

From: [Yan, Peter ENV:EX](#)
To: [Kickham, Peter ENV:EX](#)
Cc: [McCammon, Alan W ENV:EX](#); [Skelly, Kerri ENV:EX](#)
Subject: RE: Site ID 15119
Date: Monday, April 4, 2016 9:13:42 AM
Attachments: [FW Mattu - SITE 15119 - Response to MOE letters of September 20 2013 and November 12 2013.msg](#)

Hi Peter,

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Peter Yan, P.Eng., Senior Contaminated Sites Officer
Land Remediation | Ministry of Environment | 604.582.5237

From: Kickham, Peter ENV:EX
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Subject: FW: Site ID 15119

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From: Kate Branch [<mailto:kbranch@core6.ca>]
Sent: Sunday, April 3, 2016 6:43 PM
To: Yan, Peter ENV:EX; Kickham, Peter ENV:EX
Subject: Fwd: Site ID 15119

Hi,

I had previously been in touch with Lillian on this file, but I understand she is currently ^{s.22}
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Thank you!

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From: Kate Branch <kbranch@core6.ca>
Subject: Re: Site ID 15119
Date: April 3, 2016 at 6:35:06 PM PDT
To: "Jerade, Liliana ENV:EX" <Liliana.Jerade@gov.bc.ca>

Liliana,

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Cheers,

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Please let me know if you need any additional help or have any other questions.

Thanks!

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2nd Floor, 10470 - 152 Street
Surrey, BC V3R 0Y3
Tel.: (604) 582-5206
Fax.: (604) 584-9751

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Sent: Tuesday, October 06, 2015 4:44:08 PM (UTC-08:00)

Pacific Time (US & Canada)

To: Site Classification ENV:EX

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Page 005 to/à Page 020

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in the process of preparing our report to support an application for a Determination. Is there any update available regarding the sites at 17494, 17502 and 17524. If so, I'll make a formal file request so that we can incorporate the information within our report.

Cheers,

Kate

Kate Branch, PEng
Senior Engineer / Partner
604-202-4178 (direct)
Core6 Environmental Ltd.
777 Hornby Street, Suite 1410
Vancouver, British Columbia
Canada V6Z 1S4
www.core6.ca

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Thank You

On Oct 7, 2015, at 11:45 AM, Jerade, Liliana ENV:EX

<Liliana.Jerade@gov.bc.ca> wrote:

Hi Kate,

s.22

They hired lawyers and of

course, everything stops moving forward once lawyers get involved. I am new to this file, but I know they our compliance group was getting ready to send a warning letter to them for not complying with the requirements imposed to them under EMA 54(3)(d). But I don't know what happened after that.

s.14

and our compliance group

before I can tell you exactly what happened, but based on the emails I have read, I gather that the source site did some remediation to their site and apparently the site and off site meets now DW standards. But don't quote me on that until I can find out more, but let me know if you want to talk about it and see if I can help you find out what you need.

Cheers,

Liliana

From: Kate Branch [<mailto:kbranch@core6.ca>]

Sent: Wednesday, October 7, 2015 10:32 AM

To: Jerade, Liliana ENV:EX

Subject: Re: Site ID 15119

Hi Liliana,

Thanks for getting back to me so quickly. The PSI 1 I'm reviewing (authored by SLR) provides a detailed site registry output dated September 3rd, 2015. SLR also requested the file at that time and I have copies of the SRCR and Notifications of Off-site Migration as well as a Notification of Independent Remediation. What I'm finding odd is that the site was classified as High Risk in 2013 and the consultant acting for the owner provided a remediation plan, but there doesn't seem to be any further information following the 2013 entry.

Kate

Kate Branch, PEng
Senior Engineer / Partner
604-202-4178 (direct)
Core6 Environmental Ltd.
777 Hornby Street, Suite 1410
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Thank You

On Oct 7, 2015, at 10:06 AM, Jerade, Liliana ENV:EX
<Liliana.Jerade@gov.bc.ca> wrote:

Hi Kate,

You need to do a Detailed Site Registry search (if you haven't already) and retrieve the site file if you need any more info:

<http://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/contaminated-sites/information-about-sites>

Most of our files are in storage so you need to fill out a formal request so they can be retrieved.

Please let me know if you need any additional help or have any other questions.

Thanks!

Liliana Jerade, M.B.A., M.Eng., P.Eng.

Senior Contaminated Sites Officer
Land Remediation Section
Ministry of Environment
2nd Floor, 10470 - 152 Street
Surrey, BC V3R 0Y3
Tel.: (604) 582-5206
Fax.: (604) 584-9751

From: Kate Branch

Sent: Tuesday, October 06, 2015 4:44:08 PM (UTC-08:00)
Pacific Time (US & Canada)

To: Site Classification ENV:EX

Subject: Site ID 15119

Good Afternoon,

I'm currently reviewing a Stage 1 Investigation report on behalf of MOTI and wanted to inquire regarding a neighbouring property that according to the Site Registry was deemed High Risk in 2013 : 17494 100 Avenue – Site ID# 15119. I would like to find out if there's any additional information regarding this site and the following two properties affected by off-site migration from 15119.

- 17502 100 Avenue – Site ID# 15121
- 17524 100 Avenue – Site ID# 15120

Thank you,
Kate

Kate Branch, PEng
Senior Engineer / Partner
604-202-4178 (direct)
Core6 Environmental Ltd.
777 Hornby Street, Suite 1410
Vancouver, British Columbia
Canada V6Z 1S4
www.core6.ca

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Thank You

From: [O'Grady, Tyler FLNR:EX](#)
To: [Kickham, Peter ENV:EX](#)
Cc: [Yan, Peter ENV:EX](#)
Subject: FW: site contamination
Date: Tuesday, April 19, 2016 12:44:51 PM
Attachments: [Letter to Tyler O'Grady, MOE.PDF](#)
[SITE 15119 - Outstanding High Risk Site Requirements.pdf](#)
[SITE 15119 - High Risk Site ADVISORY Letter.pdf](#)
Importance: High

Hi Pete,

Please find an email below from one of the affected property owner's associated with the Mattu property. You can find previous correspondence between the MoE (myself) and s.22 in the site file, if needed.

