



ENFORCEMENT OF THE  
*ENVIRONMENTAL PROTECTION  
AND ENHANCEMENT ACT*

And

*WATER ACT*

1 April 2004 - 30 June 2004

July 2004  
Regional Services  
Alberta Environment

## Enforcement Actions

1 April 2004 - 30 June 2004



<i>Company/Individual</i>	<i>Municipality/LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
<b>Administrative Penalties</b>				
BJ Services Company Canada	Red Deer Plan 273RS, Lot D3	05-Apr-04 Assessed: \$2,000.00	AEPEA(R) 192	The Company disposed of hazardous wastes at an unapproved location and not in accordance with the Environmental Protection and Enhancement Act. Paid 27 April 2004.
Alberta Plywood Ltd.	Edmonton Plan 0126261, Block 33, Lot 8	27-Apr-04 Assessed: \$2,000.00	AEPEA(R) 227(e)	The Company operates the Edmonton wood processing plant pursuant to an Approval. It contravened its Approval by failing to prevent the release of fugitive dust emissions from the plant in a manner that caused an adverse effect to property in an off-site location. Paid 25 May 2004.
Air Liquide Canada Inc.	Strathcona County 35-55-21-W4	05-May-04 Assessed: \$9,500.00	AEPEA(R) 227(e)	The Company operates the Scotford cogeneration power plant, air separation unit, and carbon dioxide purification and liquefaction unit pursuant to an Approval. It contravened its Approval by exceeding the maximum hourly limit for nitrogen oxides from the Gas Turbine/HRSG Exhaust Stack, and failed to immediately report by telephone a contravention of a term of the Approval. Paid 1 June 2004.
Wayne's Aviation Salvage & Parts 1994 Co. Ltd.	MD of Foothills Plan 9411198, Block 1	07-May-04 Assessed: \$2,500.00	AEPEA(R) 24/97:5(1)(a)	The Company is a certified pesticide applicator that applied a pesticide, Grazon, in a manner that caused an adverse effect on adjacent property. Paid 28 May 2004.
Hutterian Brethren of Silver Creek	County of Camrose NE-14-45-22-W4	21-May-04 Assessed: \$3,000.00	AEPEA(R) 24/97:5(1)(a)	The Hutterian Brethren of Silver Creek operates a mixed farming operation. It used and applied a pesticide, Assert and/or Spectrum, in a manner that causes or is likely to cause an adverse effect. Paid 11 June 2004.
Hutterian Brethren Of Red Willow	County of Stettler SW-12-40-18-W4	21-May-04 Assessed: \$2,000.00	AEPEA(R) 43/97:9(1)(b)	The Hutterian Brethren of Red Willow operates a large mixed farming operation on a colony. It did not hold a special use approval, issued by the Director, to use or apply a pesticide listed in Schedule 1, 2 or 3 within a horizontal distance of 30 metres from an open body of water. Paid 11 June 2004.
76 Land & Cattle Inc.	MD of Foothills NE-1-17-3-W5	14-Jun-04 Assessed: \$4,500.00	WA 36(1),142(1)(e)	The Company conducted an activity, being the construction of a rock and gravel weir in Pekisko Creek, without the required approval and diverted water

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<b>Administrative Penalties</b>				
				from Pekisko Creek when the flows of the creek did not meet the minimum flow requirements required by the Appendix of the Licence. Penalty paid 19 July 2004.
Telus Communications Inc.	Edmonton Plan B1, Block 4, Lot 163-67	14-Jun-04 Assessed: \$11,500.00	AEPEA(R) 110(1) 181/00:6(2)	The Company installed fire suppression equipment containing Halon listed in Schedule 1, being Halon-1301, also known as bromotrifluoromethane; released or permitted the release of an ozone-depleting substance or halocarbon into the environment without an approval; and being a person who releases or causes or permits the release of a substance into the environment that has caused, is causing, or may cause an adverse effect, fail to, as soon as that person knows or ought to know of the release, report it to the Director. Paid 23 June 2004.
Laebon Developments Ltd.	Red Deer County SE-22-37-28-W4	18-Jun-04 Assessed: \$19,500.00	AEPEA(R) 227(e)	Laebon Developments Ltd. is the holder of an Approval for the construction, operation and reclamation of a waterworks system for a country residential subdivision. A consultant, WNM Engineering Ltd, was hired by Laebon Developments Ltd. to operate the waterworks system. The Parties failed to immediately report by telephone a contravention of a term or condition of the Approval; failed to monitor the free or combined chlorine residual of treated water entering the water distribution system once per week during the week of August 21-27, 2002; failed to monitor the free or combined chlorine residual of treated water at random location in the water distribution system once per week during the week of February 20-26, 2004; failed to monitor the fluoride concentration in raw water and have the sample tested by an independent laboratory for 2003; failed to monitor the fluoride concentration in treated water after fluoride removal at each household unit and have the sample tested by an independent laboratory for 2003; failed to monitor bacteriological counts in the treated water at random locations in the water distribution system twice per month in October 2003; failed to sample the water well and have the sample analyzed for the various parameters in section 6.1.4 once per year for 2003; and failed to submit an Annual Waterworks Report to the Director for 2003. Appeal received, by fax, at the Environmental Appeal Board 20 July 2004.

