

ENFORCEMENT OF THE
*ENVIRONMENTAL PROTECTION
AND ENHANCEMENT ACT*

And

WATER ACT

1 Oct 2011 - 31 Dec 2011

January 2012
Environmental Operations
Alberta Environment and Water

Enforcement Actions

1 Oct 2011 - 31 Dec 2011

<i>Company/Individual</i>	<i>Municipality / LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
Administrative Penalties				
Taiga Building Products Ltd. operating as Envirofor Preservers (Alta) Ltd.	Strathcona County SE-6-53-23-W4	13-Oct-11 Assessed: \$2,000.00	AEPEA(R) 227(e)	The Company operates the Strathcona Wood Treatment Plant pursuant to an Approval. It contravened its approval by failing to submit the Soil Monitoring Program Proposal to the Director no later than November 30 2010. Paid 28 October 2011.
Building Products of Canada	Edmonton NE-36-52-24-W4	26-Oct-11 Assessed: \$7,000.00	AEPEA(R) 227(e)	The Company operates the Edmonton Paper and Roofing Products Manufacturing Plant pursuant to an Approval. It contravened its Approval when it failed to submit the 2009 Annual Air Emissions Summary and Evaluation Report, the 2009 Annual Industrial Wastewater and Runoff Summary and Evaluation Report, and the 2009 Annual Waste Management Summary Report to the Director on or before March 31, 2010; and failing to immediately report to the Director. Paid 23 November 2011.
Penn West Petroleum Ltd.	Lac Ste. Anne County 24-56-5-W5 Northern Sunrise County 15-84-14-W5 Special Area 4 31-33-1-W4 MD Lesser Slave River 30-72-4-W5 Saddle Hills County 7-78-11-W6 Yellowhead County 28-51-8-W5	31-Oct-11 Assessed: \$27,500.00	AEPEA(R) 227(e)	The Company holds Approvals for the operation of several sour gas processing plants throughout Alberta. It contravened the following Approvals: Late submission of the 2009 Annual Summary and Evaluation Report for Pouce Coupe; late submission of the 2009 Annual Industrial Wastewater and Runoff Report for Pouce Coupe, Compeer, and Mitsue; late submission of the 2009 Annual Ground Water Monitoring Report for Cherhill; and late submission of the missing portions of the 2009 Annual Domestic Wastewater and Runoff Report for Slave Shallow; Failed to immediately report the late submission of the 2009 Annual Industrial Wastewater and Runoff Report for Pouce Coupe and failed to immediately report the contravention of the failure to sample and analyze a water sample taken from the industrial wastewater and runoff pond for Slave Shallow and Cherhill; Failed to sample and analyze a water sample from the industrial wastewater and runoff pond for all parameters prior to release of wastewater from the ponds at Cherhill and Slave Shallow; Failed to send the water sample taken from the industrial wastewater and runoff pond to an accredited laboratory for analysis at Cherhill and Slave Shallow; Bigoray exceeded the Total Suspended Solids limit during the release of industrial wastewater from the industrial wastewater runoff pond; failed to immediately report this contravention, and failed to obtain and have analyzed a representative grab sample of industrial wastewater prior to the release of industrial wastewater from the industrial wastewater runoff pond. Paid 10 November 2011. □□

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Amended Enforcement Orders				
Cleanit Greenit Composting System Inc. and Castro-Wunsch, Kirsten	Edmonton Plan 7822069, Block 1, Lot 4	22-Dec-11	AEPEA(R) COPC 7(1) 192/96 38	Amendment No. 1 issued to EO-2010/03-NR with Clause 1 (page 9) of the EO being repealed and replaced.

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Enforcement Orders				
Cleanit Greenit Composting System Inc. and Castro-Wunsch, Kirsten	Edmonton Plan 7822069, Block 1, Lot 4	13-Dec-11	AEPEA(R) COPC 11(3) 192/96 38	The Company holds a Registration under the Code of Practice to operate a Class I Compost Facility on Lot 4, Block 1, Plan 7822069 in Edmonton, Alberta. Compsite Inc. is the owner of the Lands and Kirstin Castro-Wunsch is a Director and sole shareholder of both Cleanit Greenit and Compsite Inc., and has been the sole directing mind of Cleanit Greenit at all times. The compost facility consists of composting piles, a dry bunker, a wet bunker, a surface water storage pond, a weigh scale and associated equipment and structures. In response to a number of public complaints regarding odours from the site, an inspection was conducted and numerous instances of non-compliance were found, including, composting piles more than 30 feet high, temperature measurement of the piles unreliable, and overflow from the surface water storage pond was running off-site causing among other concerns, a concern regarding soil contamination. Over the last several years Alberta Environment and Water ["AEW"] has attempted to work with the Company in an effort to reduce and eliminate nuisance odours from the facility. An audit by a third party consultant determined that the composter is following neither industry guidelines nor best management practices, and these operational concerns are a contributing factor to the odours generated by the facility. The audit also confirmed the waste in the compost pile at the facility has gone anaerobic; deficiencies in monitoring key operational parameters; and that there is two and a half times more waste at the facility than the size of the site can handle. Additionally it was determined that the facility was accepting more than 20,000 tonnes of waste per year without the required Approval. The Company shall immediately cease accepting any and all Waste; Submit a written Survey Report of the Lands; Submit a Material Characterization Report; Submit and implement a Site Rehabilitation Plan; Shall not release, cause or allow to be released any substance from the surface water storage pond; Submit and implement a written Pond Rehabilitation Plan; Submit a detailed Soil Impact Delineation Report; and submit, for the Directors approval, a detailed Updated Operation Plan. Notice of Appeal received by the Environmental Appeals Board 20 December 2011.

