosolids land application plan located at 2988 Sunshine Valley Road near Merritt. The Nooaitch band is concerned that both the composting facility and land application activities will negatively impact their drinking water, which is supplied by two ground water wells.
- When these requests are received, Interior Health designates a statutory decision maker (Environmental Health Officer) to review the complaint and available information to determine the next steps.
- After reviewing the request from the Nooaitch Indian Band, applicable submissions and the legislation, the Environmental Health Officer concludes that the evidence and facts do not warrant a Section 29 Investigation of a threat to drinking water at this time.
- Health Protection staff are meeting with the Nooaitch First Nation on May 15 to verbally communicate this decision.
- During this meeting IH will also recommend the wells providing water to Nooaitch Indian Band be evaluated for Groundwater at Risk of Containing Pathogens as per the provincial guidelines. It also recommends that a long-term water quality program be developed for the water system that

includes both microbiological and chemical parameters, which is best practice for water source protection and the safety of public health.

Key Messages

- Interior Health is committed to the protection of human health through the appropriate management of organic matter, including biosolids. We have recently been requested to conduct an investigation under the Drinking Water Protection Act regarding the impacts of biosolids on Sunshine Valley Road to wells serving the Nooaitch Indian Band.
 - Based on the information available at this time, Interior Health finds the information does not warrant any further investigation of a threat to drinking water.
 - We understand the community is concerned about the safety of biosolids in the Merritt and Nicola Valley and based on the information available there are currently no known drinking water health hazards.
-

PREPARED FOR:	Manager, Public Affairs & VP Public Affairs
PREPARED BY:	Michaela Swan, Communications Officer, IH West
SPOKESPERSON:	TBD

Benson, Stacey HLTH:EX

From: Paton, Arlene HLTH:EX
Sent: Tuesday, May 19, 2015 10:57 AM
To: Lambert, Tim HLTH:EX; Zemanek, Michael HLTH:EX
Cc: Cowan, Darynn HLTH:EX
Subject: FW: IH - Biosolids
Attachments: BN_Merritt Biosolids Update_15May2015_final.doc

Importance: High

Hi – this is urgent, as the PO is asking. Thanks

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
PO Box 9646 Stn Prov Govt
Victoria BC V8W 9P1
Tel: 250-952-1731

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From: Loiacono, Sabrina HLTH:EX
Sent: Tuesday, May 19, 2015 10:55 AM
To: Paton, Arlene HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Kendall, Kim LASS:EX
Subject: IH - Biosolids

Hi Arlene,

In short last Friday the Nooaitch First Nation and IH met to chat about the section 29 request. Please see the Attached BN for background.

What I'm looking to find out ASAP is how the meeting went, I have spoken to Dr. Kendall but I'm wondering if we can get a summary, who attended, what their reactions were. Did they accept the information that was given to them or did it sound like their concerns were not adequately addressed and they were not listened too. Also I need to know if IH has done any testing in the past 4 years. I would need it in chronological order. There is some confusion that IH did some testing under the Source Water Protection Plan (SWPP) completed by Kala Geosciences LTD., in April of 2013 (But I think that would have been ENV). It is my understanding that no testing was done.

S.

Sabrina Loiacono

Chief of Staff

Honourable Terry Lake

Minister of Health

250-953-3547

Email: sabrina.loiacono@gov.bc.ca

Please consider the environment before printing this email.



IH Communications Briefing Note

May 15, 2015 - UPDATED

Topic

Merritt Biosolids – Drinking Water Protection Act Investigation Request Denied

Background

- Since December 2014, Interior Health has been involved in significant public and political attention regarding the use of biosolids in the Merritt and Nicola Valley areas. This attention has included media interviews, presenting at a public forum on Jan. 26, and briefing elected officials at the Thompson Nicola Regional District.
- The community and local First Nations continues to protest, lobby various levels of government, and most recently occupied Premier Christy Clark's office in Kelowna.
- On January 12, IH received a letter from the First Nation's Chiefs of the Nicola Valley regarding the application of biosolids within the Nlaka'pamux Territory. They request that all current activities cease and that no new notification proceed until the Crown and ministry regulators establish a meaningful dialogue. This letter references the Supreme Court of Canada's decision regarding the rights of aboriginal title to manage the land and resources in a manner that fits the vision for the territory.
- Interior Health responded to the letter referring the First Nations leaders back to the Ministry of Environment as the agency that oversees the legislation covering biosolids. This includes the Organic Matter Recycling Regulation (OMRR) and the Environmental Management Act.
- IH – Health Protection staff attended a meeting with the Environment Minister and local First Nation representatives on Feb. 2 to discuss their concerns further.
- Throughout this time, Health Protection has established a tracking document to track complaints and calls related to biosolids. To date, ## complaints have been received. In response, Health Protection provides information on the process of biosolids and options for the complainant.
- On March 23, Interior Health received a request from the Nooaitch Indian Band for an investigation of a threat to drinking water under section 29 of the Drinking Water Protection Act (DWPA). This request is in regards to the Class B composting facility and biosolids land application plan located at 2988 Sunshine Valley Road near Merritt. The Nooaitch band is concerned that both the composting facility and land application activities will negatively impact their drinking water, which is supplied by two ground water wells.
- When these requests are received, Interior Health designates a statutory decision maker (Environmental Health Officer) to review the complaint and available information to determine the next steps.
- After reviewing the request from the Nooaitch Indian Band, applicable submissions and the legislation, the Environmental Health Officer concludes that the evidence and facts do not warrant a Section 29 Investigation of a threat to drinking water at this time.
- Health Protection staff are meeting with the Nooaitch First Nation on May 15 to verbally communicate this decision.
- During this meeting IH will also recommend the wells providing water to Nooaitch Indian Band be evaluated for Groundwater at Risk of Containing Pathogens as per the provincial guidelines. It also recommends that a long-term water quality program be developed for the water system that

includes both microbiological and chemical parameters, which is best practice for water source protection and the safety of public health.

Key Messages

- Interior Health is committed to the protection of human health through the appropriate management of organic matter, including biosolids. We have recently been requested to conduct an investigation under the Drinking Water Protection Act regarding the impacts of biosolids on Sunshine Valley Road to wells serving the Nooaitch Indian Band.
 - Based on the information available at this time, Interior Health finds the information does not warrant any further investigation of a threat to drinking water.
 - We understand the community is concerned about the safety of biosolids in the Merritt and Nicola Valley and based on the information available there are currently no known drinking water health hazards.
-

PREPARED FOR:	Manager, Public Affairs & VP Public Affairs
PREPARED BY:	Michaela Swan, Communications Officer, IH West
SPOKESPERSON:	TBD

Benson, Stacey HLTH:EX

From: Paton, Arlene HLTH:EX
Sent: Tuesday, May 19, 2015 2:42 PM
To: Loiacono, Sabrina HLTH:EX
Cc: Lambert, Tim HLTH:EX; Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX; Cowan, Darynn HLTH:EX; Zemanek, Michael HLTH:EX
Subject: Re: IH - Biosolids

FNHA has staff working with FNs on water systems, but would be careful not to set a precedent in paying for water testing if no indication that there's a problem. We can find out more on that front.

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
(250) 952-1731

On May 19, 2015, at 2:27 PM, Loiacono, Sabrina HLTH:EX <Sabrina.Loiacono@gov.bc.ca> wrote:

Thanks this is very very VERY helpful. Do FNHA have jurisdiction over testing? Or can they assist the FN with the testing?

S.

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Lambert, Tim HLTH:EX
Sent: Tuesday, May 19, 2015 2:18 PM
To: Paton, Arlene HLTH:EX
Cc: Loiacono, Sabrina HLTH:EX; Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX; Cowan, Dary HLTH:EX; Zemanek, Michael HLTH:EX
Subject: RE: IH - Biosolids

Hi Arlene

In addition to your remark below, I think it is important to note that IHA also does not have jurisdiction over the water system or to do an actual section 29 investigation as in the questions below: "IHA does not have jurisdiction over First Nation water systems and, as such, has not undertaken direct testing of the water systems over the past four years (or to their knowledge ever)."

Tim

From: Paton, Arlene HLTH:EX
Sent: Tuesday, May 19, 2015 2:14 PM
To: Lambert, Tim HLTH:EX
Cc: Loiacono, Sabrina HLTH:EX; Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX; Cowan, Darynn HLTH:EX; Zemanek, Michael HLTH:EX
Subject: Re: IH - Biosolids

So basically IH was suggesting to the FN that IH does not see any cause for concern, but if the FN is concerned they could test as they are the water supplier and the water system is on reserve (ie, federal) land.

Regards,

Ariene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
(250) 952-1731

On May 19, 2015, at 2:03 PM, Lambert, Tim HLTH:EX <Tim.Lambert@gov.bc.ca> wrote:

Hello Arlene and Sabrina

Below are the answers we have been able to get together. I understand IHA communications is working on bullets as well.

Let me know if this suffices?

Tim

How the meeting went and a summary, who attended, what their reactions were?

Attendees from IH were Jessy (?) and Ivor Norlin. Casey was in person representing FNHA with Fionna Gorman, Sylvia Struck, and Peter Masey by phone. Nooaitch staff took minutes, but IHA has not received them yet.

Did the Nooaitch accept the information that was given to them or did it sound like their concerns were not adequately addressed and they were not listened too?

If by "accept" that means the Nooaitch had their concerns fully addressed, no - it was clear they are not satisfied that they have been listed too and had their concerns fully addressed. They discussed the Section 29 and DWPA in context of the broader issues of healthy communities and sustainable water and air sheds. Although IHA believes they understood (but didn't agree with) where IHA was coming from.

They would like to know if IH has done any testing in the past 4 years. I would need it in chronological order.

The section 29 investigation request is in context of a First Nations water system. IHA does not have jurisdiction over First Nation water systems and, as such, has not undertaken direct testing of the water systems over the past four years (or to their knowledge ever).

Do regional Surface Water protection plans fall under the health authorities?

No. Source water protection is a multi-jurisdiction, multi-stakeholder responsibility depending on who is doing what on the land. Under the Drinking Water Protection Act, it is the water suppliers responsibility to assess and understand the risks in the watershed, and to provide treatment to mitigate those risks.

In the letter that IH did not send it talks about Section 25. What is a section 25.

Section 25 of the Drinking Water Protection Act says that a drinking water officer may make an order if the drinking water officer has reason to believe that a drinking water health hazard exists, or if there is a significant risk of an imminent drinking water health hazard.

The band was calling for an investigation under the Drinking Water Protection Act. That is section 29 of the Drinking Water Protection Act (noted below). Section 29 is a request that anyone who has evidence of a threat to drinking water can request the health authority investigate.

Info form IHA suggests that after reviewing the request from the Nooaitch Band, applicable submissions and the legislation, the Environmental Health Officer concluded that the evidence and facts do not warrant a Section 29 Investigation of a threat to drinking water at this time.

MOE says that they would not be in charge of testing. This seems strange as they approved?