Based on our walk-by conversation last week, I understand that there has been some recent activity on these properties. If you have any questions just let me know.

Thanks,

Tyler

From: s.22
Sent: Tuesday, April 19, 2016 12:13 PM
To: O'Grady, Tyler FLNR:EX
Subject: site contamination
Importance: High

Good afternoon Tyler,

I am following up to see if you have an update, will the City be testing and possibly perform remediation of our property from the contamination from Mr Sattu? Can we have the high Risk flag removed?

We are in a standstill with selling our property until this has been rectified.

Thank you, s.22
s.22

Page 034 to/à Page 041

Withheld pursuant to/removed as

DUPLICATE

From: [Macfarlane, Mike ENV:EX](#)
To: [Kickham, Peter ENV:EX](#)
Cc: [Smith, Curtis ENV:EX](#)
Subject: FW: Constituent Inquiry - s.22
Date: Friday, April 29, 2016 9:22:52 AM
Attachments: [Letter to Tyler O'Grady, MOE.PDF](#)
[SITE 15119 - Outstanding High Risk Site Requirements.pdf](#)
[SITE 15119 - High Risk Site ADVISORY Letter.pdf](#)
s.22 [CoA.pdf](#)

For follow up. This is another meth lab site that Liliana was dealing with.

s.14

We may have needed to make a determination and define the boundary of the site.

Was 1st dealt with as an emergency response as such the NIR notice exemption under CSR 57(2) applied.

Mike

From: Smith, Curtis ENV:EX
Sent: Friday, April 29, 2016 8:29 AM
To: Macfarlane, Mike ENV:EX
Subject: FW: Constituent Inquiry - s.22
Mike,

Can you have staff look into this fill and provide me some info for response. The constituents are looking for help with:

1. Having the designation of "High-Risk Site" removed from our Property
2. Having the properties tested and remediated –if required by either Mr. Mattu (owner of the rental house) or the City of Surrey

Thx,

Curtis Smith

Division Issues Manager

Environmental Protection Division

Ministry of Environment

Desk: 250-387-6002 | Mobile: 250-580-1532

From: Barillaro, Scott W ENV:EX
Sent: Thursday, April 28, 2016 3:57 PM
To: Smith, Curtis ENV:EX
Subject: FW: Constituent Inquiry - s.22
Importance: High

Hi Curtis. I suspect this is something that will go to Mike M's shop. Please connect with staff and provide advice. s.13

s.13

, but it would help to have more detail.

Thanks.

WSB

From: Shiff, Alexander ENV:EX
Sent: Wednesday, April 27, 2016 5:50 PM
To: Barillaro, Scott W ENV:EX
Subject: FW: Constituent Inquiry - s.22
Importance: High
Hi Scott,

Please see constituent concern below.

Can we please give the CA a hand with an appropriate response?

Thanks,

Alex Shiff

Executive Assistant to the Hon. Mary Polak

Minister of Environment

Ph: **(250) 387-1187** | E: **Alex.Shiff@gov.bc.ca**

From: Lee, Chantal [<mailto:Chantal.Lee@leg.bc.ca>]

Sent: Wednesday, April 27, 2016 1:05 PM

To: Shiff, Alexander ENV:EX

Cc: Schaap, Samantha LASS:EX

Subject: Constituent Inquiry - s.22

Importance: High

Hi Alexander,

Please see the following email, with attachments, from our constituent s.22, who was writing on behalf of s.22

Both their properties have been flagged as "High-Risk Site" with the Ministry of Environment due to water supply being contaminated by a neighbouring rental house/meth lab.

They are seeking help for

1. Having the designation of "High-Risk Site" removed from our Property
2. Having the properties tested and remediated –if required by either Mr. Mattu (owner of the rental house) or the City of Surrey

Could you please advise on our office's response? Please see attached for the signed CoA.

Thank you,

Chantal

..

Chantal Lee

Constituency Assistant to

Hon. Amrik Virk, MLA

Surrey-Tynehead

201-15135 101 Ave., Surrey, BC V3R 7Z1

Tel: 604.586.3747 | Fax: 604.584.4741

www.amrikvirkmla.ca

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From: s.22

Sent: April 19, 2016 3:33 PM

To: Virk.MLA, Amrik <Amrik.Virk.MLA@leg.bc.ca>

Cc: s.22

s.22

Subject: s.22

Importance: High

Good Morning Honourable Amrik Virk,

I am writing you on behalf of s.22

s.22

s.22

We live in s.22, and are unable to sell our homes due to a "High Risk Site Flag" that is on our properties.

Fraser Health investigated water contamination after it was noticed a chemical smell in the water of s.22 water. In December of 2012, a meth lab was discovered at a rental property 17494 100th Avenue, Surrey, owned by Satnam Mattu. This caused extreme contamination from the chemicals used that were dumped into the drainage. This caused s.22 well to become unsafe to use for drinking water, cooking or even for showering purposes. The lab was shut down by the police. s.22 has the CD of the global news story of this event. We were told that Mr Mattu was responsible for ensuring all of our properties were tested and any contamination corrected at his expense. Which has not happened, it could be that we are no longer a high-risk site, but we can't have the designation removed without proof of testing. The City of Surrey, also stated that if it was not done by Mr Mattu in a timely manner, that it would be done by the city and Mr Mattu would bear all the fees of the City's expenses for this process. I've attached letters for you to contact Tyler O'Grady as he was handling this.

(tyler.ograde@gov.bc.ca)

You can see from the correspondence that the states Mr Mattu was responsible to clean it up in 2013, and this has not happened.

