

## SIERRA LEGAL DEFENCE FUND

## Clover and Macaulay Point outfalls – contaminated sites?

In this Analysis we examined the Capital Regional District's (CRD's) own benthic (sea floor) sediment chemical monitoring data, for the years 2000 – 2004 as reported in the CRD's "Macaulay and Clover Point Wastewater and Marine Environment Program Annual Reports". The raw data presented in these reports include the concentrations of heavy metals and toxic organic chemicals found in marine benthic sediments sampled from 23 locations at and around the Macaulay Point outfall. CRD only reported data from samples collected directly at the Clover Point outfall most years, except for 2003 when data was presented for 14 locations at and around the outfall.

The CRD's analysis of these data brings them to the conclusion that, since very few of these parameters exceed their own Sediment Quality Guidelines, discharge of raw sewage to the marine environment is not adversely impacting the marine environment in the vicinity of the outfalls.

We took a different approach. We compared the CRD's data with the values found in Schedule 9 of the BC *Contaminated Sites Regulation* (CSR). Schedule 9 sets out the concentrations of certain contaminants above which a site would be considered a contaminated site pursuant to the *Contaminated Sites Regulation* and the *Environmental Management Act*. Some interesting facts emerged:

- Of the 33 compounds listed in schedule 9 the BC *Contaminated Sites Regulation*, the CRD reports on 29.
- The "CRD Sediment Quality Guidelines" shown in their 2003 monitoring report are up to **8 times higher** than the *Contaminated Sites Regulation* limits for "Typical Sites" (e.g. acenaphthylene).
- **Of the 29 compounds** tested by the CRD, our analysis (see below) showed that **19** were, at one time or another over the period 2000 – 2004, above the limits specified in the *Contaminated Sites Regulation* for "Typical Sites". These were: cadmium, copper, **lead**, mercury, zinc, **Acenaphthene**, Acenaphthylene, **Anthracene**, Flourene, Naphthalene, **Phenanthrene**, Flouranthene, Pyrene, Benz(a)pyrene, Chrysene, **Benzo-a-anthracene**, Dibenzo[ah]anthracene, 2-methlynaphthalene and Total Polycyclic Aromatic Hydrocarbons. **Five** (5) of these compounds (those bolded) have been detected at **over 20 times** the CSR limits.

### Data Analysis

- In 2004, 6 chemicals were found in concentrations higher than the values listed in the CSR at, or in close proximity to, the Macaulay point outfall terminus (M0). Three (3) chemicals exceeding CSR values were found at the Clover Point outfall terminus (C0 - the only Clover Point site sampled in 2004). (Note: CSR exceedances are highlighted in purple on the attached data sheets pages 1-4 for 2000-2003. 2004 data is not detailed because it was only recently made available).
- In 2003, 17 chemicals were found in concentrations higher than the values listed in the CSR at, or in close proximity to, M0. Eleven (11) chemicals exceeding CSR values were found at C0.

- In 2002, 13 chemicals were found in concentrations higher than the values listed in the CSR at, or in close proximity to, M0. One (1) chemical, copper, exceeded CSR values at C0.
- In 2001, 15 chemicals were found in concentrations higher than the values listed in the CSR at, or in close proximity to, M0. Five (5) chemicals exceeded CSR values at C0.
- In 2000, 16 chemicals were found in concentrations higher than the values listed in the CSR at, or in close proximity to, M0.

In summary, in every year examined, there were numerous compounds detected at, or in close proximity to, the Macaulay Point outfall whose concentrations exceeded those specified in the *Contaminated Sites Regulations*. Also, in every year from 2001 through 2004 the data show that the area around the immediate vicinity of the Clover Point outfall is consistently contaminated with one or more prescribed substances. **Therefore the seabed in the vicinity of both outfalls meets the definition of a contaminated site.**

The data show that concentrations of contaminants generally decline with distance from the outfalls, providing clear evidence that the source of the contamination is the outfalls (see pages 5 and 6 of the attached data sheets). In addition, sediment contamination levels measured at the reference stations at Parry Bay and Constance Bank are generally significantly lower than levels measured at and around the outfalls (see page 7). Furthermore, concentrations of several of the contaminants found to be elevated in the sediments at and around the outfalls are also found in high concentrations in the sewage effluent (see page 8), once again demonstrating that the **most likely source of sediment contamination is the outfalls.**

#### **Example: Copper**

Copper, a contaminant that is highly toxic to marine life, has been consistently above the *Contaminated Sites Regulation* criteria at and around both outfalls. Clover Point outfall values have consistently increased over the years 2000-2004 (47, 112, 133, 172, 254 mg/kg, respectively), rising above the CSR limit (130 mg/kg) from 2002 onwards (see page 9). Copper contamination at Macaulay Point outfall has shown some annual fluctuations (152, 266, 158, 273, 143 mg/kg, 2000-2004 respectively), but has consistently been over the CSR limit every year.