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Environmental Protection Orders				
Kanenergy Limited	MD of Taber NW-28-13-14-W4	28-Oct-11	AEPEA(R) 140 113	Kanenergy Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Saba Energy Limited	Lacombe County SE-8-31-24-W4	28-Oct-11	AEPEA(R) 140 113	Saba Energy Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Saba Energy Incorporated	Lacombe County NE-28-41-22-W4	28-Oct-11	AEPEA(R) 140 113	Saba Energy Incorporated ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Saba Energy Limited	County of Stettler SE-28-39-21-W4	28-Oct-11	AEPEA(R) 113 140	Saba Energy Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial

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Environmental Protection Orders				
				Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.¶
Saba Energy Limited	MD of Big Lakes SW-9-71-8-W5	28-Oct-11	AEPEA(R) 140 113	Saba Energy Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.¶
Saba Energy Limited	County of Stettler SE-26-38-22-W4	28-Oct-11	AEPEA(R) 140 113	Saba Energy Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.¶
Saba Energy Limited	Lacombe County NW-36-41-25-W4	28-Oct-11	AEPEA(R) 113 140	Saba Energy Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.¶
Saba Energy Limited	Special Area 2 SW-23-34-11-W4	28-Oct-11	AEPEA(R) 113 140	Saba Energy Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the

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Environmental Protection Orders				

environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.]]

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Field Warning				

No Activity

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Prosecutions				
Statoil Canada Ltd., also known as StatoilHydro Canada Ltd.		31-Oct-11 Penalty: \$190,000.00	WA 142(1)(e)	Count 1: On or between the 15th day of December, 2008 and the 29th day of May, 2009, both dates inclusive, at or near Conklin, in the Province of Alberta, did contravene the terms or conditions of a licence; to wit Licence No. 00252194-00-00, as amended and did thereby commit an offence contrary to section 142(1)(e) of the Water Act. Pled guilty and was sentenced to a global penalty of \$190,000.00. The penalty consists of a \$5,000 fine and a creative sentencing order in the amount of \$185,000 to be put towards the creation of an online training portal to communicate best practices for surface water diversion to the oil and gas industry in Alberta. Both the agreed to funds of the creative sentencing order and the fine were paid 17 November 2011. □
Smith's Service (Lougheed) Ltd.		19-Dec-11 Penalty: \$20,000.00	AEPEA(R) 227(d)	Count 1: "Co-accused Smith, Bob Harold" On or about the 22nd day of July, 2010, at or near Lougheed, in the Province of Alberta did knowingly commence or continue an activity, to wit, the burning of prohibited debris by means of an open fire, that is designated by the regulations as requiring an approval unless that person holds the required approval contrary to section 60 of the Environmental Protection and Enhancement Act and did thereby commit an offence contrary to section 227(d) of the Environmental Protection and Enhancement Act. Pled guilty and was sentenced to a fine of \$20,000.00 of which \$16,282.00 is to be put towards a creative sentencing order to provide the Flagstaff Regional Solid Waste Management Association with special bins that will provide secondary containment for the collection of specific kinds of household hazardous waste. Fine paid 19 December 2011. □

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Tickets

No Activity

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Warning Letters				
G&J Parking Lot Maintenance LP	Ardrossan NE-10-53-22-W4	17-Nov-11	WA 36(1)	The Company conducted an activity, the unauthorized filling of a water body on June 8, 2011.
Killam, Town of	Killam Plan 477CL, Lot 2	18-Nov-11	AEPEA(R) 227(e)	The Town operates the Killam Waterworks System pursuant to an Approval. It contravened its approval with the failure to test for trihalomethanes on or before December 31, 2010.
Strome, Village of	Strome Plan LXVII, Block 2, Lot 1	18-Nov-11	AEPEA(R) 227(e)	The Village operates the Strome Waterworks System pursuant to an Approval. It contravened its approval with the failure to test for trihalomethanes on or before December 31, 2010.
Black Diamond Leasing Inc.	Conklin SE-12-76-7-W4	23-Nov-11	WA 142(1)(e)	The Company contravened its Water Act Licence with the daily maximum diversion rate of 157m3/day being exceeded at least nineteen times and monthly water level measurements were not conducted at CW-12.
The Ravines at Richford Ltd., Rohit Group of Companies	Edmonton SE-29-51-24-W4	28-Nov-11	WA 142(1)(e)	The Company contravened its Water Act Approval when it failed to install, maintain and monitor perimeter erosion/sediment controls, manage surface water flow and excavated material to minimize siltation and erosion in the Blackmud Creek on or about April 2011.
Steem, Darrell	Leduc County SE-8-48-25-W4	29-Nov-11	WA 36(1)	Mr. Steem conducted an activity, the unauthorized construction of a berm in a wetland on or about May 17, 2010.
Curley's Transport and Equipment Ltd.	Clyde W-22-60-24-W4 NW-15-60-24-W4	06-Dec-11	AEPEA(R) 60 83.1	The Company conducted an activity, the operation of a pit over 5 hectares (12.5 acres) without a Code of Practice Registration in place on June 30, 2011.
McKenzie, Calvin	Strathcona County SW-24-51-23-W4	13-Dec-11	WA 36	Mr. McKenzie conducted an activity, the placement of soil fill material in a water body and the alteration of local drainage without authorization.
Lamont County	Lamont County SE-11-58-16-W4 SW-12-58-16-W4	22-Dec-11	AEPEA(R) 227(j)	The County commenced an activity at a gravel pit ("Gargus Pit") without registration under the Code of Practice for Pits from November, 2009 until December, 2010.
Reda Enterprises Ltd.	Edmonton SW-10-57-6-W4	29-Dec-11	AEPEA(R) 227(j)	The Company conducted an unauthorized activity in a gravel pit without a registration.

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Water Management Orders

No Activity