Generally, proponents of an activity are required to test. For biosolids, it would be the proponent that would be required to do testing of the compost. See above, IHA did not test nor does the drinking water system fall under their jurisdiction.

From: Paton, Arlene HLTH:EX

Sent: Tuesday, May 19, 2015 1:10 PM

To: Loiacono, Sabrina HLTH:EX

Cc: Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX; Cowan, Darynn HLTH:EX; Lambert, Tim HLTH:EX

Subject: RE: IH - Biosolids

We'll get you the info shortly, Sabrina.

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
PO Box 9646 Stn Prov Govt
Victoria BC V8W 9P1
Tel: 250-952-1731

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From: Loiacono, Sabrina HLTH:EX

Sent: Tuesday, May 19, 2015 1:05 PM

To: Paton, Arlene HLTH:EX

Cc: Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX

Subject: Re: IH - Biosolids

Hi,

I have a meeting on this at 3 and any update or information you can provide would be helpful. I also have more questions around this. I'm trying to understand how this works...

Do regional Surface Water protection plans fall under the health authorities?

In the letter that IH did not send it talks about Section 25. What is a section 25.

ENV says that they would not be in charged of testing. This seems strange as they approved it.

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Loiacono, Sabrina HLTH:EX
Sent: Tuesday, May 19, 2015 11:13 AM
To: Paton, Arlene HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Perry Kendall (Perry.Kendall@gov.bc.ca); Foran, Grace E HLTH:EX
Subject: RE: IH - Biosolids

And sorry, I sent this to the wrong Kendall.

S.

From: Loiacono, Sabrina HLTH:EX
Sent: Tuesday, May 19, 2015 10:59 AM
To: Paton, Arlene HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Kendall, Kim LASS:EX; Foran, Grace E HLTH:EX
Subject: RE: IH - Biosolids

Sorry I should have looped Grace in on this email...

S.

From: Loiacono, Sabrina HLTH:EX
Sent: Tuesday, May 19, 2015 10:55 AM
To: Paton, Arlene HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Kendall, Kim LASS:EX
Subject: IH - Biosolids

Hi Arlene,

In short last Friday the Nooaitch First Nation and IH met to chat about the section 29 request. Please see the Attached BN for background.

What I'm looking to find out ASAP is how the meeting went, I have spoken to Dr. Kendall but I'm wondering if we can get a summary, who attended, what their reactions were. Did they accept the information that was given to them or did it sound like their concerns were not adequately addressed and they were not listened too. Also I need to know if IH has done any testing in the past 4 years. I would need it in chronological order. There is some confusion that IH did some testing under the Source Water Protection Plan (SWPP) completed by Kala Geosciences LTD., in April of 2013 (But I think that would have been ENV). It is my understanding that no testing was done.

S.

Sabrina Loiacono

Chief of Staff

Honourable Terry Lake

Minister of Health

250-953-3547

Email: sabrina.loiacono@gov.bc.ca

Please consider the environment before printing this email.

Benson, Stacey HLTH:EX

From: Loiacono, Sabrina HLTH:EX
Sent: Tuesday, May 19, 2015 3:54 PM
To: Lambert, Tim HLTH:EX; Paton, Arlene HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX; Cowan, Darynn HLTH:EX; Zemanek, Michael HLTH:EX
Subject: Re: IH - Biosolids

Can I get confirmation on that?

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Lambert, Tim HLTH:EX
Sent: Tuesday, May 19, 2015 3:53 PM
To: Loiacono, Sabrina HLTH:EX; Paton, Arlene HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX; Cowan, Darynn HLTH:EX; Zemanek, Michael HLTH:EX
Subject: RE: IH - Biosolids

Hi Sabrina

If I understand, why the Chiefs were not included in the IHA meeting?

We don't have that information, and I gather neither does IHA.

My guess would be that this was perhaps a technical meeting between IHA and the FN; and they decided not to attend.

Tim

From: Loiacono, Sabrina HLTH:EX
Sent: Tuesday, May 19, 2015 3:50 PM
To: Lambert, Tim HLTH:EX; Paton, Arlene HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX; Cowan, Darynn HLTH:EX; Zemanek, Michael HLTH:EX
Subject: Re: IH - Biosolids

Hello all (again),

Do you know why the chiefs were not included?

S.

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Lambert, Tim HLTH:EX
Sent: Tuesday, May 19, 2015 2:42 PM
To: Loiacono, Sabrina HLTH:EX; Paton, Arlene HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX; Cowan, Darynn HLTH:EX; Zemanek, Michael

HLTH:EX

Subject: RE: IH - Biosolids

Hi Sabrina

The question of jurisdiction (legal authority) with respect to FNs drinking water is complex.

There is a new federal FN drinking water Act and the application details are still being worked out. FNHA does not currently have jurisdiction over the drinking water although they play a role. I believe the jurisdiction still resides with the Federal government. The actual specifics on how this currently functions (legally) would require some effort to figure out.

Tim

From: Loiacono, Sabrina HLTH:EX

Sent: Tuesday, May 19, 2015 2:28 PM

To: Lambert, Tim HLTH:EX; Paton, Arlene HLTH:EX

Cc: Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX; Cowan, Darynn HLTH:EX; Zemanek, Michael HLTH:EX

Subject: Re: IH - Biosolids

Thanks this is very very VERY helpful. Do FNHA have jurisdiction over testing? Or can they assist the FN with the testing?

S.

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Lambert, Tim HLTH:EX

Sent: Tuesday, May 19, 2015 2:18 PM

To: Paton, Arlene HLTH:EX

Cc: Loiacono, Sabrina HLTH:EX; Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX; Cowan, Darynn HLTH:EX; Zemanek, Michael HLTH:EX

Subject: RE: IH - Biosolids

Hi Arlene

In addition to your remark below, I think it is important to note that IHA also does not have jurisdiction over the water system or to do an actual section 29 investigation as in the questions below: "IHA does not have jurisdiction over First Nation water systems and, as such, has not undertaken direct testing of the water systems over the past four years (or to their knowledge ever)."

Tim

From: Paton, Arlene HLTH:EX

Sent: Tuesday, May 19, 2015 2:14 PM

To: Lambert, Tim HLTH:EX

Cc: Loiacono, Sabrina HLTH:EX; Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX; Cowan, Darynn HLTH:EX; Zemanek, Michael HLTH:EX

Subject: Re: IH - Biosolids

So basically IH was suggesting to the FN that IH does not see any cause for concern, but if the FN is concerned they could test as they are the water supplier and the water system is on reserve (ie, federal) land.

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
(250) 952-1731

On May 19, 2015, at 2:03 PM, Lambert, Tim HLTH:EX <Tim.Lambert@gov.bc.ca> wrote:

Hello Arlene and Sabrina

Below are the answers we have been able to get together. I understand IHA communications is working on bullets as well.

Let me know if this suffices?

Tim

How the meeting went and a summary, who attended, what their reactions were?

Attendees from IH were Jessy (?) and Ivor Norlin. Casey was in person representing FNHA with Fionna Gorman, Sylvia Struck, and Peter Masey by phone. Nooaitch staff took minutes, but IHA has not received them yet.

Did the Nooaitch accept the information that was given to them or did it sound like their concerns were not adequately addressed and they were not listened too?

If by "accept" that means the Nooaitch had their concerns fully addressed, no - it was clear they are not satisfied that they have been listened too and had their concerns fully addressed. They discussed the Section 29 and DWPA in context of the broader issues of healthy communities and sustainable water and air sheds. Although IHA believes they understood (but didn't agree with) where IHA was coming from.

They would like to know if IH has done any testing in the past 4 years. I would need it in chronological order.

The section 29 investigation request is in context of a First Nations water system. IHA does not have jurisdiction over First Nation water systems and, as such, has not undertaken direct testing of the water systems over the past four years (or to their knowledge ever).

Do regional Surface Water protection plans fall under the health authorities?

No. Source water protection is a multi-jurisdiction, multi-stakeholder responsibility depending on who is doing what on the land. Under the Drinking Water Protection Act, it is the water suppliers responsibility to assess and understand the risks in the watershed, and to provide treatment to mitigate those risks.

In the letter that IH did not send it talks about Section 25. What is a section 25.

Section 25 of the Drinking Water Protection Act says that a drinking water officer may make an order if the drinking water officer has reason to believe that a drinking water health hazard exists, or if there is a significant risk of an imminent drinking water health hazard.

The band was calling for an investigation under the Drinking Water Protection Act. That is section 29 of the Drinking Water Protection Act (noted below). Section 29 is a request that anyone who has evidence of a threat to drinking water can request the health authority investigate.

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Generally, proponents of an activity are required to test. For biosolids, it would be the proponent that would be required to do testing of the compost. See above, IHA did not test nor does the drinking water system fall under their jurisdiction.

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Sent: Tuesday, May 19, 2015 1:10 PM
To: Loiacono, Sabrina HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX; Cowan, Darynn HLTH:EX; Lambert, Tim HLTH:EX
Subject: RE: IH - Biosolids

We'll get you the info shortly, Sabrina.

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
PO Box 9646 Stn Prov Govt
Victoria BC V8W 9P1
Tel: 250-952-1731

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From: Loiacono, Sabrina HLTH:EX
Sent: Tuesday, May 19, 2015 1:05 PM
To: Paton, Arlene HLTH:EX
Cc: Jabs, Ryan GCPE:EX; Kendall, Perry HLTH:EX; Foran, Grace E HLTH:EX
Subject: Re: IH - Biosolids

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From: Loiacono, Sabrina HLTH:EX
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To: Paton, Arlene HLTH:EX
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Subject: RE: IH - Biosolids

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Sent: Tuesday, May 19, 2015 10:59 AM
To: Paton, Arlene HLTH:EX
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Sent: Tuesday, May 19, 2015 10:55 AM
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Cc: Jabs, Ryan GCPE:EX; Kendall, Kim LASS:EX
Subject: IH - Biosolids

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What I'm looking to find out ASAP is how the meeting went, I have spoken to Dr. Kendall but I'm wondering if we can get a summary, who attended, what their reactions were. Did they accept the information that was given to them or did it sound like their concerns were not adequately addressed and they were not listened too. Also I need to know if IH has done any testing in the past 4 years. I would need it in chronological order. There is some confusion that IH did some testing under the Source Water Protection Plan (SWPP) completed by Kala Geosciences LTD., in April of 2013 (But I think that would have been ENV). It is my understanding that no testing was done.

S.

Sabrina Loiacono
Chief of Staff
Honourable Terry Lake
Minister of Health
250-953-3547
Email: sabrina.loiacono@gov.bc.ca
Please consider the environment before printing this email.

Benson, Stacey HLTH:EX

From: Zemanek, Michael HLTH:EX
Sent: Monday, May 25, 2015 11:09 AM
To: Lambert, Tim HLTH:EX
Cc: Chan, Jennifer K HLTH:EX
Subject: Biosolids Fact Sheet
Attachments: Biosolids Fact Sheet.docx

Tim, here is the biosolids fact sheet at your request. I'm not too sure about the last bullet. We heard there may be a study, but not sure who is leading it, so I just put "the province".