We are concerned with the lack of action on this situation and the flagging of our property that was caused by

An event Mr Mattu's property.

Please advise if you can help us with

1. Having the designation of "High-Risk Site" removed from our Property
2. Having the properties tested and remediated –if required by either Mr Mattu or the City of Surrey.

The area we live in has been a hotspot for developers looking to build mid to high-density homes, however, we are at a standstill until this issue has been addressed, and feel we are handcuffed to our properties.

We would appreciate any direction you can give us.

s.22

Please be aware that I will be s.22 , however please respond to s.22

s.22

Page 045 to/à Page 048

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DUPLICATE

CERTIFICATE OF AUTHORITY TO OBTAIN PERSONAL INFORMATION

To: **Ministry of Environment**

From: *Chantal Lee*

For the purposes of the *Freedom of Information and Protection of Privacy Act*, I certify the following:

1. **MLA Amrik Virk** ("MLA"), in whose office I am employed as a constituency assistant, has been asked by the constituent whose name and address are set out below to assist that constituent in resolving the problem described below;
2. I have explained to the constituent that, in order to assist the constituent, I and the other individuals named below, all of whom are employed in the MLA's office, may need to obtain the constituent's personal information from your ministry;
3. I have explained to the constituent that personal information disclosed to us may be of a sensitive nature; and
4. Personal information you disclose to us is necessary for the purpose of assisting the constituent to resolve the problem described below and will be used only for that purpose.

Name of constituent: s.22

("constituent")

Constituent's address and contact number: s.22
s.22

The problem for which the constituent has requested the MLA's assistance is ***to remove "High-Risk Site" flag from their properties on Site Registry, and to have the properties tested and remediated.***

MLA employees covered by this certification: ***Chantal Lee, Samantha Schaap***

April 25, 2016

Surrey-Tynehead Constituency Office



Chantal Lee

Page 050 to/à Page 053

Withheld pursuant to/removed as

DUPLICATE

From: Yan, Peter ENV:EX
To: Kickham, Peter ENV:EX
Subject: RE: Constituent Inquiry - s.22
Date: Friday, April 29, 2016 11:56:42 AM

Hi Peter,

Could you please review the request letter under the following link:

<Q:\EPD\EMB\General\CS Program\Sites\15119\Site Risk Classification\SITE 15119 - Site Reclassification Requirements - 20140502.doc>

I think we send this letter first and give them 14 days to response/submit schedule. If no response received, we may think about sending following up letter. Please let me know your thoughts and the cc list makes sense to you.

Regards

Peter Yan, P.Eng., Senior Contaminated Sites Officer
Land Remediation | Ministry of Environment | 604.582.5237

From: Kickham, Peter ENV:EX
Sent: Friday, April 29, 2016 10:24 AM
To: Macfarlane, Mike ENV:EX
Cc: Smith, Curtis ENV:EX; Yan, Peter ENV:EX
Subject: RE: Constituent Inquiry - s.22

Hi Mike, this site fell into Peter Yan's crosshairs about a week and a half ago after an inquiry came in about a neighbouring site.

After reviewing the information submitted by the source parcel owner (and referenced in the Harper Grey letter), it appears there are some big holes in the investigation done so far (e.g., some contaminants of concern were not evaluated, and others noted to be vapour were not sampled in soil or groundwater).

Peter is finalizing his review of the reports, and will draft a response to the source parcel owner, and Harper Grey next week, however it is premature to be contemplating re-classification of the site to non high-risk at this time.

I imagine the source parcel owner will continue to rely on Harper Grey rather than completing the investigation and remediation as per CSR. s.14

s.14 and may be proceeding down the path towards invoking the orphan site provisions again.

Peter

From: Macfarlane, Mike ENV:EX
Sent: Friday, April 29, 2016 9:23 AM
To: Kickham, Peter ENV:EX
Cc: Smith, Curtis ENV:EX
Subject: FW: Constituent Inquiry - s.22
For follow up. This is another meth lab site that Liliana was dealing with.

s.14

We may have needed to make a determination and define the boundary of the site.

Was 1st dealt with as an emergency response as such the NIR notice exemption under CSR 57(2) applied.

Mike

From: Smith, Curtis ENV:EX
Sent: Friday, April 29, 2016 8:29 AM
To: Macfarlane, Mike ENV:EX
Subject: FW: Constituent Inquiry .s.22

Mike,

Can you have staff look into this fill and provide me some info for response. The constituents are looking for help with:

1. Having the designation of "High-Risk Site" removed from our Property
2. Having the properties tested and remediated –if required by either Mr. Mattu (owner of the rental house) or the City of Surrey

Thx,

Curtis Smith

Division Issues Manager

Environmental Protection Division

Ministry of Environment

Desk: 250-387-6002 | Mobile: 250-580-1532

From: Barillaro, Scott W ENV:EX

Sent: Thursday, April 28, 2016 3:57 PM

To: Smith, Curtis ENV:EX

Subject: FW: Constituent Inquiry - s.22

Importance: High

Hi Curtis. I suspect this is something that will go to Mike M's shop. Please connect with staff and provide advice. s.13

s.13

but it would help to have more detail.

Thanks.

WSB

From: Shiff, Alexander ENV:EX

Sent: Wednesday, April 27, 2016 5:50 PM

To: Barillaro, Scott W ENV:EX

Subject: FW: Constituent Inquiry - s.22

Importance: High

Hi Scott,

Please see constituent concern below.

Can we please give the CA a hand with an appropriate response?

