



ENFORCEMENT OF THE
*ENVIRONMENTAL PROTECTION AND
ENHANCEMENT ACT*
And
WATER ACT

1 April 2003 – 30 June 2003

July 2003
Regional Services
Alberta Environment

Enforcement Actions

1 April 2003 - 30 June 2003



<i>Company/Individual</i>	<i>Action/ Municipality/LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
Administrative Penalties				
Canessco Services Inc.	AP Sturgeon County SE-17-55-22-4	12-May-03 Assessed: \$5,500.00	AEPEA(R) 191	The Company is a non-hazardous/hazardous liquid waste transportation company. It consigned, transported, and disposed of a hazardous waste without a manifest. Paid 11 June 2003.
OPTI Canada Inc.	AP Lakeland County 14-67-3-4	12-May-03 Assessed: \$1,500.00	AEPEA(R) 227(e)	The Company operates the Burnt Lake oil sands processing plant pursuant to an Approval. It contravened its Approval by submitting the monthly air emissions summary report late. Paid 12 June 2003.
Telus Enterprise Solutions Inc.	AP Calgary Plan 0111942, Block 207, Lot 33	28-May-03	AEPEA 99(1)	See Details "Telus Communications Inc."
Telus Communications Inc.	AP Calgary Plan 0111942, Block 207, Lot 33	28-May-03 Assessed: \$3,000.00	AEPEA 99(1)	Telus Communications Inc. owns a building in Calgary that was undergoing some construction in preparation for tenancy. Telus Enterprise Solutions Inc. was jointly responsible for the construction and retrofitting of the building and the training of security staff. The Companies released or caused or permitted the release of a substance, glycol, into the environment that has caused, is causing or may cause an adverse effect, and failed to, as soon as that person knows or ought to know of the release, report it to the Director. Paid 18 June 2003.
Wetaskiwin Aerial Applicators Ltd.	AP Lacombe SW-28-40-26-4	20-Jun-03 Assessed: \$4,000.00	AEPEA(R) (R)24/97 5(1)	The company aerially applied a pesticide, Lorsban, in a manner that caused an adverse effect. Penalty paid 2 July 2003.

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1 April 2003 - 30 June 2003

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Enforcement Orders				
679893 Alberta Ltd. operating as Compak Filter Service	EO Beiseker Plan 9512697, Block 1	12-May-03	AEPEA(R)(R)192/96 18	The parties own and operate a hazardous recyclable facility by collecting and recycling used oil filters and the recovered used oil. They failed to have secondary containment for liquid hazardous recyclables, lacked the required fencing to secure the facility from entry by unauthorized persons, and an area of oil-stained soil had not been remediated. The parties shall immediately cease accepting or otherwise bringing any hazardous recyclables onto the site and cease processing any hazardous recyclables, including any undrained oil filters until otherwise authorized by Alberta Environment; immediately prevent any hazardous recyclables or hazardous waste from exiting the site or from contacting any surface water or groundwater on or off the site; immediately store any and all hazardous recyclables on the site; store all hazardous recyclables on the site so that a roof or other permanent structure is present over all hazardous recyclables on the site; delineate and quantify the extent of any hazardous substances in or under the soil, in any surface water and/or in the groundwater on the site, under the site, and to any off-site areas, including the ditch; submit and implement a remediation plan and submit a final report to Alberta Environment within 7 days of completion of the work required.
Daniel, Douglas	EO Beiseker Plan 9512697, Block 1	12-May-03	AEPEA(R)(R)192/96 18	See Details "679893 Alberta Ltd. operating as Compak Filter Service"
811319 Alberta Ltd.	EO Acme Plan 7711445, Block 2	13-Jun-03	AEPEA(R)(R)192/96 11	811319 Alberta Ltd. is the registered owner of the lands, Brian Hannah is one of two Directors and Shareholders of 811319 Alberta Ltd., and Hannah Transport Ltd. is a transport company that is owned and operated by Brian Hannah, and operates from the lands. The British Columbia Ministry of Environment

