

From: Karn, David GCPE:EX(David.Karn@gov.bc.ca)
To: Undisclosed recipients;;
Subject: Media Report for Tuesday, May 7, 2024
Sent: 05/07/2024 23:46:19

Media Report for Tuesday, May 7, 2024

Awaiting MO/HQ Approval

The Narwhal (Ainslie Cruickshank) – follow up media request

Recommendation

- You mentioned that the standards included in permits reflect the state of available technology, I just want to confirm this is referring to treatment technology and how effective it is at removing contaminants from wastewater?

[This refers to treatment and source control technologies and practices.](#)

- You also mentioned the province prioritizes high-risk facilities for inspection — can you explain what makes a facility high risk?

[In determining what sites to inspect and the frequency of those inspections, ministry staff consider several factors including the rate of the discharge\(s\), the contaminants within the discharge\(s\), the compliance history of the regulated party as well as the time since last inspection.](#)

- In 2022 report Tsleil-Waututh Nation notes 700 different contaminants were detected in Burrard Inlet between 1971 and 2016. And "at least 24 exceeded benchmarks protective of human consumption of seafood at rates relevant to coastal Indigenous people."

- Does the ministry dispute these findings? And, can you comment on the significance of having 24 contaminants that exceed benchmarks meant to protect human consumption of seafood at rates relevant to coastal Indigenous people.

[We believe that this information came from TWN's compilation of monitoring data from various agencies including Environment and Climate Change Canada and Metro Vancouver, to use in the Burrard Inlet WQOs update work. We have no reason to not trust that data as long as the programs followed standard sampling procedures and lab analyses both of which have improved over time.](#)

[Exceeding a WQO does not necessarily mean that there is an impact. It suggests there could be a risk and therefore more investigation and possibly sampling may be necessary. The Ministry of Health is responsible for ensuring seafood is safe for people to eat.](#)

- Just confirming whether these federal wastewater regulations apply to the facilities with provincial authorizations?

[The federal wastewater regulations apply to the Lions Gate Wastewater Treatment Plant.](#)

Revelstoke Mountaineer (Lys Morton) - Reporting on an update for readers regarding the unit 6 generator project at Revelstoke Dam. An environmental assessment certificate was issued for the project in 2017 but it would seem no substantial work on the project has taken place. Is the certificate still valid or has it since expired? What is the current status of the Revelstoke Unit 6 generator project after receiving an extension for ministers back in 2018?

Recommended

- BC Hydro received an environmental assessment certificate approving the installation of a sixth turbine at the Revelstoke Dam in 2018 – the five-year certificate was set to expire at the end of November (2023) because work has not yet substantially started on the project.
- To allow time for consultation with First Nations, through an Order in Council, the deadline for expiry of the certificate is paused while the Environmental Assessment Office is reviewing BC Hydro's application to extend it.
- If an environmental assessment certificate expires, a new environmental assessment is required to proceed with a project.
- This pause in the timeline allows for a detailed consideration of new information and conditions since the certificate was issued, and a respectful and thorough engagement process with First Nations that supports reconciliation.

Today's requests

The Narwhal (Ainslie Cruickshank) - I have another question to add. In the list of wastewater authorizations I got from the province, Trans Mountain was listed as having two authorizations, numbers: permit 3678 & code of practice registration 14058

I can find the permit, but when I search 14058 through the environmental management authorization search website, a permit for a Richmond, BC facility comes up.

Can you confirm this code of practice 14058 is for a Trans Mountain facility on Burrard Inlet and provide some additional information, such as what the facility is, and which code is registered under?

GCPE responded

Jet fuel is transferred from Transmountain's Westridge terminal via pipe to Richmond. Permit 7171 is the receiving site and Auth 14058 is on the Transmountain Westridge site. It is registered under the Petroleum Storage and Distribution Facilities Storm Water Regulation.

The Narwhal (Ainslie Cruickshank) - This is a follow-up to a media request from April 30, 2024.

Can you explain what you mean by "a minimal amount of coal may have entered into the marine environment"? Can you provide an estimated quantity of coal that may have spilled into the water?

