

Jager, Brenda CSNR:EX

From: Lockhart, Dave ENV:EX
Sent: Wednesday, February 12, 2014 3:02 PM
To: 'Jeff Taylor'
Cc: Hewlett, Lucy ENV:EX; Macfarlane, Mike ENV:EX; McCammon, Alan W ENV:EX; Bunce, Hubert ENV:EX
Subject: RE: CSAP submission screening complete

Hi Jeff.

Thank you for providing this information to me. We received the CSRA package in our office on February 6.

Further to your request for cancellation, we are returning to you, under separate cover, your submission along with your cheque for Ministry fees.

Dave

From: Jeff Taylor [<mailto:jeff.taylor@activeearth.ca>]
Sent: Wednesday, February 12, 2014 10:38 AM
To: Lockhart, Dave ENV:EX
Subject: Re: CSAP submission screening complete

Hi Dave. As you may have heard, the stay on the SIA waste discharge authorization was modified yesterday by the EAB. This modification allows for soils from the van isle marina to come to their facility under the provisions of the permit. As such, they would like to withdraw this CSRA application as it is no longer required.

Can you tell me what you require to make this happen? Is it possible that their fees can be returned to them?

Regards - Jeff

Jeff Taylor P.Eng., CSAP
Active Earth Engineering Ltd.
Ph: 778-866-3438

On Feb 6, 2014, at 1:10 PM, "Lockhart, Dave ENV:EX" <Dave.Lockhart@gov.bc.ca> wrote:

Thanks, Jeff.

It has not yet come in. As soon as it does, it will receive immediate attention.

Dave

From: Jeff Taylor [<mailto:Jeff.Taylor@activeearth.ca>]
Sent: Thursday, February 6, 2014 11:24 AM
To: Lockhart, Dave ENV:EX
Subject: FW: CSAP submission screening complete

Hi Dave. This is the CSRA I had mentioned a few days back. It got held up by CSAP during a PA – at first they convened a Numerical Panel then decided to convene a Risk Panel due to a couple of deviations from P13. We made the DM aware of the deviations early on but he didn't think a Risk Panel was necessary until

well into the process. As a result, the receiver site owner has been stockpiling material for quite some time and their Fisheries Window is rapidly closing.

We'd appreciate very much if it could be expedited by MOE.

Regards - Jeff

Jeff Taylor, P.Eng., CSAP

<image001.jpg>

160 – 2250 Boundary Road

Burnaby, BC V5M 3Z3

P. 778-866-3438

F. 778-737-3488

E. jeff.taylor@activeearth.ca

From: Anna Popova <apopova@csapsociety.bc.ca>

Date: Wednesday, February 5, 2014 9:30 AM

To: "marty.sia@shaw.ca" <marty.sia@shaw.ca>

Cc: Jeff Taylor <jeff.taylor@activeearth.ca>

Subject: CSAP submission screening complete

Dear Mr. Block,

Please be advised that the submission for a Contaminated Soil Relocation Agreement

Site ID #: Receiving Site: 12579

Location: Source: **2320 Harbour Rd Sydney; Receiving: 640 Stebbings Rd. Shawnigan Lake, BC**

Has been screened by CSAP and transferred to the Ministry of Environment for final release on February 5, 2014.

Kindest regards,

Anna Popova

CSAP Society

Administrative Assistant

apopova@csapsociety.bc.ca

604-630-7497 (Mon-Fri 9am-1pm)

Jager, Brenda CSNR:EX

From: Mike Sia <mike.sia@shaw.ca>
Sent: Friday, February 14, 2014 3:16 PM
To: Bunce, Hubert ENV:EX
Cc: Lachance, Luc ENV:EX
Subject: Re: site visit?

Ok. Great

Thank you
Michael Kelly
250-516-7477
250-743-3332

On 2014-02-14, at 11:58 AM, "Bunce, Hubert ENV:EX" <Hubert.Bunce@gov.bc.ca> wrote:

Thanks Mike – I'll meet you at 1:30 on Wed. Feb 26 at your office at the bottom of the hill

Hubert Bunce
A/Regional Director, Environmental Protection
West Coast Region
ph (250) 751-3254 fax (250) 751-3103
2080A Labieux Road
Nanaimo BC V9T 6J9

Please consider the environment before printing this email
BC Pollution Free

From: Mike Sia [<mailto:mike.sia@shaw.ca>]
Sent: Friday, February 14, 2014 11:23 AM
To: Bunce, Hubert ENV:EX
Cc: marty.sia@shaw.ca
Subject: Re: site visit?

I'm available.

Thank you
Michael Kelly
250-516-7477
250-743-3332

On 2014-02-14, at 10:41 AM, "Bunce, Hubert ENV:EX" <Hubert.Bunce@gov.bc.ca> wrote:

Would you be available for a site visit on Wed pm arriving around 1:30?