Thanks,

Alex Shiff

Executive Assistant to the Hon. Mary Polak

Minister of Environment

Ph: **(250) 387-1187** | E: **Alex.Shiff@gov.bc.ca**

From: Lee, Chantal [<mailto:Chantal.Lee@leg.bc.ca>]

Sent: Wednesday, April 27, 2016 1:05 PM

To: Shiff, Alexander ENV:EX

Cc: Schaap, Samantha LASS:EX

Subject: Constituent Inquiry - s.22

Importance: High

Hi Alexander,

Please see the following email, with attachments, from our constituent s.22, who was writing on behalf of s.22

Both their properties have been flagged as "High-Risk Site" with the Ministry of Environment due to water supply being contaminated by a neighbouring rental house/meth lab.

They are seeking help for

1. Having the designation of “High-Risk Site” removed from our Property
2. Having the properties tested and remediated –if required by either Mr. Mattu (owner of the rental house) or the City of Surrey

Could you please advise on our office’s response? Please see attached for the signed CoA.

Thank you,

Chantal

..

Chantal Lee

Constituency Assistant to

Hon. Amrik Virk, MLA

Surrey-Tynehead

201-15135 101 Ave., Surrey, BC V3R 7Z1

Tel: 604.586.3747 | Fax: 604.584.4741

www.amrikvirkmla.ca

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From: s.22

Sent: April 19, 2016 3:33 PM

To: Virk.MLA, Amrik <Amrik.Virk.MLA@leg.bc.ca>

Cc: s.22

s.22

Subject: s.22

Importance: High

Good Morning Honourable Amrik Virk,

I am writing you on behalf of s.22

s.22

s.22

We live in s.22 , and are unable to sell our homes due to a “High Risk Site Flag” that is on our properties.

Fraser Health investigated water contamination after it was noticed a chemical smell in the water of s.22 water. In December of 2012, a meth lab was discovered at a rental property

17494 100th Avenue, Surrey, owned by Satnam Mattu. This caused extreme contamination from the chemicals used that were dumped into the drainage. This caused s.22 well to

become unsafe to use for drinking water, cooking or even for showering purposes.

The lab was shut down by the police. s.22 has the CD of the global news story of this event.

We were told that Mr Mattu was responsible for ensuring all of our properties were tested and any contamination corrected at his expense. Which has not happened, it could be that we are no longer a high-risk site, but we can’t have the designation removed without proof of testing.

The City of Surrey, also stated that if it was not done by Mr Mattu in a timely manner, that it would be done by the city and Mr Mattu would bear all the fees of the City’s expenses for this process.

I’ve attached letters for you to contact Tyler O’Grady as he was handling this.

(tyler.ogrady@gov.bc.ca)

You can see from the correspondence that the states Mr Mattu was responsible to clean it up in 2013, and this has not happened.

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The area we live in has been a hotspot for developers looking to build mid to high-density homes, however, we are at a standstill until this issue has been addressed, and feel we are handcuffed to our properties.

We would appreciate any direction you can give us.

s.22

Please be aware that I will be s.22 , however please respond to s.22
s.22

From: [Yan, Peter ENV:EX](#)
To: [Kickham, Peter ENV:EX](#)
Subject: SITE 15119, Surrey Drug Lab (17494 100th Avenue, Surrey) briefing note
Date: Monday, June 13, 2016 10:09:01 AM

Hi Peter,

Please find a draft briefing note for the Surrey Drug Lab under the following link:

Q:\EPD\EMB\General\CS Program\Sites\15119\Briefing Note\Briefing Note - Site 15119_20160607.docx

Please review and let me know your thoughts. Please note that the exact date the case was referred to LRS is not clear. I'll ask Tylor to find out.

Regards

Peter Yan, P.Eng., Senior Contaminated Sites Officer
Land Remediation | Ministry of Environment
Phone: 604.582.5237 | Fax: 604.930.7119
Suite 200 - 10470 152 Street, Surrey BC V3R 0Y3
Peter.Yan@gov.bc.ca

Page 059 to/à Page 060

Withheld pursuant to/removed as

s.14

From: [Lewis, Cameron F ENV:EX](#)
To: [Schaap, Samantha LASS:EX](#)
Cc: [Lee, Chantal LASS:EX](#); [Macfarlane, Mike ENV:EX](#); [Kickham, Peter ENV:EX](#); [Lewis, Cameron F ENV:EX](#)
Subject: Minister Virk Briefing Follow-up
Date: Friday, June 17, 2016 3:57:23 PM
Attachments: [image001.png](#)

Thanks Sam,

Mike will ask Peter Kickham to be in touch with you in order to resource a briefing at the constituency office as discussed.

Have a good weekend.

From: Schaap, Samantha [mailto:Samantha.Schaap@leg.bc.ca]

Sent: Friday, June 17, 2016 3:38 PM

To: Lewis, Cameron F ENV:EX

Cc: Lee, Chantal LASS:EX

Subject: Our contact info

Thank you for chatting with us today on the phone. Please thank Mike as well.

This is us.



Sam Schaap

Constituency Assistant to

Hon. Amrik Virk, MLA

Surrey-Tynehead

201-15135 101 Ave., Surrey, BC V3R 7Z1

Tel: 604.586.3747 | Fax: 604.584.4741

www.amrikvirkmla.ca

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From: [Macfarlane, Mike ENV:EX](#)
To: [Kickham, Peter ENV:EX](#)
Subject: FW: Pls use this version - REVISED: 300988 IN for Minister Virk - June 17, 2016
Date: Friday, June 17, 2016 4:29:48 PM
Attachments: [300988 IN - Minister Virk - Surrey High Risk Site - DM.pdf](#)
[Minister Virk Briefing Follow-up.msg](#)

Peter,

Attached is the version used for today's call.

Further to Cameron's email (attached), can you follow-up with Minister Virk's constituency office regarding a meeting with the affected property owners.