- When did the ministry become aware of the Nov. 17 spill? Was it when The Narwhal provided a copy of the video or before?

- When did the ministry ask Neptune to provide an unedited version of the video?

GCPE responded

- The Ministry became aware of the spill incident that took place in November 2023 following your media request.
- Ministry staff contacted Neptune and they provided information and video on March 28, 2024.
- The amount spilled is estimated to be less than 100kg.
- On April 2, 2024 an Advisory was issued to Neptune for failing to report the incident.

Squamish Reporter (Gagandeep Ghuman) - Some people from Whistler are reporting a grizzly bear in the Chekamus area of Whistler.

Can you please confirm and provide information? Are COS aware and acting on this information. seeking to confirm.

COS responded

COS attended a report of a grizzly bear sighting today, in Cheakamus area of Whistler. COS met with the person reporting the signing on site and identified the bear as a brown faced black bear. Bear was moved off into a nearby wooded area due to its proximity to a dog park.

Previous requests completed

Business in Vancouver (Nelson Bennett) - *to speak to Minister George Heyman for a story I will be doing for next print issue on aboriginal reconciliation. I'll be focusing on recent developments, such as the Haida title agreement and the recent agreement with the Lilwat First Nation to close Joffre Lakes park to the public. I've reached out to Murray Rankin's office and hope to speak to him, but also wanted to speak to Minister Heyman about this recent decision on Joffre Lakes park and the precedent it sets. What other provincial parks might be subject to similar restrictions?*

Background

At the tail end of the interview minister suggested someone from BC Parks call Nelson to respond to his question if during Haida Agreement discussions BC Parks use was canvassed by either party.

GCPE responded

With regard to the recent Haida announcement, all parties considered impacts on protected area use. The Haida Nation and BC are both interested in maintaining protection of those landscapes and ensuring the public is able to continue to enjoy those places. At this time, provincial protected areas on Haida Gwaii continue to be managed cooperatively by BC Parks and the Council of the Haida Nation. Any changes to how those protected areas are managed will happen over time, with BC having a representative on Haida Gwaii dedicated to public engagement.

From: Karn, David GCPE:EX(David.Karn@gov.bc.ca)
To: Undisclosed recipients;;
Subject: Media Report for Thursday, May 2, 2024
Sent: 05/02/2024 23:44:37

Media Report for Thursday, May 2, 2024

Awaiting MO/HQ Approval

n/a

Today's requests

CHEK TV (Rob Shaw) - TMX, good or bad

MGH to respond

Global National (Carolyn Jarvis) - Could you tell me what the annual average limit (in ug/m3) is for benzene in BC please?

And if there are 24-hour or hourly limits also?

I'm on deadline – so a link to the regulatory table or the info via email would be great thanks

GCPE responded

Benzene is a toxic air contaminant under the *Canadian Environmental Protection Act*. BC is backstopped by several Canadian federal guidelines for benzene emissions limits, for example from motor vehicles:

<https://www.canada.ca/en/health-canada/services/chemical-substances/other-chemical-substances-interest/benzene.html>

For benzene in water, the *BC Environmental Management Act* has guidelines regarding hazardous waste regulation, which do not allow any more than 0.5 (mg/l) in concentrated waste extract.

The Narwhal (Ainslie Cruickshank) - This is a follow-up to a media request from March 26, 2024.

- First, I'm wondering if, since I provided the video to the ministry, officials have verified its accuracy?

- Has the ministry confirmed whether any of the spilled coal contaminated the waters of Burrard Inlet?

- I understand from the natural resource compliance and enforcement database that Neptune was issued an advisory on April 4, 2023 for being out of compliance with spill reporting regulations. What was this infraction regarding? When did the inspection take place? Can you please provide the documentation detailing this infraction?

- was the inspection related to the video or the coal spill it captured?

