

ENFORCEMENT STRATEGY OVERVIEW

ENFORCEMENT STRATEGY OBJECTIVES

Enforcement Strategy objectives are:

1. To ensure that Industrial Dischargers (Discharger) to GVS&DD sewerage and drainage works are managing their discharge to consistently meet the terms and conditions of their Waste Discharge Permits or Authorizations; and
2. To ensure that Non-Compliance is eliminated in the shortest time frame possible.

Source Control's enforcement approach is designed to enlist the cooperation and commitment of the Discharger in promptly addressing and resolving compliance issues. Failure on the part of the Discharger to cooperate and resolve compliance issues within a reasonable time frame will result in escalated enforcement action.

COMPLIANCE ASSESSMENT

Discharger compliance is assessed through review of monitoring reports submitted by the Discharger, results of independent sampling carried out by the GVRD, and site inspections. Failure to meet any term or condition of a Waste Discharge Permit or Authorization is an act of non-compliance and is subject to enforcement action.

ENFORCEMENT ACTIONS

Enforcement actions are well-defined and are consistently applied across the District. Enforcement actions are based on the seriousness of the infraction and may take the form of a Request to take corrective action, an Order to take corrective action or cease discharge, or Legal action.

Serious infractions include discharge of prohibited substances and infractions which threaten the safety or integrity of sewerage works or the environment. Serious infractions are forcefully dealt with through Orders issued under the Waste Management Act, and Legal action where necessary.

Infractions which do not pose an immediate threat are stepped through an enforcement action sequence which informs the Discharger of the seriousness and consequences of the compliance issue and Requests prompt corrective action.

A Discharger may be Ordered, under the provisions of the Waste Management Act to plan, commit to, and complete a Compliance Program.

COMPLIANCE PROGRAM

The Compliance Program is an undertaking by the Discharger to complete the necessary steps to bring the discharge into compliance with the terms and conditions of the Permit or Authorization. The Compliance Program is a formal, structured program which requires planning, allocation of resources, a documented technical evaluation, and effective project management.

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A Discharger, Ordered to commit to a Compliance Program, must submit within sixty days, a detailed compliance plan for GVRD review and approval-in-principle. On receipt of GVRD approval-in-principle, the Discharger is required to proceed with plan implementation. The Discharger is required to inform Source Control of progress toward Compliance Program completion. The Compliance Program is complete when the terms and conditions of the Waste Discharge Permit or Authorization are consistently met.

NON-COMPLIANCE LIST

A Non-Compliance List will be published twice per year, in March (covering July 1 to December 31) and October (covering January 1 to June 30). The Non-Compliance List will contain a record of all Dischargers who, in the six month period covered by the list:

1. Were Ordered to commit to a compliance program;
2. Failed to commit to a compliance program within sixty days of being Ordered to do so;
3. Failed to complete a compliance program in accordance with an approved compliance plan;
4. Were Ordered to take corrective action or cease discharge;
5. Failed to comply with an Order to take corrective action or cease discharge.

The Non-Compliance List is intended to serve as a strong deterrent to non-compliance, and encourage Dischargers using the District's sewerage works to pro-actively manage their discharge in accordance with the terms and conditions of their Waste Discharge Permits or Authorizations. A Discharger may avoid being placed on a Non-Compliance List by resolving compliance issues promptly.

A Discharger is removed from subsequent issues of the Non-Compliance List if the Discharger:

- commits to a Compliance Program within the allocated sixty day period;
- is in the implementation phase of a Compliance Program; or
- successfully completes a Compliance Program.

As such, a Discharger working to resolve a compliance issue in accordance with an approved compliance plan, is placed on the Non-Compliance List only once, at the outset. In this instance, the Non-Compliance List will also identify that the Discharger is committed to a Compliance Program to resolve the compliance issue by a specified date.

FURTHER SANCTIONS

A Discharger refusing to address a compliance issue will be dealt with forcefully. Further enforcement actions may include: an Order to Cease Discharge; Permit or Authorization Cancellation; and Legal Action.