FACT SHEET

Biosolids in Merritt and Nicola Valley

ISSUE

Concerns raised by the First Nation's Chiefs of the Nicola Valley regarding the application of biosolids within the Nlaka'pamux Territory

KEY FACTS

- The Ministry of Environment oversees the legislation covering biosolids. This includes the Organic Matter Recycling Regulation (OMRR) and the Environmental Management Act.
- Since December 2014, Interior Health (IH) has been involved in significant public and political attention regarding the use of biosolids in the Merritt and Nicola Valley areas. This attention has included media interviews, presenting at a public forum on January 26, and briefing elected officials at the Thompson Nicola Regional District.
- On January 12, IH received a letter from the First Nation's Chiefs of the Nicola Valley regarding the application of biosolids within the Nlaka'pamux Territory. The letter requested that all current activities cease and that no new notification proceed until the Crown and ministry regulators establish a meaningful dialogue. This letter references the Supreme Court of Canada's decision regarding the rights of aboriginal title to manage the land and resources in a manner that fits the vision for the territory.
- The community and local First Nations continue to protest and lobby various levels of government, and recently occupied Premier Christy Clark's office in Kelowna.
- Interior Health Authority, Health Protection staff attended a meeting with the Environment Minister and local First Nation representatives on Feb. 2 to discuss their concerns further.
- On March 23, Interior Health received a request from the Nooaitch Indian Band for an investigation of a threat to drinking water under section 29 of the Drinking Water Protection Act (DWPA). The request was in regards to the Class B composting facility and biosolids land application plan located at 2988 Sunshine Valley Road near Merritt. The Nooaitch band is concerned that both the composting facility and land application activities will negatively impact their drinking water, which is supplied by two ground water wells.
- When these requests are received, Interior Health designates a statutory decision maker (Environmental Health Officer) to review the complaint and available information to determine the next steps.
- After reviewing the request from the Nooaitch Indian Band, applicable submissions and the legislation, the Environmental Health Officer concluded that the evidence and facts do not warrant a Section 29 investigation of a threat to drinking water at this time.
- Health Protection staff met with the Nooaitch First Nation on May 15 to verbally communicate this decision.
- During this meeting Interior Health also recommend the wells providing water to Nooaitch Indian Band be evaluated for Groundwater at Risk of Containing Pathogens as per the provincial guidelines. It also recommends that a long-term water quality program be developed for the water system that includes both microbiological and chemical parameters, which is best practice for water source protection and the safety of public health.
- The Province is developing an internal strategy to fund the First Nations' reasonable costs for participation in a scientific review of biosolids in the Nicola Valley.

FINANCIAL IMPLICATIONS (if not applicable please indicate N/A)

None

Approved by:

[name, program area]; [date approved]

[name], Finance and Corporate Services Division; [date approved] delete if N/A

FACT SHEET

[name], Health Sector Planning & Innovation Division; [date approved] delete if N/A

Benson, Stacey HLTH:EX

From: Paton, Arlene HLTH:EX
Sent: Thursday, May 28, 2015 11:47 AM
To: Lambert, Tim HLTH:EX
Subject: FW: Biosolids letter
Attachments: image001.png; ATT00001.htm; ATT00002.htm; image003.png; ATT00003.htm; Section 29 Request - Nooaitch First Nations - final.pdf; ATT00004.htm

Here's IH's letter.

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
PO Box 9646 Stn Prov Govt
Victoria BC V8W 9P1
Tel: 250-952-1731

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From: Zacharias, Mark ENV:EX
Sent: Tuesday, May 19, 2015 1:06 PM
To: Paton, Arlene HLTH:EX
Subject: Fwd: Biosolids letter

Here's what I have. Good luck.

Regards, Mark
250-415-6466

Begin forwarded message:

From: "Mitschke, Matt ENV:EX" <Matt.Mitschke@gov.bc.ca>
Date: May 19, 2015 at 12:45:39 PM PDT
To: "Zacharias, Mark ENV:EX" <Mark.Zacharias@gov.bc.ca>
Cc: "Halls, Lori D ENV:EX" <Lori.D.Halls@gov.bc.ca>
Subject: FW: Biosolids letter

Matt Mitschke
Chief of Staff to the Honourable Mary Polak
Minister of Environment
Office of the Minister

Province of British Columbia
T. 250-387-1187
F. 250-387-1356
Email matt.mitschke@gov.bc.ca

From: Murphy, Bernadette GCPE:EX
Sent: Thursday, May 14, 2015 3:37 PM
To: ENV Ministerial Assistants
Cc: Crebo, David GCPE:EX; Cotton, Brian GCPE:EX; Halls, Lori D ENV:EX
Subject: FW: Biosolids letter

FYI

From: Heinze, Laura R GCPE:EX
Sent: Thursday, May 14, 2015 3:34 PM
To: Crebo, David GCPE:EX; Murphy, Bernadette GCPE:EX; Cotton, Brian GCPE:EX
Cc: Jabs, Ryan GCPE:EX; Plank, Sarah GCPE:EX; Lawrie, Hannah GCPE:EX
Subject: Biosolids letter

Attached is what I think is the final IH letter. This will be provided to the First Nation at their meeting tomorrow.

From: Swan, Michaela [<mailto:Michaela.Swan@interiorhealth.ca>]
Sent: Thursday, May 14, 2015 3:30 PM
To: Heinze, Laura R GCPE:EX
Subject:

MICHAELA SWAN
Communications Officer, IH West
INTERIOR HEALTH
office: 250.314.2100 ext 3750 | cell: 250.819.4258
IH QuickDial: 8-200-3750



Interior Health

May 15, 2015

Arlene Johnston
Administrator
2954 Shackelly Rd
Merritt, BC, V1K 1N9

Dear: Arlene Johnson

Re: Section 29 Investigation Request for Nooaitch Community Water System

This letter is provided in response to the request from the Nooaitch Indian Band for an investigation of a threat to drinking water under section 29 of the *Drinking Water Protection Act (DWPA)*, received March 23, 2015.

The concerns that warranted this request were the possible impacts from the existing Class B composting facility and the Class A biosolids land application plan located at 2988 Sunshine Valley Rd., Merritt BC. The Nooaitch Indian Band is concerned that both the composting facility and land application activities will negatively impact their drinking water, which is supplied by two groundwater wells.

Both the composting facility and biosolids land application project are regulated by the *Organic Matter Recycling Regulation (OMRR)* (B.C. Reg. 18/2002). The composting facility was constructed and is operating as per the requirements outlined in Section 24 of the OMRR, and as such, the provisions of Sections 23 of the DWPA do not apply. The evidence provided has, therefore, been reviewed in terms of likelihood of causing a drinking water health hazard under Section 25 of the DWPA.

The biosolids land application project is limited to the application of Class A biosolids and Class A compost. The Class A biosolids will be applied as per the land application plan submitted by the Qualified Professional as required by section 7 of the OMRR. Under section 13 of the OMRR there are no volume restrictions for the distribution of Class A compost. Additionally there are no restrictions for the land application of either Class A biosolids or Class A compost within a watershed.

The *Source Water Protection Plan (SWPP)* completed by Kala Geosciences LTD., in April of 2013 was also reviewed. In this document it is stated that the two wells being used (PW2 and PW3), are both considered not to be under the direct influence of surface water (Non-GWUDI). There was also chemical sampling conducted for the purposes of this report, and all parameters are within those set by the *Canadian Drinking Water Guidelines*. The SWPP recommends that the source water protection areas be set at an area of 100m around PW2, and 50m around PW3. Both the composting facility and biosolids land application project are located outside of these areas. The wells were not evaluated for *Groundwater at Risk of Containing Pathogens (GARP)* at this time, and it is recommended that this evaluation be conducted as per the Provincial guideline. It is also recommended that a long-term water quality monitoring program

Bus: (250) 851-7322 Fax: (250) 851-7341
Email: Jessy.Bhatti@interiorhealth.ca
Web: interiorhealth.ca

HEALTH PROTECTION
Less Risk ~ Better Health

Kamloops Health Unit
519 Columbia St.
Kamloops BC, V2B 5B2

be developed for the water system which should include both microbiological and chemical parameters.

After reviewing the written request for the investigation, applicable submissions and legislation, I have come to the conclusion that the evidence and facts do not warrant further investigation of a threat to drinking water at this time. If there is further evidence or facts that you would like to submit in relation to this request, please re-submit your application for an investigation of a threat to drinking, including this information.

Sincerely,



Jessy Bhatti, CPHI(C)
Environmental Health Officer
Interior Health

cc by email:

- Dr Rob Parker, *Medical Health Officer, Interior Health*
- Roger Parsonage, *Director Health Protection, Interior Health*
- Ivor Norlin, *Manager Health Protection, Interior Health*
- Robert Birtles, *Team Leader Health Protection, Interior Health*
- Christina Yamada, *Program Coordinator Health Protection, Interior Health*
- Michaela Swan, *Communications, Interior Health*
- Peter Mazey, *Manager, First Nations Health Authority*
- Casey Neathway, *Manager, First Nations Health Authority*
- David Lawrence, *Nooaitch Indian Band*

Benson, Stacey HLTH:EX

From: Kendall, Perry HLTH:EX
Sent: Wednesday, August 19, 2015 1:43 PM
To: Henry, Bonnie HLTH:EX; Brownsey, Silas HLTH:EX; Lambert, Tim HLTH:EX
Subject: FW: Heads up -- biosolids

Importance: High

FYI

P. R. W. Kendall
OBC, MBBS, MSc, FRCPC
Provincial Health Officer
Ministry of Health
Physical Address: 4th Floor, 1515 Blanshard Street
Mailing Address: PO Box 9648, STN PROV GOVT
Victoria BC V8W 9P4
Phone: 250 952-1330 Fax: 250 952-1362
Email: perry.kendall@gov.bc.ca

From: Heinze, Laura R GCPE:EX
Sent: Wednesday, August 19, 2015 1:41 PM
To: Kendall, Perry HLTH:EX; Brown, Stephen R HLTH:EX; Stevenson, Lynn HLTH:EX
Cc: Lawrie, Hannah GCPE:EX; Henry, Bonnie HLTH:EX
Subject: FW: Heads up -- biosolids
Importance: High

FYI

From: Heinze, Laura R GCPE:EX
Sent: Wednesday, August 19, 2015 1:40 PM
To: hlth Ministerial and Executive Assistants
Cc: Lawrie, Hannah GCPE:EX; Thistle-Walker, Carlene GCPE:EX; MacDougall, Cindy GCPE:EX
Subject: Heads up -- biosolids
Importance: High

Hi folks,

Heads up if you haven't heard yet -- Elizabeth Dybikowski and the Millers Sunshine Valley Estate Society has filed a petition with the Supreme Court of Canada against Interior Health around their allowing of the Merritt Biosolids. They have until Sept. 4 to respond.

