



Report Date: March 07, 2017

File: 4606

Report Number: 045701

STRATA CORPORATION LMS 3080

100 BLACKBERRY DR ANMORE  
BC V3H 5B4

Dear STRATA CORPORATION LMS 3080

**Re: Warning Letter, Permit, 4606**

On December 21, 2016, Ministry of Environment, Environmental Protection Division staff conducted an inspection under *Environmental Management Act (EMA)*, 4606. The inspection determined that STRATA CORPORATION LMS 3080 is out of compliance with its Permit 4606, and the section(s) listed below. This Warning Letter lists the compliance verification information contained below.

Failure to comply with the requirements set out in your Permit is an offence under the *Environmental Management Act (EMA)*. Section 120(6) of *EMA* states as follows:

*120(6) A person who, holding a permit or approval issued to the person under this Act to introduce waste into the environment, introduces waste into the environment without having complied with the requirements of the permit or approval commits an offence and is liable on conviction to a fine not exceeding \$1 000 000 or imprisonment for not more than 6 months, or both.*

It should also be noted that, as an alternative to prosecution of the offence referenced above, the Ministry may initiate action to impose an administrative penalty against STRATA CORPORATION LMS 3080. *The Administrative Penalties Regulation (EMA)* (B.C. Reg. 133/2014) (APR) was brought into force in 2014. The APR describes the prescribed provisions of the *EMA* as well as that of specified regulations under which administrative penalties can be assigned. Section 12(5) of the APR states as follows:

*12(5) A person who fails to comply with a requirement of a permit or approval issued or given under the Act is liable to an administrative penalty not exceeding \$40 000, unless the requirement the person failed to comply with is also a prescribed provision of the EMA or the regulations that is subject to a different maximum administrative penalty.*

If you fail to take the necessary actions to restore compliance, you may be subject to escalating enforcement action. This Warning Letter and the alleged violations and circumstances to which it refers, will form part of the compliance history of STRATA CORPORATION LMS 3080 and will be taken into account in the event of future violations.

Finally, I request that STRATA CORPORATION LMS 3080 immediately implement the necessary changes or modifications to correct the non-compliance(s) with the *Environmental Management Act*. Further, I request that STRATA CORPORATION LMS 3080 notify this office in writing by email or letter within 30 days of this letter, advising what corrective measures have been taken, and what else is being done, to prevent similar non-compliances in the future.

**Inspection Details:**

Requirement Description:	<b>1. AUTHORIZED DISCHARGES</b> 1.1.1: The maximum authorized rate of discharge is 61 cubic metres per day.
Details/Findings:	A review of semi-annual reports for the period October 1 2015 - September 30 2016 found that flow data was within maximum authorized discharge rate of 61 cubic meters per day.
Compliance:	In

**Ministry of Environment**

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Actions to be taken:	N/A
Requirement Description:	<b>1. AUTHORIZED DISCHARGES</b> 1.1.2: The characteristics of the discharge shall be: 5-day biochemical oxygen demand, 20. mg/L, maximum; Total suspended solids (nonfilterable residue), 20. mg/L, maximum.
Details/Findings:	A review of semi-annual reports for the period of October 1 2015 - September 30 2016 found the following exceedances; 2015 Oct-01 TSS: 47.5 mg/L BOD: 23.7 mg/L Nov-10 BOD: 20.3 mg/L Dec-12 BOD: 35.3 mg/L 2016 Jan-14 BOD: 27.7 mg/L Feb-23 BOD: 22.5 mg/L April- BOD: 29.4 mg/L TSS: 47.7 mg/L May- BOD: 28.0 mg/L TSS: 38.5 mg/L June- BOD: 23.1 mg/L TSS: 20.7 mg/L August- BOD:20.4 mg/L TSS: 27.2 mg/L
Compliance:	Out
Actions to be taken:	See comments for action below.
Requirement Description:	<b>1. AUTHORIZED DISCHARGES, 1.1</b> 1.1.3: This section applies to the discharge of effluent from a secondary sewage treatment plant serving a maximum of 39 2-bedroom homes within residential strata lots and a maximum of 12 3-bedroom non-strata homes. The site reference number for this discharge is E100972. 1.1.3 The designated wastewater treatment works authorized are: -Secondary sewage treatment plant; -Effluent filter; -Flow measurement device; and -Two subsurface disposal fields each containing a minimum of 616 metres of disposal pipe. Other authorized works include a minimum of two groundwater observation wells, observation ports on a minimum of two disposal pipe runs per disposal field, sampling facilities and related appurtenances. Works are approximately located as shown on attached Site Plan A.
Details/Findings:	In correspondence dated 2016-03-02 from Anmore Estates contractor Ewan Stewart, Azura Management Corp, it is reported that the two subsurface disposal fields have been exposed due to regrading of the neighboring properties. This may have resulted in groundwater expression from the cut side of the septic field into the neighboring schoolyard. It was not observed during the inspection.
Compliance:	Not Determined
Actions to be taken:	See comments for action below.
Requirement Description:	<b>2. GENERAL REQUIREMENTS, 2.15 Sewer Connection</b> 2.15: The discharge authorized by this permit shall be connected to a municipal sewerage system when such facilities become available.
Details/Findings:	During site inspection on 2016-12-21 Anmore Estates contractor Ewan Stewart stated that a possible connection to the municipal sewerage system of Port Moody is estimated to be 67m away from the strata property. It was noted the connection was in Port Moody not Anmore.
Compliance:	Out
Actions to be taken:	Connect to sewer.
Requirement Description:	<b>2. GENERAL REQUIREMENTS, 2.2 Maintenance of Works</b> 2.2: The permittee shall inspect the authorized works regularly and maintain them in good working order. Notify the Regional Waste Manager of any malfunction of these works.

