



COMPLAINT REPORT
Confidential for Internal Use



RECORD ID: 187191
IDIR^{s. 15}
11:15 Feb 10, 2023
Medium Sensitive

Natural Resource Officer:
Brian Bubela

Region: South Coast
Field Unit: Chilliwack

Date Received:
April 26, 2022

Complainant Information

Last Name:
SMITH

First Name:
Andrew

Email:
andrew.l.smith@gov.bc.ca

Telephone:
604-786-4456

Latitude:
49.246849

Additional Contact Information:
MailingAddress: 10470 152 st
suite 200

Longitude:
-122.735547

Location Description:
Location: 750 Kingsway Ave, Port Coquitlam, BC
Nearest_City_Town: Port Coquitlam

Violation Narrative:
ViolatorAddress: Valiant Log sort
InProgress: yes
NatureOfViolation: Hydrocarbons and sediment flowing from mill site into ditch off site.
AffectFromViolation: City of Port Coquitlam is looking at bylaw violations.
AgenciesNotified: City of Port Coquitlam notified us. I work for BC ministry of Environment.
Hazards: I am not aware of any immediate hazards.

ALLEGED CONTRAVENER:
UNKNOWN

Function:
Water Management

Activity:
Changes in and about a stream

Action Taken
No Action - Resourcing

Date Action Taken:
2022-05-19

Lead Agency:
FLNRO

Assigned To:

Rationale:
no action

Description and Comments:

Natural Resource Officer: [Brian Bubela]

Signature: X

I certify that this inspection conforms to Ministry compliance

Sent to:

Attachments and Comments:

Delivered via:

Email:

Fax:

Mail:

Registered Mail:

Hand Delivery:

From: Salvaille, Alexandre WLRS:EX(Alexandre.Salvaille@gov.bc.ca)
To: Roxanne.Jessome@gov.bc.ca, Jessome, Roxanne WLRS:EX
Subject: FW: Situational Update- 750 Kingsway Dike, Port Coquitlam
Sent: 09/27/2023 16:04:00
Attachments: 2023-07-11 IR208502 Ground X ADVISORY signed.pdf, RE: City of Port Coquitlam: Contacts for Bylaw enforcement and data.msg

FYI – regarding the issue at 750 Kingsway in Port Coquitlam. That was before the latest inspection from the City that claims that now fill is placed closer...

Alex

From: Nelles, Brady ENV:EX <Brady.Nelles@gov.bc.ca>
Sent: Friday, July 28, 2023 2:48 PM
To: Elliott, Richard FOR:EX <Richard.Elliott@gov.bc.ca>; Salvaille, Alexandre FOR:EX <Alexandre.Salvaille@gov.bc.ca>; Brugman, Yannic FOR:EX <Yannic.Brugman@gov.bc.ca>
Cc: Little, Stephanie ENV:EX <Stephanie.Little@gov.bc.ca>
Subject: RE: Situational Update- 750 Kingsway Dike, Port Coquitlam

Hi Richard,

No update on the investigation, it is still ongoing. Most recent inspection and correspondence with the City attached. We had no evidence of anything going into the river at the time of our inspection. If you have evidence of such, probably the best way to is send it to our complaints email to get it into the correct hands at : environmentalcomplaints@gov.bc.ca

I cc'd Stephanie who is acting for me next week if you have any questions.

Thanks,
Brady



Brady Nelles | Executive Director

Compliance and Environmental Enforcement | Ministry of Environment and Climate Change Strategy
Suit 325-1011 4th Ave | Prince George, BC | V2L 3H9 | Tel: 250.640.9314

To report pollution call the RAPP (Report All Poachers and Polluters) line at 1-877-952-7277 or #7277 on the TELUS Mobility Network or report the incident [online](#)

Visit the [Natural Resource Compliance and Enforcement Database](#) for all compliance and enforcement outcomes.