They are finalizing an IN and will have to us shortly. They also already have a media request on it, so will be public shortly.

Laura

Laura Heinze

Manager, Media Relations – Ministry of Health

(250) 952-3387

(cell) 250-208-6295

Laura.Heinze@gov.bc.ca

Benson, Stacey HLTH:EX

From: Lawrie, Hannah GCPE:EX
Sent: Wednesday, September 2, 2015 10:10 AM
To: Lambert, Tim HLTH:EX; Kendall, Perry HLTH:EX; Zemanek, Michael HLTH:EX
Subject: RE: FOR REVIEW: Merritt biosolids

Thanks Tim – I'll add that in.

Hannah
Office: 250 952 2475
Cell: 250 507 1340

From: Lambert, Tim HLTH:EX
Sent: Wednesday, September 2, 2015 10:07 AM
To: Lawrie, Hannah GCPE:EX; Kendall, Perry HLTH:EX; Zemanek, Michael HLTH:EX
Subject: RE: FOR REVIEW: Merritt biosolids

Hi Lawrie

I recommend one change at the beginning for clarity:

- The application of biosolids is governed under the Organic Matter Recycling Regulation (OMRR), a joint regulation under both the Environmental Management Act and the Public Health Act and administered by the Ministry of Environment.

Tim

From: Lawrie, Hannah GCPE:EX
Sent: Wednesday, September 2, 2015 9:27 AM
To: Kendall, Perry HLTH:EX; Zemanek, Michael HLTH:EX; Lambert, Tim HLTH:EX
Subject: RE: FOR REVIEW: Merritt biosolids

Thanks all!

From: Kendall, Perry HLTH:EX
Sent: Wednesday, September 2, 2015 9:17 AM
To: Zemanek, Michael HLTH:EX; Lambert, Tim HLTH:EX
Cc: Lawrie, Hannah GCPE:EX
Subject: RE: FOR REVIEW: Merritt biosolids

Thanks. Looks good.
PK

P. R. W. Kendall
OBC, MBBS, MSc, FRCPC
Provincial Health Officer
Ministry of Health
Physical Address: 4th Floor, 1515 Blanshard Street

Mailing Address: PO Box 9648, STN PROV GOVT
Victoria BC V8W 9P4
Phone: 250 952-1330 Fax: 250 952-1362
Email: perry.kendall@gov.bc.ca

From: Zemanek, Michael HLTH:EX
Sent: Wednesday, September 2, 2015 9:15 AM
To: Kendall, Perry HLTH:EX; Lambert, Tim HLTH:EX
Cc: Lawrie, Hannah GCPE:EX
Subject: RE: FOR REVIEW: Merritt biosolids

...and now....with the attachment!

From: Zemanek, Michael HLTH:EX
Sent: Wednesday, September 2, 2015 9:15 AM
To: Kendall, Perry HLTH:EX; Lambert, Tim HLTH:EX
Cc: Lawrie, Hannah GCPE:EX
Subject: RE: FOR REVIEW: Merritt biosolids

I've made some edits to the information after speaking with Interior Health. Also needed a bit of clarification on the role of MoE. The rest is just moving sections around for readability.

Over to Tim and Perry for approval.

Mike

From: Lawrie, Hannah GCPE:EX
Sent: Tuesday, September 1, 2015 2:30 PM
To: Zemanek, Michael HLTH:EX; Kendall, Perry HLTH:EX; Zemanek, Michael HLTH:EX
Subject: FOR REVIEW: Merritt biosolids

Hi all,
In advance of the upcoming session, we're updating our issues notes. Could you please have a look at this one and let me know of any edits/updates?
Thanks!

Hannah Lawrie | Sr. Public Affairs Officer
Government Communications & Public Engagement
Ministry of Health
Office 250 952-2475
Cell 250 507-1340

ADVICE TO MINISTER

<p>CONFIDENTIAL ISSUES NOTE</p> <p>Ministry: Health</p> <p>Date: Sept. 1, 2015</p> <p>Minister Responsible: Terry Lake</p>	<p><u>Merritt Biosolids – Organic Matter Recycling Regulation and Drinking Water Protection Act Investigation Request Denied</u></p>
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BACKGROUND REGARDING THE ISSUE:

- Biosolids are nutrient rich solid organic materials obtained from wastewater treatment processes and can be used for fertilizer.
- The application of biosolids is governed under the Organic Matter Recycling Regulation (OMRR), a joint regulation under both the Environmental Management Act and the Public Health Act.
- Proponents interested in applying biosolids greater than five cubic meters, are required to notify both a director with the Ministry of Environment (MOE) and a Medical Health Officer in the appropriate health authority. MOE reviews applications and develops land application standards for human health and ecological protection and Interior Health reviews the information for any additional human health concerns.
- On August 14, Interior Health (IH) was notified of a Petition to the Supreme Court of British Columbia requesting a review of the decision by Anita Ely, Environmental Health Officer, decision under the OMRR for the biosolids notification to proceed on the Dry Lake application, also known as Woodward Road.
- The petitioner, Elizabeth Dybikowski and Miller's Sunshine Valley Estates Society, is requesting the following orders:
 - "Set aside the June 4, 2015 decision of Anita Ely pursuant to section 22(4) of the Organic Matter Recycling Regulation, BC Reg 18/2002"
 - "An order remitting the Decision for further review and redetermination by the Medical Health Officer with jurisdiction in light of this Court's reasons and any directions"
 - "An order directing that the May 4, 2015 Biosolids Land Application Plan of AM-2 Ventures Ltd. not proceed pending the redetermination noted in item 2, above."
 - "Costs."
- This comes after IH's Environmental Health Officer determined on June 4 that a proposal to apply bio-solids on a property above Woodward Road in the Merritt area would not cause a risk to human health, based on current evidence, and therefore, could proceed.
- Interior Health has secured counsel for this petition, and is formulating a response for the 21 day deadline of September 4.
- ~~Biosolids are nutrient rich organic materials obtained from wastewater treatment (sludge) and can be used for fertilizer.~~
- ~~The application of biosolids is governed under the Organic Matter Recycling Regulation, a joint regulation under both the Environmental Management Act and the Public Health Act.~~
- ~~As a result, proponents interested in applying biosolids greater than five cubic meters, are required to notify both the Ministry of Environment, and Interior Health (through the Medical Health Officer). MOE reviews for environmental considerations, and Interior Health, from a human health perspective.~~

- At Interior Health, the authority to review these applications has been is-delegated from the Medical Health Officer to the Environmental Health Officer.
- Under OMRR, ~~The Medical Health Officer (or delegated authority) may provide direction within 30 calendar days to the proponent that they of a may proceed,~~ "must not proceed" or "may proceed subject to conditions specified by the MHO".
- When Interior Health receives an application, an Environmental Health Officer reviews whether the human health risks have been adequately considered by the Qualified Professionals preparing the plan, taking into account the type of material being applied and the detailed location of the application. This includes evaluating the hazardousness of the product (from a chemical, physical and microbiological perspective), the likelihood to move through the environment and enter into humans, the probable exposure concentrations to humans, and the likelihood of adverse health effects. Consideration is also given to the population at risk (vulnerable populations) and the length of exposure.
- Interior Health receives approximately 20 – 25 applications each year.
- The application of biosolids is not new, and has been ongoing in the Nicola Valley for some time.
- Since December 2014 there has been increasing public and media interest triggered by the regulatory application for Dry Lake (a.k.a. Woodward Road). This includes local residents of Miller Estates-~~raised,~~ a group identified as The Friends of the Nicola Valley, and local First Nations who would all like to see an end to the use of biosolids in the Nicola Valley. The First Nations have gone further to request a moratorium on the application of biosolids on traditional lands.
- In July, the Suzuki Foundation also expressed concern about the human health impacts of biosolids and funded and completed testing of land applied biosolids in the area – this garnered significant media attention, IH received no media requests.
- Through this period of increased attention to the use of biosolids Interior Health has been involved in
 - reviewing notifications of biosolid land applications under OMRR,
 - responding to public health complaints under the Public Health Act
 - responding to requests for investigations under the Drinking Water Protection Act.
- The work described above has ~~all predominately~~ been related to the Dry Lake (Woodward Road) Application, Sunshine Valley Class B composting site near Merritt, and most recently the Blackwell Dairy biosolids operation east of Kamloops.
- Interior Health has also been sharing information with local governments, the First Nations Health Authority and the Ministry of Environment regarding IH's involvement in biosolids.

ADVICE AND RECOMMENDED RESPONSE:

- **I understand the Nooaitch Indian Band requested that Interior Health conduct an investigation of the impact of applying the bio-solids to land ~~composting facility near in Merritt and in the Nicola Valley~~ on the quality of their drinking water, under the Drinking Water Protection Act.**
- ~~Specifically the Band requested that Interior Health review any potential impact that the composting facility might be having on the drinking wells servicing that area.~~
- **In reviewing the Nooaitch request, Interior Health's Health Officers, on the basis of a 2013 third party assessment, determined that there is inadequate re**

ADVICE TO MINISTER

~~evidence of a drinking water health hazard no-risk to human health, as well water is not affected by the bio-solids operation; therefore, to warrant an further investigation at this time was not warranted.~~

- ~~Health authority~~ Interior Health drinking water officials have met with the Band representatives and provided a letter to explaining this position.
- The Ministry of Environment is establishing a Technical Working Group to conduct a scientific review on the use of biosolids in the Nicola Valley, which includes representatives from Interior Health.
- The scientific review will focus on:
 - Developing a monitoring and testing regime for biosolids in Nicola Valley
 - Reviewing the effectiveness of the current requirement for a Land Application Plan; and
 - Reviewing research on how biosolids impact humans and wildlife and determine if any monitoring or testing is required.
- Recommendations stemming from the review are expected later this fall and will be made public.
- I know that Interior Health and the First Nations Health Authority will continue to work with the Band to help resolve any outstanding concerns they may have.

Communications Contact:
Hannah Lawrie

Reviewer:

Program Area Contact: Tim
Lambert, Michael Zemanek,
Perry Kendall

File Created: Sept. 1, 2015

File Updated:

Minister's Office	Program Area	Deputy	HLTH Communications

Benson, Stacey HLTH:EX

From: Paton, Arlene HLTH:EX
Sent: Thursday, September 3, 2015 7:33 PM
To: Lambert, Tim HLTH:EX
Subject: FW: Biosolids media

Did you see this?

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
PO Box 9646 Stn Prov Govt
Victoria BC V8W 9P1
Tel: 250-952-1731

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From: Kendall, Perry HLTH:EX
Sent: Monday, August 24, 2015 5:42 PM
To: XT:Corneil, Trevor Dr. HLTH:IN; Henry, Bonnie HLTH:EX; Paton, Arlene HLTH:EX
Cc: 'Martin.McMahon@interiorhealth.ca'; XT:HLTH Halpenny, Robert
Subject: Re: Biosolids media

Thx Trevor. I think we should bring this to EHPAC I have copied Arlene on this suggestion.

