



Report Date: August 18, 2017

File: 18011

Report Number: 064063

**BORDER FEEDLOT CORPORATION**

17256 - 8TH Avenue  
Surrey, BC  
V4P 3A7

Dear Border Feedlot Corporation

**Re: Warning Letter, Unauthorized Discharge, 17256 8th Avenue, Surrey BC V4P 3A7**

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On August 16, 2017, Ministry of Environment and Climate Change Strategy (MECCS) staff inspected ministry's records related to Border Feedlot Corporation's facility (the inspection) located at 17256 8th Avenue, Surrey, BC V4P 3A7, which is registered under the Organic Matter Recycling Regulation registration no. 18011. The inspection was triggered by recent public complaints alleging pollution to the Little Campbell River, multiple odour complaints and as a follow-up to written warning (IR-50875) that was issued to Border Feedlot Corporation on May 10, 2017. The inspection determined that Border Feedlot Corporation is out of compliance with the *Environmental Management Act*, Part 2 Prohibitions and Authorizations, Section 6(3) waste disposal. This Warning Letter lists the compliance verification information below.

By discharging waste from a prescribed activity under the Waste Discharge Regulation (WDR) without a valid authorization Border Feedlot Corporation commits an offence under the *Environmental Management Act (EMA)*. Section 120(3) of *EMA* states as follows:

*120(3) A person who contravenes any of the following commits an offence and is liable on conviction to a fine not exceeding \$1 000 000 or imprisonment for not more than 6 months, or both: (a) section 6 (2), (3) or (4) [waste disposal];...*

It should also be noted that, as an alternative to prosecution of the offence referenced above, the Ministry may initiate action to impose an administrative penalty against Border Feedlot Corporation. The *Administrative Penalties Regulation (EMA)* (B.C. Reg. 133/2014) (APR) was brought into force in 2014. The APR describes the prescribed provisions of the *EMA* as well as that of specified regulations under which administrative penalties can be assigned. Section 12(1) of the APR states as follows:

*12(1) A person who contravenes section 6 (2), (3) or (4), 7, 8, 9 (1) or (4), 11, 25 (2), 40 (1), (2), (3), (6) or (7), 48 (8), (10) or (15), 55 (1), 72 (1) or (2) or 76.2 of the Act is liable to an administrative penalty not exceeding \$75 000.*

If you fail to take the necessary actions to restore compliance, you may be subject to escalating enforcement action. This Warning Letter and the alleged violations and circumstances to which it refers, will form part of the compliance history of Border Feedlot Corporation and will be taken into account in the event of future violations.

Finally, I request that Border Feedlot Corporation immediately implement the necessary changes or modifications to correct the non-compliance(s) listed above with the *Environmental Management Act*. Further, I request that Border Feedlot Corporation notify this office in writing by email or letter within 30 days of this letter, advising what corrective measures have been taken, and what else is being done, to prevent similar non-compliances in the future. Border Feedlot Corporation failed to comply with the *Environmental Management Act*, section 6(3) as outlined below.

**Inspection Details:**

Requirement Description:	<b>Environmental Management Act, Environmental Management Act</b> 6 (3): Subject to subsection (5), a person must not introduce or cause or allow to be introduced into the environment, waste produced by a prescribed activity or operation.
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**Ministry of Environment**

Compliance  
Environmental  
Protection Division

Mailing Address:  
2nd Fl  
10470-152nd St  
Surrey BC V3R 0Y3

Telephone: 604 582 5200  
Facsimile: 604 930 7119  
Website: [www.gov.bc.ca/env](http://www.gov.bc.ca/env)

Details/Findings:	<p>Waste (hydrovac soil and liquids, drywall paper) generated from a WDR Schedule 1 prescribed industry - commercial waste management or waste disposal industry - and waste (manure) generated from a WDR Schedule 2 prescribed industry - agricultural operations - are being brought on to the property from off-site locations. The wastes are mixed together and stored in piles to de-water. Leachate from the mixture is collected in an unlined pond on site and routinely pumped onto the field east of the property. The waste is stored in large piles on unpaved ground surfaces and is periodically turned over to cure. The finished material is sold to the public for use as soil amendment. The handling of the waste described above is considered an introduction of waste produced by a prescribed activity into the environment, as is the sale to the public for use as soil amendment.</p> <p>The waste management activities described above, except management of manure, fall within the scope of municipal solid waste management as defined in Schedule 1 of the Waste Discharge Regulation which states "municipal solid waste management means activities and operations for the management, treatment or discharge of refuse that (a) originates from residential, commercial, institutional, demolition, land clearing or construction sources". Discharge of waste from these prescribed activities without a valid waste discharge authorization issued under EMA is prohibited.</p>
Compliance:	Out
Actions to be taken:	Border Feedlots Corporation and Vern Baird must immediately cease the unauthorized introduction of waste into the environment at 17256 8 Avenue, Surrey BC until a waste discharge authorization issued under EMA is obtained. Information and forms related to applying for a waste discharge authorization can be found at <a href="http://www2.gov.bc.ca/gov/content/environment/waste-management/waste-discharge-authorization">http://www2.gov.bc.ca/gov/content/environment/waste-management/waste-discharge-authorization</a> .

Please be advised that this inspection report may be published on the provincial government website within 7 days.

If you have any questions about this letter, please contact the undersigned.

Yours truly,

Stewart Paterson

Environmental Protection Officer

cc:

<b>Attachments:</b>
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<b>Deliver via:</b>			
Email: <input checked="" type="checkbox"/>	Fax: <input type="checkbox"/>	Mail: <input type="checkbox"/>	
Registered Mail: <input type="checkbox"/>	Hand Delivery: <input type="checkbox"/>		

#### Ministry of Environment

Compliance  
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#### DISCLAIMER:

Please note that sections of the permit, regulation or code of practice referenced in this inspection record are for guidance and are not the official version. Please refer to the original permit, regulation or code of practice.

To see the most up to date version of the regulations and codes of practices please visit  
<http://www.bclaws.ca>

If you require a copy of the original permit, please contact the inspector noted on this inspection record or visit:  
<http://www2.gov.bc.ca/gov/topic.page?id=DF89089126D042FD96DF5D8C1D8B1E41&title=Publically%20Viewable%20A%20authorizations>

It is also important to note that this inspection record does not necessarily reflect each requirement or condition of the authorization therefore compliance is noted only for the requirements or conditions listed in the inspection record.