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Environmental Protection Branch
Pacific and Yukon Region
224 West Esplanade
North Vancouver, B.C.
V7M 3H7

June 14, 2001

7615-6/V49

Mr. Ken Cameron
Manager, Policy and Planning Department
Greater Vancouver Regional District
4330 Kingsway
Burnaby, B.C.
V5H 4G8

Dear Mr. Cameron:

Re: Greater Vancouver Regional District Liquid Waste Management Plan

Reference is made to your letter dated April 6, 2001 regarding the Greater Vancouver Regional District's (GVRD's) response to the five (5) conditions set out in my letter to you of May 25, 2000.

The initiative that the GVRD has undertaken in developing a receiving environment approach has been impressive and innovative, and I commend the District and its consultants. Environment Canada is in receipt of the preliminary design of the monitoring programs referenced in your letter and we anticipate providing review comments back to you within two months. At that time I will advise you if we feel that condition 1 has been met. When Condition 1 is fully satisfied, Environment Canada will be in a position to work with you to develop an addendum to the BIEAP/FREMP Memorandum of Understanding.

With regard to the Toxicity Identification Evaluation (TIE) results for the Annacis and Lulu effluents, we are pursuing the issues of bioassay test protocols and TIEs with experts within Environment Canada and will advise you of our findings within two months once the review is completed. We also confirm that, as of April 6, 2001, Environment Canada is receiving monthly bioassay results as they become available.

As I pointed out in my letter of May 25, 2000, compliance with subsection 36(3) of the *Fisheries Act* is determined on the basis of end-of-pipe discharges (effluent quality at point of discharge or last point of control). Your letter of April 6, 2001 notes that end-of-pipe LC50 failures are addressed under Commitment 11 of the LWMP. However, Commitment 11 states that the GVRD will only "evaluate options" for improving bioassay test results "within the limitations of the existing liquid waste management treatment process and infrastructure". This suggests that compliance with the *Fisheries Act* may not be achieved.

As you know, Environment Canada conducted inspections at the Iona and Lions Gate treatment plants earlier this year (and will conduct inspections at the other three plants

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this summer). Those inspections confirmed that discharges from the Iona and Lions Gate facilities were acutely lethal to fish, and thus in contravention of the *Fisheries Act*. We are aware that the GVRD is taking steps to address the toxicants in the Iona and Lions Gate effluents through a TIE study. However, these actions by themselves may not bring the effluent discharges from the Iona and Lions Gate facilities into compliance with the *Fisheries Act*. Consequently, Environment Canada intends to conduct further inspections at the facilities to verify compliance with the *Fisheries Act*, and to take appropriate enforcement action should violations continue.

Thank you for your attention to this matter.

Yours truly,



J. Brian Wilson
Director

cc: G. Beaupré, DFO
J. McCracken, Ministry of Water, Land and Air Protection
J. Stott, BIEAP/FREMP