Hubert Bunce
A/Regional Director, Environmental Protection
West Coast Region

ph (250) 751-3254 fax (250) 751-3103

2080A Labieux Road

Nanaimo BC V9T 6J9

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Jager, Brenda CSNR:EX

From: Mike Sia <mike.sia@shaw.ca>
Sent: Friday, February 14, 2014 3:13 PM
To: Bunce, Hubert ENV:EX; Marty Block; s.22 Michael Kelly; Jeff Taylor; David Mitchell; Matt Pye; Lachance, Luc ENV:EX; s.22
Subject: 20140214150437.pdf
Attachments: 20140214150437.pdf; ATT00001.txt

Hubert/Luc

Please find a scan copy of the irrevocable letter of credit, date stamped FEB 14 2014, in favour of the Minister of Finance, as per the condition of permit # 105809.

Should you have any questions please do hesitate to call me.

Page 06

Withheld pursuant to/removed as

s.21

Jager, Brenda CSNR:EX

From: Lockhart, Dave ENV:EX
Sent: Friday, February 14, 2014 6:30 PM
To: Bunce, Hubert ENV:EX
Subject: RE: Soil to SIA

Thanks for sorting this out, Hubert.

Dave

From: Bunce, Hubert ENV:EX
Sent: February 14, 2014 4:27 PM
To: 'Jeff Taylor'
Cc: Lachance, Luc ENV:EX; Lockhart, Dave ENV:EX
Subject: RE: Soil to SIA

Thanks for the clarification. From the wording of the stay it wasn't absolutely clear

Hubert Bunce
A/Regional Director, Environmental Protection
West Coast Region
ph (250) 751-3254 fax (250) 751-3103
2080A Labieux Road
Nanaimo BC V9T 6J9

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From: Jeff Taylor [<mailto:Jeff.Taylor@activeearth.ca>]
Sent: Friday, February 14, 2014 4:06 PM
To: Bunce, Hubert ENV:EX
Cc: Lachance, Luc ENV:EX; Lockhart, Dave ENV:EX
Subject: Re: Soil to SIA

Yes. It is soil from the Van Isle Marina which is now allowed under the Stay Variance.

Of note is that it went through a CSAP PA and was subsequently reviewed by three numerical CSAPs and two Risk CSAPs. This is in addition to three numerical CSAPs and one risk CSAP who had a hand in preparing or reviewing the application, outside of the PA. In total then, nine CSAPs reviewed this package, and none found there to be an operable pathway for contaminants to impact the environment.

Jeff

Jeff Taylor, P.Eng., CSAP



160 – 2250 Boundary Road
Burnaby, BC V5M 3Z3
P. 778-866-3438
F. 778-737-3488
E. jeff.taylor@activeearth.ca

From: "Bunce, Hubert ENV:EX" <Hubert.Bunce@gov.bc.ca>
Date: Friday, February 14, 2014 3:31 PM
To: Jeff Taylor <jeff.taylor@activeearth.ca>
Cc: "Lachance, Luc ENV:EX" <Luc.Lachance@gov.bc.ca>, "Lockhart, Dave ENV:EX" <Dave.Lockhart@gov.bc.ca>
Subject: Soil to SIA

Can you confirm that the soil referenced in the attached email string is from one of the 4 specific contracts that are allowed for under the partial lifting of the stay issued by the EAB earlier this week

Thank you

Hubert Bunce
A/Regional Director, Environmental Protection
West Coast Region
ph (250) 751-3254 fax (250) 751-3103
2080A Labieux Road
Nanaimo BC V9T 6J9

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Jeff Taylor P.Eng., CSAP
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into the process. As a result, the receiver site owner has been stockpiling material for quite some time and their Fisheries Window is rapidly closing.

We'd appreciate very much if it could be expedited by MOE.

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Jeff Taylor, P.Eng., CSAP

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F. 778-737-3488
E. jeff.taylor@activeearth.ca

From: Anna Popova <apopova@csapsociety.bc.ca>

Date: Wednesday, February 5, 2014 9:30 AM

To: "marty.sia@shaw.ca" <marty.sia@shaw.ca>

Cc: Jeff Taylor <jeff.taylor@activeearth.ca>

Subject: CSAP submission screening complete

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Kindest regards,

Anna Popova

*CSAP Society
Administrative Assistant
apopova@csapsociety.bc.ca
604-630-7497 (Mon-Fri 9am-1pm)*

Jager, Brenda CSNR:EX

From: Jeff Taylor <Jeff.Taylor@activeearth.ca>
Sent: Friday, March 7, 2014 2:29 PM
To: Marty Block; Pope, Rue MEM:EX
Cc: barb.sia@shaw.ca; Narynski, Heather M MEM:EX; Bunce, Hubert ENV:EX; Matt Pye
Subject: Re: Waste Cell Construction
Attachments: SIA Site Inspection Memo - Feb 14, 2014.pdf

Here it is. If you have questions about it, please direct to Matt.