GCPE responded

Neptune Terminals has provided an unedited version of the video in question with Ministry of Environment and Climate Strategy Response Officers. A review of the video indicates that an accidental release occurs, where the majority of the coal remains on the vessel and the pier, however a minimal amount of coal may have entered into the marine environment. On April 3rd an advisory was issued for failing to report this incident immediately as per the Spill Reporting Regulation Sec. 4 (1). Any coal spill larger than 200 KG or 200 L spilled onto land, or any amount of coal that is spilled into a body of water, needs to be reported to the Province.

The Discourse (Madeline Dunnett) - I wanted to call to see if there are any additional comments you have regarding the most recent out of compliance letter that Deep Water Recovery Received from the Province:

<https://nrced.gov.bc.ca/records;autofocus=663122c5f460520022ff412>

Is the province considering taking more action regarding administrative penalties if they are deemed out of compliance again?

GCPE responded

Statement from the Ministry of Environment and Climate Change Strategy:

- The health of our coastline, and the species that depend on a healthy environment, are extremely important to us.
- We continue to look into concerns at the Deep Water Recovery site in Union Bay to ensure the business is compliant and the environment is protected.
- We've ordered the company to sample, monitor and report back to us monthly to ensure there is no pollution at the site.
- After reviewing samples, we have ordered the company to stop discharging effluent above water quality guidelines and provide us an action plan on how they intend to do that.

- We are working with our federal partners to ensure the environment and human health are protected.
- We are prepared to take further action if needed.

Background

- In April, a ministry inspection found Deep Water Recovery to be out of compliance with the requirement for not submitting their documentation by the deadline specified in Pollution Abatement Order 112057.
- The ministry will act appropriately and in an escalating way to address issues of non-compliance. More information can be found: https://www2.gov.bc.ca/assets/gov/environment/research-monitoring-and-reporting/reporting/reporting-documents/environmental-enforcement-docs/env_ce_policy_and_procedure_2019.pdf
- This remains an active file and the ministry will continue to ensure regulatory requirements are followed and the environment is protected.

Previous requests completed

Squamish Chief (Andrew Hughes) - Last night, District of Squamish council defeated a temporary use permit application from Woodfibre LNG to allow the floatel for the WLNG export facility by a vote of 3-4. I am hoping you can provide comment from the EAO on what happens next for this project, where workers will now be residing, and if the EAO is now planning to amend the certificate.

Specifically, if you could provide a comment on this passage in the EAO certificate: "The Holder must require Workers, who were not residents within the DOS prior to September 20, 2023, to reside at the Floatel. The Holder may grant exceptions for extenuating circumstances, which may include place of residence being in the Sea-to-Sky Corridor, or Indigenous and cultural considerations."

Would the defeated TUP application be an extenuating circumstance allowing workers to reside in Squamish?
GCPE responded

Statement on behalf of the Environmental Assessment Office:

- It is too early to speculate what the Squamish council's vote will have on the Woodfibre LNG project, including the condition in the environmental assessment certificate and whether it would be considered an extenuating circumstance.
- The Environmental Assessment Office amended Woodfibre LNG's certificate to ensure that housing, traffic and community services in nearby communities are not adversely affected due to this project moving forward.
- The floatel is proposed to be an alternative housing option that would mitigate the potential impacts of housing for workers on local communities, particularly Indigenous women and girls.
- The EAO examined a range of potential impacts to the environment, communities and First Nations as part of the review for the floatel.
- Woodfibre LNG and the District of Squamish will need to discuss the next steps. The EAO will not speculate on what that path may look like.

From: Brenchley, Charlie ENV:EX(Charlie.Brenchley@gov.bc.ca)
To: Copeland, Alison GCPE:EX (Alison.Copeland@gov.bc.ca); Karn, David GCPE:EX (David.Karn@gov.bc.ca)
Sundberg, Sonya E ENV:EX (Sonya.Sundberg@gov.bc.ca); McKenzie, Scott GCPE:EX (Scott.1.McKenzie@gov.bc.ca); Borghese, Matthew GCPE:EX (Matthew.Borghese@gov.bc.ca)
Subject: RE: Follow-up Media Request: Neptune Terminal coal spill in North Vancouver
Sent: 05/02/2024 17:59:47

Good.

