



Report Date: January 05, 2021

File: 109670

Report Number: 162221

REGISTERED MAIL

Owners of Strata Plan LMS 3080

100 Blackberry Drive  
Anmore BC  
V3H5B4

Dear Owners of Strata Plan LMS 3080

**Re: An Administrative Penalty Referral, Pollution Abatement Order 109670, 100 Blackberry Drive, Anmore BC, Effluent**

On December 16, 2020, Ministry of Environment and Climate Change Strategy, Environmental Protection Division staff conducted an inspection of your facility, Owners of Strata Plan LMS 3080 located at 100 Blackberry Drive, Anmore BC with authorization number 109670 under the *Environmental Management Act*.

For your information, this inspection record is being referred for an Administrative Penalty.

**Inspection Details:**

On December 16, 2020, Ministry of Environment and Climate Change Strategy (Ministry) Environmental Protection Officer Katie Howett (Ministry staff) conducted an on-site inspection of Strata Plan BCS 3080 located at 100 Blackberry Drive, Anmore BC (Anmore Green Estates) to verify compliance with Pollution Abatement Order (PAO) 109670 under the Environmental Management Act (EMA). Anmore Green Estates is authorized to discharge effluent under waste discharge permit 4606; however, PAO 109670 was issued based on reasonable grounds that the ongoing breakout of effluent from the subject infiltration fields onto the neighbouring School District/Port Moody Property is causing pollution. PAO 109670 was issued on November 2, 2018 and was most recently amended on November 1, 2019; this inspection will reflect the amended PAO.

The inspection period (inspection period) covered by this report is from November 1, 2019 to December 16, 2020. The records submitted to the Ministry by email for this inspection are:

- "Technical Memorandum: Anmore Estates Hydrogeological Investigation, Results of January 2020 Water Sampling" (Nov 2019 - Jan 2020 Sampling Results) prepared by Associated Environmental Consultants Inc. (AE), dated February 4, 2020, was submitted to the Ministry, via email, on February 4, 2020

Below are the clauses that were assessed for compliance during this inspection:

Requirement Description:	<b>PAO-109670 Req 1</b> 1: Maintain appropriate exclusion fencing and signage around the identified exclusion zone to the satisfaction of the director. The area of greatest interest to the Ministry is the area of the western field.
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Details/Findings:	<p>As noted in Inspection Report 149488, on May 8, 2020, which resulted in a Warning Letter, Ministry staff confirmed that the fencing described in this section of the PAO was removed. Officer Howett did not observe any response on file to the Warning Letter as requested.</p> <p>The Ministry has installed fencing and signage around the identified exclusion zone to ensure that human health is protected, as AGE has removed the required fencing as per this PAO. Therefore, Anmore Green Estates is out of compliance with this section of PAO109670.</p>
Compliance:	Out
Actions to be taken:	Maintain the appropriate exclusion fencing and signage around the identified exclusion zone to the satisfaction of the director, as required by PAO109670.
Requirement Description:	<p><b>PAO-109670 Req 2</b></p> <p>2: November 1 to April 30 - Implement a sampling program during this period. The sampling program must include water testing for key nutrient and septic parameters. Field measurements of pH, conductivity, temperature, and dissolved oxygen must be collected at the time of sampling, and samples will be submitted to an accredited laboratory for analysis of ammonia-N, nitrate-N, nitrite-N, total Kjeldahl nitrogen, organic nitrogen, total nitrogen, total phosphorus, chloride, and E.coli.</p> <p>Samples must be collected following provincial guidelines from the catch basins where the majority of effluent is believed to be directed, and in any areas where ponding and seepages are observed. Sampling events will occur at least once per month. Based upon the data presented, this order may be further amended to modify the sampling protocol and frequency.</p>
Details/Findings:	<p>Ministry staff conducted a file review noting the Nov 2019 - Jan 2020 Sampling results on file. The Nov 2019 - Jan 2020 Sampling results were found to have the required field measurements and analysis through an accredited laboratory for the parameters listed in this section of the PAO, and that the samples were collected using the provincial guidelines. Samples collected during that time frame include catch basins where most of the effluent is believed to be directed, and from any area where ponding or seepage was observed.</p> <p>PAO109670 remains active; therefore, Anmore Green Estates is required to continue monitoring as per this section until a time that the PAO is canceled by the Director. Ministry staff did not observe results for the following months on file: March, April, and November 2020. Therefore, Anmore Green Estates is out of compliance for this section of PAO109670</p>

Compliance:	Out
Actions to be taken:	Ensure monitoring continues as per this section of PAO109670, including monitoring during November 2020 - April 2021 as the PAO remains active, or until the PAO is cancelled by the Director.
Requirement Description:	<b>PAO-109670 Req 3</b> 3: Submit all sampling data to the Ministry within five days of receiving the results from the accredited lab for the preceding month's sampling. An email reporting the results will be sent to the Ministry once per month to: <a href="mailto:environmentalcompliance@gov.bc.ca">environmentalcompliance@gov.bc.ca</a> .
Details/Findings:	Ministry staff conducted a file review, noting that Anmore Green Estates did not submit all sampling data to the Ministry within five days of receiving the results from the accredited lab for the preceding month's sampling. On February 4, 2020, AE submitted the January 2020 sampling results which were received on January 30, 2020. This was the only month analytical data from the month prior was submitted to the Ministry in requirements with this section of the PAO found on file.  In addition, Ministry staff noted that the Nov 2019 - Jan 2020 Sampling Results were submitted to the Ministry via the Compliance Operations Manager; however, it was not submitted to the Ministry via <a href="mailto:environmentalcompliance@gov.bc.ca">environmentalcompliance@gov.bc.ca</a> as requested.
Compliance:	Out
Actions to be taken:	Ensure all sampling data is submitted to the Ministry within five days of receiving the results from the accredited lab for the preceding month's sampling, once per month to <a href="mailto:environmentalcompliance@gov.bc.ca">environmentalcompliance@gov.bc.ca</a>

**UPDATE Compliance History:**

2020-05-07 IR 149488 Warning 120(7): 19670 Req 1  
2019-07-24 IR 133231 Advisory: 109760 Req 1 and Req 3

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 3, Category C, AMP**.

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)

Reporting and data submission requirements (to be sent to [EnvAuthorizationsReporting@gov.bc.ca](mailto:EnvAuthorizationsReporting@gov.bc.ca)):

[www.gov.bc.ca/submit-waste-authorization-reports](http://www.gov.bc.ca/submit-waste-authorization-reports)

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,

Katie Howett  
Environmental Protection Officer

cc: Dan Bings, Compliance Operations Manager  
Brady Nelles, Compliance Director

**Attachments:**

**Deliver via:**

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

**Ministry of Environment  
and Climate Change  
Strategy**

Compliance  
Environmental  
Protection Division

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Facsimile: 604 930 7119  
Website: [www.gov.bc.ca/env](http://www.gov.bc.ca/env)

**DISCLAIMER:**

Please note that sections of the permit, regulation or code of practice referenced in this inspection record are for guidance and are not the official version. Please refer to the original permit, regulation or code of practice.

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.