Perry
P. R. W. Kendall
OBC, MBBS, MSc, FRCPC
Provincial Health Officer
Ministry of Health
Physical address: 4th Floor, 1515 Blanshard Street
Mailing Address: PO Box 9648 STN PROV GOVT
Victoria BC V8W 9P4
Phone: 250 952-1330
Fax: 250 952-1570

perry.kendall@gov.bc.ca
<http://www.health.gov.bc.ca/pho>

From: Corneil, Dr. Trevor [<mailto:Trevor.Corneil@interiorhealth.ca>]
Sent: Monday, August 24, 2015 05:32 PM
To: Kendall, Perry HLTH:EX; Henry, Bonnie HLTH:EX
Cc: McMahon, Martin <Martin.McMahon@interiorhealth.ca>; XT:HLTH Halpenny, Robert

Subject: Biosolids media

Hi Perry and Bonnie, you may already be aware but if not FYI ...

- Residents from Sunshine Valley Estates near Merritt have filed a Petition for a Review by Appeal to BC Supreme Court wrt a decision by one of our EHO's working under my delegation related to biosolids application.
- A private proponent had requested the opinion of IH re risk to human health from biosolids per their duty under OMR regs. The EHO reviewed all information available and made the decision that current or foreseen risks to human health were minimal, and therefore biosolids application could proceed. The local residents the asked for a second review by IH regarding the potential risk, and the decision was the same. The EHO also provided advice on how to monitor their water and the role of the purveyor.

- s.13

- s.13

While we're dealing with the court case, would you mind looking into how the ministries might work together moving forward? Note that the next Review by Appeal in Merritt will likely involve the local FN...

Thanks so much, Trevor

Trevor Corneil BA MD MHSc FCFP FRCPC

Chief Medical Health Officer & Head Regional Department of Public Health | Interior Health

Clinical Professor School of Population and Public Health | UBC

Contact 250 868 cell 6506 | tel 7849 | fax 7826 | admin 7729 Linda.Stajduhar@interiorhealth.ca

www.interiorhealth.ca/AboutUs/Leadership/Pages/MHO.aspx

This email is confidential, and is not for use by anyone other than the intended recipient.

Benson, Stacey HLTH:EX

From: McGuire, Jennifer ENV:EX
Sent: Friday, September 4, 2015 3:49 PM
To: Zacharias, Mark ENV:EX; Ord, Kris ENV:EX
Cc: Roome, Robyn ENV:EX
Subject: Fw: Biosolids Questions - Hospital visits?

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Corneil, Dr. Trevor
Sent: Friday, September 4, 2015 3:37 PM
To: McGuire, Jennifer ENV:EX; Golmohammadi, Dr. Kamran; XT:HLTH Parsonage, Roger
Subject: RE: Biosolids Questions - Hospital visits?

Hi Jennifer, not in Kamloops but there is evidence of that possibility in the literature. As such we recommend that safe waste management and land use practices are undertaken by all proponents, and that residents and water purveyors follow standard potable water practices which include a comprehensive source to tap approach including screening and testing. Best, Trevor

Trevor Corneil BA MD MHSc FCFP FRCPC

Chief Medical Health Officer & Head Regional Department of Public Health | Interior Health

Clinical Professor School of Population and Public Health | UBC

Contact 250 868 cell 6506 | tel 7849 | fax 7826 | admin 7729 Linda.Stajduhar@interiorhealth.ca

www.interiorhealth.ca/AboutUs/Leadership/Pages/MHO.aspx

This email is confidential, and is not for use by anyone other than the intended recipient.

From: McGuire, Jennifer ENV:EX [<mailto:Jennifer.McGuire@gov.bc.ca>]

Sent: Friday, September 04, 2015 12:07 PM

To: Golmohammadi, Dr. Kamran; Parsonage, Roger

Cc: Corneil, Dr. Trevor

Subject: RE: Biosolids Questions - Hospital visits?

Thank-you very much for this response.

Hello Dr Corneil,

Wondering if you have any additional information which would help me answer Minister Lake's question about any known instances of people experiencing health related effects due to biosolids.

Thanks

Jennifer McGuire, P.Ag.

Executive Director

Regional Operations Branch

Environmental Protection Division

Ministry of Environment

Cell 250-361-5944

Surrey 604-582-5284

Victoria 250-356-6027

From: Golmohammadi, Dr. Kamran [<mailto:Kamran.Golmohammadi@interiorhealth.ca>]

Sent: Friday, September 4, 2015 12:01 PM

To: XT:HLTH Parsonage, Roger; McGuire, Jennifer ENV:EX

Cc: XT:Corneil, Trevor Dr. HLTH:IN

Subject: RE: Biosolids Questions - Hospital visits?

Hi Roger and Jennifer,

I am not aware of any assessment done related to "hospital or doctor visits due to respiratory or other health issues related to biosolids in Kamloops". If you have a specific hypothesis in mind, I would be interested in learning more about it.

I am CCing Dr. Trevor Corneil our Chief Medical Health Officer, who is working with IH for response to a petition regarding biosolids application in our region.

Sincerely

Kamran

Kamran Golmohammadi MD MSc FRCPC

Medical Health Officer | Interior Health

Clinical Assistant Professor | School of Population and Public Health, UBC

1340 Ellis Street | Kelowna, BC Canada V1Y 9N1

Phone: 250 868 7813

Fax: 250 868 7826

Email: Kamran.Golmohammadi@interiorhealth.ca

Web: <http://www.interiorhealth.ca/AboutUs/Leadership/Pages/MHO.aspx>

From: Parsonage, Roger

Sent: Friday, September 04, 2015 11:24 AM

To: McGuire, Jennifer ENV:EX; Golmohammadi, Dr. Kamran

Subject: RE: Biosolids Questions - Hospital visits?

Hi Jennifer,

I wasn't aware of biosolids concerns in Kamloops – is this a separate issue from what we are dealing with in the Nicola Valley? By copy of this email, I will ask our MHO's to provide an answer. Thanks.

From: McGuire, Jennifer ENV:EX [<mailto:Jennifer.McGuire@gov.bc.ca>]

Sent: Friday, September 04, 2015 11:06 AM

To: Parsonage, Roger

Cc: John, Barb ENV:EX; Zacharias, Mark ENV:EX; Roome, Robyn ENV:EX

Subject: Biosolids Questions - Hospital visits?

Hi Roger,

Mark Z (ADM) and I were just on a call with Ministers Lake and Stone regarding biosolids concerns in Kamloops. I am seeking any information that you can find on number of/stats related to hospital or doctor visits due to respiratory or other health issues related to biosolids in Kamloops.

Hoping you can help find this answer.

thanks

Jennifer McGuire, P.Ag.

Executive Director

Regional Operations Branch

Environmental Protection Division

Ministry of Environment

Cell 250-361-5944

Surrey 604-582-5284

Victoria 250-356-6027

Benson, Stacey HLTH:EX

From: Lawrie, Hannah GCPE:EX
Sent: Tuesday, January 19, 2016 4:04 PM
To: Zemanek, Michael HLTH:EX
Cc: Lambert, Tim HLTH:EX
Subject: RE: FOR REVIEW: Biosolids session note

Thanks!

From: Zemanek, Michael HLTH:EX
Sent: Tuesday, January 19, 2016 4:03 PM
To: Lawrie, Hannah GCPE:EX
Cc: Lambert, Tim HLTH:EX
Subject: RE: FOR REVIEW: Biosolids session note

Hi Hannah, looks good from our standpoint.

Regards,

Mike Zemanek, M.Sc. P.Eng.
Director
Healthy Community Environments
B.C. Ministry of Health
PO BOX 9646 Stn Prov Govt
Victoria BC V8W 9P1

ph.: 250-952-2372
e-mail: Michael.Zemanek@gov.bc.ca

From: Lawrie, Hannah GCPE:EX
Sent: Monday, January 18, 2016 3:26 PM
To: Zemanek, Michael HLTH:EX; Lambert, Tim HLTH:EX; Benson, Rupert HLTH:EX
Subject: FOR REVIEW: Biosolids session note

Hi all,
I worked off of Interior's most recent BN to update this note for the upcoming session. Any edits?
Thanks!

Hannah Lawrie | Sr. Public Affairs Officer
Government Communications & Public Engagement
Ministry of Health
Office 250 952-2475
Cell 250 507-1340

ADVICE TO MINISTER

CONFIDENTIAL ISSUES NOTE

Ministry: Health

Date: Jan. 4, 2016

Minister Responsible: Terry Lake

Merritt Biosolids – Organic Matter Recycling Regulation and Drinking Water Protection Act Investigation Request Denied

BACKGROUND REGARDING THE ISSUE:

- Biosolids are nutrient rich solid organic materials obtained from wastewater treatment processes and can be used for fertilizer. The application of biosolids is not new and has been ongoing in the Nicola Valley for some time.
- The application of biosolids is governed under the Organic Matter Recycling Regulation (OMRR), a joint regulation under both the Environmental Management Act and the Public Health Act and administered by the Ministry of Environment.
- Proponents interested in applying biosolids greater than five cubic meters are required to notify both a director with the Ministry of Environment (MOE) and a Medical Health Officer in the appropriate health authority. MOE reviews applications for compliance with OMRR standards related to human health and ecological protection and the health authority reviews for any additional human health concerns.

WOODWARD ROAD/DRY LAKE (NICOLA VALLEY)

- In June 2015, Interior Health determined that based on the evidence, a proposal to apply biosolids on a property above Woodward Road in the Merritt area would not cause a risk to human health, and therefore, can proceed.
- However, in recognition of ongoing community concern about the application of biosolids in the region, Interior Health has recommended to the proponent to initiate a dialogue with the community. This would be in keeping with best management practices that support a healthy community.
- The proposal is to apply biosolids from July until December, 2015. This application has now expired.
- In August 2015, IH was served a petition in the Supreme Court of BC requesting a judicial review of the decision by Environmental Health Officer (EHO) Anita Ely on this notification. The petition challenges the EHO's authority, the fact the decision was evidence based, as well as her professional conduct as she has provided guidance to biosolids companies in the line of her work.
- Interior Health is disputing these claims in court with legal counsel, no date has been set.
- Since the filing of the petition, Interior Health has received a request from the Sunshine Valley Estates Society for an investigation of a threat to drinking water under section 29 of the Drinking Water Protection Act (DWPA). The responsible Drinking Water Officer continues to consult with the Sunshine Valley Estates Society regarding their concerns articulated in the section 29 request.
- Note: the application that generated the Sunshine Valley Estates Society's concerns expired without the application of biosolids. A homeowner's group purchased property above Woodward Road and plans to prevent application of biosolids.