## Enforcement Actions

1 April 2004 - 30 June 2004



<i>Company/Individual</i>	<i>Municipality/LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
<b>Administrative Penalties</b>				
Laebon Developments Ltd.	Red Deer County SE-22-37-28-W4	18-Jun-04 Assessed: \$5,000.00	WA 142(1)(e)	Laebon Developments Ltd. is the holder of a Diversion Licence for the purpose of providing water for a country residential subdivision. A consultant, WNM Engineering Ltd., was hired by Laebon Developments Ltd. to operate the works related to the diversion, to conduct required sampling and to submit the required Annual Reports to Alberta Environment. The parties failed to submit an Annual Report for 2002; failed to submit an Annual Report for 2003; failed to record and retain monthly measurements of the water levels from the domestic wells owned by various individuals for November 2002; and failed to record and retain monthly measurements of the water levels from the domestic wells owned by various individuals for November 2003. Appeal received, by fax, at the Environmental Appeal Board 20 July 2004.
WNM Engineering Ltd.	Red Deer County SE-22-37-28-W4	18-Jun-04	WA 142(1)(e)	SEE DETAILS: "Laebon Developments Ltd."
WNM Engineering Ltd.	Red Deer County SE-22-37-28-W4	24-Jun-04	AEPEA(R) 227(e)	SEE DETAILS: "Laebon Developments Ltd."

REPORTING PERIOD:  
1 April 2004 - 30 June 2004

## *Enforcement Actions*

1 April 2004 - 30 June 2004



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**Emergency Environmental Protection Orders**

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No Activity

## *Enforcement Actions*

1 April 2004 - 30 June 2004



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**Enforcement Orders**

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No Activity

## *Enforcement Actions*

1 April 2004 - 30 June 2004



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**Enforcement Orders for Waste**

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No Activity

## *Enforcement Actions*

1 April 2004 - 30 June 2004



<i>Company/Individual</i>	<i>Municipality/LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
<b>Environmental Protection Orders</b>				
GE Exploration Ltd.	County of Forty Mile SE-11-5-6-W4	26-Apr-04	AEPEA(R) 113,140	The Company was licenced or otherwise authorized by the Alberta Energy and Utilities Board to operate a well. The Alberta Energy and Utilities Board issued an Abandonment Order. Alberta Environment has not issued a reclamation certificate and is of the opinion that work is necessary in order to conserve and reclaim the site. 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 they have met the criteria.