More information about Compliance and Environmental Enforcement can be found [here](#).  @ComplianceBC

From: Elliott, Richard FOR:EX <Richard.Elliott@gov.bc.ca>
Sent: Friday, July 28, 2023 2:41 PM
To: Nelles, Brady ENV:EX <Brady.Nelles@gov.bc.ca>; Salvaille, Alexandre FOR:EX <Alexandre.Salvaille@gov.bc.ca>; Brugman, Yannic FOR:EX <Yannic.Brugman@gov.bc.ca>
Subject: RE: Situational Update- 750 Kingsway Dike, Port Coquitlam

Hey Brady,

Sorry to pester you again but I was wondering if there was update or timeline (Fall 2023, Spring 2024, etc...) on the investigation. I have been told there has been another larger dumping pit on the site that's leaching

into the river.

RE

From: Elliott, Richard FOR:EX
Sent: Monday, July 10, 2023 1:15 PM
To: Nelles, Brady ENV:EX <Brady.Nelles@gov.bc.ca>; Salvaille, Alexandre FOR:EX <Alexandre.Salvaille@gov.bc.ca>; Brugman, Yannic FOR:EX <Yannic.Brugman@gov.bc.ca>
Cc: Giles, Andrew FOR:EX <Andrew.Giles@gov.bc.ca>
Subject: RE: Situational Update- 750 Kingsway Dike, Port Coquitlam

Thanks Brady, much appreciated.

RE

Richard Elliott, MBA
Executive Director, Water, Fish & Wildlife
Integrated Regional Operations Division
Ministry of Forests

From: Nelles, Brady ENV:EX <Brady.Nelles@gov.bc.ca>
Sent: Monday, July 10, 2023 12:58 PM
To: Elliott, Richard FOR:EX <Richard.Elliott@gov.bc.ca>; Salvaille, Alexandre FOR:EX <Alexandre.Salvaille@gov.bc.ca>; Brugman, Yannic FOR:EX <Yannic.Brugman@gov.bc.ca>
Cc: Giles, Andrew FOR:EX <Andrew.Giles@gov.bc.ca>
Subject: RE: Situational Update- 750 Kingsway Dike, Port Coquitlam

Hi Richard, attached is my last communication with the City (Thursday) nothing new to report at this time.

Thanks,
Brady



Brady Nelles | Executive Director

Compliance and Environmental Enforcement | Ministry of Environment and Climate Change Strategy
Suit 325-1011 4th Ave | Prince George, BC | V2L 3H9 | Tel: 250.640.9314

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From: Elliott, Richard FOR:EX <Richard.Elliott@gov.bc.ca>
Sent: Monday, July 10, 2023 12:02 PM
To: Salvaille, Alexandre FOR:EX <Alexandre.Salvaille@gov.bc.ca>; Brugman, Yannic FOR:EX <Yannic.Brugman@gov.bc.ca>
Cc: Giles, Andrew FOR:EX <Andrew.Giles@gov.bc.ca>; Nelles, Brady ENV:EX <Brady.Nelles@gov.bc.ca>
Subject: RE: Situational Update- 750 Kingsway Dike, Port Coquitlam

Thanks Alex.

RE

Richard Elliott, MBA
Executive Director, Water, Fish & Wildlife
Integrated Regional Operations Division
Ministry of Forests

From: Salvaille, Alexandre FOR:EX <Alexandre.Salvaille@gov.bc.ca>
Sent: Monday, July 10, 2023 11:53 AM
To: Elliott, Richard FOR:EX <Richard.Elliott@gov.bc.ca>; Brugman, Yannic FOR:EX <Yannic.Brugman@gov.bc.ca>
Cc: Giles, Andrew FOR:EX <Andrew.Giles@gov.bc.ca>; Nelles, Brady ENV:EX <Brady.Nelles@gov.bc.ca>
Subject: RE: Situational Update- 750 Kingsway Dike, Port Coquitlam

Hi Richard,

No updates on my end. I am hoping to have a conversation with the City of Port Coquitlam before moving to the next step. [s. 13](#)
[s. 13](#)

I reached out to my contacts at the City at the end of June, but I didn't hear back. I'll try to contact them again.

