

From: [Doyle, Chris J ENV:EX](#)
To: [Caravetta, Joe ENV:EX](#)
Cc: [Forsdick, Doug O ENV:EX](#)
Subject: RE: Acid Spill -Trail
Date: September 10, 2018 3:58:53 PM

Can you summarize in bullets:

- Date of incident
- Date of 2nd Incident?
- Date CO's notified
- Date of IRF
- Initial COS response to IRF
- Date of referral to MIU
- Status of investigation
- COORS File #

Chris

From: Caravetta, Joe ENV:EX
Sent: Monday, September 10, 2018 3:41 PM
To: Forsdick, Doug O ENV:EX; Doyle, Chris J ENV:EX
Subject: FW: Acid Spill -Trail

This is the most up to date

Cheers joe

From: Lymburner, Wade ENV:EX
Sent: Monday, September 10, 2018 10:11 AM
To: Caravetta, Joe ENV:EX
Subject: FW: Acid Spill -Trail

Joe

David send this to me over the weekend.

MIU received this request on Aug 9th (from Tony) and both Steve JACOBI and I reviewed it shortly thereafter.

Being new, I looked up the IRF process and its intent. I learned that a "Pre-Investigation Review" is to occur, based on the IRF and its content. The IRF (attached) contains virtually no information by which the "Pre-Investigation Review – Sec D" can be completed. As a result I asked Steve to try and obtain additional information by which this assessment could be made. Steve has reached out to Ben and the originating EERO (Vernon NOVOSAD) a couple weeks ago. The fact that both Ben and NOVOSAD were taking leave over this time, and other files Steve is working on, has impacted the

ability to obtain any additional information.

As of the last couple days EERO NOVOSAD replied to Steve indicating that he never attended the scene of the acid spill and only became aware of the incident as a result of a media inquiry. There appears to be some indication that the acid spill was neutralized with other materials and there was no impact on waterways, but who confirmed this and how is unclear and not documented in the IRF. Steve s.22 but indicated he will try and contact NOVOSAD direct tomorrow.

Overall it appears that the IRF process was somewhat lacking from the start. From what I can determine it appears that the form is used to refer matters to the COS wherein they can review the materials / evidence / reports to determine if an investigation is warranted. In this case it appears there is no such items to even review, therefore no investigational review can occur. Steve has been doing what he can to obtain this but the opportunity may have passed as it appears that there is no longer any scene to examine and I fear no additional materials available from the EERO who created the IRF to begin with. I do not see any other COORS file that Ben may have created to address his actions after receiving the IRF, so don't know what actions, if any the COS has taken beyond Steve's work.

Steve did create a COORS file (201806106) outlining the receipt of the initial IRF and his requests for additional information. I passed this on to the Chief and Dave for their awareness as well. At this time, additional information is needed to make any final decisions regarding MIU taking this investigation. At present MIU has not, but have documented the effort to try and obtain materials by which to make their investigational assessment.

I invite any advice or conversation regarding this, in an effort to move it forward.

Thanks

Wade

Inspector Wade Lymburner, M.O.M.

OIC Major Investigations Unit
Conservation Officer Service
Ministry of Environment and Climate Change Strategy
46360 Airport Road, Chilliwack BC, V2P 1A5
Telephone: 604-798-0347
Email: wade.lymburner@gov.bc.ca

From: Airey, David ENV:EX
Sent: September 7, 2018 6:25 PM
To: Forsdick, Doug O ENV:EX <Doug.Forsdick@gov.bc.ca>
Cc: Lymburner, Wade ENV:EX <Wade.Lymburner@gov.bc.ca>
Subject: Re: Acid Spill SE

Tobe asked for assistance and I sent it to Wade to assess and make a decision. We have only 1

available resource and I asked Wade to consider assigning Jacobi. So, it's not a MIU file at this time. I will cc Wade to follow up with Joe.

D

Sent from my iPhone

On Sep 7, 2018, at 3:28 PM, Forsdick, Doug O ENV:EX <Doug.Forsdick@gov.bc.ca> wrote:

Dave

Do you know if this was referred to MIU and can you check if they did enter it into COORS.