## Enforcement Actions

1 April 2004 - 30 June 2004



<i>Company/Individual</i>	<i>Municipality/LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
<b>Prosecutions</b>				
Buffalo Airways Ltd.	Red Deer	10-May-04 Penalty: \$50,000.00	AEPEA(R) 192	Count 2: Co-accused "McBryan, Wilson (Joe)" On or about the 1st day of June 2002 to and including the 11th day of July 2002 at or near Red Deer, in the Province of Alberta, did unlawfully dispose of hazardous waste except in accordance with an approval or registration or as otherwise provided for under the Environmental Protection and Enhancement Act contrary to section 192 of the Environmental Protection and Enhancement Act. The Company pled guilty and was sentenced to a global penalty of \$50,000. The penalty consists of a fine of \$10,000 and a creative sentencing order of \$40,000. The Company, in conjunction with the Buffalo School of Aviation, will develop a training program for individuals to learn the proper process of aircraft paint stripping.
Khorfan, Said		08-Jun-04 Penalty: \$3,573.00	AEPEA(R) 176	Count 1: On or about the 21st day of September, 2003 at or near the City of Calgary in the Province of Alberta, did dispose of waste other than at a waste management facility or in a container the contents of which will be taken to a waste management facility, to wit: on land south of the access road between Highway 8 and 101 Street S.W. Calgary, Alberta, without the written authorization of the Director, and did thereby commit an offence contrary to Section 176 of the Environmental Protection and Enhancement Act. Mr. Khorfan pled guilty on 8 June 2004 and was sentenced to a fine of \$1,150.00. In addition, Mr. Khorfan was ordered to pay restitution in the amount of \$2,423.00 to Alberta Environment for costs of clean-up and disposal of the waste.
964405 Alberta Ltd.		10-Jun-04 Penalty: \$1,000.00	AEPEA(R) 24/97:5(1)(a)	Count 1: Co-accused "Pratt, Anthony William" Between the 24th day of June, 2002 and the 6 day of July, 2002 A.D. at or near Willingdon, in the Province of Alberta did unlawfully use or apply a pesticide in a manner or at a time or place that causes or is likely to cause an adverse effect contrary to section 5(1)(a)(i) of Alberta Regulation 24/97. Pled not guilty 9 March 2004. Found guilty 10 June 2004 and sentenced to a fine of \$1,000 with a three year stop order pursuant to section 234 of the Environmental Protection and Enhancement.

## Enforcement Actions

1 April 2004 - 30 June 2004



<i>Company/Individual</i>	<i>Municipality/LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
<b>Tickets</b>				
Warburg, Village of	Leduc County	01-Apr-04 Penalty: \$115.00	AEPEA(R) 61	The Village burned prohibited debris in an open fire without an approval/registration. Paid 1 April 2004.
Cando Contracting Ltd.	County of Vulcan	02-Apr-04 Penalty: \$115.00	AEPEA(R) 61	The Company burned prohibited debris in an open fire without an approval. Paid 2 April 2004.
Ortloff, Douglas		02-Jun-04	DGTHA 13(2)	Mr. Ortloff was loading a truck with a Petroleum Distillates. A spill occurred and it flowed offsite to storm draws and a forested area. Mr. Ortloff did not take remedial measures in the event of discharge, emission, or escape of dangerous goods. Quashed 2 June 2004.
Ortloff, Douglas		02-Jun-04	TDGA 286:8.1	Mr. Ortloff was loading a truck with a product and there was an accidental release of dangerous goods. Mr. Ortloff did not immediately report the accidental release to the proper authorities. Quashed 2 June 2004.
Noble Structures Inc.		08-Jun-04 Penalty: \$115.00	AEPEA(R) 61	The Company burned prohibited debris in an open fire without an approval. Paid 8 June 2004.
Red Deer Regional Airport Authority		10-Jun-04 Penalty: \$115.00	AEPEA(R) 61	The Authority burned prohibited debris in an open fire without an approval. Paid 10 June 2004.
Animal Memorial Services (1994)	Calgary	17-Jun-04 Penalty: \$115.00	AEPEA(R) 108(2)	The Company released or permitted the release of a substance into the environment in an amount, concentration or level or at a rate of release that is in excess of that expressly prescribed by an approval or the regulations. In particular, black smoke from an incinerator stack at the pet crematorium at an opacity around 60%. Paid 17 June 2004.