Details/Findings:	In correspondence dated 2016-03-02 from Anmore Estates contractor Ewan Stewart, Azura Management Corp, it is reported that the two of the authorized works, the subsurface disposal fields, have been exposed due to regrading of the neighboring properties.
Compliance:	Not Determined
Actions to be taken:	The malfunction was reported. However it was not determined if works in good order due to snow.
Requirement Description:	<b>2. GENERAL REQUIREMENTS, 2.3 Bypasses</b> 2.3: The discharge of effluent which has bypassed the designated wastewater treatment works is prohibited unless the approval of the Regional Waste Manager is obtained and confirmed in writing.
Details/Findings:	It was reported to the Ministry of Environment that sewage from the Anmore Green Strata Property septic field was leaking out into parking lot of Heritage Wood Secondary School at 1300 David Ave, Port Moody, BC. During site inspection no evidence of this was seen, however the ground was not visible due to snow cover.
Compliance:	Not Determined
Actions to be taken:	See comments for action below.
Requirement Description:	<b>2. GENERAL REQUIREMENTS, 2.5 Facility Classification and Operator Certification</b> 2.5: The permittee shall have the works authorized by this permit classified by the Environmental Operators Certification Program Society (Society). The works shall be operated and maintained by persons certified within and according to the program provided by the Society. Certification must be completed to the satisfaction of the Regional Waste Manager. In addition, the manager shall be notified of the classification level of the facility and certification levels of the operators, and changes of operators and/or operator certification levels within 30 days of any change. Alternatively, the works authorized by this permit shall be operated and maintained by persons who the permittee can demonstrate to the satisfaction of the Director, are qualified in the safe and proper operation of the facility for the protection of the environment.
Details/Findings:	A search of the EOCP database found that the facility was not classified by the EOCP nor was an operator certified. This was later confirmed in a phone call to Anmore Estates contractor Ewan Stewart, Azura Management Corp on 2016-12-09.
Compliance:	Out
Actions to be taken:	See comments for action below.
Requirement Description:	<b>3. MONITORING AND REPORTING REQUIREMENTS, 3.3 Reporting</b> 3.3: Maintain data of analyses and flow measurements for inspection and submit the data, suitably tabulated, to the Regional Waste Manager for the previous six months. The reporting periods end March 31 and September 30 each year. All reports shall be received by the manager within 31 days of the end of the reporting period.
Details/Findings:	All reports submitted for inspection period of October 1 2015 - September 30 2016.
Compliance:	In
Actions to be taken:	N/A

An office review was conducted by Environmental Protection Technician Kelly Mills, additional reports found in the file of sewage leaking from Anmore Strata Corporation's septic field onto the neighboring school triggered a site inspection. This was conducted by Environmental Protection Officer David Hebert on the afternoon of December 21st 2016. Anmore Strata Corporation Contractor Ewan Stewart guided the inspection around the septic field and then down hill to the neighboring Heritage Wood Secondary School. The ground was covered in snow at the time of inspection and no discharges were visible.

Requested Actions:

- Control BOD and TSS to within permitted parameters
- Obtain classification and certification by EOCP
- Continue working with qualified professionals to conduct analysis and determine if breakthrough is actually septic discharge and if pollution is occurring, please provide a plan and timeline
- Work with all stakeholders to connect to sewer

Please notify this office by email at [EnvironmentalNonCompliance@gov.bc.ca](mailto:EnvironmentalNonCompliance@gov.bc.ca) within 30 days of this letter, advising what corrective measures have been taken, and what else is being done, to bring this authorization into compliance.

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

Yours truly,

David Hebert

Environmental Protection Officer

cc: Strata MGR: Maria Ferreira  
LMS 3080 Anmore Green Estates  
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**Attachments:**

**Deliver via:**

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

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**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 or visit:  
<http://www2.gov.bc.ca/gov/topic.page?id=DF89089126D042FD96DF5D8C1D8B1E41&title=Publically%20Viewable%20Authorizations>

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.