

From: Cecchini, Ivano [<mailto:ICecchini@sd43.bc.ca>]
Sent: Thursday, September 27, 2018 9:25 AM
To: Bings, Dan P ENV:EX
Subject: AGE

Hi Dan,

Just wanted to update you on AGE. After my last email we have not heard anything from AGE and therefore, they at this point do not have permission to enter on our property. I am in the process of making arrangements to do our own testing. What is outlined in the Order is more extensive than what we previously have done in some ways but in the past we also completed testing to determine whether bacteroides were human or non-human which we feel is important.

The quote I received from our consultant for the testing that the Ministry has ordered plus the additional testing for human bacteroides is approximately \$12 000 per testing event. This compares to approximately \$4000 we have paid in the past. I am not an expert in this field, when it comes to student safety will the added testing provide any additional information?

Thanks for your help with this.
Ivano

From: Bings, Dan P ENV:EX
Sent: Thursday, September 27, 2018 11:12 AM
To: 'Cecchini, Ivano'
Subject: 2018-09-27 Denial of Access of AGE to SD43 Lands

Ivano,

The monitoring program laid out in the order is what the ministry views as the minimum required for the protection of the environment and human health. I have a question though; what is to be the fate of the signs and fencing? Does the SD plan to remove them or otherwise require their removal?

Regards,
Dan Bings
Operations Manager
Compliance Section

BC Pollution Free

From: Bings, Dan P ENV:EX <Dan.Bings@gov.bc.ca>
Sent: Thursday, September 27, 2018 11:21 AM
To: Fawn Ross <rossf@ae.ca>
Subject: FW: 2018-09-27 Info Request from AE re access denial

Hello Fawn,

The preceding email from Ivano of the SD and the emails that preceded that regarding AGE and its agents access to SD property for the monitoring program and maintenance of the fences and signs is of significant concern to the Ministry in terms of seeing the conditions of the order fulfilled and ensuring the protection of the students at Eagle Mountain Middle School..

Could you please fill me in on the details that lead to this refusal to grant access? We are looking to have all the information available for the decisions we may be facing in the very near future.

Regards,
Dan Bings
Operations Manager
Compliance Section

Ministry of Environment and Climate Change Strategy
Environmental Protection Division
Regional Operations Branch
Ste. 400 – 640 Borland St, Williams Lake BC V2G 4T1
Telephone: (250) 398-4545
Facsimile: (250) 398-4214

BC Pollution Free

24-hour Spill/Environmental Emergency Reporting: 1-800-663-3456
24-hour RAPP (Report All Poachers and Polluters) tip-line: 1-877-952-7277
Non-compliance reporting: EnvironmentalCompliance@gov.bc.ca
Routine Environmental Reporting: EnvAuthorizationsReporting@gov.bc.ca

From: Fawn Ross
Sent: Friday, September 28, 2018 5:01 PM
To: 'Bings, Dan P ENV:EX' <Dan.Bings@gov.bc.ca>
Subject: RE: 2018-09-27 Info Request from AE re access denial

Hi Dan,

Site access has been a contentious issue since the issuing of the first Abatement Order (November 23, 2017). AGE requested access to install the fence and signage on December 1, 2017 and was informed that SD43 had already installed them. Documentation of the SD 43 fencing and signage was reviewed with MOE, and was determined by MOE to be insufficient, as it was plastic snow fencing and paper signs.

Permission to install the MOE required fencing and signage was granted by SD 43 on December 22, 2017. The three week delay was caused by administrative processes required by SD 43. These included CUPE permission for subcontractor to work on school grounds, confirmation of insurance requirements of AGE, four revisions to a license agreement, and the limited availability and holiday schedules of SD 43 staff.

The SD 43 required licensing agreement granted permission for AGE to install the fences for a six month period; it also required AGE to pay to \$11,000 to SD 43. The rationale and or documentation for the payment was never provided by SD 43. Regardless of this the \$11,000 payment was made as means of ensuring AGE was compliant with the order.

On January 18, 2018 AGE received legal correspondence demanding that GST also be paid on the \$11,000. As no invoice was provided, AGE did not pay the GST. On August 30, 2018 AGE received additional legal correspondence that the license agreement had expired and that the extension required an additional payment of \$9,000. Given the continued ambiguity and expense of the license agreements AGE has declined to pay. Because of this, SD 43 will not grant access to the SD 43 lands.

I have attached the licensing agreements and legal correspondences here, and can supply the email chains regarding initial delay in fencing installations upon your request.

Cheers,

Fawn Ross, B.Sc., R.P.Bio.
Environmental Scientist

Associated Environmental Consultants Inc.
#200 - 2800 29th Street, Vernon, BC V1T 9P9
Tel: 250.545.3672 | Cel: 778.212.3773 | Dir: 250.545.3672. ext 244



**Associated
Environmental**

**AN ASSOCIATED
ENGINEERING COMPANY**



You may [unsubscribe from Associated Environmental electronic communications](#) at any time.