Copper contamination is highest around the outfalls. In 2003, the only year for which CRD published data at sampling stations around both Clover and Macaulay Point outfalls, a clear 'spike' emerges right over both outfalls (see page 5).

The CRD has set guidelines for copper that are much higher than the CSR limits (three times higher in fact). This demonstrates the out-of-date and unreasonable nature of the CRD guidelines, and the unreasonableness of CRD conclusions that the outfalls are not causing adverse effects on the marine environment. See page 7 for a comparison of the CRD guidelines with various federal and provincial criteria.

Many pipes in the CRD are made of copper. Short of replacing all this piping citywide, the obvious solution to preventing further build up of this contaminant on the seabed is to construct a wastewater treatment plant. Secondary treatment can remove up to 93% of copper from wastewater (see page 10). Because of the copper pipes, source control is not available for this chemical. CRD does undertake source control efforts for some substances, such as mercury, but as shown on page 9, mercury continues to exceed CSR limits.

#### **Priority**

Finally, a comparison of the CRD's sediment contamination data with the federal contaminated site methodology for prioritizing contaminated sites reveals that the federal government would

consider the Clover and Macaulay outfalls and their immediate vicinity to be Medium-High priority contaminated sites (see page 11). In fact, as shown on page 11, in 2003 two sample locations in close proximity to the Macaulay outfall would qualify as Highest priority contaminated sites for Polycyclic Aromatic Hydrocarbons (PAHs).

### **Description of the CRD data and the various criteria, standards and guidelines**

CRD reports annually on contaminants found in sediments on the seabed at and around the two outfalls. Appendix F of these reports includes the raw data. The 2000-2003 reports are available at [http://www.crd.bc.ca/es/environmental%5Fprograms/wastewater\\_marine/reports.htm](http://www.crd.bc.ca/es/environmental%5Fprograms/wastewater_marine/reports.htm). Sample stations are designated as:

- M (for Macaulay) or C (for Clover)
- 0 for stations situated at the outfall terminus. 1 (for stations at or just outside the Initial Dilution Zone (IDZ) – approximately 100 metres from the outfall terminus) or 2, 4 and 8 respectively (for the stations situated approximately 200m, 400m and 800m from the outfall terminus)
- E, etc. (for the compass direction from the outfall terminus)

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Thus C0 means right at the Clover Point outfall, and M1SE means the sampling location approximately 100m southeast of Macaulay Point outfall. In addition, reference sampling stations are located at Parry Bay (PB1, PB2, and PB3) and Constance Bank (CB1, CB2, and CB3) to provide comparison values for the concentrations detected at and around the outfalls.

The data sheets refer to a number of standards, criteria and guidelines:

- CCME ISQG levels – these are the ‘interim sediment quality guidelines’ as set in the Sediment Quality Guidelines for marine sediments by the Council of Canadian Ministers of the Environment (CCME)<sup>1</sup>. They reflect the level of contamination below which adverse biological effects are not expected.
- CCME PEL – these are the ‘probable effect levels’ as set in the Sediment Quality Guidelines for marine sediments by the CCME. They reflect the levels above which adverse biological effects are expected to occur frequently.
- BC CSR – these are the criteria specified in Schedule 9 of the BC *Contaminated Sites Regulation* (CSR) for typical marine sites. These were set to be a little over the CCME PEL levels.
- CRD sediment quality guidelines – these are the values the CRD itself uses to compare its data to. They are based on the Washington State Department of Ecology (WDOE) Sediment Management Standards<sup>2</sup>. In December 1999, the WDOE stopped updating their guidelines, planning instead to align with national (NOAA) guidelines. The NOAA guidelines are equivalent to the CCME PELs for the marine sediment contaminants considered here<sup>3</sup>.