BLACKWELL DAIRY FARM (KAMLOOPS)

- In August 2014, Interior Health determined that based on the evidence, a proposal to apply biosolids on property at Blackwell Dairy would not cause a risk to human health, and therefore, can proceed.
- In August 2015, Interior Health received complaints from Kamloops residents of health concerns related to the biosolids application. Interior Health has been in further contact with the residents and to date has not found any evidence of adverse health effects from the operation. Blackwell Dairy relocated a sawdust pile on site under the direction of the City. No further complaints have been received.
- In November 2015, Interior Health received notice of proposal to continue applying biosolids to the Blackwell Dairy property.

SUNSHINE VALLEY ROAD COMPOSTING FACILITY (NICOLA VALLEY)

- In March 2015, Interior Health received a request from the Nooaitch Indian Band for an investigation of a threat to drinking water under section 29 of the DWPA. This related to a Class B composting facility and biosolids land application plan located at 2988 Sunshine Valley Road near Merritt. The First Nation expressed concern that both the composting facility and land application activities would negatively impact their drinking water, which is supplied by two ground water wells.
- Interior Health reviewed the information, and it was determined that the evidence and facts did not warrant a Section 29 investigation of a threat to drinking water. This information was relayed to the First Nation in a face-to-face meeting in May and a subsequent letter dated August 10, 2015.

DISCUSSION/ADVICE:

- Since December 2014, there has been increasing public and media interest triggered by the regulatory application for Dry Lake (a.k.a. Woodward Road). This includes local residents of Miller Estates, a group identified as The Friends of the Nicola Valley, and local First Nations who would all like to see an end to the use of biosolids in the Nicola Valley. The First Nations have gone further to request a moratorium on the application of biosolids on traditional lands.
- In July 2015, the Suzuki Foundation funded testing of land applied biosolids in the area and say they found at least 10 chemicals above provincial standards. This study garnered significant media attention.

ADVICE AND RECOMMENDED RESPONSE:

- I understand the Nooaitch Indian Band requested that Interior Health conduct an investigation of the impact of applying biosolids to land near Merritt and in the Nicola Valley on the quality of their drinking water, under the Drinking Water Protection Act.
- In reviewing the Nooaitch request, Interior Health determined that there is inadequate evidence of a drinking water health hazard to warrant further investigation at this time.
- Interior Health drinking water officials have met with the Band representatives and provided a letter explaining this position.
- The Ministry of Environment has established a Biosolids Scientific Review process to examine the use of biosolids in the Nicola Valley. The process includes a Principals Table, and Advisory Committee and a Technical Working group. Representatives from Interior Health Authority are on the Advisory Committee and the Technical Working Group.

ADVICE TO MINISTER

- The scientific review will focus on:
 - Developing a monitoring and testing regime for biosolids in Nicola Valley
 - Reviewing the effectiveness of the current requirement for a Land Application Plan; and
 - Reviewing research on how biosolids impact humans and wildlife and determine if any monitoring or testing is required.
- Recommendations stemming from the review are expected this year and will be made public.
- I know that Interior Health and the First Nations Health Authority will continue to work with the Band to help resolve any outstanding concerns they may have.

Communications Contact:

Hannah Lawrie

Program Area Contact: Tim

Lambert, Michael Zemanek,

Perry Kendall

File Created: Sept. 1, 2015;

File Updated: Nov. 24, 2015;

Jan. 4, 2016

Reviewer:

Minister's Office	Program Area	Deputy	HLTH Communications

Benson, Stacey HLTH:EX

From: Heinze, Laura R GCPE:EX
Sent: Friday, February 5, 2016 1:05 PM
To: Henry, Bonnie HLTH:EX; Lambert, Tim HLTH:EX
Cc: Lawrie, Hannah GCPE:EX
Subject: FW: Media Request - CFJC TV - Biosolids spill

FYI

From: Swan, Michaela [<mailto:Michaela.Swan@interiorhealth.ca>]
Sent: Friday, February 5, 2016 12:54 PM
To: XT:Lindsay, Darshan GCPE:IN; Heinze, Laura R GCPE:EX
Cc: Plank, Sarah GCPE:EX; Lawrie, Hannah GCPE:EX
Subject: RE: Media Request - CFJC TV - Biosolids spill

Good afternoon,

MoE contacted IH late yesterday afternoon to advise of an accident near Big Bar (6.2 km north of Big Bar Ranch) that involved the rollover of a biosolids truck into Big Bar Creek. IH Health Protection has been monitoring the situation, with information from the company and environmental company supporting the clean up, IH does not have staff on site.

As of this morning, the company has advised that approximately 7 tonnes did enter the creek, 3 tonnes had been removed, and was still working on remediation plans for the remaining 4 tonnes.

At this time the risk to human health is low, as normal treatment to surface water sources should deal with the biological hazards and the chemicals would not be in high enough concentrations to pose a measureable threat to downstream users.

That being said, for public messaging purposes, it's important to be aware of the sensitivities around the risks of biosolids.

If you require anything further from IH, please don't hesitate to contact me. We have had no media requests at this time.

Michaela

MICHAELA SWAN

Communications Officer, IH West

INTERIOR HEALTH

office: 250.314.2100 ext 3750 | cell: 250.819.4258

IH QuickDial: 8-200-3750



From: Lindsay, Darshan
Sent: Friday, February 05, 2016 12:40 PM
To: 'Heinze, Laura R GCPE:EX'
Cc: Plank, Sarah GCPE:EX; Lawrie, Hannah GCPE:EX; Swan, Michaela
Subject: RE: Media Request - CFJC TV - Biosolids spill

Michaela was given a heads-up last night. She may have some details.
-D

From: Heinze, Laura R GCPE:EX [<mailto:Laura.Heinze@gov.bc.ca>]
Sent: Friday, February 05, 2016 12:32 PM
To: Lindsay, Darshan
Cc: Plank, Sarah GCPE:EX; Lawrie, Hannah GCPE:EX
Subject: FW: Media Request - CFJC TV - Biosolids spill

Hi Darshan,

Do you have any info on this one?

Thx!
Laura

From: Crebo, David GCPE:EX
Sent: Friday, February 5, 2016 12:10 PM
To: Jabs, Ryan GCPE:EX; Heinze, Laura R GCPE:EX; Plank, Sarah GCPE:EX
Cc: Rorison, Trish GCPE:EX; Lowe, Sonia GCPE:EX; Bowness, Lianne GCPE:EX; Murphy, Bernadette GCPE:EX; Cotton, Brian GCPE:EX; Kam, David GCPE:EX
Subject: RE: Media Request - CFJC TV - Biosolids spill

We're getting more info. CJFC has also called here.

From: Jabs, Ryan GCPE:EX
Sent: Friday, February 5, 2016 12:05 PM
To: Heinze, Laura R GCPE:EX; Plank, Sarah GCPE:EX; Crebo, David GCPE:EX
Cc: Rorison, Trish GCPE:EX; Lowe, Sonia GCPE:EX; Bowness, Lianne GCPE:EX
Subject: FW: Media Request - CFJC TV - Biosolids spill

Hi folks,

Have you heard anything on this one? It doesn't look like our folks have any info.

Ryan

From: Lowe, Sonia GCPE:EX
Sent: Friday, February 5, 2016 12:01 PM
To: Delisle, Cole TRAN:EX; Bauer, Steven TRAN:EX
Cc: Bowness, Lianne GCPE:EX; Jabs, Ryan GCPE:EX; Rorison, Trish GCPE:EX; Haywood, Steven TRAN:EX; Dennis, Perry TRAN:EX
Subject: Media Request - CFJC TV - Biosolids spill

Hi Cole and Steven,
CFJC TV is looking for more information on a biosolids spill near Boston Bar yesterday. Reporter says she heard a commercial truck spilled its load – and Interior Health was notified and was on site. That's all the info

she gave me – she's looking for more details.

Minister Request Y/N: No, background / written information only

Topic: Biosolids spill near Boston Bar

Reporter/ Contact: Jessica 250-851-3204

Outlet: CFJC TV

Date/ Time received: February 5 – 11:50 am

Deadline: asap to know

Sonia Lowe | Public Affairs Officer

Ministry of Transportation and Infrastructure

Government Communications and Public Engagement

Tel: 250.356.8241 | Mobile: 250.882.6696 | email: sonia.lowe@gov.bc.ca

Benson, Stacey HLTH:EX

From: s.22
Sent: Tuesday, April 12, 2016 8:26 PM
To: Lake.MLA, Terry LASS:EX
Subject: Fwd: Biosolids in Barnhartvale
Attachments: image.jpg; image.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Minister Lake,

This is our 3rd request for a meeting with you. As our Health Minister and a resident of our city, we would greatly appreciate the chance to sit down with you at your earliest convenience.

Our personal contact information is at the bottom of this email.

Thank-you,

s.22 on behalf of my neighbors

----- Forwarded message -----

From: Barnhartvale Bio-Solids <barnhartvalebiosolids@gmail.com>

Date: Fri, Apr 8, 2016 at 4:50 PM

Subject: Biosolids in Barnhartvale

To Terry Lake,

We are a group of residents who live close to Blackwell Dairy in Barnhartvale, where there are now tonnes and tonnes of biosolids - Class A and Class B - composting on different areas of the property. We have been experiencing various health issues since last summer that include runny noses, sinus problems, sore throats, the feeling of having a blockage in our throats with phlegm, shortness of breath, chest infections, coughing, as well as feelings of extreme fatigue. We are all healthy non smokers, and these are new health concerns for us. This is impacting our lives and well being and we are concerned for all the residents in the area including Dallas, where some residents live directly below these bluffs. There is machinery working from early in the morning to late at night creating clouds of dust in an already dry and dusty environment. Some days the smell is horrendous and it is definitely not a normal farming smell.

There are also environmental concerns as the silt bluffs are considered environmentally sensitive by the City, Campbell Creek runs through the property and the South Thompson River is in the valley below.

For more information please take a look at our Facebook:

<https://www.facebook.com/barnhartvalekamloopsbiosolids/>

We are contacting you to make an appointment so we can meet with you to discuss this problem - please can you advise us as to the earliest date you have?

Regards

s.22

Some Concerned Barnhartvale Residents

s.22

Benson, Stacey HLTH:EX

From: Paton, Arlene HLTH:EX
Sent: Thursday, May 5, 2016 2:18 PM
To: Lambert, Tim HLTH:EX
Subject: RE: Minister Meeting Request - Biosolids/Blackwell Dairy Issue - May 13 Meeting

The MO has asked for a bn from us and one from Environment. Maybe we can just do one joint one?

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
Phone: (250) 952-1731

From: Lambert, Tim HLTH:EX
Sent: Thursday, May 5, 2016 2:17 PM
To: Paton, Arlene HLTH:EX
Subject: RE: Minister Meeting Request - Biosolids/Blackwell Dairy Issue - May 13 Meeting

Hi Arlene

I have asked Kris Ord for some notes because I want to make sure we have the right information from MOE on how to address this.

I am not sure what Minister Stone wants from Health.

Perhaps we should not speculate on what MOE should be doing based on Althea's report? I note that you sent the report to Mark – if he is there – perhaps he can be lead on the call?