Mike

From: Gooderham, Coleen E ENV:EX
Sent: Thursday, June 16, 2016 8:18 AM
To: Macfarlane, Mike ENV:EX; Lewis, Cameron F ENV:EX
Cc: Desaulnier, Vicki ENV:EX
Subject: Pls use this version - REVISED: 300988 IN for Minister Virk - June 17, 2016
Thank you Coleen

From: Crozier, Bev ENV:EX
Sent: Thursday, June 16, 2016 8:16 AM
To: Delaney, Kirby ENV:EX; ENV Ministerial Assistants
Cc: Buttman, Ashley ENV:EX; Gooderham, Coleen E ENV:EX
Subject: REVISED: 300988 IN for Minister Virk - June 17, 2016

Good morning

Please use this version of the briefing note for Minister Virk's briefing tomorrow at 3:00 pm.

Thank you,



Beverley Crozier
Senior Executive Assistant to Wes Shoemaker
Deputy Minister
Ministry of Environment
☎ 250-387-5429 | 📠 250-387-6003 |

From: Crozier, Bev ENV:EX
Sent: Wednesday, June 15, 2016 5:18 PM
To: Delaney, Kirby ENV:EX; ENV Ministerial Assistants
Cc: Buttman, Ashley ENV:EX; Crozier, Bev ENV:EX; Gooderham, Coleen E ENV:EX
Subject: 300988 IN for Minister Virk - June 17, 2016

Good afternoon

Attached please find a DMO approved IN for briefing with Minister Virk on Friday, June 17 at 3:00 pm.

ADM Responsible: Mark Zacharias (Jennifer McGuire acting)

ATTENDING: Cameron Lewis and Mike Macfarlane attending by phone.

Please forward this meeting note along to Minister Virk's office.

Thank you.



Beverley Crozier
Senior Executive Assistant to Wes Shoemaker
Deputy Minister
Ministry of Environment
☎ 250-387-5429 | 📠 250-387-6003 |

**MINISTRY OF ENVIRONMENT
INFORMATION NOTE FOR MEETING**

June 13, 2016
File: 26250-20/15119
CLIFF/tracking #:300988

PREPARED FOR: Honourable Amrik Virk, Minister of Technology, Innovation and Citizen's Services

DATE OF MEETING: June 17, 2016, 3:00 – 3:30 pm

ATTENDEES:

Minister Amrik Virk, Cameron Lewis, Executive Director, ENV, Mike Macfarlane, Director, ENV

ISSUE: High risk sites located in Surrey requiring Ministry of Environment action to investigate and remediate

BACKGROUND:

An illegal drug manufacturing operation at 17494 - 100th Avenue, Surrey was dismantled by the RCMP, Fraser Health, and the Ministry of Environment (Environmental Emergencies Program) in December 2012. Environmental Emergencies Program referred the site to the Land Remediation Section (LRS) in February 2013.

Contamination levels resulting from the drug lab operations identified the source and neighbouring parcels as potential high risk sites. Potential contaminants included solvents and chemicals normally associated with the manufacturing of “ecstasy”, including acetone, toluene and dichloromethane (DCM). At the time of referral, acetone and toluene concentrations in water samples collected from an onsite drinking water well (tap water) were more than 100 times their respective drinking water standards.

In January 2013, the Environmental Emergencies Program imposed a requirement for the owner of the source parcel (Mr. Satnam Mattu) located at 17494 - 100th Avenue, Surrey to undertake a preliminary investigation of the site. The site is comprised of the source parcel, and two adjacent affected parcels located to the west at 17502, and 17524 - 100th Avenue, Surrey.

On April 23, 2013, the Mr. Mattu's consultant, Levelton, submitted a Site Risk Classification Report (SRCR) for the source parcel indicating the parcel was High Risk. Risk classifications of the two affected parcels were listed as “pending” due to the lack of sufficient information to classify the affected parcels.

Subsequently, the Ministry of Environment issued a letter to Mr. Mattu on May 15, 2013, requiring the submission of the following information within 30 days:

- summary of remedial methods and schedule for remediation of high risk conditions;

- supporting figures and tables representing current site conditions for all investigated media (soil, groundwater, soil vapour, etc.); and
- a schedule for the confirmation of a risk classification for the affected parcels

On June 18, 2013, the Ministry sent a follow up email to Mr. Mattu requiring immediate response regarding the requirements imposed in the May 15th letter. On June 24, 2013, Levelton responded by stating “*The subject site owner has not authorized us to investigate the adjoining affected properties*”.

A report entitled *Environmental Subsurface Assessment at 17494-100th Avenue, Surrey, British Columbia* prepared by Levelton was submitted to the Ministry in September 2013. The report indicated that toluene concentrations, as high as 340,800 ug/l, or 14,200 times the applicable drinking water standard, were present in groundwater at the source parcel, confirming the site’s high risk classification. While the affected parcels were not investigated by Levelton, the potential for high risk conditions at the adjacent parcels could exist based on a tap water sample collected by the Fraser Health Authority from the kitchen at 15724 - 100th Avenue. Analysis of the tap water from this location showed the presence of toluene at 4,176 ug/l or 174 times the applicable drinking water standard of 24 ug/l.

On September 20, 2013, the Ministry issued a follow up letter to the Mr. Mattu re-stating the requirement to submit a schedule for confirmation of a risk classification for the affected parcels.

In October, 2013, Levelton submitted a *Confirmation of Remediation* report for the source parcel to the Ministry. This report indicated that the septic tank and associated septic disposal lines had been decommissioned and approximately 12,740 L contaminated groundwater, 400 kg hazardous waste, and 81 tonnes of contaminated soil were removed from the source parcel. However, the source parcel would still be considered high risk due to the concentrations of toluene detected in groundwater investigation wells (45x the drinking standard).

Ministry staff met with Mr. Mattu and Levelton on October 7, 2013, and requested the submission of an investigation schedule for completing the investigation of the affected site(s). The Ministry indicated it would accept a staged approach to the investigation, as long as it could be confirmed that there were no immediate risks associated with contaminant migration from the source parcel (i.e. ongoing drinking water well monitoring, and an immediate soil vapour investigation at 17502 - 100th Avenue).