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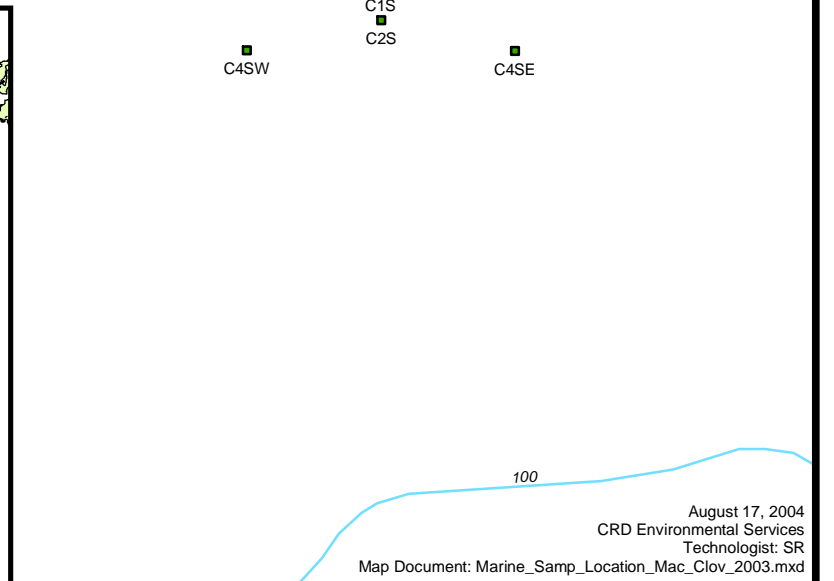
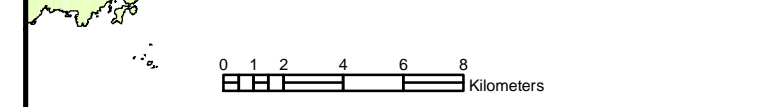
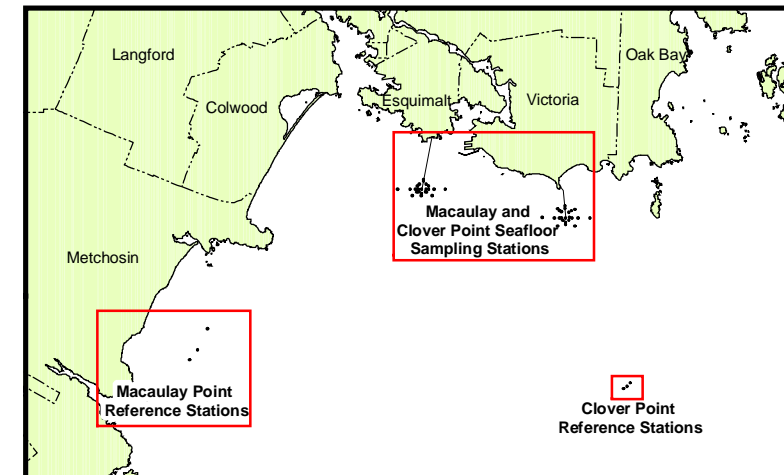
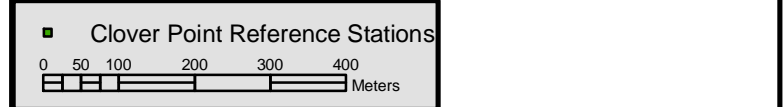
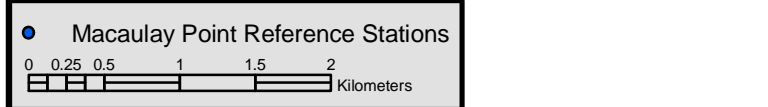
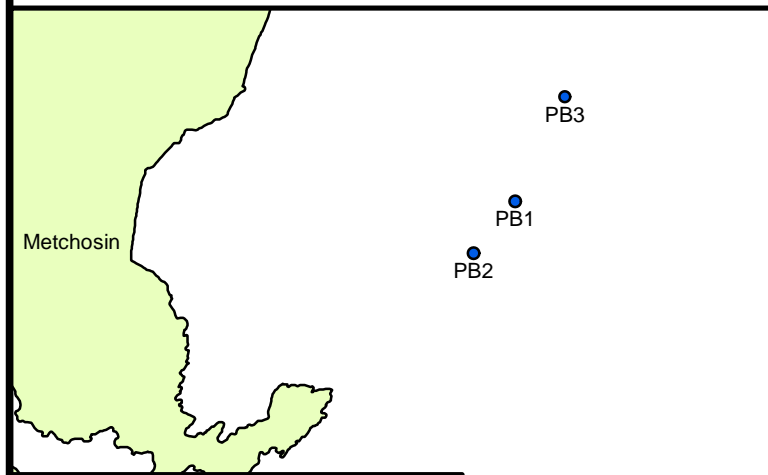
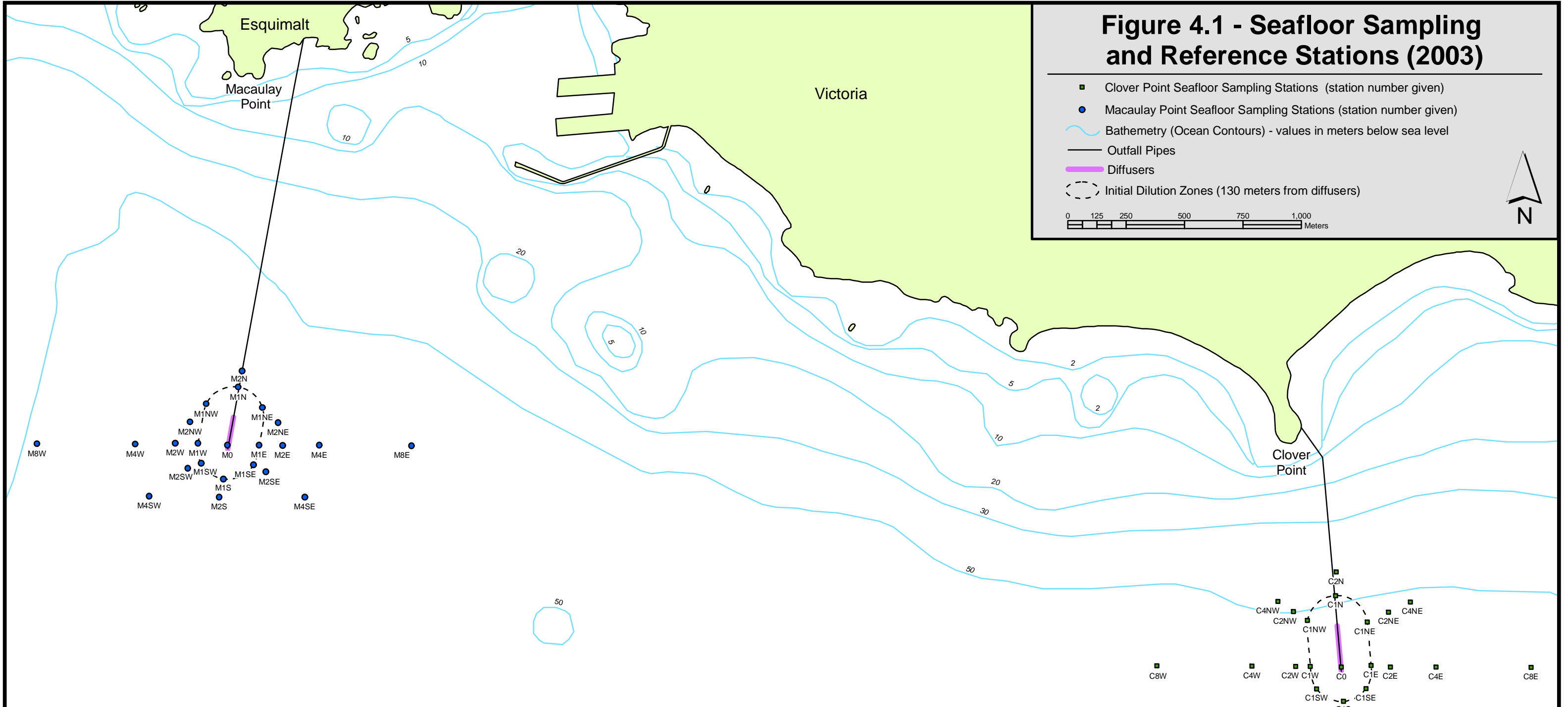
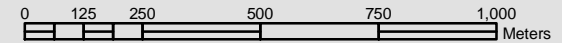
<sup>1</sup> “Canadian Environmental Quality Guidelines” for Marine Sediment, updated to Dec 2003, available at <http://www.ccme.ca>. The CCME sediment quality guidelines are scientific tools that synthesize information regarding the relationships between the sediment concentrations of chemicals and any adverse biological effects resulting from exposure to these chemicals. The majority of the data used to derive the CCME’s ISQG and PELs for marine sediments are from studies on field collected sediments that measure concentrations of chemicals in sediments and their associated biological effects. These data are compiled in Environment Canada’s Biological Effects Database for Sediments (BEDS). There are literally hundreds of reports for each chemical of concern.

