

Emergency Coordination Center

Phone 1-800-663-3456

Fax (250) 952-4872

Notification Code

Code 1

Jurisdiction

Federal | Provincial | Municipal

Total Allocated (\$)

INITIAL DETAILS

Updates

0

Type

DGIR

Number

241401

Subject

Ocean

ISC

ROC #

Report Compiled By

Perry B - 1432

Position

ECC Operations Officer

Date/Time Logged

04/02/2024 09:23:33

Responsible Person - As Reported

Neptune Bulk Terminals

Incident Date/Time

11/17/2023 01:30:00

DGIR Location Address

1001 Low Level Rd, North Vancouver, BC

DGIR Location Description

Area

North Vancouver

EMCR Region

South West

MOE Region

Lower Mainland

CALLER DETAILS

Caller A Name

Andrew

Caller A Agency

ENV RO

Caller A Contact #

Cellular - 604-786-4456

Caller A Alt Contact #

-

Caller A Date/Time

04/02/2024 09:26:00

Caller A Present Location

Caller B Name

Caller B Agency

Caller B Contact #

Caller B Alt Contact #

-

-

Caller B Date/Time

Caller B Present Location

Material

Coal

Quantity

200 kg

ADDITIONAL DETAILS

Description of spill site and surrounding area

Marine Bulk loading facility / ocean

Description of spill source, circumstances, cause and adverse effects of the spill

spill occurred from equipment loading coal onto a vessel due to a malfunction, coal spilled onto the ship, then spilled over into the water between the dock and ship.

Details of action taken or proposed

code 1 all three.

Names of agencies on scene, names of agencies advised

Motor Vehicle

Notification Details				
Date/Time	Type	Stakeholder(s)	Details	Notified By
04/02/2024 09:34:47	Email	ENV Canada	Notification sent.	Perry B - 1432
04/02/2024 09:34:37	Email	CCG-ROC		Perry B - 1432
04/02/2024 09:34:19	Verbal Briefing	PDM Nina Sutton		Perry B - 1432
04/02/2024 09:33:46	Verbal Briefing	NEEC DO		Perry B - 1432
04/02/2024 09:31:30	Verbal Briefing	ENV RO Andrew L. Smith	Incoming - Code 1 Federal, Provincial, Municipal.	Perry B - 1432



Report Date: April 04, 2024

File:DGIR241401

Report Number:222718

Neptune Bulk Terminals  
1001 Low Level Road  
North Vancouver, BC  
V7L 1A7

Dear Neptune Bulk Terminals,

**Re: Non-compliance Advisory Letter**

---

On April 3, 2024, Ministry of Environment and Climate Change Strategy (Ministry) staff conducted an office review inspection associated with Dangerous Goods Incident Report (DGIR) #241401, whose responsible person is Neptune Bulk Terminals of 1001 Low Level Rd, North Vancouver, BC. DGIR #241401 occurred at 1001 Low Level Rd, North Vancouver, BC, with coordinates 49.30552 North, 123.05186 West. As part of the inspection, Neptune Bulk Terminals was assessed for compliance with the Environmental Management Act [SBC 2003] Chapter 53 (Legislation) and the Spill Reporting Regulation B.C. Reg. 187/2017 (Regulation).

This Advisory, the alleged violations and the circumstances to which it refers will form part of the compliance history of Neptune Bulk Terminals, and will be taken into account in the event of future non-compliance.

Please note that Neptune Bulk Terminals is considered to be out of compliance until such a time as it can be confirmed to meet the regulatory requirements.

**Inspection Details:**

The time period covered by this inspection is from November 17, 2023 to April 3, 2024 (inspection period), and included a review of the following documents:

- DGIR #241401 that was time logged on April 2, 2024, and logged by the Emergency Coordination Centre

---

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and Climate Change  
Strategy**

Environmental  
Emergency  
Branch

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)

# Compliance Assessment

Below are the requirements that were assessed for compliance during this inspection, as well as the associated details/findings and any actions required.

---

## Requirement Description:

### Environmental Management Act, Spill Reporting Regulation (187/2017) (EMA)

2(a): This regulation applies for the purposes of section 91.2 (1) (a) [responsible persons-spill response] of the Act in relation to a spill of a listed substance, other than natural gas, if (a) the spill enters, or is likely to enter, a body of water, or

## Details/Findings:

According to DGIR #241401, 200 kilograms of coal was released into the environment on November 27, 2023 as a result of equipment failure at 1001 Low Level Rd, North Vancouver, BC. According to DGIR #241401, the incident occurred on November 27, 2023 and was logged at 09:23 on April 2, 2024. The spill was reported by a representative of BC Ministry of Environment & Climate Change Strategy.

Since the amount released is greater than the listed quantity of the listed substance, the spill was reportable.

## Compliance:

In

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## Requirement Description:

### Environmental Management Act, Spill Reporting Regulation (187/2017) (EMA)

4 (1): If a spill occurs or is at imminent risk of occurring, a responsible person must ensure that the actual or potential spill is immediately reported to the Provincial Emergency Program by calling 1-800-663-3456.