C

From: Copeland, Alison GCPE:EX <Alison.Copeland@gov.bc.ca>
Sent: Thursday, May 2, 2024 10:55 AM
To: Karn, David GCPE:EX <David.Karn@gov.bc.ca>; Brenchley, Charlie ENV:EX <Charlie.Brenchley@gov.bc.ca>
Cc: Sundberg, Sonya E ENV:EX <Sonya.Sundberg@gov.bc.ca>; McKenzie, Scott GCPE:EX <Scott.1.McKenzie@gov.bc.ca>; Borghese, Matthew GCPE:EX <Matthew.Borghese@gov.bc.ca>
Subject: RE: Follow-up Media Request: Neptune Terminal coal spill in North Vancouver

No flags on my end.

Alison Copeland
Director, Issues Management
250-889-4031

From: Karn, David GCPE:EX <David.Karn@gov.bc.ca>
Sent: Thursday, May 2, 2024 10:14 AM
To: Brenchley, Charlie ENV:EX <Charlie.Brenchley@gov.bc.ca>; Copeland, Alison GCPE:EX <Alison.Copeland@gov.bc.ca>
Cc: Sundberg, Sonya E ENV:EX <Sonya.Sundberg@gov.bc.ca>; McKenzie, Scott GCPE:EX <Scott.1.McKenzie@gov.bc.ca>; Borghese, Matthew GCPE:EX <Matthew.Borghese@gov.bc.ca>
Subject: Follow-up Media Request: Neptune Terminal coal spill in North Vancouver

Charlie/Alison, approved by A/ADM Sonya.

Reporter: Ainslie Cruickshank, The Narwhal
ainslie@thenarwhal.ca
604-648-3220 c: 604-967-2026

Deadline Monday, May 6th, 2024

Request - This is a follow-up to a media request from March 26, 2024.

- First, I'm wondering if, since I provided the video to the ministry, officials have verified its accuracy?
- Has the ministry confirmed whether any of the spilled coal contaminated the waters of Burrard Inlet?
- I understand from the natural resource compliance and enforcement database that Neptune was issued an advisory on April 4, 2023 for being out of compliance with spill reporting regulations. What was this infraction regarding? When did the inspection take place? Can you please provide the documentation detailing this infraction?
- was the inspection related to the video or the coal spill it captured?

Background

Media request from March 26, 2024.

REQUEST:

Someone recently shared a video with The Narwhal that appears to show a coal spill at Neptune Terminal (video attached).

My understanding is that the spill took place Nov. 17, 2023 at 1:30 am and the video was captured by camera 1034 - Sampler Tower PTZ and that the spill may not have been reported.

- I'm wondering if you can confirm whether this spill was reported? If it was, when was it reported? And if not, is it the type of spill that is required to be reported?
- If the spill was not reported, what steps is the province now taking to investigate the incident?
- What consequences will Neptune Terminal face for having failed to report the spill?

Recommendation

Neptune Terminals has provided an unedited version of the video in question with Ministry of Environment and Climate Strategy Response Officers. A review of the video indicates that an accidental release occurs, where the majority of the coal remains on the vessel and the pier, however a minimal amount of coal may have entered into the marine environment. On April 3rd an advisory was issued for failing to report this incident immediately as per the Spill Reporting Regulation Sec. 4 (1). Any coal spill larger than 200 KG or 200 L spilled onto land, or any amount of coal that is spilled into a body of water, needs to be reported to the Province.

Emergency Coordination Center

Phone 1-800-663-3456

Fax (250) 952-4872

Notification Code	Jurisdiction	Total Allocated (\$)
Code 1	Federal Provincial Municipal	

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	Quantity
Coal	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

Update to Minister/End-of-Spill Report Form

Environmental Emergency Program
SpillReports@gov.bc.ca

This report template can be completed to satisfy the requirements of either the End-of-Spill Report or the Update to Minister Report. Please specify which report you are completing in section I of this form. If any of the fields of this form are not applicable to the spill for which this form is being completed, indicate 'N/A' in the field; reports with incomplete fields will be sent back to the responsible person.