Regards,

Alex

From: Elliott, Richard FOR:EX <Richard.Elliott@gov.bc.ca>
Sent: Monday, July 10, 2023 11:36 AM
To: Brugman, Yannic FOR:EX <Yannic.Brugman@gov.bc.ca>; Salvaille, Alexandre FOR:EX <Alexandre.Salvaille@gov.bc.ca>
Cc: Giles, Andrew FOR:EX <Andrew.Giles@gov.bc.ca>; Nelles, Brady ENV:EX <Brady.Nelles@gov.bc.ca>
Subject: RE: Situational Update- 750 Kingsway Dike, Port Coquitlam

Alexandre/Yannic,

I have another call set up with the CAO from PoCo tomorrow morning and was wondering if there is an update on Ground X and their compliance with Letter 2, or the possibility of an enforcement order. Also, Brady if there was anything more on your end I could share that would be helpful.

Cheers,
RE

Richard Elliott, MBA
Executive Director, Water, Fish & Wildlife
Integrated Regional Operations Division
Ministry of Forests

From: Elliott, Richard FOR:EX
Sent: Friday, June 30, 2023 11:07 AM
To: Brugman, Yannic FOR:EX <Yannic.Brugman@gov.bc.ca>; Salvaille, Alexandre FOR:EX <Alexandre.Salvaille@gov.bc.ca>
Cc: Austin, Matt FOR:EX <Matt.Austin@gov.bc.ca>; Giles, Andrew FOR:EX <Andrew.Giles@gov.bc.ca>; Nelles, Brady ENV:EX <Brady.Nelles@gov.bc.ca>
Subject: RE: Situational Update- 750 Kingsway Dike, Port Coquitlam

s. 16

I had a good conversation this morning with Rob B (CAO) from the City of Pocol. s. 16

. I did explain that the

site inspection undertaken by ENV was a point in time assessment and separate from the ongoing investigation. I also reiterated that ENV would not be able to share information reading the ongoing investigation and an NDA so he can be brought in the loop is not an option for an investigation of this type.

Regarding the dike, Alex or Yannic can you please keep me in the loop as to the follow-up with Ground X and their compliance with Letter 2. s. 13

s. 13

Rob has asked to have another check-

in with me the second week of July and I hope to be able to give him an update on the outcome on the compliance to that letter.

Hope everyone has a great long weekend.

Regards,

RE

Richard Elliott, MBA
Executive Director, Water, Fish & Wildlife
Integrated Regional Operations Division
Ministry of Forests

From: Elliott, Richard FOR:EX <Richard.Elliott@gov.bc.ca>
Sent: Thursday, June 29, 2023 4:44 PM
To: Brugman, Yannic FOR:EX <Yannic.Brugman@gov.bc.ca>
Cc: Giles, Andrew FOR:EX <Andrew.Giles@gov.bc.ca>
Subject: Re: Situational Update- 750 Kingsway Dike, Port Coquitlam

Thank you Yannic, this is much appreciated.

RE

Get [Outlook for iOS](#)

From: Brugman, Yannic FOR:EX <Yannic.Brugman@gov.bc.ca>
Sent: Thursday, June 29, 2023 4:17:26 PM
To: Elliott, Richard FOR:EX <Richard.Elliott@gov.bc.ca>
Cc: Giles, Andrew FOR:EX <Andrew.Giles@gov.bc.ca>
Subject: Situational Update- 750 Kingsway Dike, Port Coquitlam

Hi Richard, Please find below a situational briefing prepared for Matt in early May to support his meeting with Port Coquitlam. Information in **Green** is updated as of this afternoon (2023/06/29) based on a phone call with the Deputy Inspector of Dikes for this file. The rest of the information provided is still current and valid.

Please don't hesitate to call or message if you have any further questions regarding this file.