REPORTING PERIOD:

1 April 2003 - 30 June 2003

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<i>Company/Individual</i>	<i>Action/ Municipality/LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
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Enforcement Orders

commenced an investigation of a dry-cleaning facility and its storage of an unknown liquid contained in barrels at the facility. Laboratory analysis of the samples confirmed high concentrations of tetrachloroethylene (a dry cleaning solvent), benzene, ethylbenzene, and toluene and xylene. The liquid in the barrels was classified as "special waste" and was therefore subject to specific storage, handling, transport and disposal requirements under legislation. The dry-cleaning facility was sentenced in British Columbia, pursuant to the Waste Management Act, for failure to properly store the liquid "special waste" in accordance with the Special Waste Regulation, and as part of a court order, the dry-cleaning facility was to come into compliance with the Special Waste Regulation, including that they were required to post a bond to ensure compliance. The dry-cleaning facility in Princeton, British Columbia consigned a trucking company in British Columbia to haul a Fruehauf transport trailer holding 12,000 litres of a liquid waste to Acme, Alberta. The trailer was delivered to the site in Acme and the driver was directed by Brian Hannah and/or a representative of Hannah Transport Ltd. to park the trailer in an open field near the northwest corner of the site. The accompanying manifest identified the substances in the barrels as 12,000 L of "waste mineral spirits". An Alberta Environment investigator attended the site and sampled 31 of the barrels inside the trailer for the purposes of confirming the nature of the liquid substances in the barrels, and the screening indicated the unknown liquid substance was highly flammable with the presence of BTEX (benzene, toluene, ethylbenzene and xylene) compounds, and some of the barrels tested positive for the presence of chlorinated solvents, being an indicator of perchloroethylene (perc), a dry-cleaning solvent. There were a total of 60 barrels loaded on the trailer containing unknown liquid substances, there was liquid present on top of the lids of the barrels and on the floor of the trailer, and there was evidence of

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1 April 2003 - 30 June 2003

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Enforcement Actions

1 April 2003 - 30 June 2003



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Enforcement Orders

leakage from the barrels under the front portion of the trailer, with an area of approximately 5 metres of dead vegetation under the landing gear of the trailer. The analytical results confirmed that the liquids in the barrels were "hazardous wastes" and therefore the substances were not being stored in accordance with the requirements of the Waste Control Regulation. The parties shall completely surround the trailer with a locked security fence to prevent any contact between unauthorized persons and the trailer, and construct an earthen berm of at least 1 metre high around the perimeter of the trailer to provide containment for the leaking substances; advise the manager in writing whether they will continue to store the substances on the site, or whether the substances will be removed and disposed of; if the parties advise the manager that they intend to continue storing the substances, the parties are to submit a written plan detailing the steps that will be taken to comply with all requirements for the design, siting and operation of a hazardous waste site and implement that plan; and if the parties advise the manager that they intend to dispose of the substances, the parties shall dispose of the substances in accordance with all requirements of the Waste Control Regulation and the Environmental Protection and Enhancement Act at a waste management facility approved by Alberta Environment for the disposal of liquid hazardous wastes.

Hannah Transport Inc.	EO Acme Plan 7711445, Block 2	13-Jun-03	AEPEA(R)(R)192/96 11	See Details "811319 Alberta Ltd."
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REPORTING PERIOD:

1 April 2003 - 30 June 2003

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Enforcement Actions

1 April 2003 - 30 June 2003



<i>Company/Individual</i>	<i>Action/ Municipality/LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
Enforcement Orders				
Hannah, Brian	EO Acme Plan 7711445, Block 2	13-Jun-03	AEPEA(R)(R)192/96 11	See Details "811319 Alberta Ltd."