End-of-Spill Report: Section 6 of the Spill Reporting Regulation outlines the requirements for the End-of-Spill Report. Responsible persons must submit a written End-of-Spill Report to the Ministry of Environment and Climate Change Strategy within 30 days following the emergency response completion date of a spill as outlined in section 6 (1) of the Spill Reporting Regulation. Responsible persons must submit a written report to the Ministry of Environment and Climate Change Strategy as soon as practicable if either of the following two conditions are present:

1. The spill entered, or was likely to enter, a body of water as defined in the Spill Reporting Regulation
2. The quantity of the substance spilled was, or was likely to be, equal to or greater than the listed quantity for the listed substance as outlined in the Spill Reporting Regulation

Update to Minister Report: Section 5 of the Spill Reporting Regulation outlines the requirements for the Update to Minister Report. Responsible persons must submit a written report to the Ministry of Environment and Climate Change Strategy as soon as practicable if any of the following three conditions are present:

1. On request of the Minister
2. At least once every 30 days after the date that the spill began
3. At any time that the responsible person has reason to believe that information previously reported in the Initial Report has become inaccurate or incomplete

Complete this form and submit it by email to SpillReports@gov.bc.ca. For additional information, please visit the British Columbia [Environmental Emergency Program Report a Spill webpage](#).

Dangerous Goods Incident Report (DGIR) number: 241401

Section I: Type of report

Sections 5 and 6 of Spill Reporting Regulation

This form is completed to satisfy the requirements of the:

☐ Update to Minister Report

☒ End-of-Spill Report

Section II: Contact information

Section 6 (2) (a) of the Spill Reporting Regulation

Details for person filling out the report

Name of company representative: Amanda E Sutton

Company name: Neptune Bulk Terminals

Email: asutton@neptuneterminals.com

Address: 1001 Low Level Rd, Vancouver, BC V7L 1A7

Telephone number: (604) 812-6133

Details for responsible person Same as above <input checked="" type="checkbox"/>	Name of company representative:
	Company name:
	Email:
	Address:
	Telephone number:
Details for owner of the substance spilled Same as above <input checked="" type="checkbox"/>	Name of company representative:
	Company name:
	Email:
	Address:
	Telephone number:

Section III: Timing of the spill

Section 6 (2) (b) of the Spill Reporting Regulation

Date of spill: 2023-11-17	Time of spill: 01:31 AM	Duration of the spill (days): 1
Date reported: 2024-04-02	Emergency response completion date ¹ : 2023-11-17	

Section IV: Site description

Section 6 (2) (c) (d) of the Spill Reporting Regulation

Provide a description of the spill site and the sites affected by the spill. The description of the spill site may include a description of the receiving environment, the proximity to a nearby city/town/roadway, the type of vegetation in the area, how densely populated the area is, accessibility to spill site, nearby waterways, and any other defining characteristics of the area.

The coal spilled out of the shiploader then across the vessel and landed on Berth 1 at Neptune Terminals.

Latitude:	Degrees	Minutes	Seconds
Longitude:	Degrees	Minutes	Seconds
or			
Site civic address or location:	Street	1001 Low Level Rd,	
	City	North Vancouver	Postal Code V7L 1A7
or			
DLS or BCNTS (if applicable):	Site ID number (if applicable):		

¹ For the definition of the *emergency response completion date*, please refer to [B.C. Reg. 187/2017 Spill Reporting Regulation](#)

Section V: Description of the source, type, and quantity of the spill**Section 6 (2) (e) (f) of the Spill Reporting Regulation**

Description of the source of the spill (pipeline, rail, truck, facility, etc.):

The spill came from the West Coal Shiploader.