Sent from my iPhone

Begin forwarded message:

From: "Caravetta, Joe ENV:EX" <Joe.Caravetta@gov.bc.ca>
Date: September 7, 2018 at 3:25:30 PM PDT
To: "Karn, David GCPE:EX" <David.Karn@gov.bc.ca>, "Forsdick, Doug O ENV:EX" <Doug.Forsdick@gov.bc.ca>
Subject: FW: Acid Spill SE

FYI- this was referred to MIU, which would explain why we don't have anything in COORS , perhaps they might know more

Cheers

INSPECTOR JOE CARAVETTA
OIC Kootenay Boundary Region
Conservation Officer Service
Ministry of Environment and Climate Change Strategy
PO Box 2877, 1621-A 10th Ave Fernie BC, V0B 1M0
Phone: (250)423-2302 Fax: (250)423-9217

From: Beetlestone, Ben ENV:EX
Sent: Friday, September 7, 2018 4:09 PM
To: Caravetta, Joe ENV:EX
Subject: Re: Acid Spill SE

Joe this was referred to MIU and Sgt Jacobi was looking into this. I have not done any investigation on this. I had cc'd you and Steve when the FOI came out but never saw anything from Steve.

Thank-you,
Ben

Sent from my iPhone

On Sep 7, 2018, at 2:47 PM, Caravetta, Joe ENV:EX
<Joe.Caravetta@gov.bc.ca> wrote:

Ben if you could provide me any update on this it would be
much appreciated
Cheers joe

From: Caravetta, Joe ENV:EX
Sent: Friday, September 7, 2018 3:34 PM
To: Forsdick, Doug O ENV:EX; Karn, David GCPE:EX
Subject: RE: Acid Spill SE

Guys – I can confirm on Monday once A/Sgt. Beetlestone
s.22 - he is the investigating officer –
I did check coors and did not see anything shown in it related
to this matter.

If it can wait till Monday I can provide an accurate answer as
to our present involvement

Cheers Joe

From: Forsdick, Doug O ENV:EX
Sent: Friday, September 7, 2018 3:24 PM
To: Karn, David GCPE:EX; Caravetta, Joe ENV:EX
Subject: Re: Acid Spill SE

Joe ???

Sent from my iPhone

On Sep 7, 2018, at 2:22 PM, Karn, David GCPE:EX
<David.Karn@gov.bc.ca> wrote:

Doug,

The April 10th spill was reported to ministry –
can you confirm if COS is investigating the spills
or just why we weren't notified about 2nd spill
(May 23rd).

From: Forsdick, Doug O ENV:EX
Sent: Friday, September 7, 2018 1:22 PM
To: Karn, David GCPE:EX

Subject: Fwd: Acid Spill SE

Sent from my iPhone

Begin forwarded message:

From: "Caravetta, Joe ENV:EX"
<Joe.Caravetta@gov.bc.ca>
Date: September 7, 2018 at
1:16:14 PM PDT
To: "Forsdick, Doug O ENV:EX"
<Doug.Forsdick@gov.bc.ca>
Subject: RE: Acid Spill SE

Chief

The spill was reported to the
ERO's on April 10, the spill was
not referred to us until August 9
and A/Sgt. Beetlestone is
investigating, but as you can
imagine much of the physical
evidence is long gone and A/Sgt/
Beetlestone s.22
.s.22
,

Please advise if you need anything
further

Cheers joe

From: [Doyle, Chris J ENV:EX](#)
To: [Lymburner, Wade ENV:EX](#)
Subject: RE: Acid Spill SE
Date: September 11, 2018 12:28:24 PM

Hi Wade – try s.17,s.22 if you are trying to call me.

Thanks,

Chris

From: Lymburner, Wade ENV:EX
Sent: Tuesday, September 11, 2018 12:20 PM
To: Caravetta, Joe ENV:EX; Doyle, Chris J ENV:EX
Subject: RE: Acid Spill SE

Good morning Gentlemen

I spoke to Steve JACOBI who will be speaking with Ben.

In my view, Ben has the direct firsthand knowledge of what was report or not, and also received the initial IRF from EERO. With this in mind I prefer not to have MIU be the middle man in this, adding an un-needed layer potential confusion to the matter.

