



NOTICE OF NON-COMPLIANCE

ISSUED BY VANCOUVER FRASER PORT AUTHORITY (VFPA)

November 1, 2023

PERMIT HOLDER:

The Ministry of Transport and Infrastructure
Pattullo Bridge Replacement Project
1100 - 401 West Georgia Street
Vancouver, BC V6B 5A1

DESCRIPTION OF NON-COMPLIANCE:

- A. On May 27, 2019, the British Columbia Ministry of Transport and Infrastructure (the "Permit Holder") received Project Permit 17-107 (the "Permit"), attached hereto, for the Pattullo Bridge Replacement at New Westminster and Surrey (the "Project").
- B. The Permit contains the following conditions:
- Condition 8: The Permit Holder is solely responsible for ensuring that all employees, agents, contractors, licensees and invitees comply with the Permit.
- Condition 37: The Permit Holder shall carry out the Project in accordance with the Construction Environmental Management Plan, and any subsequent amendments approved by VFPA.
- Condition 57: The Permit Holder, or their contractor, shall engage a qualified environmental professional to monitor construction activities in order to ensure that works are carried out in compliance with this Permit. Monitoring events shall take place as required by the environmental monitor, Construction Environmental Management Plan, or VFPA, provided that works will be monitored full time when works are underway that have potential to adversely affect fish or fish habitat.
- C. The Construction Environmental Management Plan contains requirements for the management of hydrocarbons, hazardous materials and unauthorized or accidental discharges of products or wastes to water, ground, or air.
- D. On October 20 and 25, 2023, VFPA conducted site inspections and observed that a number of actions taken by the Permit Holder's contractor were not in compliance with conditions 37 and 57 of the Permit, including actions related to:
- 1) Unauthorized or accidental discharges of products or wastes to water, ground, or air;
 - 2) Ineffective spill response efforts in water, ground, or air;
 - 3) Ineffective use of secondary containment equipment; and
 - 4) Absence of qualified environmental professionals to monitor construction activities.

- E. The Permit Holder is responsible for its contractor pursuant to condition 8 of the Permit and has failed to comply with the conditions of the Permit, in particular conditions 37 and 57.

It is the responsibility of the Permit Holder to adhere to, and ensure all its employees, agents, contractors, licensees and invitees adhere to, all conditions outlined in the Permit throughout the duration of the work. Any further instances of non-compliance may result in immediate enforcement action, without further notice, including termination of the Permit.

ADDITIONAL INFORMATION:

VFPA reserves all of its rights to exercise any of its rights, remedies, powers and privileges, under any applicable lease or licence issued to the Permit Holder, or at law or in equity.

Any questions can be directed to Dean Richards at dean.richards@portvancouver.com

Vancouver Fraser Port Authority



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Vancouver Fraser Port Authority

Ref #: PER 17-107_CME005