## Details/Findings:

A review of DGIR #241401 regarding the spill that occurred on November 27, 2023, was conducted. According to section 4(1) of the Regulation, the spill was immediately reportable by the responsible person since it was likely to enter a body of water and Ministry records revealed that the spill was not reported immediately by the responsible person in the manner according to the Regulation.

## Compliance:

Out

## Actions to be taken:

Neptune Bulk Terminals, the responsible person, must in accordance with the Regulation, ensure that the actual or potential spill, be immediately reported to the Provincial Emergency Program by calling 1-800-663-3456.

---

## Requirement Description:

### Environmental Management Act, Spill Reporting Regulation (187/2017) (EMA)

6 (1): The responsible person for a spill that occurs on or after October 30, 2018 must submit a written report on the spill to the minister within 30 days after the emergency response completion date for that spill.

### Details/Findings:

A review of DGIR #241401 regarding the spill that occurred on November 27, 2023 was conducted. According to Ministry records an End-of-Spill Report (EOSR) was due on December 27, 2023, within 30 days after the emergency response completion date of November 27, 2023.

### Compliance:

Out

### Actions to be taken:

Neptune Bulk Terminals, the responsible person, must in accordance with the Regulation, submit an End-of-Spill Report within 30 days after the emergency response completion date. Notwithstanding the expiration of this timeline, the Ministry still expects the EOSR to be submitted.



**Compliance History:**

This is the first electronic compliance record for this responsible person since April 1, 2020.

Other:

The Ministry of Environment Compliance and Enforcement Policy and Procedure (C&E Policy) prescribes common requirements and procedures for all Ministry staff to ensure consistent and risk-based assessment and response to noncompliance. Using the Non-Compliance Decision Matrix, the compliance determination for this inspection has been assessed as Level 1, Category A, Advisory.

More information about Environmental Compliance, the Non-Compliance Decision Matrix, and reporting and data submission requirements can be found at the links below:

General compliance information:

[www.gov.bc.ca/environmentalcompliance](http://www.gov.bc.ca/environmentalcompliance)

Non-Compliance Decision Matrix information:

[www.gov.bc.ca/environment/how-compliance-is-assessed](http://www.gov.bc.ca/environment/how-compliance-is-assessed)

Fact Sheet-Spill Reporting:

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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,



Veron Novosad

Emergency Planning Analyst

cc:

**Attachments:**

**Deliver via:**

Email: ☒ Fax: ☐ Mail: ☐  
Registered Mail: ☐ Hand Delivery: ☐

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**From:** [Novosad, Veron ENV:EX](#)  
**To:** ["ldooling@neptuneterminals.com"](mailto:ldooling@neptuneterminals.com)  
**Subject:** Advisory Letter – DGIR #241401  
**Date:** April 4, 2024 3:56:00 PM  
**Attachments:** [2024-04-04 IR222718 DGIR241401 Advisory.pdf](#)  
[image001.png](#)  
[image002.jpg](#)

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On April 3, 2024, Ministry of Environment and Climate Change Strategy (Ministry) staff conducted an office review inspection associated with Dangerous Goods Incident Report (DGIR) #241401, whose responsible person is Neptune Bulk Terminals of 1001 Low Level Rd, North Vancouver, BC. As a result of the inspection, the company was found to be out of compliance with section 4(1) and 6(1) of the Spill Reporting Regulation, B.C. Reg. 187/2017. The compliance decision has been determined to be an Advisory. Please review the attached inspection record and be guided accordingly.

The End-of-Spill-Report Template is found on: [https://www2.gov.bc.ca/assets/gov/environment/air-land-water/spills-and-environmental-emergencies/docs/forms/end\\_of\\_spill-minister\\_update\\_form.pdf](https://www2.gov.bc.ca/assets/gov/environment/air-land-water/spills-and-environmental-emergencies/docs/forms/end_of_spill-minister_update_form.pdf).

In accordance with section 6 of the SRR to submit an End of Spill Report to [spillreports@gov.bc.ca](mailto:spillreports@gov.bc.ca) as per the instructions at the top of the template.

Thank you for your attention,



**Veron Novosad**, BSc, EP, HMT  
Emergency Planning Analyst

Environmental Emergencies Branch  
W: 250-420-6463 | C: 250-919-1014|

[Veron.Novosad@gov.bc.ca](mailto:Veron.Novosad@gov.bc.ca)

[www.gov.bc.ca/environmental-spill-response](http://www.gov.bc.ca/environmental-spill-response)

 [@SpillsInfoBC](https://twitter.com/SpillsInfoBC)

Report a spill: 1-800-663-3456

I respectfully acknowledge that I live, learn and work in  
the unceded territory of the Ktunaxa Nation.



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Yours truly,



Veron Novosad

Emergency Planning Analyst

cc:

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