I have asked Steve to contact Ben and have Ben collect and clarify the issue of what was reported and when, and to whom. Additionally, what work the COS has done as a result of these reports, or assessments regarding investigating further. Finally, I think it would add value to have a report on this and move it upward through Ben's command line.

I hope this is satisfactory and addressed the concerns of the Chief.

Happy to discuss further desired.

Wade

Inspector Wade Lymburner, M.O.M.

OIC Major Investigations Unit
Conservation Officer Service
Ministry of Environment and Climate Change Strategy
46360 Airport Road, Chilliwack BC, V2P 1A5
Telephone: 604-798-0347
Email: wade.lymburner@gov.bc.ca

From: Caravetta, Joe ENV:EX
Sent: September 11, 2018 11:45 AM
To: Doyle, Chris J ENV:EX <Chris.Doyle@gov.bc.ca>; Lymburner, Wade ENV:EX

<Wade.Lymburner@gov.bc.ca>

Subject: RE: Acid Spill SE

I spoke with Ben this morning he is waiting to hear from Steve as to whether he will take this on

From: Doyle, Chris J ENV:EX
Sent: Tuesday, September 11, 2018 12:28 PM
To: Lymburner, Wade ENV:EX
Cc: Caravetta, Joe ENV:EX
Subject: RE: Acid Spill SE

Reading the IRF, the COORS file and these emails it appears we are missing some information as to how this is proceeding and maybe waiting for Beetlestone's input?

If this is a fair assessment?

If so – do we say the COS is reviewing the matter or investigating the matter?

Chris

From: Forsdick, Doug O ENV:EX
Sent: Tuesday, September 11, 2018 11:16 AM
To: Doyle, Chris J ENV:EX; Lymburner, Wade ENV:EX
Subject: FW: Acid Spill SE

Wade / Chris

Can we please bring some clarity on this issue to GCPE....I too am a bit confused.

D

From: Cotton, Brian GCPE:EX
Sent: Tuesday, September 11, 2018 11:14 AM
To: Caravetta, Joe ENV:EX; Karn, David GCPE:EX
Cc: Beetlestone, Ben ENV:EX; Doyle, Chris J ENV:EX; Jacobi, Steven ENV:EX; Lymburner, Wade ENV:EX; Forsdick, Doug O ENV:EX; Crebo, David GCPE:EX
Subject: RE: Acid Spill SE

I don't really think it's worth mentioning to media that COS is considering investigating. If there is no investigation (which seems likely) then we will just get more questions from media asking us to justify why there was no investigation.

Also – I'm hoping someone could clear up some confusion. We were told from the EELR folks that they'd referred this incident to the COS because the 2nd spill wasn't reported; however, we have since discovered the second spill was indeed reported to us. So I'm not exactly clear on what any investigation would be looking into?

Thanks,

Brian

From: Caravetta, Joe ENV:EX
Sent: Tuesday, September 11, 2018 11:10 AM
To: Karn, David GCPE:EX
Cc: Beetlestone, Ben ENV:EX; Cotton, Brian GCPE:EX; Doyle, Chris J ENV:EX; Jacobi, Steven ENV:EX; Lymburner, Wade ENV:EX; Forsdick, Doug O ENV:EX
Subject: RE: Acid Spill SE
Importance: High

You answer looks good David, unless others disagree

Cheers Joe

From: Karn, David GCPE:EX
Sent: Tuesday, September 11, 2018 11:58 AM
To: Caravetta, Joe ENV:EX
Cc: Beetlestone, Ben ENV:EX; Cotton, Brian GCPE:EX; Doyle, Chris J ENV:EX; Jacobi, Steven ENV:EX; Lymburner, Wade ENV:EX; Forsdick, Doug O ENV:EX
Subject: RE: Acid Spill SE

Dear all,

Proposed response for your consideration.

Q) Is Teck, IRM or Westcan facing any charges, if so what are they. If not, why not?

A) No charges or fines have been issued. The COS is determining whether or not it will be investigating either of these incidents.