Best regards,

Yannic

Yannic Brugman, P.Eng.
Inspector of Dikes/ Head of Flood Safety
Integrated Resource Operations – Ministry of Forests
D: 236-455-1721



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From: Giles, Andrew FOR:EX <Andrew.Giles@gov.bc.ca>
Sent: Thursday, May 11, 2023 1:54 PM
To: Gooderham, Coleen E FOR:EX <Coleen.Gooderham@gov.bc.ca>
Cc: Brugman, Yannic FOR:EX <Yannic.Brugman@gov.bc.ca>; Chapman, Connie FOR:EX <Connie.Chapman@gov.bc.ca>
Subject: FW: RE Q: Mtg today on Dikes/Bullets for Matt?

Hi Coleen,

FOR ADVICE TO MINISTER HEYMAN
Update from Yannic Brugman
Re: 750 Kingsway Dike

Background:

- The 750 Kingsway Dike is a regulated dike under the Dike Maintenance Act (DMA) and the City of Port Coquitlam is the diking authority.
- Ground X Site Services is the lessee of the property adjacent to the City-owned dike
- In August 2022, the City contacted the Regional Deputy Inspector of Dikes (DIOD), Alex Salvaille, regarding concerns about unauthorized activities on the 750 Kingsway Dike and identified a risk to the structural integrity of the dike
- In collaboration with the City, the DIOD issued a letter (Letter 1 , August 30, 2022) to Ground X requesting any work stop on the dike and an engineering assessment of the unpermitted work done to the dike be completed
- Unpermitted work identified included excavation of the dike crest and placement of other material on the dike crest

Current Situation:

- A geotechnical engineering report was received from Ground X, and subsequently reviewed by the DIOD and an independent geotechnical engineer
 - The independent engineer concluded that the report did not meet the requirements of the engineering assessment requested in Letter 1. On this basis, the engineering report was rejected
 - In collaboration with the City, a second letter was sent to Ground X (Letter 2- April 20, 2023) outlining the recommendations from the independent engineer and requesting a follow-up engineering assessment of the dike
 - In a subsequent phone call with Ground X, the DIOD understands they may intend to pursue legal action against the City regarding unfair treatment. As such, it is uncertain if the follow up actions required of Ground X in the Letter 2 will be met.
- s. 13, s. 16

Next Steps

- s. 13, s. 16

•

- Andrew.

Andrew Giles, M. Env. Studies | PMP

Manager, River Forecast Centre and Flood Safety
Integrated Resource Operations - Ministry of Forests

Tel: 778.974.4535

Acknowledging the lək'wəŋən People, known today as the Esquimalt and Songhees Nations, whose traditional territory I am grateful to work, live and grow on.

More info? [River Forecast Centre](#) | [Flood Safety](#)



Brady Nelles | Executive Director

Compliance and Environmental Enforcement | Ministry of Environment and Climate Change Strategy
Suit 325-1011 4th Ave | Prince George, BC | V2L 3H9 | Tel: 250.640.9314

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From: Rob Bremner <bremnerr@portcoquitlam.ca>
Sent: Wednesday, May 17, 2023 4:30 PM
To: Nelles, Brady ENV:EX <Brady.Nelles@gov.bc.ca>
Subject: RE: Contacts for s. 13 data

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

Thanks, Brady
Dominic can be reached at dlong@portcoquitlam.ca.

Look forward to getting together and advancing this to completion.

Regards
Rob Bremner

Rob Bremner, MSc | City of Port Coquitlam
Chief Administrative Officer
T: 604.927.5414 | C: 250-320-8710 | E: bremnerr@portcoquitlam.ca
2580 Shaughnessy Street | Port Coquitlam, BC | V3C 2A8
www.portcoquitlam.ca | [Twitter](#) | [Facebook](#)

From: Nelles, Brady ENV:EX <Brady.Nelles@gov.bc.ca>
Sent: Wednesday, May 17, 2023 3:39 PM
To: Rob Bremner <bremnerr@portcoquitlam.ca>
Subject: RE: Contacts for s. 13 data

Hi Rob,

Thanks for the discussion this afternoon. I was hoping to get the contact information for Dominic Long (not sure of the spelling) that one of my staff could connect with as well as setting up further meeting regarding this ongoing file.