REPORTING PERIOD:

1 April 2003 - 30 June 2003

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WRN: Warning Letter

Enforcement Actions

1 April 2003 - 30 June 2003



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Prosecutions				
Centennial Zinc Plating Ltd.	PRS Edmonton 6007-76 Ave.	22-Apr-03 Penalty: \$125,000.00	AEPEA 98(2)	Count 1: Co-accused "Industrial Plating (1981) Ltd., Greenways, Peter, and Greenways, Leo" On or between September 1, 1993 and April 3, 2001, both dates inclusive, at or near Edmonton, in the Province of Alberta did unlawfully release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or may cause a significant adverse effect contrary to Section 98(2) of the Environmental Protection and Enhancement Act. The company pled guilty on 20 January 2003. On 22 April 2003, the company was sentenced to a fine of \$125,000.00. Alberta Justice filed Notice of Appeal of sentence on 9 May 2003.
ECL Environmental Services Ltd.	PRS Calgary 150 Palmer Road NE	09-Jun-03 Penalty: \$57,500.00	AEPEA 98(2)	Count 1: Co-accused "ECL Group of Companies Ltd. & McTaggart, Stuart Norman & Trancanada Turbines Ltd." On or about the 28th day of March, 2000, at or near Calgary, in the Province of Alberta, did release or permit the release of a substance into the environment in an amount, concentration or level or at a rate of release that caused or may have caused a significant adverse effect, contrary to Section 98(2) of the Environmental Protection and Enhancement Act, S.A. 1992, c.E-13.3. The company pled guilty 27 January 2003. Sentenced to a fine, on 9 June 2003, in the amount of \$50,000.00 plus an additional \$7,500.00 for the Victim Fine Surcharge for a total of \$57,500.00.
ECL Environmental Services Ltd.	PRS Calgary 150 Palmer Road NE	09-Jun-03 Penalty: \$5,750.00	DGTHA 30(1)	Count 3: Co-accused "ECL Group of Companies Ltd." On or about the 28th day of March, 2000, at or near Calgary, in the Province of Alberta did handle or offer for transport dangerous goods, to wit: sodium hydroxide solution, in an old large container otherwise than in accordance with Section 7.33.1.5(2) of the Transportation of Dangerous Goods Regulations, SOR 85-77 as incorporated by Sections 2 and 5 of the Dangerous Goods

REPORTING PERIOD:

1 April 2003 - 30 June 2003

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AP: Administrative Penalty
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Enforcement Actions

1 April 2003 - 30 June 2003



<i>Company/Individual</i>	<i>Action/ Municipality/LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
Prosecutions				
PrimeWest Energy Inc.	PRS Carstairs 6--26-29-29-4	13-Jun-03 Penalty: \$100,000.00	AEPEA 98(2)	<p>Transportation and Handling Regulation, A.R. 157/97, as am., in that the old large container did not meet the criteria set out in Section 7.33.1.5(2)(b), contrary to Section 19 of the Dangerous Goods Transportation and Handling Act, S.A. 1998, c.D-3.5 and did thereby commit an offence under Section 30(1) of the Dangerous Goods Transportation and Handling Act, S.A. 1998, c.D-3.5. The company pled guilty 27 January 2003. Sentenced to a fine, 9 June 2003, in the amount of \$5,000 with an additional \$750.00 for the victim fine surcharge for a total of \$5,750.00.</p> <p>Count 1: On or about November 28, 2000, at or near Carstairs, in the Province of Alberta, did unlawfully release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or may cause a significant adverse affect, contrary to section 98(2) of the Environmental Protection and Enhancement Act. Company pled guilty 20 May 2003. Sentenced to of a \$25,000 fine and a Creative Sentence Order directing \$75,000 towards the funding of a habitat restoration project in the Falls Creek Reclamation Project. Fine paid 19 June 2003.</p>

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Enforcement Actions

1 April 2003 - 30 June 2003



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Tickets				
Sopko, Edward	TIC Carvel Site 17 RR2	22-May-03 Penalty: \$115.00	AEPEA(R) 61	Burning prohibited debris in an open fire without an approval. Paid 22 May 2003.
Tanas Concrete Industries Ltd.	TIC Didsbury	02-Jun-03 Penalty: \$115.00	AEPEA(R) 180	Improper disposal of waste on land owned/administered by local authority. Paid 2 June 2003.