Type of substance spilled (common name): Bituminous Coal

United Nations (UN) number of substance spilled (if applicable):

Item number from the table in the Schedule in the Spill Reporting Regulation: 24

Quantity (in litres or kilograms) of the substance spilled – if the quantity is unknown, provide a reasonable estimate and explain why the quantity is unknown and cannot be determined: Unable to quantify (1kg -5Kg)

Section VI: Description of the circumstances, cause, and impacts of the spill**Section 6 (2) (g) (i) (ii) (iii) of the Spill Reporting Regulation**

Provide a description of the activity during which the spill occurred (transportation, transfer of cargo, fuelling, cleaning, maintenance, etc.):

The spill occurred while loading the vessel

Provide a description of the incident leading to the spill (tank rupture, overfill, collision, rollover, derailment, fire, explosion, etc.):

The trimmer was raised too high while loading the ship

Provide a description of the underlying cause of the spill (human error, external conditions, organizational or management failure, etc.):

Human error due to operator's mistake

Section VII: Impacts to human health, the environment, and infrastructure**Section 6 (2) (g) (iv) (v) of the Spill Reporting Regulation**

Describe any adverse effects of the spill on human health (please state 'N/A' if there were no adverse effects on human health): N/A

Number of people evacuated: 0

Number of fatalities: 0

Number of people injured: 0

Describe any adverse impacts on infrastructure² (please state 'N/A' if there were no adverse impacts to infrastructure): N/A

Impacts to water

Was there an impact to a body of water? ☒ Yes ☐ No

² For the definition of *infrastructure*, refer to section 91.1 of the [Environmental Management Act 2003](#)

Description of impact: Coal spilled onto a vessel and berth 1	
Describe the body of water (stream, aquifer, fish habitat, naturally formed body of water, ditch, lake, etc.): Localized area in the Burrard Inlet of Neptune Terminals	
Name of body of water: Burrard Inlet	
Impacts to the environment	
Was there an impact on flora (vegetation)? <input type="radio"/> YES <input checked="" type="radio"/> NO	If yes, list the common and species names:
Provide a description of the impact on flora (oiled, removed, etc.):	
Was there an impact on fauna (animals)? <input type="radio"/> YES <input checked="" type="radio"/> NO	If yes, list the common and species names:
Provide a description of impact on fauna (include injured, dead, etc.):	
Was there an impact on aquatic and/or terrestrial habitats? <input type="radio"/> YES <input checked="" type="radio"/> NO	If yes, list the type of habitat (riparian, breeding ground, etc.):
Provide a description of impact on aquatic and terrestrial habitats, including response actions taken to restore any of the impacts listed:	

Section VIII: Spill response actions
Section 6 (2) (h) of the Spill Reporting Regulation

Action taken to comply with section 91.2 of the <i>Environmental Management Act 2003</i>	Who took the action (company, person, contractor, etc.)	Date that the action was taken (click the arrow or enter the date using the format YYYY-MM-DD)
Operations was halted to asses the area	Neptune - Environment	2023-11-17
Labourers were deployed for area cleanup	Neptune - Environment	2023-11-17

Section IX: Waste disposal (please state 'N/A' if no waste was produced)
Section 6 (2) (i) of the Spill Reporting Regulation

List the type of waste	Method of disposal	Location of disposal
N/A	N/A	N/A

Section X: Attached reports, maps, and photographs
Section 6 (2) (j) (k) of the Spill Reporting Regulation

Report of results of sampling, testing, monitoring, and/or assessing carried out during spill response actions (including reports from Qualified Professionals), if applicable	Copy attached <input type="checkbox"/>
Map of the incident site and areas surrounding the incident site (required)	Copy attached <input checked="" type="checkbox"/>
Photographs of the spill (required)	Copy attached <input checked="" type="checkbox"/>

Section XI: Agencies on scene or notified
Section 6 (2) (l) (m) of the Spill Reporting Regulation

List the names of all agencies that were at the incident site:
 Neptune Bulk Terminals

List the names of other persons or agencies that were advised about the spill:
Neptune Bulk Terminals, BC Ministry of Environment and Climate Change Strategies

Section XII: Additional comments

Section XIII: Verification of information provided

I confirm that the above information is true and complete.