From: Caravetta, Joe ENV:EX
Sent: Monday, September 10, 2018 3:59 PM
To: Karn, David GCPE:EX; Forsdick, Doug O ENV:EX
Cc: Beetlestone, Ben ENV:EX; Cotton, Brian GCPE:EX; Doyle, Chris J ENV:EX; Jacobi, Steven ENV:EX; Lymburner, Wade ENV:EX
Subject: RE: Acid Spill SE

David here is what we can say so far, this is from Inspector Lymburner of the MIU

As of the last couple days EERO NOVOSAD replied to Steve indicating that he never attended the scene of the acid spill and only became aware of the incident as a result of a media inquiry. There appears to be some indication that the acid spill was neutralized with other materials and there was no impact on waterways, but who confirmed this and how is unclear and not documented in the IRF. Steve s.22 indicated he will try and contact NOVOSAD direct tomorrow.

Overall it appears that the IRF process was somewhat lacking from the start. From what I can determine it appears that the form is used to refer matters to the COS wherein they can review the

materials / evidence / reports to determine if an investigation is warranted. In this case it appears there is no such items to even review, therefore no investigational review can occur. Steve has been doing what he can to obtain this but the opportunity may have passed as it appears that there is no longer any scene to examine and I fear no additional materials available from the EERO who created the IRF to begin with. I do not see any other COORS file that Ben may have created to address his actions after receiving the IRF, so don't know what actions, if any the COS has taken beyond Steve's work.

Steve did create a COORS file (201806106) outlining the receipt of the initial IRF and his requests for additional information. I passed this on to the Chief and Dave for their awareness as well. At this time, additional information is needed to make any final decisions regarding MIU taking this investigation. At present MIU has not, but have documented the effort to try and obtain materials by which to make their investigational assessment.

David - Ben s.22 I'll ask
him if there is anything he can add as well

Hopefully this helps - If there is anything else I can help with please give a shout

Cheers

INSPECTOR JOE CARAVETTA
OIC Kootenay Boundary Region
Conservation Officer Service
Ministry of Environment and Climate Change Strategy
PO Box 2877, 1621-A 10th Ave Fernie BC, V0B 1M0
Phone: (250)423-2302 Fax: (250)423-9217

From: Karn, David GCPE:EX
Sent: Monday, September 10, 2018 4:38 PM
To: Caravetta, Joe ENV:EX; Forsdick, Doug O ENV:EX
Cc: Beetlestone, Ben ENV:EX; Cotton, Brian GCPE:EX
Subject: RE: Acid Spill SE

FYI, CBC has just put in another request. We'll need to know if they're investigating the spills themselves or just why we weren't notified about 2nd spill.

dk

From: Caravetta, Joe ENV:EX
Sent: Friday, September 7, 2018 2:34 PM
To: Forsdick, Doug O ENV:EX; Karn, David GCPE:EX
Subject: RE: Acid Spill SE

Guys – I can confirm on Monday once A/Sgt. Beetlestone s.22 – he is the investigating officer –

I did check coors and did not see anything shown in it related to this matter.

If it can wait till Monday I can provide an accurate answer as to our present involvement

Cheers Joe

From: Forsdick, Doug O ENV:EX
Sent: Friday, September 7, 2018 3:24 PM
To: Karn, David GCPE:EX; Caravetta, Joe ENV:EX
Subject: Re: Acid Spill SE

Joe ???

Sent from my iPhone

On Sep 7, 2018, at 2:22 PM, Karn, David GCPE:EX <David.Karn@gov.bc.ca> wrote:

Doug,

The April 10th spill was reported to ministry – can you confirm if COS is investigating the spills or just why we weren't notified about 2nd spill (May 23rd).