Jeff

Jeff Taylor, P.Eng., CSAP



160 – 2250 Boundary Road
Burnaby, BC V5M 3Z3
P. 778-866-3438
F. 778-737-3488
E. jeff.taylor@activeearth.ca

From: Marty Block <marty.sia@shaw.ca>
Date: Friday, March 7, 2014 1:25 PM
To: "Pope, Rue MEM:EX" <Ru.Pope@gov.bc.ca>
Cc: "barb.sia@shaw.ca" <barb.sia@shaw.ca>, "Narynski, Heather M MEM:EX" <Heather.Narynski@gov.bc.ca>, "Bunce, Hubert ENV:EX" <Hubert.Bunce@gov.bc.ca>, Jeff Taylor <jeff.taylor@activeearth.ca>
Subject: Re: Waste Cell Construction

Thanks Rue

SIA received an inspection report from Active Earth Engineering who have already rejected that base, and has instructed us to remove the material in question, and replace with an acceptable clay. The material was placed in error.

AEE picked up on this two-three weeks ago

Thanks for your letter of concern.

Jeff

I'm at the hearing today would you be able look for your report that speaks to this and send a copy of it to everyone?

Sent from my iPhone

On Mar 7, 2014, at 11:40 AM, "Pope, Rue MEM:EX" <Ru.Pope@gov.bc.ca> wrote:

Good afternoon: Please find attached a letter from Ed Taje, Regional Manager, Ministry of Energy and Mines, to South Island Aggregate regarding Waste Cell construction.

Thank you,

Rue Pope

Administrative Assistant
Coast Area Mining Division
Office: 250-387-4832
Fax: 250-953-3878
PO Box 9395, Stn Prov Govt
Victoria, BC V8W 9M9
Ru.Pope@gov.bc.ca

<Conditions added to permit re Waste Cell construction - Mar 6 2014.pdf>

Jager, Brenda CSNR:EX

From: Tom Tolsma <ttolsma@maxxaminsurance.com>
Sent: Tuesday, March 11, 2014 2:57 PM
To: Bunce, Hubert ENV:EX
Subject: RE: security

Importance: High

Thanks for the quick reply, I will look into this for the client.

Thomas S. Tolsma, CAIB
Maxxam Insurance Services Inc
867 Goldstream Avenue
Victoria, BC V9B 2X8
Office: 250.391.8809
Cell: 250.883.7070
Fax: 250.391.8879

Toll Free: 1.877.391.8809



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From: Bunce, Hubert ENV:EX [mailto:Hubert.Bunce@gov.bc.ca]
Sent: March-11-14 2:31 PM
To: Tom Tolsma
Subject: RE: security

Below are the instructions regarding security for EMA permits as issued to SIA. It would appear a surety is not typically appropriate for the long duration that security will be necessary for such a landfill site. directions below direct to you to ministry of finance to determine if such an instrument is even available.

Hope this helps

Section 3: Financial Security Instruments and Management

3.1 Financial Security Instruments

3.1.1 Acceptable and Preferred Forms of Financial Security

1. Irrevocable Letter of Credit: The preferred form of financial security is the Irrevocable Letter of Credit (ILOC). An ILOC is a promise from a financial institution to the province that at the request of the province funds up to the agreed sum of money will be paid to the province. It can't be cancelled or amended and must automatically renew on expiry unless advance notice is provided to the province. It is an assured method of securing payment because the promise to pay is directly from the financial institution to the Ministry. In addition, an Irrevocable Letter of Credit allows for incremental additions each year should that be desired.

ILOCs must only be accepted where they are issued by a Schedule I or Schedule II Canadian Financial Institution or a Canadian Credit Union (Appendix C).

Appendix D provides a template of the B.C. government's ILOC.

2. Surety Bond: A surety bond is a three-party agreement where the surety company promises to perform obligations of the bonded party or pay up to the agreed sum of money to the beneficiary if the bonded party fails to perform those obligations.

Surety bonds are primarily used in construction because it is more suited to short-term projects. Depending on the obligations to be bonded, a renewable, longer term surety may be available. Like the Irrevocable Letter of Credit, a surety bond is irrevocable.

Ministry of Finance can assist with determining if a suitable surety bond is available on the market, if the purpose is refined for which the security is being obtained.

The Irrevocable Letter of Credit and Surety Bonds do not require a search in the *Personal Property Search Act* ("PPSA") registry.

APPENDIX C APPROVED FINANCIAL INSTITUTIONS FOR IRREVOCABLE LETTERS OF CREDIT AND EXTERNAL TRUSTS

SCHEDULE I

(Section 14)

As at December 31, 2002 Head Office

Name of Bank

Amicus Bank

Toronto

Bank of Montreal

Montréal

The Bank of Nova Scotia

Halifax

Bank West

High River

Canadian Imperial Bank
of Commerce

Toronto

Canadian Western Bank

Edmonton

Citizens Bank of Canada

Vancouver

CS Alterna Bank

Ottawa

First Nations Bank of
Canada

Walpole Island

Laurentian Bank of
Canada

Montréal
Manulife Bank of Canada
Waterloo
National Bank of Canada
Montréal
Pacific & Western Bank of
Canada
London
President's Choice Bank
Toronto
Royal Bank of Canada
Montréal
The Toronto-Dominion
Bank
Toronto

SCHEDULE II (Section 14)