Name of person completing form:

Tennoy Robinson

Date completed (YYYY-MM-DD)

2024-04-19

Name of responsible person (person or company):

Amanda E. Sutton

Date completed (YYYY-MM-DD)

2024-04-19

Section XIV: Approval - For internal use only

Reviewed by:

Roshelle Williams

Date completed (YYYY-MM-DD)

2024-04-19

Save

Reset Form

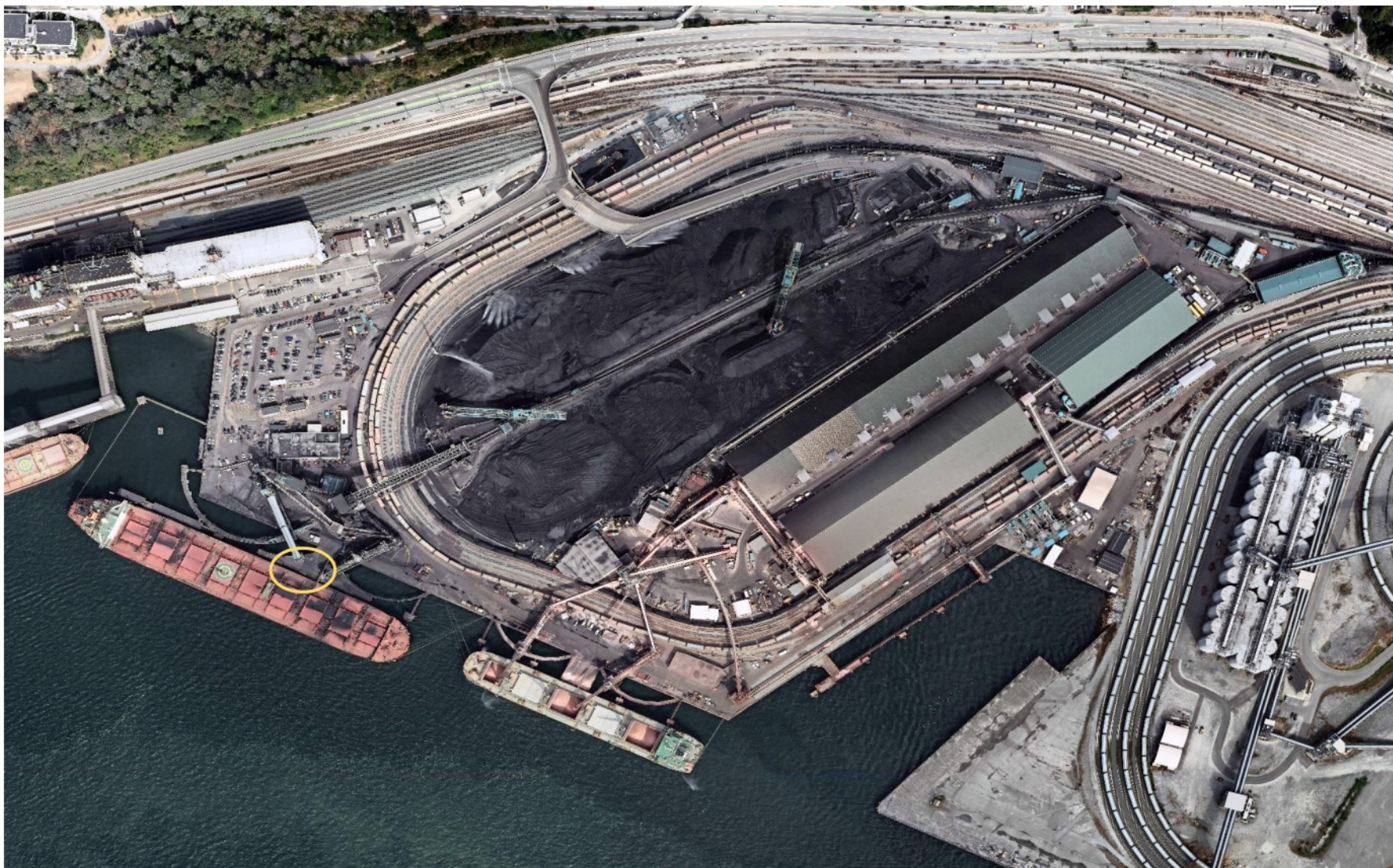


Figure 1: The location of spill circled in yellow.