On November 12, 2013, the Ministry issued an advisory letter to Mr. Mattu as a reminder of the outstanding Director’s requirements for investigating the affected parcels. Mr. Mattu’s lawyer, Harper Grey LLP, responded on November 18, 2013, arguing that the Ministry did not have the authority to impose requirements on their client and that their client is not a “responsible person” under the *Environmental Management Act*. The Ministry is not in agreement with these arguments.

Before a response to the Harper Grey letter was finalized, the Ministry’s staff member responsible for the file left the Ministry, and the matter was not followed up on until a complaint was received in the spring of 2016. Upon receipt of the complaint, the file was

assigned to Peter Yan (High Risk Site Coordinator) who has subsequently identified several technical deficiencies with Levelton's 2013 Confirmation of Remediation report.

s.14

s.14 A draft advisory letter has also been prepared pursuant to the outstanding Director's requirements and will be issued concurrently with the response to Harper Grey.

SUMMARY:

Despite the work completed in 2013 at the source parcel, there remain a number of concerns that if not addressed or confirmed suggest that the site could still pose a risk to human health or the environment.

- The 2013 sampling results indicate that toluene in groundwater remained at 45x the drinking water limit. Drinking water wells are present on the source parcel and adjacent affected parcels.
- Groundwater and surface water in the area of the highest concentrations of toluene is currently being intercepted by a sump and a surface trench; discharges from both of these collection points are currently discharging to a drainage ditch in a residential area. These discharges may be contributing to contamination of adjacent lands and downgradient aquatic environments.
- There is the possibility that not remediating the site will result in the spread of contamination to further properties, which may or may not have high risk conditions.
- Potential Contaminants of Concern (PCOC) were not analyzed in all media. Volatile organic compounds, other than acetone, benzene, ethylbenzene, toluene and xylene, were not analyzed in soil and groundwater.

NEXT STEPS:

s.22

Section 58 of EMA allows the Minister to make a declaration that "it is necessary for the protection of human health or the environment for the government to undertake remediation of (a) a contaminated site that is not otherwise being adequately remediated, or (b) a high risk orphan site."

The Ministry may consider enacting Section 58 of EMA and undertake remediation of a high risk orphan site, and subsequently pursue cost recovery against those responsible.

These provisions of EMA were enacted to allow the Ministry to undertake necessary work where responsible persons cannot be found, or are financially unable, or are unwilling carry out remediation

Contact:

*Mike Macfarlane
Director Land Remediation
Environmental
Protection Division
250-387-0557*

Alternate Contact:

*Peter Kickham
Manager, Risk
Assessment &
Remediation/EELRB
604-582-5308*

Prepared by:

*Peter Yan
Senior Contaminated Sites
Officer EELRB
604-582-5237*

Reviewed by	Initials	Date
DM	WSB for WS	June 15/16
DMO	BC	June 15/16
A/ADM	JMG	June 15/16
Exec Dir.	CL	June 15/16
Dir.	MWM	June 15, 2016
Mgr	PK	June 14, 2016
Author	PHY	June 14, 2016

From: [Lewis, Cameron F ENV:EX](#)
To: [Schaap, Samantha LASS:EX](#)
Cc: [Lee, Chantal LASS:EX](#); [Macfarlane, Mike ENV:EX](#); [Kickham, Peter ENV:EX](#); [Lewis, Cameron F ENV:EX](#)
Subject: Minister Virk Briefing Follow-up
Date: Friday, June 17, 2016 3:57:23 PM
Attachments: [image001.png](#)

Thanks Sam,

Mike will ask Peter Kickham to be in touch with you in order to resource a briefing at the constituency office as discussed.

Have a good weekend.

From: Schaap, Samantha [mailto:Samantha.Schaap@leg.bc.ca]

Sent: Friday, June 17, 2016 3:38 PM

To: Lewis, Cameron F ENV:EX

Cc: Lee, Chantal LASS:EX

Subject: Our contact info

Thank you for chatting with us today on the phone. Please thank Mike as well.

This is us.



Sam Schaap

Constituency Assistant to

Hon. Amrik Virk, MLA

Surrey-Tynehead

201-15135 101 Ave., Surrey, BC V3R 7Z1

Tel: 604.586.3747 | Fax: 604.584.4741

www.amrikvirkmla.ca

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From: [Lee, Chantal LASS:EX](#)
To: [Kickham, Peter ENV:EX](#)
Cc: [Schaap, Samantha LASS:EX](#)
Subject: RE: Minister Virk Briefing Follow-up
Date: Tuesday, June 21, 2016 10:33:42 AM
Attachments: [Letter to Tyler O'Grady, MOE.PDF](#)
[SITE 15119 - Outstanding High Risk Site Requirements.pdf](#)
[SITE 15119 - High Risk Site ADVISORY Letter.pdf](#)
Importance: High

Good morning Peter,

Thanks to the constituents' speedy reply, we can now confirm that the meeting will take place at 2:00PM, Friday, July 22nd at our office, #201 – 15135 101 Ave, Surrey.

I am also forwarding the original email and attachments we received from the constituents in April for your reference. If you have any further questions, please feel free to let me know.

Thank you for your help in advance and hope you have a great vacation!

Chantal Lee

Constituency Assistant to

Hon. Amrik Virk, MLA

Surrey-Tynehead

201-15135 101 Ave., Surrey, BC V3R 7Z1

Tel: 604.586.3747 | Fax: 604.584.4741

www.amrikvirkmla.ca

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From: s.22

Sent: April 19, 2016 3:33 PM

To: Virk.MLA, Amrik

Cc: s.22

Subject: s.22

Importance: High

Good Morning Honourable Amrik Virk,

I am writing you on behalf of s.22

s.22

We live in s.22 and are unable to sell our homes due to a "High Risk Site Flag" that is on our properties.