As at December 31, 2002 Name Head Office
of Bank

ABN AMRO Bank Canada
Toronto
Amex Bank of Canada
Markham
Bank of America Canada
Toronto
Bank of China (Canada)
Toronto
Bank of East Asia (Canada)
Richmond Hill
Bank of Tokyo-Mitsubishi
(Canada)
Toronto

APPENDIX D TEMPLATE - IRREVOCABLE LETTER OF CREDIT ²⁴

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA AS REPRESENTED BY THE
MINISTER OF FINANCE (The Beneficiary)

IRREVOCABLE LETTER OF CREDIT

In reference to

Proposal for _____

At the request of _____

(Full name of Customer)

we, _____

(the Issuer)

do hereby issue this Irrevocable Letter of Credit to guarantee payment on demand to the Beneficiary on the following Terms and Conditions:

- 1) This Irrevocable Letter of Credit becomes effective immediately and shall remain in effect until at least noon on the _____
- 2) This Irrevocable Letter of Credit shall be automatically renewed for successive and consecutive periods of 90 days from the above date or any future expiration date, until either:
 - a) the Beneficiary provides notice of release to the issuer; or
 - b) the Issuer provides notice of nonrenewal to the Beneficiary.
- 3) Any notice of release or nonrenewal to have effect shall be provided to the other party in writing by registered mail at least 30 days prior to the next effective expiration date.
- 4) Presentation of sight drafts or letters of demand for payment to be made against this Irrevocable Letter of Credit shall be at the discretion of the Beneficiary without requirement of further documentation, notice or prejudice to the rights of any party.
- 5) We shall honour any demand(s) for payment signed by <insert contracting ministry position title, not name> _____ your representative, without inquiring as to whether you have the right as between yourselves and our said customer to make such a demand and without recognizing any claim(s) of our said customer or any other party.
- 6) Presentation for payment may be made at our offices located at _____ in the municipality of _____.
- 7) Payment(s) shall be made payable to the Minister of Finance and shall be in the amount(s) specified by your representative, but shall not in the aggregate exceed \$ _____ (_____ Canadian Dollars).

8) We covenant to hold the Beneficiary, its employees, agents and representatives safe from any and all claims for costs or damages which may arise out of any act, error or omission related to the handling, storage or presentation of this irrevocable Letter of Credit.
_____.

Unless otherwise stated this credit is subject to the Uniform Customs and Practice for Documentary Credits 1993 Revision, I.C.C. Publication Number 500.

Executed under Seal, this _____ day of _____, 20 _____.

SEAL

Signature for the Issuer Countersigned by Issuer

Hubert Bunce

A/Regional Director, Environmental Protection

West Coast Region

ph (250) 751-3254 fax (250) 751-3103

2080A Labieux Road

Nanaimo BC V9T 6J9

Please consider the environment before printing this email

BC Pollution Free

From: Tom Tolsma [<mailto:ttolsma@maxxaminsurance.com>]

Sent: Monday, February 24, 2014 5:53 PM

To: Bunce, Hubert ENV:EX

Cc: mike.sia@shaw.ca

Subject: FW: security

Hi Mr. Bunce,

Just wondering if you would have a chance to look into this and let me know Tuesday Feb 25/14.

Many thanks,
Tom Tolsma

From: Tom Tolsma
Sent: February-18-14 3:49 PM
To: 'Hubert.Bunce@gov.bc.ca'
Cc: Mike Kelly (mike.sia@shaw.ca)
Subject: FW: security

Hi Mr. Bunce,

I have been asked by Mike Kelly from SIA to look into a Surety Bond as an option to providing security. Could you let me know if this is possible and if so, provide me with the bond requirements? I appreciate your assistance. If you have any questions, please do not hesitate to contact me.

Best regards,

Thomas S. Tolsma, CAIB
Maxxam Insurance Services Inc
867 Goldstream Avenue
Victoria, BC V9B 2X8
Office: 250.391.8809
Cell: 250.883.7070
Fax: 250.391.8879

Toll Free: 1.877.391.8809



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Information confidentielle: Le présent message, ainsi que tout fichier qui y est joint, est (sont) envoyé(s) à l'intention exclusive de son ou (ses) destinataire(s); il est de nature confidentielle et peut faire l'objet d'une information privilégiée. Nous avisons toute personne autre que le destinataire prévu que tout examen, réacheminement, impression, copie, distribution ou toute autre utilisation de ce message et tout document joint est (sont) strictement interdit(s). Si vous n'êtes pas le destinataire prévu, veuillez en aviser immédiatement l'expéditeur par retour de courriel et supprimer ce message et tout document joint de votre système. Merci!

From: Mike Kelly [<mailto:mike.sia@shaw.ca>]
Sent: February-17-14 3:46 PM
To: Tom Tolsma; s.22
Subject: FW: security

Thank you

Michael J Kelly

250-743-3332 Office
250-743-3338 Fax.
250-516-7477 Cell

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee) you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received this message in error, please advise the sender by reply e-mail and delete the message.