From: Forsdick, Doug O ENV:EX
Sent: Friday, September 7, 2018 1:22 PM
To: Karn, David GCPE:EX
Subject: Fwd: Acid Spill SE

Sent from my iPhone

Begin forwarded message:

From: "Caravetta, Joe ENV:EX" <Joe.Caravetta@gov.bc.ca>
Date: September 7, 2018 at 1:16:14 PM PDT
To: "Forsdick, Doug O ENV:EX" <Doug.Forsdick@gov.bc.ca>
Subject: RE: Acid Spill SE

Chief

The spill was reported to the ERO's on April 10, the spill was not referred to us until august 9 and A/Sgt. Beetlestone is investigating, but as you can imagine much of the physical evidence is long gone and A/Sgt/

Beetlestone s.22
s.22

Please advise if you need anything further

Cheers joe

From: [Doyle, Chris J ENV:EX](#)
To: [Caravetta, Joe ENV:EX](#)
Subject: RE: Acid Spill Update
Date: September 13, 2018 7:13:00 AM

Before we close this off, can you ensure Ben meets with the originator of this IRF to discuss, ensure we are not missing anything and ensure they are in agreement with our assessment.

Chris

From: Doyle, Chris J ENV:EX
Sent: Wednesday, September 12, 2018 1:09 PM
To: Caravetta, Joe ENV:EX
Cc: Forsdick, Doug O ENV:EX; Lymburner, Wade ENV:EX
Subject: RE: Acid Spill Update

I am supportive of the position. We will discuss IRF process on our Ops call Friday.

Chris

From: Forsdick, Doug O ENV:EX
Sent: Wednesday, September 12, 2018 8:20 AM
To: Caravetta, Joe ENV:EX; Doyle, Chris J ENV:EX
Cc: lymburner
Subject: RE: Acid Spill Update

I will leave for Chris to respond

D

From: Caravetta, Joe ENV:EX
Sent: Tuesday, September 11, 2018 4:20 PM
To: Forsdick, Doug O ENV:EX; Doyle, Chris J ENV:EX
Cc: lymburner
Subject: Fwd: Acid Spill Update

I fully support the position outlined below by A/Sgt. beetlestone. Please advise if you feel differently, if not we will conclude.

Cheers joe

Sent from my iPad

Begin forwarded message:

From: "Beetlestone, Ben ENV:EX" <Ben.Beaetlestone@gov.bc.ca>
Date: September 11, 2018 at 4:42:36 PM MDT
To: "Caravetta, Joe ENV:EX" <Joe.Caravetta@gov.bc.ca>
Subject: Acid Spill Update

Joe,

I had a discussion this afternoon with Sgt Jacobi and was advised that MIU will not be pursuing an investigation of the acid spill and associated IRF submitted by EERO Novasat. Simply the IRF is lacking any material or evidence to allow MIU to move forward with an investigation. I know you have already received an email from Inspector Lymburner as well outlining these concerns.

I will add I fail to see what COS would investigate in regards to the two acid spills. When the spills occurred they were reported to EP through DGIR's (requirement met). There was no further response from EP in regards to these spills, no EERO's attended and no follow up was taken or has been taken since the spill dates, or least has not been provided to COS. This leads me to believe EP did NOT feel there was a noncompliance nor an impact to the environment, human health or public safety or any lack of regard to regulatory requirements.

I realize the spills have become a high profile case in the media, but that does not mean COS conducts an investigation. The lack of information with the IRF fails to indicate what the non-compliance is, what is the impact to the environment (whether temporary or not) and does not provide any action to date from EP or an EERO. There certainly is ICBC and civil concerns with these spills but I fail to see the EMA noncompliance. With the time delay of the spills there is no site to investigate to determine how much acid was spilled, from what location to what location and where did the acid end up.

Further, I would ask the question.....has EP done any follow-up since the spills with the company to determine if this company is meeting applicable regulatory requirements under EMA such as specific regulations and codes of practice under the Hazardous Waste Regulation. There are Ministry staff designated as inspectors under EMA who are qualified and provide expertise in these matters. The primary role of these inspectors is to verify compliance. When an inspection results in a finding of non-compliance then the inspector may refer the file for investigation. Again there has been nothing provided to COS to date.

Sgt. Jacobi has created COORS file 201806106 regarding these spills and has documented his actions and attached his findings to date.

I support Sgt. Jacobi's understanding of this IRF and lack of information to formulate an investigation. Please consider these comments and advise how you would like this file to move forward to conclusion.

Regards,

A/Sgt. Ben Beetlestone
Conservation Officer
Castlegar, BC