

Per the panels request, the following is a summary of DEL responses to reports of siltation from the site.

May 2003

The complaint of siltation from the White's Point quarry was called in to the Coast Guard at 2015 hrs on May 25, 2003. It appears that the complainant also called DFO and EC at about 2020 hrs.

A DEL inspector from the Yarmouth Office visited the site on May 26/03 and took pictures. Run-off from the site was clear.

Staff also spoke with another complainant at 1545 hrs May 26/03 regarding a complaint of siltation and hearsay from another person about silt having spread ½ mile into the Bay.

The Inspector spoke with Mr. Buxton at 1610 hrs on May 26/03 about remedial measures to prevent siltation to the Bay.

DFO inspected site on May 27/03 and issued orders to the company.

It should also be noted that TPW were required to implement remedial action and that the company disputed that any siltation was released from the settling pond. They did acknowledge some siltation from a ditch which was rerouted on May 27/03.

April 2004

A formal Application for an Investigation under Sec 115 of the Environment Act was received on April 22, 2004. The application stated as the "Nature of Offence": "Uncontrolled flow of water containing sediments into the Bay of Fundy from the Whites Cove Quarry Site." The application was accompanied by a two page sworn statement and site photos identifying the date of occurrence as April 16 and April 18, 2004.

An Inspector visited the site on April 28, 2004 - samples collected and analyzed with suspended solids results = 0.8 and 1.8 mg/l.

A subsequent inspection was conducted by the Inspector and District Engineer on May 11, 2004 with representatives of the company, Paul Buxton and David Kearne. Areas for improvement were identified, and were later reported in writing by the company as completed by May 25, 2004.

Context

NSEL responds to complaints and calls both during and after business hours. After business hours, calls are received via a 1-800 number by the Coast Guard Reporting Centre and dispatched to a DEL Standby Officer who then assesses the priority of the matter and what response is required. The 1-800 number is intended for Environmental Emergencies, however pollution and alleged non-compliance incidents of a non-emergency nature are also received and may be responded to the next day if appropriate.

The Yarmouth Office (responsible for Digby, Yarmouth, and Shelburne Counties) has 4 inspection and 1 engineering positions. This office receives almost 700 applications for approval per year (average 2004-2006=688). In 2006 there were approximately 485 active facilities subject to inspection and monitoring requirements. The office may typically receive over 200 inquiries and complaints in a year requiring follow up and/or investigation.

The priority (and therefore response) assigned a complaint depends on the severity of the potential adverse effects and whether the situation is an emergency or not. Public expectations on high profile issues are also a consideration, however for example, a response to complaints of noisy equipment from the site would likely be given a lower priority than a release of petroleum.

Should this site receive an EA Approval, it is expected to place a high demand and expectation of performance by DEL staff in order to complete the necessary Part V Approval(s), to monitor development and early operations, and to reasonably address public expectations. This is in addition to the demands presented by current duties and projects.