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Enforcement Actions

1 April 2003 - 30 June 2003



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Warning Letters				
Lone Pine Financial Corporation operating as Lone Pine Forest Products	WRN Rocky Mountain House SW-23-39-7-5	07-Apr-03	WA 36(1)	The Company placed material (sawdust) on the bed and shore of Trapper's Creek without being the holder of a required approval that had the potential to change the location of water, cause the siltation of water and cause an effect on the aquatic environment. Also a contravention of Section 142(1)(h) of the Water Act.
Strathcona County	WRN Strathcona County SE-5-53-21-4	07-Apr-03	AEPEA(R) 227(e)	The County operates a Class I wastewater treatment plant (wastewater stabilization ponds), a Class I wastewater collection system and a storm drainage system for the Hamlet of Ardrossan pursuant to an Approval. It contravened its Approval by failing to collect and analyze groundwater samples from one of the monitoring wells at the stabilization ponds in 2002.
Bonnyville No. 87, Municipal District of	WRN MD of Bonnyville 35-61-4-4	14-Apr-03	AEPEA(R) 227(e)	The Municipal District of Bonnyville No. 87 operates the wastewater system for the Hamlet of Fort Kent. The operating approval for this system requires a grab sample of the effluent from the storage cell(s) to be collected after the first day of discharge and analyzed for 5-day Biological Oxygen Demand and Total Suspended Solids. The Municipal District of Bonnyville No. 87 failed to collect and analyze the required sample from the Fort Kent wastewater system when the storage cell was discharged in May 2002.
Bonnyville No. 87, Municipal District of	WRN MD of Bonnyville 35-61-4-4	14-Apr-03	AEPEA(R) 227(e)	The Municipal District of Bonnyville No. 87 operates the wastewater system for the Hamlet of Ardmore pursuant to an Approval. The operating approval for this system requires a grab sample of the effluent from the storage cell(s) to be collected after the first day of discharge and analyzed for 5-day Biological Oxygen Demand and Total Suspended Solids. The Municipal District of Bonnyville No. 87 failed to collect and analyze the required sample from the Ardmore wastewater system when the

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1 April 2003 - 30 June 2003

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WRN: Warning Letter

Enforcement Actions

1 April 2003 - 30 June 2003



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Warning Letters				
				storage cell was discharged in May of 2002.
KeySpan Energy Canada Inc.	WRN Yellowhead County 12-46-14-5	06-May-03	AEPEA(R) 227(e)	The Company operates the Brazeau River sour gas plant pursuant to an Approval. It contravened its Approval by submitting the Manual Stack Survey report late and, in addition, did not immediately report the contravention by telephone to Alberta Environment.
KeySpan Energy Canada Inc.	WRN Clearwater County 10-44-12-5	06-May-03	AEPEA(R) 227(e)	The Company operates the Nordegg River sour gas plant pursuant to an Approval. It contravened its Approval by submitting the Manual Stack Survey report late.
KeySpan Energy Canada Inc.	WRN Clearwater County 35-37-9-5	06-May-03	AEPEA(R) 227(e)	The Company operates the Strachan sour gas plant pursuant to an Approval. It contravened its Approval by submitting the Manual Stack Survey report late, and did not immediately report the contravention by telephone to Alberta Environment.
The Derrick Golf and Winter Club	WRN Edmonton NE-1-52-25-4	04-Jun-03	WA 142(1)(h)	The Club acted to alter the level and flow of water in Whitemud Creek when, without authorization it carried out the construction of a works in the waterbody.
Pat Dwyer Const. Inc.	WRN MD of Pincher Creek NW-19-5-2-5	24-Jun-03	WA 36(1)	The company removed a tree and root system from the bed and shore of Beaver Mines Creek without an approval.

REPORTING PERIOD:

1 April 2003 - 30 June 2003

Page 10 of 10

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