From: Marty Block [<mailto:marty.sia@shaw.ca>]
Sent: Wednesday, February 12, 2014 8:07 AM
To: 'Mike Kelly'; s.22
Subject: FW: security

This lays out what we need to give the MOE before we can start hauling.

South Island Aggregates Ltd.
693A Stebbings Road
Shawnigan Lake BC V0R 2W1
T: 250 743-3332
F: 250 743-3338
C: 250 216-9475
E: marty.sia@shaw.ca

From: Bunce, Hubert ENV:EX [<mailto:Hubert.Bunce@gov.bc.ca>]
Sent: Thursday, December 19, 2013 10:54 AM
To: 'Marty Block'
Subject: security

Directions regarding Security

1. Irrevocable Letter of Credit: The preferred form of financial security is the Irrevocable Letter of Credit (ILOC). An ILOC is a promise from a financial institution to the province that at the request of the province funds up to the agreed sum of money will be paid to the province. It can't be cancelled or amended and must automatically renew on expiry unless advance notice is provided to the province. It is an assured method of securing payment because the promise to pay is directly from the financial institution to the Ministry. In addition, an Irrevocable Letter of Credit allows for incremental additions each year should that be desired. ILOCs must only be accepted where they are issued by a Schedule I or Schedule II Canadian Financial Institution or a Canadian Credit Union (Appendix C). Appendix D provides a template of the B.C. government's ILOC.

Appendix C and D provided in attached document

Hubert Bunce
A/Regional Director, Environmental Protection
West Coast Region
ph (250) 751-3254 fax (250) 751-3103

2080A Labieux Road
Nanaimo BC V9T 6J9

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From: Lachance, Luc ENV:EX
Sent: Wednesday, March 12, 2014 11:43 AM
To: 'Matt Pye'
Cc: Taje, Eddy MEM:EX; Bunce, Hubert ENV:EX
Subject: RE: SIA Cell #1

Thank you Matt,

We have no objection in principle but will be looking at your revised design once ready. I would like to have your opinion on any implications this change may have on future/adjacent cells. Can a synthetic base liner be tied to a clay liner for example. I expected that MEM will want to look at the change as well.

s.22

you need to talk to me you can contact me on the ministry cell phone s.17

If

Thank you,
Luc

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

From: Matt Pye [<mailto:matt.pye@activeearth.ca>]
Sent: Wednesday, March 12, 2014 11:29 AM
To: Lachance, Luc ENV:EX
Subject: SIA Cell #1

Luc,

I have been tied up with the appeal but we have a break next week. I wanted to discuss with you the possibility of using a 30 mil liner in place of the clay till liner for the initial cell 1. There has been some difficulty getting appropriate material and weather conditions to work with clay soil. I will provide a proposed design but wanted to give you a heads up and see if you have any initial concerns?

The proposed design will have a double synthetic base liner. 30mil below a 40mil. The drainage layers will be the same.

Matt

Sent from my iPhone

Jager, Brenda CSNR:EX

From: Lachance, Luc ENV:EX
Sent: Monday, March 24, 2014 9:39 AM
To: 'Matt Pye'
Cc: 'Marty Block'; 'Jeff Taylor'; 'David Mitchell'; Bunce, Hubert ENV:EX; Taje, Eddy MEM:EX
Subject: RE: Revise Base Liner Design for Cell 1 and Time Extension Request for Soil Placement into Cell 1

Good morning Matt,

Thank you for your note and for the revised landfill cell design.

I will get back to you shortly on the design. As indicated in my previous note, I will work with MEM (Eddy Taje) to review your design as affects final closure. If not already done, I recommend that you submit your revisions to MEM and copy me on your communications. Preliminary discussions with MEM indicates that this revised liner design may not be acceptable.

In regards to your request to extend the temporary storage of dredgate in the soil management area, your request will be forwarded to the Director with recommendations.

Please send a formal request, signed and stamped, reiterating what you stated in the email below and include actions you have implemented and/or actions you will be implementing, if needed, to limit / reduce the generation of contaminated runoff water. Please also clearly indicate how long you wish to extend the storage.

Please feel free to call if needed,

Regards,

Luc Lachance, PEng
Sr. Environmental Protection Officer
Ministry of Environment
West Coast Region
ph (250) 751-3125 fax (250) 751-3103
2080A Labieux Road
Nanaimo BC V9T 6J9

24-hour Spill/Environmental Emergency Reporting: 1-800-663-3456 (Provincial Emergency Program)
24-hour RAPP (Report All Poachers and Polluters) tip-line: 1-877-952-7277 (Conservation Officer Service)
www.gov.bc.ca/env

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From: Matt Pye [<mailto:matt.pye@activeearth.ca>]
Sent: Thursday, March 20, 2014 12:55 PM
To: Lachance, Luc ENV:EX
Cc: 'Marty Block'; 'Jeff Taylor'; 'David Mitchell'
Subject: Revise Base Liner Design for Cell 1 and Time Extension Request for Soil Placement into Cell 1
Importance: High

Luc,

Please advise if the attached design change is acceptable.

