



CORRECTIVE ORDER

ISSUED BY VANCOUVER FRASER PORT AUTHORITY (VFPA)

April 8, 2024

ISSUED TO:

DP World Canada
Suite 1500, Metrotower II
4720 Kingsway
Burnaby, BC V5H 4J5

WHEREAS:

- A. On May 2, 2024, Project Permit 22-017 (the "Permit"), attached hereto, was issued by VFPA to the DP World Canada (the "Permit Holder") for the Canola Oil Transload Facility - DPW Fraser Surrey (the "Project").
- B. The Permit contains the following conditions:

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 21: The Permit Holder shall submit an updated Construction Environmental Management Plan to the Port Authority's satisfaction. The following plans shall be appended:

- (A) Site-specific soil management plan
- (B) Erosion and sediment control plan
- (C) Site-specific invasive species management plan
- (D) Vegetation management plan including, but not limited to, tree and vegetation removal, retention, protection during construction, and any replacement/revegetation.

The Permit Holder shall carry out the Project in accordance with the Construction Environmental Management Plan, appended plans and any subsequent updates made to the port authority's satisfaction.

Condition 58: The Permit Holder, or their contractor, shall engage a qualified environmental professional (QEP) to monitor the Project in order to ensure that the works are carried out in compliance with this Permit. Monitoring events shall take place as required by the environmental monitor, the Construction Environmental Management Plan, or the Port Authority, provided that

monitoring will be full time when works are underway that have the potential to adversely affect fish or fish habitat.

- A. On March 26, 2024, VFPA completed a site inspection and observed several non-compliances related to spill response, fuel management, and the storage of hazardous materials on the Project site, and more specifically Conditions 8, 21, and 58 of the Permit. Observations of permit non-compliance included:
- Unauthorized or accidental discharges of products or waste to water, ground, and air;
 - Ineffective spill response efforts in water, ground, and air;
 - Ineffective use of secondary containment equipment;
 - Insufficient equipment management and maintenance causing spills of hydrocarbons to water, ground, and air;
 - Ineffective fuel management; and
 - Ineffective hazardous materials management, causing releases to water, ground, and air.

THEREFORE:

VFPA hereby orders that the Permit Holder:

- 1) Provide evidence from a QEP that fuel management and hazardous material storage are compliant with the Permit to VFPA's satisfaction by April 19, 2024.
- 2) Provide VFPA a copy of the hydrocarbon spill incident report by April 19, 2024.
- 3) Provide VFPA the Standard Operating Procedure (SOP) for refueling activities at the Project and ensure all on-site staff and contractors working on the Project have reviewed the SOP and provide the date that such persons have completed the review by April 19, 2024.
- 4) Ensure all on-site staff and contractors working on the Project have participated in enhanced hydrocarbon spill response training and a 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 April 19, 2024.
- 5) Provide evidence from a QEP that the hydrocarbon release observed on-site has been completed in accordance with regulatory, Project, and Permit requirements by April 30, 2023. Target remediation shall be completed and confirmatory samples submitted to demonstrate soil meets applicable standards and/or guidelines.
- 6) Increase environmental monitoring by a QEP at the Project to two-days-a-week for at least one month (until May 8, 2024). Monitoring and subsequent QEP reporting shall demonstrate that spill response, fuel management, and the storage of hazardous materials meet Permit conditions.

ADDITIONAL INFORMATION:

VFPA reserves all of its rights to exercise any of its rights, remedies, powers and privileges, under any applicable lease or license 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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Original Copy Signed

Dean Richards, P.Ag., BC-CESCL
Compliance Monitoring Specialist, Project and Environmental Review
Vancouver Fraser Port Authority

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