Sincerely,
Brady



Brady Nelles | Executive Director

Compliance and Environmental Enforcement | Ministry of Environment and Climate Change Strategy

Suit 325-1011 4th Ave | Prince George, BC | V2L 3H9 | Tel: 250.640.9314

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Report Date: July 11, 2023

File: UA172928

Report Number: 208502

Ground X Site Services Ltd.
105-1312 Ketch Court
Coquitlam BC
V3K 6W1

Dear Ground X Site Services,

Re: Non-compliance Advisory Letter, Waste Discharge Regulation UA172928, 750 Kingsway Ave, Port Coquitlam,

On June 14, 2023 Ministry of Environment and Climate Change Strategy (Ministry) Environmental Protection staff conducted an on-site inspection of Ground X Site Services Ltd. (Ground X) soil and waste handling facility located in/near Port Coquitlam, BC (Facility) to verify compliance with the Environmental Management Act (EMA). Ground X does not currently have an EMA authorization for the Facility.

Present during the inspection were Environmental Protection Officers Jason Bourgeois, Jurgen Deagle, Owen Lewis (Officers), and Ground X staff Rick Lubarski (Vice President) and Riza Castro (Health, Safety, and Environmental Lead).

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

Please note that this authorization is considered to be out of compliance until such a time as it can be confirmed to meet the authorization requirements.

Inspection Details:

The inspection period for this report is from January 1, 2022 to June 14, 2023 (Inspection Period) and included a review of the following documents:

2023-07-10 Caro Laboratory Analyses 2022-2023, Ground X submission which included lab reports for:

- March 22, 2022 (water)
- March 8, 2023 (soil)
- June 21, 2023 (water)
- June 22, 2023 (soil)

- 2023-07-10 Ground X Blank Disposal Slip
- 2023-07-10 Ground X Fill Disposal Agreement
- 2023-07-10 Ground X Site Profile Form
- 2023-07-10 Ground X Disposal Site Terms and Conditions

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

Requirement Description:	<p>Environmental Management Act, Environmental Management Act</p> <p>6 (2): Subject to subsection (5), a person must not introduce or cause or allow waste to be introduced into the environment in the course of conducting a prescribed industry, trade or business.</p>
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Ministry of Environment and Climate Change Strategy

Compliance and Environmental Enforcement 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