Today is 30 days from the initial receipt of soil to the Site and therefore we are in a hurry to get the soil placed into Cell 1. There have been some delays as we have been attempting to source suitable clay till and have been working with Levelton to determine the geotechnical stability requirements for the dredge material. In addition we have been busy with the appeal hearing which has been extremely time consuming and also working on commissioning of the

WTP. Overall, we have things under control and it has just been a lot to take care of in a short period of time with some unforeseen difficulties arising. As a result, we will require an additional 1-2 weeks beyond the 30 days to get the initial soils received into Cell 1. Please advise if a formal written request is required beyond this email and I will provide it. If a formal process is undertaken, I would request an additional 30 days to give some breathing room, but we are aiming for 1-2 weeks.

Regards,

Matt Pye, P.Eng.
Principal, Senior Hydrogeologist
Active Earth Engineering Ltd.
105-4343 Tyndall Ave, Victoria, BC V8N 3R9
250-686-9850

Jager, Brenda CSNR:EX

From: Matt Pye <matt.pye@activeearth.ca>
Sent: Monday, March 24, 2014 5:08 PM
To: Lachance, Luc ENV:EX
Cc: Jeff Taylor; David Mitchell; Marty Block; Bunce, Hubert ENV:EX
Subject: Re: Update and Clarification Request for CHH Permit

Luc,

I am available tomorrow am to discuss. We can talk about a time for a site visit as well.

Matt

Sent from my iPhone

On Mar 24, 2014, at 4:34 PM, "Lachance, Luc ENV:EX" <Luc.Lachance@gov.bc.ca> wrote:

Matt,

Please find my comments below. I would to discuss these in detail with you tomorrow morning. I am also planning a site inspection this week and would like to know if there is a better day and time for you.

I am available any day apart from Friday and Thursday morning.

Regards,

Luc Lachance, PEng
Sr. Environmental Protection Officer
Ministry of Environment
West Coast Region
ph (250) 751-3125 fax (250) 751-3103
2080A Labieux Road
Nanaimo BC V9T 6J9

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24-hour RAPP (Report All Poachers and Polluters) tip-line: 1-877-952-7277 (Conservation Officer Service)
www.gov.bc.ca/env

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From: Matt Pye [<mailto:matt.pye@activeearth.ca>]
Sent: Wednesday, March 19, 2014 11:52 AM
To: Lachance, Luc ENV:EX
Cc: 'Jeff Taylor'; 'David Mitchell'; 'Marty Block'
Subject: Update and Clarification Request for CHH Permit
Importance: High

Luc,

We are working on a few items for the SIA site and I am just sending this email as a heads up for what we are wanting to clarify with you. There are 4 items:

- 1. Revised design of the base liner for Cell #1**

We are proposing to replace the clay till liner with a 30 mil LLDPE liner. A proposed design change memo including a cross-section will be provided for approval.

Your design is currently being reviewed. You will receive a response shortly.

2. Update on geotechnical stabilization of dredgate soils

We are working with Levelton to determine the optimal method for obtaining the required geotechnical properties from the dredgate so that we can meet the stability requirements within the cells. Levelton is currently running some lab tests with the soil and various mixtures of road-base crush produced at the pit. Adding the granular soil component will give strength to the dredgate. Other options that are being explored include the use of concrete and even a proportion of sawdust to reduce the moisture content in order to achieve the required level of compaction in the cells. We will provide a summary report once the lab work is complete.

Thank you. As indicated in my Feb 20 email, could you please confirm the soil met all permit criteria, especially moisture content? Please send me the lab analysis report to support. Assuming the soil met the permit criteria, a summary report from Levelton will need to be submitted to confirm the soil is geotechnically stable and suitable to be landfilled. The report will need to be signed and stamped by a QP from Levelton.

3. Confirmation of receiving water standards for surface water and groundwater

We are reviewing the various regulations and guidelines that apply to the PCOCs authorized in the permit. The permit stipulates the BCAWWQG (most stringent of AW and DW) as the only reference for surface water quality from the WTS. However, there is no mention of the DW standards as they pertain to Aesthetic Objectives vs Health-Based Standards. We would like to propose that only the health-based standards are applicable and not the aesthetic objectives (AOs). The AOs pertain to things like taste, colour, staining of fixtures, etc.....not relevant to creek water quality.

We would like to provide a summary of all applicable regulations for each parameter in the permit and then a rationale to define a single, conservative and appropriate discharge target. This will allow us to streamline the monitoring and reporting and ease the confirmation of compliance.

Your proposal seems reasonable. I will review the table when submitted.

4. Confirmation of Non-Compliance reporting requirements

We are in the process of commissioning the WTP and have had soils in the SMA produce contact water with elevated chloride, total metals (due to sediment as dissolved metals not elevated), and PAHs (some may be due to the fresh asphalt). The contact water has been run through the WTP and the discharge initially met the permit criteria for all parameters. Subsequently one of the metals removal vessels went down (there are 2 in parallel) and the concentration of chloride exceeded the standard (250 mg/L.....this is a DW AO) at the WTP outlet to the settling pond....however, there have been NO EXCEEDENCES for chloride at the discharge from the site at SW-1. I had always assumed that we could rely on the dilution within the settling pond to achieve compliance with the permit discharge requirements but I am not certain that is how the permit actually reads. Can you please clarify and if necessary I will provide a non-compliance report for the WTP discharge to the settling pond.