2023-Nov-17 01:32:08.704 AM (PST)



CAM-1034 - Sampler Tower PTZ

From: Novosad, Veron ENV:EX(Veron.Novosad@gov.bc.ca)
To: ldooling@neptuneterminals.com
Subject: Advisory Letter – DGIR #241401
Sent: 04/04/2024 21:56:37
Attachments: 2024-04-04 IR222718 DGIR241401 Advisory.pdf

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.

In accordance with section 6 of the SRR to submit an End of Spill Report to 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

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.



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

**Ministry of Environment
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

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

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

Non-Compliance Decision Matrix information:

www.gov.bc.ca/environment/how-compliance-is-assessed

Fact Sheet-Spill Reporting:

https://www2.gov.bc.ca/assets/gov/environment/air-land-water/spills-and-environmental-emergencies/docs/materials/fact_sheet_spill_reporting.pdf

Fact Sheet-Responsible Person:

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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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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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Compliance:

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Actions to be taken:

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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.

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Yours truly,



Veron Novosad

Emergency Planning Analyst

cc:

Attachments:

Deliver via:

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From: Dooling, Lisa(ldooling@neptuneterminals.com)
To: Smith, Andrew L ENV:EX (Andrew.L.Smith@gov.bc.ca)
To: Walker, Brad (bwalker@neptuneterminals.com)
Subject: RE: Info regarding the video
Sent: 03/28/2024 22:11:43

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Andrew,
Please see below the statement that I am sending momentarily to the Narwhal:

We take all such incidents very seriously and this incident was thoroughly and immediately investigated by our operations and environmental staff. Neptune has a highly skilled workforce, and incidents like this are rare. This incident was the result of equipment operator error and additional training has been put in place to prevent a recurrence.

The review determined that the incident did not meet the threshold for reporting and the spillage of steelmaking coal was to the deck of the vessel and onto the dock, and therefore did not have any impact on the environment.

Neptune is committed to strong environmental practices and is a longstanding member of the [Green Marine](#) program, regularly achieving leadership performance.

If you're able to share what the Province says with us, that would be appreciated.

Best regards,
Lisa



Lisa Dooling | *Director of People & Community*
O: 604-983-4407 | C: 604-968-4804
Suite 100 – 340 Brooksbank Ave. North Vancouver, BC V7J 2C1
neptuneterminals.com

From: Smith, Andrew L ENV:EX <Andrew.L.Smith@gov.bc.ca>
Sent: Thursday, March 28, 2024 1:55 PM
To: Dooling, Lisa <ldooling@neptuneterminals.com>
Subject: Info regarding the video

Caution: External sender, exercise care when clicking links or opening attachments. If you are unsure use the **Phish Alert Button**.

Hi Lisa,

Wondering if you have that email with any information that I can forward on to our own media relations.

Thanks

Andrew Smith
Environmental Emergency Response Officer
Environmental Emergency Program



Lower Mainland Region/Surrey Office

Andrew.L.smith@gov.bc.ca

Office: 236-468-3632.

Cell: 604-786-4456

www.gov.bc.ca/spillsinfo  [@SpillsInfoBC](https://twitter.com/SpillsInfoBC)

Report a spill: 1-800-663-3456

Total Duration
3.00

Log Details				
Name	Position	Date/Time	Duration	Type
Andrew Smith	Response Officer	04/02/2024 13:24:34	3.00	Regular hours
Description				
On March 27th BC ENV had been made aware of a video of a potential release of coal and Neptune Bulk Terminals on Nov 17th 2023 that went un-reported.				
NBT was contacted and confirmed that the spill occurred but that at the time it was deemed not reportable by staff at that time.				
They shared a video on March 28th and based on the video sent it is likely that some coal lost from a malfunctioning chute likely entered the marine environment.				
Based on the likely entry of product into the marine environment I called ECC and created a DGIR.				
on April 2, I informed NBT that the DGIR had been created and an EOSR would be required.				