Fraser Health investigated water contamination after it was noticed a chemical smell in the water of s.22 water. In December of 2012, a meth lab was discovered at a rental property

17494 100th Avenue, Surrey, owned by Satnam Mattu. This caused extreme contamination from the chemicals used that were dumped into the drainage. This caused s.22 well to

become unsafe to use for drinking water, cooking or even for showering purposes.

The lab was shut down by the police. s.22 has the CD of the global news story of this event.

We were told that Mr Mattu was responsible for ensuring all of our properties were tested and any contamination corrected at his expense. Which has not happened, it could be that we are no longer a high-risk site, but we can't have the designation removed without proof of testing.

The City of Surrey, also stated that if it was not done by Mr Mattu in a timely manner, that it would be done by the city and Mr Mattu would bear all the fees of the City's expenses for this process.

I've attached letters for you to contact Tyler O'Grady as he was handling this.

(tyler.ogradey@gov.bc.ca)

You can see from the correspondence that the states Mr Mattu was responsible to clean it up in 2013, and this has not happened.

We are concerned with the lack of action on this situation and the flagging of our property that was caused by

An event Mr Mattu's property.

Please advise if you can help us with

1. Having the designation of "High-Risk Site" removed from our Property
2. Having the properties tested and remediated –if required by either Mr Mattu or the City of Surrey.

The area we live in has been a hotspot for developers looking to build mid to high-density homes, however, we are at a standstill until this issue has been addressed, and feel we are handcuffed to our properties.

We would appreciate any direction you can give us.

s.22

Please be aware that I will be s.22 , however please respond to s.22
s.22

Page 070 to/à Page 077

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DUPLICATE

Page 078 to/à Page 096

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Page 097 to/à Page 098

Withheld pursuant to/removed as

s.3

Page 099 to/à Page 106

Withheld pursuant to/removed as

s.14

Page 107 to/à Page 108

Withheld pursuant to/removed as

s.3

Page 109 to/à Page 164

Withheld pursuant to/removed as

s.14

From: [Yan, Peter ENV:EX](#)
To: ["rbereti@harpergreys.com"; s.22](#)
Cc: [s.22](#); ["sdogra@levelton.com"; "nshah@levelton.com"; Kickham, Peter ENV:EX; Van Hinte, Jeff JAG:EX](#)
Subject: SITE 15119 Site Risk Classification – Directors Requirements, 17494 100th Avenue, Surrey
Date: Friday, June 24, 2016 12:02:31 PM
Attachments: [2016-06-24 SITE 15119 Site Risk Classification - Directors Requirements.pdf](#)

Dear Sirs,

Please find attached director requirements for SITE 15119 located at 17494 100th Avenue, Surrey and the Affected Parcels located at 17502 and 17524 100th Avenue, Surrey.

Regards

Peter Yan, P.Eng., Senior Contaminated Sites Officer
Land Remediation | Ministry of Environment
Phone: 604.582.5237 | Fax: 604.930.7119
Suite 200 - 10470 152 Street, Surrey BC V3R 0Y3
Peter.Yan@gov.bc.ca



June 24, 2016

Victoria File: 26250-20/15119
Site ID: 15119,15121 &15120

VIA EMAIL: rbereti@harpergrey.com; s.22

Richard Bereti
Harper Grey LLP
3200 – 650 West Georgia Street
Vancouver, BC V6B 4P7

Satnam Mattu
s.22

Dear Sirs:

**Re: Site Risk Classification – Directors Requirements
Source Parcel: 17494 100th Avenue, Surrey
PID: 010-136-924**

This letter is a follow-up in relation to the conditions at the parcel noted above (the “Source Parcel”) and the status of two neighbouring parcels affected by contaminant migration from the Source Parcel. The ministry acknowledges that there has been no formal correspondence on this file since the letter to the ministry from Mr. Bereti dated November 18, 2013. However, a review of the file has indicated that a requirement of the director remains outstanding.

The requirement in question was requested of Mr. Mattu, as the owner of the Source Parcel, in correspondence dated May 15, 2013, and re-iterated in correspondence dated September 20, 2013 and November 12, 2013; and was for submission of schedule for the confirmation of a risk classification for two neighbouring parcels affected by contaminant migration (the “Affected Parcels”):

- 17502 100th Avenue, Surrey (PID: 010-136-959, SITE 15121)
- 17524 100th Avenue, Surrey (PID: 003-626-199, SITE 15120)

It is the ministry’s position that the requirement of the director pursuant to section 54(3)(d) of the *Environmental Management Act* (“EMA”) was reasonably necessary to achieve remediation, and remains outstanding.

In the November 18, 2013 letter from Mr. Bereti, it was submitted that the requirement was outside of the ministry's powers under section 54(3)(d) of EMA and therefore not valid. The ministry disagrees with this position on the following grounds:

1. The notice of independent remediation submitted for the site indicates independent remediation commenced on April 24, 2013. A notification of completion of independent remediation was received on May 25, 2016. Accordingly, the requirement of the director issued in correspondence dated May 15, 2013, September 20, 2013 and November 12, 2013 was imposed during independent remediation.
2. In addition, it is the ministry's position that independent remediation has not been completed to date. It is apparent from the most recent report available (September 30, 2013 report titled *Confirmation of Remediation at 17494 – 100th Avenue, Surrey British Columbia* by Levelton Consultants Ltd.) that concentrations of prescribed substances in groundwater exceeding Contaminated Sites Regulation ("CSR") numerical standards were present or likely present on the Source and Affected Parcels respectively; and the source of these substances was drug lab operations on the Source Parcel. The owner of the Source Parcel has undertaken a partial remediation of the site, s.22

s.22

s.22

Specific concerns the ministry has identified in the September 30, 2013 report include:

- a) Potential Contaminants of Concern (PCOC) were not analyzed in all media:
 - i. VOCs (other than acetone, benzene, ethylbenzene, toluene, and xylenes) were not analyzed in soil and groundwater/water.
 - b) The entire site, including the Affected Parcels, has not been investigated according to established guidance.
 - c) The most recent monitoring event indicated groundwater concentrations of toluene in MW5 exceeded the CSR drinking water standard by approximately 45 times. This level of exceedance is not considered minor by the ministry, and there is also no rationale or evidence provided to support the statement that the exceedance will "attenuate over a very short period of time". The Source Parcel is not "clean" as contamination remains in MW5 and the potential for contamination and risks posed to neighbouring properties remains a concern to the ministry as this has not been confirmed to date.
3. The director's authority to impose requirements pursuant to section 54(3)(d) of EMA is in relation to a contaminated site, and is not limited by property boundaries. There is nothing in EMA which defines a contaminated site in relation to property boundaries. Accordingly, we disagree with the submission of Mr. Bereti that requirements under section 54(3)(d) of EMA are limited to the property being voluntarily remediated.

The November 18, 2013 letter also submits, in the alternative, that it was not appropriate or reasonable for the ministry to impose the requirement under section 54(3)(d) of EMA because Mr. Mattu is exempt from responsible person status. The ministry's position is that Mr. Mattu is a responsible person for remediation of a contaminated site as current owner of the site and as current owner of the site from which the substance migrated. The ministry also notes that, pursuant to section 46(3) of EMA, a person seeking to establish that he or she is not a responsible person has the burden to prove all elements of the exemption on a balance of probabilities. The ministry is not satisfied that this burden has been met by the information contained in the November 18, 2013 letter.

s.22

1. Section 5.1 provides that site risk classification reports and additional information must be provided to a director if the notification triggers in Column II of Table 1 occur. The Source Parcel owner submitted Notification of Likely or Actual Migration to the director regarding the Affected Parcels, but has not submitted site risk classification information for the Affected Parcels (item 3, Table 1).
2. Section 5.4 provides that if the migration or likely migration of substances from a source site results in actual or likely high risk conditions being identified in a site risk classification report submitted for a site, separate site risk classification information must be submitted to the director as set out in that section for each affected site associated with that substance migration. In this case, site risk classification information has not been submitted for the Affected Parcels.
3. Section 5.5 provides that reporting requirements for high risk sites undergoing independent remediation are provided in Table 3. Table 3 requires reporting at completion of remediation of high risk conditions comprising of a site risk classification report confirming that the site is no longer high risk with signoff by an approved professional. This requirement has not been met in this case.

In summary, site risk classification of the Affected Parcels is required and remains outstanding on this file. The ministry again requests compliance with the following requirement of the director:

Submission of a schedule for the confirmation of a risk classification for the Affected Parcels noted above (17502 100th Avenue, Surrey and 17524 100th Avenue, Surrey).

As previously mentioned in the ministry's correspondence dated November 12, 2013, offences and penalties for non-compliance are listed in section 120 of EMA. Section 120(17)(h) relates to non-compliance with requirements of a director under section 54(3), and section 120(19) relates to the contravention of a requirement of a protocol.

The ministry does acknowledge the period of time that has passed in relation to this matter, and as such wishes to provide you with the reasonable opportunity to respond prior to taking further compliance action in regards to this site. Accordingly, please respond within 45 days of this letter if you have any additional information for the ministry to consider.

Please contact the undersigned at 604-582-5237 if you have any questions regarding this letter.

Sincerely,



Peter Yan
for Director, *Environmental Management Act*

cc: s.22

Carrie Baron, City of Surrey, Email. (CABaron@surrey.ca)
Sushil Dogra, Levelton Consultants Ltd., Email. (sdogra@levelton.com)
Neil Shah, Levelton Consultants Ltd., Email. (nshah@levelton.com)
Peter Kickham, MoE., Email. (Peter.Kickham@gov.bc.ca)
Jeff Van Hinte, JAG. Email (Jeff.VanHinte@gov.bc.ca)

Page 170 to/à Page 173

Withheld pursuant to/removed as

DUPLICATE

From: [Delaney, Kirby ENV:EX](#)
To: [Delaney, Kirby ENV:EX](#); [Brosz, Corinne M ENV:EX](#)
Subject: 300988 - Re: Surrey High Risk Site Follow Up
Date: Wednesday, June 8, 2016 3:53:27 PM

Did this get cliffed?

Can you cliff and request materials- let me know and I will pass on to DM.
Shanks!

From: Delaney, Kirby ENV:EX
Sent: Monday, June 6, 2016 2:21 PM
To: Shiff, Alexander ENV:EX
Subject: FW: Surrey High Risk Site Follow Up
Hi Alex,
Do you have any info on this?
-Kirby

From: Crozier, Bev ENV:EX
Sent: Monday, June 6, 2016 2:17 PM
To: Delaney, Kirby ENV:EX
Subject: FW: Surrey High Risk Site Follow Up
Are you aware of this one?

From: Gooderham, Coleen E ENV:EX
Sent: Monday, June 6, 2016 2:13 PM
To: Buttman, Ashley ENV:EX; Crozier, Bev ENV:EX
Subject: FW: Surrey High Risk Site Follow Up
Thank you Coleen

From: Barillaro, Scott W ENV:EX
Sent: Monday, June 6, 2016 2:06 PM
To: Smith, Curtis ENV:EX
Cc: Zacharias, Mark ENV:EX; Macfarlane, Mike ENV:EX; Gooderham, Coleen E ENV:EX
Subject: Surrey High Risk Site Follow Up
Hi Curtis. Quick follow up. MAV requested a verbal briefing on the issue. MO will canvass dates and send a meeting request (including a note) through standard channels. It will come out to you via eapprovals.
Mike: A bit of a heads of for you if you want to have someone start working on it now.

WSB

W. Scott Barillaro

Manager, Executive Operations
Deputy Minister's Office
Ministry of Environment
Office: 250-356-5763
Cell: 250-818-0292