A new vessel is being installed and we are also looking at an additional salt removal component to add to the WTP.

The effluent at the outlet of the WTP have to meet the water quality guidelines (permit clause 1.4.4) and settling pond discharge have to meet conditions stated under clause 1.5.3. Dilution of the WTP effluent may occur as a result of non-contact water flowing through the settling pond and could provide an additional level of protection at times. However, it is not to be relied upon or be considered part of the WTP. Please confirm that the WTP IS operated in batch (and in closed loop initially to demonstrate compliance with permit section 1.4.4) as indicated in the Technical Assessment Report. If the WTP, as configured now, is not able to treat chlorides, metals or other contaminants, you will be required to implement the contingency plan and find alternate ways to dispose of the contact water while you make improvements to the WTP. Please advise on the status of the WTP and on the water quality discharge.

In your note above, it is not clear if only chloride was exceeded at the effluent of the WTP and / or the settling pond. As per permit section 6.1, you are required to submit details of the non-compliance(s), provide explanation and proposed remedial actions in the form of a formal report. However, because you have highlighted other deficiencies with the WTP, a WTP commissioning report is warranted. The report should be structured similarly and include a summary of the non-compliance(s), an analysis of the system and its deficiencies and a proposed action plan to correct the situation. The report would also meet the intent of section 2.17 of the permit where you are required to notify the Director of process modification PRIOR to implementing changes.

I will be following up with additional information regarding the above very shortly. Please feel free to call me to discuss.

Regards,

Matt Pye, P.Eng.
Principal, Senior Hydrogeologist
Active Earth Engineering Ltd.
105-4343 Tyndall Ave, Victoria, BC V8N 3R9
250-686-9850

Jager, Brenda CSNR:EX

From: Lachance, Luc ENV:EX
Sent: Wednesday, July 23, 2014 8:59 AM
To: 'bfarquhar@cvrld.bc.ca'
Cc: Taje, Eddy MEM:EX; 'Marty Block'; Bunce, Hubert ENV:EX
Subject: Response to April 22, 2014 Letter Re. SIA/Cobble Hill Opeartion
Attachments: 2014_07_23 MoE Letter to CVRD PR-105809.pdf; Hubert Bunce.vcf

Dear Mr. Farquhar,

Please find attached a response from Mr. Bunce regarding your letter dated April 22, 2014 regarding encroachment and damage to the CVRD property adjacent to SIA/Cobble Hill quarry operation.

Please feel free to contact me or Mr. Bunce directly should you have any questions.

Mr. Bunce contact information is provided below:



Regards,

Luc Lachance, PEng | Sr. Environmental Protection Officer | Ministry of Environment
Ph/Fx: 250-751-3125/3103 | *e:* Luc.Lachance@gov.bc.ca | *m:* 2080A Labieux Rd, Nanaimo BC V9T 6J9

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July 23, 2014

File: PR-105809

Mr. Farquhar
Cowichan Valley Regional District
175 Ingram Street
Duncan BC V9L 1N8

Dear Mr. Farquhar:

Re: South Island Aggregate/Cobble Hill Holdings Encroachment and Damage to
Cowichan Valley Regional District Property

Thank you for your letter dated April 22, 2014 regarding South Island Aggregate (SIA)/Cobble Hill Holdings (CHH) property. The Ministry of Environment (MoE) is responsible for administering the waste discharge permit PR-105809, including assessing compliance to conditions specific to the waste discharge permit. In this context, MoE staff conducted a site inspection on May 29, 2014. The inspection report is expected to be issued shortly to SIA/CHH.

It is recommended that the encroachment and damage to the Cowichan Valley Regional District property referred to in your letter be addressed with SIA/CHH directly as these issues are outside MoE's jurisdiction unless these are shown to cause pollution as defined in the *Environmental Management Act*.

Please do not hesitate to contact me directly should you wish to discuss further,

Yours truly,

Hubert Bunce,
for the Director, *Environmental Management Act*
West Coast Region

cc: Ed Taje, Ministry of Energy and Mines (email only at Eddy.Taje@gov.bc.ca)
Marty Block, South Island Aggregates (email only at marty.sia@shaw.ca)

Jager, Brenda CSNR:EX

From: Bunce, Hubert ENV:EX
Sent: Monday, August 18, 2014 10:56 AM
To: 'Marty Block'
Cc: Bacic, Sara ENV:EX
Subject: RE: Yearly fee

Hi Marty

I have no power to vary the annual fee. You could call Sara Bacic 250 953-3369 our fees Analyst for further clarification. I'm unaware of any fee exemption allowances relative to a decision being under Appeal.