Tim

From: Paton, Arlene HLTH:EX
Sent: Thursday, May 5, 2016 2:14 PM
To: Lambert, Tim HLTH:EX
Subject: RE: Minister Meeting Request - Biosolids/Blackwell Dairy Issue - May 13 Meeting

Agreed – you have althea's report, if that's helpful, but I've given Mark Z the heads up that I've asked that he or one of his staff be invited to call in (and not IHA).

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
Phone: (250) 952-1731

From: Lambert, Tim HLTH:EX
Sent: Thursday, May 5, 2016 10:52 AM

To: Paton, Arlene HLTH:EX

Subject: RE: Minister Meeting Request - Biosolids/Blackwell Dairy Issue - May 13 Meeting

Hi Arlene

I believe so unless they want to talk about a "health role" for the file?

Tim

From: Paton, Arlene HLTH:EX

Sent: Thursday, May 5, 2016 10:51 AM

To: Lambert, Tim HLTH:EX

Subject: Fw: Minister Meeting Request - Biosolids/Blackwell Dairy Issue - May 13 Meeting

Importance: High

Isn't this Environment?

OMRR review etc...

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Muller, Bev HLTH:EX <Bev.Muller@gov.bc.ca>

Sent: Thursday, May 5, 2016 10:16 AM

To: Paton, Arlene HLTH:EX

Cc: Tucker, Evelyn L HLTH:EX; HLTH PPH Documents Processing HLTH:EX

Subject: FW: Minister Meeting Request - Biosolids/Blackwell Dairy Issue - May 13 Meeting

Arlene, Jordan had called me about this. I told him you will be on holiday that day, and that Tim should attend. Jordan said he would see if Lynn can attend.

The DMO has just received this meeting request from the MO, so note that the MO has requested the material by tomorrow, so our due date to get it to Lynn is noon tomorrow.

Bev

From: Will, Jordan HLTH:EX

Sent: Thursday, May 5, 2016 10:09 AM

To: Muller, Bev HLTH:EX; Barnes, Renee A HLTH:EX

Cc: Stearn, Anne HLTH:EX; Docs Processing HLTH:EX

Subject: Minister Meeting Request - Biosolids/Blackwell Dairy Issue

Importance: High

Hi Bev,

The MO has confirmed the above noted Minister meeting with Minister Stone. Details are below.

Date: May 13, 2016

Time: 2:00pm-2:30pm

Location: Teleconference

Access codes:

Dial-in Phone Numbers:

TBD

Participants:

- Minister Stone
- Minister Lake
- Tim Lambert
- IH Staff (tbd)

Additional details: Please see attached emails

Calendar invites will also be sent to Lynn Stevenson to attend. Please advise if any additional staff will need to be included.

Materials: DocsProcessing will assign formally for materials as per usual process. Due date for final materials to the Associate is noon May 6, 2016. Due date to the MO is May 6, 2016

Please don't hesitate to give me a call if there are any concerns.

JORDAN WILL

a/Manager, Executive Program Operations
Office of the Deputy Minister
Ministry of Health

P: 250.952.1908 | C: 250.217.3655 | jordan.will@gov.bc.ca

From: Morris, Kirsty L [<mailto:Kirsty.Morris@leg.bc.ca>]

Sent: Wednesday, May 4, 2016 10:34 AM

To: Robertson, Derek HLTH:EX; Shiff, Alexander ENV:EX

Cc: Caldwell, Leah LASS:EX

Subject: Biosolids /Blackwell Dairy Issue - BN Request & Staff Request - MLAs Lake & Stone

Importance: High

Good Morning Derek & Alexander

MTL & MTS have just confirmed a meeting with a group of constituents who have concerns regarding a biosolids issue in our community – I have attached a couple of the most recent emails for your information. This has been an ongoing issue for some time and I know your ministries are fully aware of the situation.

The MLAs will be meeting with a group of 6 constituents on **Friday May 13th** at **2:00 pm** at MLA Lake's constituency office.

Both MLAs would like a current BN from both MoH and MoE and also wondering whether staff from both ministries (and maybe IHA) involved in this issue, could be arranged to call into this meeting?

Sorry for the short notice – but this only just got confirmed.

Any questions, give me a shout! Many thanks.....Kirsty

Kirsty L Morris | Constituency Assistant

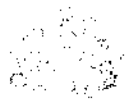
*Terry Lake, MLA Kamloops - North Thompson
Minister of Health*

Email: kirsty.morris@leg.bc.ca

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Toll Free #: [1-888-299-0805](tel:1-888-299-0805)

Website: www.terrylakemla.bc.ca



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Benson, Stacey HLTH:EX

From: Paton, Arlene HLTH:EX
Sent: Thursday, May 5, 2016 4:20 PM
To: Lambert, Tim HLTH:EX; Muller, Bev HLTH:EX
Subject: Fw: Minister Meeting Request - Biosolids/Blackwell Dairy Issue - May 13 Meeting

Fyi

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Zacharias, Mark ENV:EX <Mark.Zacharias@gov.bc.ca>
Sent: Thursday, May 5, 2016 4:11 PM
To: Paton, Arlene HLTH:EX
Subject: RE: Minister Meeting Request - Biosolids/Blackwell Dairy Issue - May 13 Meeting

Thanks, we will be on the call...

From: Paton, Arlene HLTH:EX
Sent: Thursday, May 5, 2016 2:13 PM
To: Zacharias, Mark ENV:EX
Subject: FW: Minister Meeting Request - Biosolids/Blackwell Dairy Issue - May 13 Meeting

Hi Mark – I've suggested to my MO that you or one of your staff be invited to call into this meeting and not IHA given the topic area. I can't attend, but will have Tim on the call – this sounds like it's what your OMRR review is partially about, no?

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
Phone: (250) 952-1731

From: Will, Jordan HLTH:EX
Sent: Thursday, May 5, 2016 10:09 AM
To: Muller, Bev HLTH:EX; Barnes, Renee A HLTH:EX
Cc: Stearn, Anne HLTH:EX; Docs Processing HLTH:EX
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To: Robertson, Derek HLTH:EX; Shiff, Alexander ENV:EX

Cc: Caldow, Leah LASS:EX

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Benson, Stacey HLTH:EX

From: McGuire, Jennifer ENV:EX
Sent: Thursday, May 5, 2016 5:18 PM
To: Lambert, Tim HLTH:EX
Subject: Re: 1054892 - Minister Meeting Request - Biosolids/Blackwell Dairy Issue

Hi
Mark Graham is on it, it, hopefully in touch with you.
Jennifer

From: Lambert, Tim HLTH:EX
Sent: Thursday, May 5, 2016 2:56 PM
To: McGuire, Jennifer ENV:EX
Subject: FW: 1054892 - Minister Meeting Request - Biosolids/Blackwell Dairy Issue

Hi Jennifer
It turns out that the Ministers want a briefing note on this file for tomorrow – one from MOE and MOH. I thought we could produce one note for them and avoid becoming cross-threaded.

Can you put together a note on the issue and I can review?

Thanks
Tim

From: Ord, Kris ENV:EX
Sent: Thursday, May 5, 2016 2:54 PM
To: McGuire, Jennifer ENV:EX
Cc: Lambert, Tim HLTH:EX; Graham, Mark ENV:EX; Smith, Curtis ENV:EX
Subject: FW: 1054892 - Minister Meeting Request - Biosolids/Blackwell Dairy Issue
Importance: High

Hi Jennifer

Who from regions is on the Blackwell Dairy file. Tim L from MoH needs info for a note supporting a meeting tomorrow that Mark may be going to.

Can you please get back to Tim.

Thanks

Kris



KRIS ORD
Executive Director
Environmental Standards Branch
Ministry of Environment
☎ 250-387-9933 | 📠 250-356-7197 | ✉ Kris.Ord@gov.bc.ca

From: Lambert, Tim HLTH:EX
Sent: Thursday, May 5, 2016 1:56 PM
To: Ord, Kris ENV:EX
Subject: FW: 1054892 - Minister Meeting Request - Biosolids/Blackwell Dairy Issue
Importance: High

Hi Kris

Can you provide me with some notes on where the biosolids file is at?

You can see there is due tomorrow for a meeting with Minister Stone. I understand that Mark might be invited. I want to make sure I have the right notes.

Thanks

Tim

From: Zemanek, Michael HLTH:EX
Sent: Thursday, May 5, 2016 1:52 PM
To: Lambert, Tim HLTH:EX
Cc: Dutra, Corey G HLTH:EX
Subject: FW: 1054892 - Minister Meeting Request - Biosolids/Blackwell Dairy Issue
Importance: High

Tim, this is a rush due tomorrow

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Sent: Thursday, May 5, 2016 10:09 AM
To: Muller, Bev HLTH:EX; Barnes, Renee A HLTH:EX
Cc: Stearn, Anne HLTH:EX; Docs Processing HLTH:EX
Subject: 1054892 - Minister Meeting Request - Biosolids/Blackwell Dairy Issue
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Sent: Wednesday, May 4, 2016 10:34 AM

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• - *Be Green! Read from the screen*

Benson, Stacey HLTH:EX

From: Graham, Mark ENV:EX
Sent: Friday, May 6, 2016 11:40 AM
To: Ord, Kris ENV:EX; McGuire, Jennifer ENV:EX
Cc: Lambert, Tim HLTH:EX; Smith, Curtis ENV:EX; 'Zaharia, Brent'
Subject: RE: 1054892 - Minister Meeting Request - Biosolids/Blackwell Dairy Issue
Attachments: Barnhartvale_Blackwell Biosolids BN.docx

Good Morning Tim,

Here is an updated **DRAFT** BN for the Barnhartvale issue that covers what we know from the Environment side of things. Brent Zaharia has been the contact person on the Interior Health side.

The note has not been approved on our side yet so subject to change – but given the timelines involved hopefully it can help with MTL's briefing.