Details/Findings:	<p>The Facility is located on a 2.8 Ha industrial zoned lot near Port Coquitlam. (See Facility Map). Trucks were actively hauling material to and from the Facility during the inspection. Ground X staff stated that materials are accepted from municipal, commercial, institutional and industrial sites, but not residential. Officers observed stockpiles of soil, concrete, asphalt, compost and a hydrovac waste pit (See Photos 1 and 2). Generators must sign a Fill Disposal Agreement stating that the material does not contain contaminated or hazardous materials. Loads in and out of the Facility are weighed at a scale. Materials are sorted and stored on-site. Aggregates and soil blends are produced by crushing and mixing fill material as well as other amendments. Ground X staff informed Officers that approximately 75% of materials received are re-purposed and sold, the remainder is disposed of at licenced facilities. No material is landfilled on-site. Green waste loads are not accepted, but is occasional recovered from mixed loads of fill. It is collected and shipped to a Net Zero Waste compost facility.</p> <p>A paved asphalt surface was visible in most areas of the Facility. Officers observed an erosion channel into the Pitt River from the South side of the Facility (Photo 3) and there was a drainage swale from the North of the Facility into a ditch adjacent Kingsway Rd. The Officers did not observe any discharge actively flowing during the inspection. Ground X staff informed Officers that the North swale drains the majority of run-off from the Facility into an adjacent wet ditch/channelized stream.</p> <p>Ground X installed a berm of coarse drain rock at the swale discharge to reduce sedimentation (Photo 4). There is a storm drain with holding tank located just before the berm. Ground X staff informed Officers that when water ponds over the drain/holding tank it is pumped into a storage tank and hauled off-site, but that during high precipitation periods run-off flows into the ditch. A collapsed silt fence was observed between the berm and the ditch.</p> <p>Officers observed a hydrovac dumping pond located along the West side of the Facility (Photo 2). Ground X staff informed Officers that there used to be a similar disposal pond along the Pitt River Dike (see Facility Map), but it was filled in at the request of the City of Port Coquitlam.</p> <p>Ground X installed the current, temporary, pit approximately one year ago. Liquid in the pit is allowed to settle, then pumped into holding tanks and sold to fill hydrovac truck water tanks. Ground X has applied to the Ministry for a permit for an on-site disposal pit (AMS-110967, Tracking Number 408202).</p> <p>Ground X staff stated that soils on-site and hydrovac pond water are sampled and tested monthly. On June 26, 2023 Officer Deagle requested "<i>copies of all environmental testing Ground X has completed in 2022 and 2023</i>". On July 7, 2023 Ground X submitted test results for:</p> <ul style="list-style-type: none"> • March 22, 2022 (water) • March 8, 2023 (soil) • June 21, 2023 (water) • June 22, 2023 (soil) <p>No other monthly test results were submitted. Soil results exceeded environmental quality guidelines twice: Chlorides 56 mg/kg (June 22, 2023) and Copper 230 mg/kg (March 8, 2023). Two water results exceeded environmental quality guidelines: Sulfide 0.024 mg/L (June 21, 2023), Zinc 248 ug/L (June 21, 2023).</p> <p>Prescribed industries are defined in the Waste Discharge Regulation. According to the Regulation "<i>commercial waste management or waste disposal industry</i>" means "<i>establishments primarily engaged in the commercial collection, handling, storage, treatment, destruction or disposal of waste soil, solids or liquids</i>". The Facility accepts waste soil, solids and liquids, therefore, Ground X is conducting a prescribed industry. Though no off-site discharge was observed during the inspection, a visible erosion channel, drainage swale and staff statements indicate that off-site discharge does occur from the Facility. Therefore, Ground X is out of compliance with this section.</p>
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Compliance:	Out
Actions to be taken:	Cease introducing or causing or allowing waste to be introduced into the environment unless appropriate approvals are in place.

Compliance History:

UA172928: 2021-11-29 IR 180917 Investigation: Environmental Management Act 6 (2)
 UA172928: 2021-05-19 IR 172928 Warning Unauthorized 6(2): Environmental Management Act 6 (2)

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 non-compliance. Using the Non-Compliance Decision Matrix, the compliance determination for this inspection has been assessed as **Level 1, Category B, 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

Reporting and data submission requirements (to be sent to EnvAuthorizationsReporting@gov.bc.ca):
<https://www2.gov.bc.ca/gov/content/environment/waste-management/waste-discharge-authorization/comply>

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

Below are attachments related to this inspection.

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

Yours truly,



Jurgen Deagle
 Environmental Protection Officer

cc: Owen Lewis, Authorizations Section, Ministry of Environment and Climate Change

Attachments:

1) Ground X site map.jpg	Facility Map
2) Photo 1.jpg	Stockpiles
3) Photo 2.jpg	Hydrovac pond
4) Photo 3.jpg	Erosion channel to Pitt River
5) Photo 4.jpg	Drainage to N. ditch though gravel berm.

Deliver via:

Email: Fax: Mail:
 Registered Mail: Hand Delivery:

**Ministry of Environment
 and Climate Change
 Strategy**

Compliance and
 Environmental
 Enforcement 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

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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.

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.

**Ministry of Environment
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Telephone: 604 582 5200
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Website: www.gov.bc.ca/env

Attachment 1: Facility Map



Attachment 2: Photo 1 Material Stockpiles



Attachment 3: Photo 2 Hydrovac pond



Attachment 4: Photo 3 Erosion channel to Pitt River



Attachment 5: Photo 4 North Drainage swale to ditch through gravel berm.