Hubert Bunce
A/Mining Director, Environmental Protection Regional Operations ph (250) 751-3254 fax (250) 751-3103 2080A Labieux Road
Nanaimo BC V9T 6J9
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-----Original Message-----

From: Marty Block [<mailto:marty.sia@shaw.ca>]
Sent: Wednesday, August 13, 2014 2:42 PM
To: Bunce, Hubert ENV:EX
Subject: Yearly fee

Hubert could you please give me a call regarding our yearly fee I find it very unfair and difficult to pay another \$75,000 for a permit I have not been able to use and still do not have in my hands could you call me and give me some advice if there is anything we can do thank you

Sent from my iPhone

Jager, Brenda CSNR:EX

From: Bunce, Hubert ENV:EX
Sent: Thursday, May 7, 2015 3:58 PM
To: Bunce, Hubert ENV:EX
Subject: two letters to Matt Pye re SIA
Attachments: Scan_20150507.pdf

Hubert Bunce
A/Director, Mount Polley
Environmental Protection, Regional Operations
ph (250) 751-3254 fax (250) 751-3103
2080A Labieux Road
Nanaimo BC V9T 6J9

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EP Mount Polley Website <http://www.env.gov.bc.ca/eemp/incidents/2014/mount-polley/>

From: Bunce, Hubert ENV:EX [<mailto:Hubert.Bunce@gov.bc.ca>]
Sent: Thursday, May 7, 2015 3:21 PM
To: Bunce, Hubert ENV:EX
Subject: Scan From <Device Name>



March 28, 2014

File: PR-105809

REGISTERED MAIL

Mr. Pye
Active Earth Engineering Ltd.
105-4343 Tyndall Avenue
Victoria BC V8N 3R9

Email: matt.pye@activeearth.ca

Dear Mr. Pye:

Re: Water Treatment Plant Commissioning Update

Thank you for your update regarding the Water Treatment Plant (WTP) sent to Mr. Lachance March 27, 2014. It is our understanding that no discharge from the WTP to the receiving environment will occur until such time as the Commissioning Report is received, reviewed and accepted by the Ministry of Environment (MoE).

MoE was also made aware of potential issues regarding a buffer to the property line required under the *Mines Act* permit in relation to the settling pond construction. You are reminded that MoE expects a buffer to be maintained between the operation and the property boundary. You are referred to your Technical Assessment Report and associated drawings where buffers were specified. You are asked to keep MoE informed of all aspects related to this matter and other matters which may be relevant to both ministries and the respective permits (i.e. MoE and Ministry of Energy and Mines).

We look forward to receiving the Commissioning Report, including specific aspects related to the non-compliance event reporting according to section 6.1 of the permit.

Yours truly,

Hubert Bunce
A/Regional Director
Environmental Protection Division

cc: Cobble Hill Holdings Ltd. (BC0754588), c/o Herald Street Law, 101-536 Herald Street,
Victoria BC V8W 1S6 (via registered mail)
Eddy Taje, Ministry of Energy and Mines by email only (Eddy.Taje@gov.bc.ca)

Ministry of
Environment

West Coast Region
Environmental Protection Division

Mailing Address:
2080A Labieux Rd
Nanaimo BC V9T 6J9

Telephone: 250 751-3100
Facsimile: 250 751-3103
Website: www.gov.bc.ca/env



March 28, 2014

File: PR-105809

REGISTERED MAIL

Mr. Pye
Active Earth Engineering Ltd.
105-4343 Tyndall Avenue
Victoria BC V8N 3R9

Email: matt.pye@activeearth.ca

Dear Mr. Pye:

Re: Soil Holding Time within the Soil Management Area and Construction of Landfill
Cell#1 (Permanent Encapsulation Cell)

Thank you for your letter dated March 27, 2014. Your letter follows up on our previous email dated March 19, 2014 asking you to submit a formal request to extend the storage of contaminated soil (in this particular case, dredgate) within the Soil Management Area (SMA) while the first landfill cell, referred to as Cell#1, is built.

The extension to store the soil received on February 19, 2014 is hereby extended until such time as Cell #1 is constructed as per previously agreed and consulted upon design and as-built drawings are reviewed and approved by Ministry of Environment (MoE) and Ministry of Energy and Mines (MEM). It is our understanding that the SMA has currently reached its soil holding capacity and it is our direction that no other loads of contaminated soil be received.

MoE cannot address requirements made under the *Mines Act* permit nor can it interpret the March 5, 2014 email from Mr. Eddy Taje referred to in your letter. However, it is our understanding from MEM that the SMA is located outside of the area administered by the *Mines Act* permit as opposed to the area where Cell#1 is proposed to be constructed.

Yours truly,

Hubert Bunce
A/Regional Director
Environmental Protection Division

cc: Cobble Hill Holdings Ltd. (BC0754588), c/o Herald Street Law, 101-536 Herald Street,
Victoria BC V8W 1S6 (via registered mail)
Eddy Taje, Ministry of Energy and Mines by email only (Eddy.Taje@gov.bc.ca)

Ministry of
Environment

West Coast Region
Environmental Protection Division

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Website: www.gov.bc.ca/env