



STOP WORK ORDER

ISSUED BY VANCOUVER FRASER PORT AUTHORITY (VFPA)

November 8, 2023

PERMIT HOLDER:

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

WHEREAS:

A. On May 27, 2019, Project Permit 17-107 (the "Permit"), attached hereto, was issued by VFPA to the British Columbia Ministry of Transportation and Infrastructure (the "Permit Holder") for the Pattullo Bridge Replacement at New Westminster and Surrey (the "Project").

B. The Permit includes the following conditions:

Condition 7: The Permit Holder shall cooperate fully with VFPA in respect of any review by VFPA of the Permit Holder's compliance with this Permit, including providing information and documentation in a timely manner, as required by VFPA. The Permit Holder is solely responsible for demonstrating the Permit Holder's compliance with this Permit. Accordingly, the Permit Holder shall be familiar with VFPA's compliance and enforcement program:
<https://www.portvancouver.com/development-and-permits/compliance/>

Condition: 8: The Permit Holder shall review the Permit with all employees, agents, contractors, licensees and invitees working on the Project site, prior to such parties participating in any construction or other physical activities on the Project site. The Permit Holder shall be solely responsible for ensuring that all such employees, agents, contractors, licensees and invitees comply with this 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:
- Unauthorized or accidental discharges of products or wastes to water, ground, or air;
 - Ineffective spill response efforts in water, ground, or air;
 - Ineffective use of secondary containment equipment; and
 - Absence of qualified environmental professionals to monitor construction activities.
- E. On November 1, 2023, VFPA issued a Notice of Non-Compliance (PER 17-107 CME_005) to the Permit Holder that the Project was not in compliance with conditions 37 and 57 of the Permit.
- F. On November 4, 2023, VFPA received and reviewed a site inspection report from the Transportation Investment Corporation (TI Corp) which identified a hydrocarbon sheen emanating from a project barge into water.
- G. On November 6, 2023, VFPA conducted a site inspection and observed instances of action or inaction taken by the Permit Holder's contractor continued to be non-compliant with conditions 37 and 57 of the Permit, including action or inaction related to the operation of a project barge resulting in or from:
- Unauthorized or accidental discharges of products or wastes to water, ground, or air;
 - Ineffective spill response efforts in water, ground, or air;
 - Ineffective use of secondary containment equipment; and
 - The absence of qualified environmental professionals to monitor construction activities.
- H. Observations by VFPA, TI Corp, and the Project's Independent Environment Monitor have led to the conclusion that the project barge continues to be a source of hydrocarbon-related releases to water.
- I. Pursuant to condition 8 of the Permit, the Permit Holder is responsible for its contractor(s) and has failed to comply with all the conditions of the Permit and, in particular, conditions 7, 8, 37 and 57 of the Permit, and the Notice of Non-Compliance PER 17-107_CME005.

THEREFORE:

VFPA hereby orders that the Permit Holder:

- (1) Immediately cease all activities and related works associated with the project barge.
- (2) The Permit Holder shall, prior to restarting any project barge work activities:
 - (a) Provide documentation of spill containment and cleanup activities related to the hydrocarbon release into water which occurred on November 6, 2023;
 - (b) Identify the source of the hydrocarbon sheen associated with the project barge, repair the project barge/barge equipment, and provide documentation clearly demonstrating the repairs;
 - (c) Provide project barge maintenance inspection records including records for all associated equipment for the last 45 days;
 - (d) Provide inventory records of all marine spill kits associated with the project barge;
 - (e) Ensure all on-site staff and contractors working on the project barge have participated in enhanced hydrocarbon spill response training and spill reporting communication session (the "Training") that will include an overview of the Permit Holder's Construction Environmental Management Plan (CEMP). Keep and retain records detailing the name and Project role of each

- on-site staff member or contractor and the date that such persons completed the Training and submit these records to VFPA by November 17, 2023; and
- (f) For the duration of the project, ensure that a qualified environmental professional / environmental monitor is present at the project barge to ensure that the project barge and any associated equipment is being monitored for permit compliance while in operation.
- (3) Provide confirmation to VFPA that the Permit Holder has complied with the requirements of the Order to VFPA's satisfaction in advance of any further work.

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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