



Canadian Environmental  
Assessment Agency

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June 7, 2018

File #: CEAA Registry - 63919

British Columbia Hydro and Power Authority  
c/o Mr. Greg Scarborough  
Manager, Site C Environmental Compliance, Mitigation and Monitoring  
333 Dunsmuir St. 6th floor  
Vancouver BC V6B 5R3

*Sent via email: [Greg.Scarborough@bchydro.com](mailto:Greg.Scarborough@bchydro.com)*

**RE: Alleged Non-Compliance by the British Columbia Hydro and Power Authority with the Decision Statement issued for the Site C Clean Energy Project.**

Mr. Scarborough,

On April 27, 2018, I issued a written warning to British Columbia Hydro and Power Authority (BC Hydro) for the purpose of the administration and enforcement of the *Canadian Environmental Assessment Act, 2012* with respect to an alleged non-compliance with condition 2.6 of the decision statement issued by the Minister of the Environment. Condition 2.6, requires the proponent to implement a plan to prevent accidents and malfunctions.

In accordance with the *Compliance and Enforcement Policy for the Canadian Environmental Assessment Act, 2012*, an opportunity to be heard was provided to BC Hydro. On May 3, 2018, the Agency received your representations and supporting documentation to the written warning.

I have reviewed the information and acknowledge that steps were taken to return into compliance, namely by expanding tailboard sessions to include information and handouts on the use of spill kits. In light of the documents provided on May 3, 2018, I note that those sessions have been put in place following my inspection, on April 12, 2018, where I indicated that the Agency would be issuing a warning to BC Hydro in relation to spill response training.

BC Hydro indicated in its representations that the orientation session slides on spill prevention provide sufficient information on the use of spill kits. I don't agree with this affirmation. The slides solely note that employees should "*Know where the kits are, what the components are, and how to use them*" but provide no further details on how to use them.

BC Hydro also indicated that "*appropriate training*" for adult learners in an "*equipment operation environment*" may best be delivered through brief, repeat, on-the-job and practical sessions delivered by experienced personnel. I understand that BC Hydro considers the tailboard sessions and handouts provided to employees as being appropriate "*practical sessions*".



On a future inspection, I or another enforcement officer will gladly take part in one of the practical training sessions and may survey employees on the use of spill response equipment to verify the efficacy of the training provided.

Your comments and this determination will be retained and placed in the compliance file of British Columbia Hydro and Power Authority, Site C Clean Energy Project. In accordance with the *Compliance and Enforcement Policy for the Canadian Environmental Assessment Act, 2012* and the Canadian Environmental Assessment Agency's policy on transparency, this response will be posted on the Compliance Promotion and Enforcement section of the Agency's website.

<Original signed by>

  
Nicolas Courville  
Senior Enforcement Officer  
Compliance Promotion and Enforcement Unit  
Canadian Environmental Assessment Agency