



File: 4606

August 16, 2018

Village of Anmore
2697 Sunnyside Road
Anmore BC V3H 5G9

Attention: Mayor and Council

Minister's Order – Liquid Waste Management Plan

This order is being issued pursuant to Section 24(3)(a) of the *Environmental Management Act*.

GROUND FOR ISSUANCE

As the result of sewage from Anmore Green Estates strata development (Anmore Green Estates) causing pollution (daylighting) on the Eagle Mountain Middle School grounds, the Ministry of Environment and Climate Change Strategy (the Ministry) has issued two pollution abatement orders to Anmore Green Estates. The most recent order resulted in the provision of a peer reviewed engineering assessment of available on and off-site disposal options for the strata. Both professional engineers concluded that there was no viable option for continued on-site disposal without posing unacceptable risks to human health and the environment. Both engineering reports recommended that efforts should focus on connection of Anmore Green Estates to the Port Moody sewer main. These reports were shared with the Village of Anmore on May 25, 2018.

On May 14, 2018, the Greater Vancouver Sewer and Drainage District (GVS&DD) provided the Village of Anmore with an updated costing for the connection of the Anmore Green Estates to the GVS&DD sewage system and the associated membership fees. This document has since been shared with the Ministry. Additionally, the City of Port Moody has shared the engineering cost assessment for the physical connection of Anmore Green Estates to their nearest trunk line, estimated at approximately \$200,000.

The Ministry has had discussions with the Village of Anmore to encourage them to take actions to prevent the daylighting of sewage to the Eagle Mountain Middle School. The Village has taken no significant actions to prevent or mitigate the risk of further pollution to the grounds of Eagle Mountain Middle School. This raises significant concerns with the Village's capacity and willingness to deal with the risks associated with pollution from liquid waste in and around Anmore.

As a result of the risk of further pollution to Eagle Mountain Middle School and that there has been no significant actions taken by the Village of Anmore, I am exercising my authority under the *Environmental Management Act* by issuing the following order.

ORDER

Pursuant to Section 24(3)(a) of the *Environmental Management Act*, the Village of Anmore is hereby directed to submit a waste management plan for municipal liquid waste.

The liquid waste management plan must be prepared and signed by a Qualified Professional(s) and submitted for the Minister's approval no later than November 30, 2018.

For the purpose of this order, a "Qualified Professional" means an applied scientist or technologist specializing in a particular applied science or technology, including agrology, biology, chemistry, engineering, geology or hydrogeology, who

- (a) is registered in British Columbia with the professional organization responsible for his or her area of expertise, acting under that professional association's code of ethics and subject to disciplinary action by that association, and
- (b) through suitable education, experience, accreditation and knowledge, may be reasonably relied on to provide advice within his or her area of expertise as it relates to this order, or
- (c) is approved by the Minister.

In the preparation of the liquid waste management plan it is strongly recommended that you consult the "Interim Guidelines for Preparing Liquid Waste Management Plans" at:

https://www2.gov.bc.ca/assets/gov/environment/waste-management/sewage/guide_to_preparing_liquid_waste_mgmt_plans.pdf

DUTY TO COMPLY

The requirements above must be completed on or before November 30, 2018. Failure to comply with the requirements of this order is a contravention of the *Environmental Management Act* and may result in legal action. I direct your attention to Section 120(11) of the *Environmental Management Act*, which reads:

"(11) A municipality that... (a) fails to submit to the minister a waste management plan as requested or directed by the minister under section 24(2) or (3)... commits an offence and is liable on conviction to a fine not exceeding \$300 000."

Failure to comply with the requirements of this order may also result in an administrative penalty under the Administrative Penalties Regulation (*Environmental Management Act*).

I direct your attention to Section 12(4) of the Regulation, which reads:

"(4) A person who fails to comply with an order under the [Environmental Management] Act is liable to an administrative penalty not exceeding \$40 000."

NOTIFICATION OF PUBLICATION

The Village of Anmore is notified that the Province intends to publish on the Ministry website the entirety of any Regulatory Document provided that:

- a) The Province will provide written notice to the Village of Anmore of its intent to publish the Regulatory Documents at least 14 days prior to publication,
- b) The Province will not publish any information that could not, if it were subject to a request under section 5 of the *Freedom of Information and Protection of Privacy Act* (“*FOIPPA*”), be disclosed under *FOIPPA*.

For the purpose of this provision:

“Province” means Her Majesty the Queen in right of British Columbia; and

“Regulatory Document” means any document that the Village of Anmore is required to provide to the Ministry pursuant to or related to this order.

This order will appear in the Ministry of Environment’s Quarterly Environmental Enforcement Summary and Environmental Violations Database available at:

<https://www2.gov.bc.ca/gov/content/environment/research-monitoring-reporting/reporting/environmental-enforcement-reporting>

CONTACT

If you have any questions regarding this matter, please contact Dan Bings, Compliance Operations Manager, Regional Operations Branch, Environmental Protection Division at (250) 398-4545 (w), (250) 617-0324 (c) or Dan.Bings@gov.bc.ca.

Yours truly,

A handwritten signature in blue ink that reads "G. Heyman". The signature is written in a cursive, flowing style.

George Heyman
Minister of Environment and Climate Change Strategy

cc: Dan Bings