*REPORTING PERIOD:  
1 April 2004 - 30 June 2004*

## *Enforcement Actions*

1 April 2004 - 30 June 2004



<i>Company/Individual</i>	<i>Municipality/LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
<b>Warning Letters</b>				
Alberta Transportation	County of Grande Prairie NE-17-72-2-W6	02-Apr-04	WA 142(1)(e)	Alberta Transportation installed a bridge on the Smoky River and contravened its Approval. It failed to prevent siltation and erosion of the water body resulting from the activity; did not retain a copy of this Approval at the site of the activity; washed out bridge material was being removed from the Smoky River outside of the permitted time frame; and in addition a minimum of 30 centimetres of undisturbed berm material was not left in place on the riverbed as required by the Approval.
Chant Construction Company Inc.	County of Grande Prairie NE-17-72-2-W6	02-Apr-04	WA 142(1)(e)	The Company installed a bridge on the Smoky River and contravened an Approval. It failed to prevent siltation and erosion of the water body resulting from the activity; a copy of the Approval was not retained at the site of the activity; washed out bridge material was being removed from the Smoky River outside of the permitted time frame; and in addition a minimum of 30 centimetres of undisturbed berm material was not left in place on the riverbed as required by the Approval.
VPL Developments Ltd.	County of Wetaskiwin SE-14-46-1-W5	14-Apr-04	WA 142(1)(e)	The Company operates pursuant to a Licence. It contravened its licence by not having the production well and standby well equipped with a cumulative meter or other device which registers the number of cubic metres or gallons pumped, and it did not submit any annual returns, for the calendar years of 1997 through 2003, to the Controller.
Spirit Creek Golf and Country Club Ltd.	Lacombe County SW-18-39-27-W4	22-Apr-04	WA 49(1)	The Company diverted water from Blindman River without a licence.
McKen, Ken	MD of Greenview 7-57-7-W6	04-May-04	AEPEA(R) 178	Mr. Mcken disposed of waste, being logging waste, on public land.
Rocky Mountain House, Town of	Rocky Mountain House SW-26-39-7-W5	12-May-04	AEPEA(R) 110(1)	The Town failed to report a release of Anhydrous Ammonia at the Arena Complex in the Town of Rocky Mountain House.

*REPORTING PERIOD:  
1 April 2004 - 30 June 2004*

*Page 11 of 13*

## *Enforcement Actions*

1 April 2004 - 30 June 2004



<i>Company/Individual</i>	<i>Municipality/LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
<b>Warning Letters</b>				
Himer, Gordon	County of Grande Prairie NW-22-72-6-W6	17-May-04	AEPEA(R) 61	Mr. Himer burned prohibited debris, tires, in an open fire without an approval.
Petrobank Energy and Resources Ltd.	County of Paintearth 26-39-16-W4	26-May-04	AEPEA(R) 61	The Company continued an activity that is designated as requiring an approval, being the operation of a sour gas processing plant, without being the holder of the required approval.
Chabot, Martin	County of Grande Prairie NE-32-71-6-W6	07-Jun-04	WA 36(1)	Mr. Chabot commenced an activity, interfering with a watercourse by constructing a dugout, without obtaining an approval.
Bakkers, Rob	County of Stettler SE-16-41-19-W4	16-Jun-04	WA 142(1)(e)	Mr. Bakkers has a diversion licence for a water well. He contravened his licence by failing to record and retain the required information for the 2003 calendar year.
Rocky Mountain Raceway Park Inc.	MD of Foothills Plan 9812782, Block 1	16-Jun-04	WA 36(1)	The Company placed fill in a wetland, being a waterbody, encroaching into an oxbow of the Highwood River without proper authorization.
Murphy Oil Company Ltd.	MD of Clear Hills 23-94-13-W6	17-Jun-04	AEPEA(R) 227(e)	The Company operates the Hamburg sour gas processing plant pursuant to an Approval. It contravened its Approval by submitting the 2003 Annual Industrial Wastewater and Runoff report late. In addition, this approval contravention was not immediately reported by telephone to Alberta Environment, as is also required by the Approval.
Olds Contracting Ltd.	Mountain View County NW-14-32-2-W5	17-Jun-04	AEPEA(R) 181	The Company disposed of demolition debris, without an approval, in and on the banks of a water body.
Rife Resources Ltd.	County of Camrose 12-44-21-W4	18-Jun-04	AEPEA(R) 227(e)	The Company operates the Ferintosh sour gas plant pursuant to an Approval. It contravened its Approval by submitting the 2003 Annual Wastewater and Runoff report late.

*REPORTING PERIOD:  
1 April 2004 - 30 June 2004*

## *Enforcement Actions*

1 April 2004 - 30 June 2004



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<b>Warning Letters</b>				
Burlington Resources Canada Ltd.	Saddle Hills County 22-81-11-W6	28-Jun-04	AEPEA(R) 227(e)	The Company operates the Bonanza sour gas processing plant pursuant to an Approval. It contravened its Approval by submitting the 2003 Annual Industrial Wastewater and Runoff report late. In addition, this contravention was not immediately reported by telephone to Alberta Environment as is also required by the Approval.