Let me know if you have further questions – best to call me on my cell at **s.22**

Regards

Mark G

From: Ord, Kris ENV:EX
Sent: Thursday, May 5, 2016 2:54 PM
To: McGuire, Jennifer ENV:EX
Cc: Lambert, Tim HLTH:EX; Graham, Mark ENV:EX; Smith, Curtis ENV:EX
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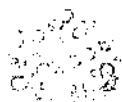
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INFORMATION NOTE

May 6, 2016

File:

CLIFF/tracking #:

PREPARED FOR: MOH, MOE and MOTI

ISSUE: Barnhartvale Resident's Concerns over Biosolids application at Blackwell Dairy

BACKGROUND:

- The Blackwell Dairy Farm in Kamloops is the site of several non-agricultural operations including a waste landfill (operated since 1993), gravel and rock operations and a Biosolids Growing Medium production facility using Class A biosolids (operated by Arrow Transportation Systems). In addition, Arrow has registered under the Organic Matter Recycling Regulation (OMRR) to apply Class B biosolids on Blackwell land.
- The application of Class B biosolids is for soil amendment/reclamation only at the Blackwell property and not for redistribution. Reclaimed soils contain up to maximum of 15% dry weight biosolids which is blended wet using sand, sawdust and existing soil mediums.
- A qualified professional inspected the operation 4 times in 2015 and determined that Arrow was managing the biosolids in accordance with the Organic Matter Recycling Regulation (OMRR). MoE inspects the landfill annually. The most recent inspection in June 2015 found that the operation was meeting authorized landfill requirements.
- During the summer of 2015, the facility received numerous complaints regarding stockpiled sawdust blowing on to residents below the property. In response, Arrow moved the stockpile and reduced its size and dust issues from the piles were resolved.
- Recently the province received numerous complaints from Barnhartvale citizens living below (Dallas Dr.) and adjacent to the dairy farm (Gardiner Rd.). Citizens are concerned about health impacts of biosolids from dust from the farm. Their concerns have been highlighted by several media stories.
- In April 2016, Interior Health issued a response to Barnhartvale citizens recommending they consult directly with their primary health care provider for a comprehensive clinical assessment of their symptoms. The documentation of the diagnosis and its potential association with biosolids could be used as part of a detailed investigation by Interior Health if deemed necessary.

DISCUSSION:

- Recent discussions between MOE and Arrow Transport have confirmed that dust is occurring off the Blackwell property. Principles sources appear to be the gravel pit, gravel roads and springtime tilling of the soil. Arrow will be providing further information to MOE documenting dust sources.
- MoE does not have sufficient evidence to suggest that the biosolids as applied at Blackwell pose a significant health risk. The biosolids at Blackwell come from sewage plants that are carefully monitored for compliance with environmental and

human health standards and, based on compliance reviews in 2015, Arrow is meeting all land application requirements under OMRR.

- It is also likely that biosolids application reduces dust at the farm given that the biosolid medium is damp, holds moisture and provides an organic layer for vegetative growth.

NEXT STEPS:

- MOE plans to inspect the property in May to verify the operation's compliance with OMRR, confirm potential dust sources and meet with complainants. MOE will follow-up with Interior Health with regards to findings.

Contact:

*Mark Zacharias
ADM, EPD
250-356-0121*

Prepared by:

*Mark Graham
Compliance Operations Manager
Regional Operations Branch*

250-387-9299

Reviewed by	Initials	Date
DM		
DMO		
ADM		
Dir./Mgr.		
Author		

Benson, Stacey HLTH:EX

From: Graham, Mark ENV:EX
Sent: Friday, May 6, 2016 11:47 AM
To: Lambert, Tim HLTH:EX; McGuire, Jennifer ENV:EX
Cc: Smith, Curtis ENV:EX; Ord, Kris ENV:EX
Subject: FW: Biosolids

Below is the email sent to Barnhartvale resident by Interior Health – referenced in the note

From: Zaharia, Brent [<mailto:Brent.Zaharia@interiorhealth.ca>]
Sent: Monday, April 11, 2016 10:53 AM
To: Barnhartvale Bio-Solids (barnhartvalebiosolids@gmail.com)
Cc: Golmohammadi, Dr. Kamran; Hesketh, Courtney; Michaud, Joyce; Yamada, Christina; XT:HLTH Baytalan, Greg; Klepachek, Kim; Graham, Mark ENV:EX
Subject: Biosolids

Attention: Concerned Barnhartvale Residents

Thank you for your email of March 15, 2016 outlining your health concerns and the biosolid operations in your area.

I welcomed the opportunity to meet on March 22, 2016 with several area residents to discuss the issues of concern and to view the local area firsthand. After that meeting, a conference call was held with Health Protection program managers and Medical Health Officer Dr. Kamran Golmohammadi to further discuss your concerns and what steps may be taken.

The handling and application of biosolids is governed under the Ministry of Environment Organic Matter Recycling Regulation, which falls under the *Environmental Management Act* and *Public Health Act*. This regulation sets standards for biosolids production and land application in British Columbia. Please note that Municipal and Regional authorities may also have varying degrees of jurisdiction in governing land use practices.

Ministry of Environment oversees operational issues. At this time we are not aware of any operational issues or non-compliance. Furthermore, it should be noted that from a regulatory standpoint, it is difficult to implement enforcement upon an operation that performs legally within the conditions of the respective governing legislation to date.

In regards to health concerns, to our knowledge while odour, and particulate matter in the air from organic matter recycling operations may result in respiratory irritation, transmission of infectious agents through air is extremely rare. Your group has expressed concerns with health effects. To identify individuals with adverse health effects, self-reporting is recognized as one of the most effective approaches. As a first step, concerned residents with clinical complaints should consult directly with their primary health care provider (doctor) for a comprehensive clinical assessment of their symptoms. Documentation of their diagnosis and its potential association with the biosolid operation should be provided to assist in our review. Should your doctor require further assistance in clinical assessment of complex symptoms and complaints, a medical consultation with a specialist doctor may be required as per standards of clinical practice and clinical guidelines. Once the initial review of the aggregate clinical data is complete, an assessment of exposure factors and potential associations to air quality could be carried out through more detailed investigations.

We acknowledge your concerns regarding air quality and health, and look forward to receiving the clinical assessments conducted by doctors on those individuals with medical complaints. Please forward any future questions or correspondence to Kim Klepachek via email (kim.klepachek@interiorhealth.ca).


Thank you,

Brent Zaharia
Environmental Health Officer

Interior Health Authority - Health Protection
519 Columbia Street, Kamloops, BC
V2C 2T8

250-851-7334
250-851-7341 (fax)
brent.zaharia@interiorhealth.ca

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healthiest and the safest environments in which we live, work, learn and play.*

 Please consider the effects on climate change and the environment before printing this email.

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Benson, Stacey HLTH:EX

From: s.22
Sent: Monday, May 2, 2016 8:08 PM
To: ENV Environmental Complaints ENV:EX
Cc: Stone.MLA, Todd; Lake.MLA, Terry LASS:EX; XT:HLTH Baytalan, Greg; Graham, Mark ENV:EX; Brent.Zaharia@interiorhealth.ca
Subject: foul odour

Good evening, well I hope the people reading this are enjoying their evening! Out here in Dallas the weather is spectacular, just feels like one of those beautiful Spring or Summer evenings Kamloops is famous for. There is a gently wind blowing down the valley, just a really nice time to sit in your back yard and thank God that you live in the most gorgeous and beautiful Province in all of Canada! It is great to be a British Columbian! While this used to apply to us I must confess it does not anymore where we live at s.22
s.22

The truth is I took my dog outside to enjoy the magnificent evening only to be greeted by that putrid and foul smelling air coming off the commercial biosolid operation above us. Just a "nuisance" from a "regular farm operation" you say?

Almost instantly my sinus starts to burn and I hurry inside and shut all our windows. Once again we, and our neighbours are robbed of their right and entitlement to have an open window on a spectacular evening, not to mention having thieves rob us of our right to enjoy our yard or start the barbecue? Does not matter that many people who live here have compromised immune systems, or that many s.22 have had heart attacks and have COPD, or even that some have MS and other pre-existing health issues.

Nope, does not matter whatsoever because when you are one of British Columbia's largest employers, it appears you have the right to dictate not only where they operate, but how they operate, at least it seems this way to us.

A strong statement until you realize that a corporation like Ajax has to jump through hoops trying to prove their mine will not affect the health or well being of Kamloops residents!

Not so for the owner/operator of this Class B commercial biosolid operation, they don't have to even tell the neighbours below what their plans are? They just start the operation up when and where they want, furthermore they will stop only when they are done or ready to stop! Not one hoop? One day we noticed an odour, we had to struggle to find out what it was, no transparency starting this operation.

On one hand our Mayor flies across the Country to assess what effects an operating mine has on populations living near the mine. For us living in a trailer park complaining for two years about health concerns do we get similar consideration? Our Mayor will not drive the ten minutes out here to assess what is happening in real time from a real working operation, he will not even return an email?

This is wrong, not just on the Mayor's end! Last week there was interest in possible air quality testing during a severe wind event. Then the official spoke to the owner/operator, my next conversation with that official was as different as night and day. "No need to worry, they will do some testing on their own", etc., etc., etc., this happens every time any official begins to help? And we mean every time.

This is the only community in BC where Class B biosolids are shredded directly above populations with no concern for possible health issues, completely contrary to all the research on the dangers?

Again – This is wrong! We are British Columbians and deserve as much consideration for our health and well being as the Ajax issue has!

s.22 Dallas/Barnhartvale residents

Benson, Stacey HLTH:EX

From: Will, Jordan HLTH:EX
Sent: Thursday, May 5, 2016 10:09 AM
To: Muller, Bev HLTH:EX; Barnes, Renee A HLTH:EX
Cc: Stearn, Anne HLTH:EX; Docs Processing HLTH:EX
Subject: 1054892 - Minister Meeting Request - Biosolids/Blackwell Dairy Issue
Attachments: foul odour; Fwd: Biosolids in Barnhartvale

Importance: High

Hi Bev,

The MO has confirmed the above noted Minister meeting with Minister Stone. Details are below.

Date: May 13, 2016
Time: 2:00pm-2:30pm
Location: Teleconference

Access codes:
Dial-in Phone Numbers:
TBD

Participants:

- Minister Stone
- Minister Lake
- Tim Lambert
- IH Staff (tbd)

Additional details: Please see attached emails

Calendar invites will also be sent to Lynn Stevenson to attend. Please advise if any additional staff will need to be included.

Materials: DocsProcessing will assign formally for materials as per usual process. Due date for final materials to the Associate is noon May 6, 2016. Due date to the MO is May 6, 2016

Please don't hesitate to give me a call if there are any concerns.

JORDAN WILL
a/Manager, Executive Program Operations
Office of the Deputy Minister
Ministry of Health

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From: Morris, Kirsty L [<mailto:Kirsty.Morris@leg.bc.ca>]
Sent: Wednesday, May 4, 2016 10:34 AM
To: Robertson, Derek HLTH:EX; Shiff, Alexander ENV:EX

Cc: Caldwell, Leah LASS:EX

Subject: Biosolids /Blackwell Dairy Issue - BN Request & Staff Request - MLAs Lake & Stone

Importance: High

Good Morning Derek & Alexander

MTL & MTS have just confirmed a meeting with a group of constituents who have concerns regarding a biosolids issue in our community – I have attached a couple of the most recent emails for your information. This has been an ongoing issue for some time and I know your ministries are fully aware of the situation.

The MLAs will be meeting with a group of 6 constituents on **Friday May 13th** at **2:00 pm** at MLA Lake's constituency office.

Both MLAs would like a current BN from both MoH and MoE and also wondering whether staff from both ministries (and maybe IHA) involved in this issue, could be arranged to call into this meeting?

Sorry for the short notice – but this only just got confirmed.

Any questions, give me a shout! Many thanks.....Kirsty

Kirsty L Morris | Constituency Assistant

*Terry Lake, MLA Kamloops - North Thompson
Minister of Health*

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