<sup>2</sup> WAC 173-204-520 page 7.

<sup>3</sup> [http://response.restoration.noaa.gov/book\\_shelf/122\\_squirt\\_cards.pdf](http://response.restoration.noaa.gov/book_shelf/122_squirt_cards.pdf).

# Figure 4.1 - Seafloor Sampling and Reference Stations (2003)

- Clover Point Seafloor Sampling Stations (station number given)
- Macaulay Point Seafloor Sampling Stations (station number given)
- ~ Bathymetry (Ocean Contours) - values in meters below sea level
- Outfall Pipes
- Diffusers
- - - Initial Dilution Zones (130 meters from diffusers)













**Page 5: Geographical distribution of Copper around outfalls (2003)**

**Copper (Cu) criteria / standards:**

BC Contaminated Sites Regulation:	130.0
Canadian PEL:	108.0
Canadian ISQG:	19.0

**Macaulay Point (Copper, 2003)**

	West 800	West 400	West 200	West 100	0	East 100	East 200	East 400	East 800
North 200			17.6		29.9		23.5		
North 100				14.1	20.3	19.5			
0	16.1	16.2	27.3	29.8	273.0	85.1	32.5	35.0	21.1
South 100				62.5	76.8	99.6			
South 200			22.2		24.7		51.9		
South 400		16.8						44.8	

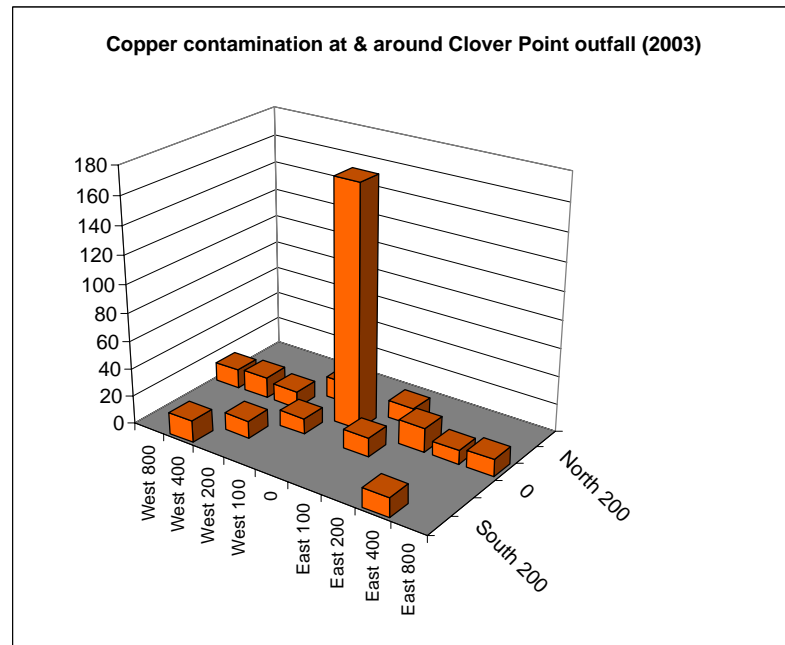
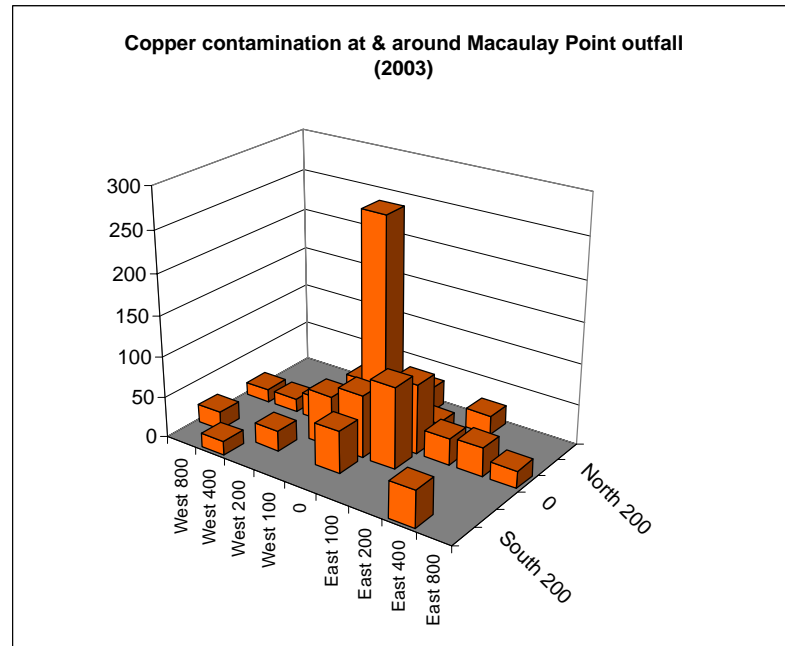
**Sampling station locations around outfalls:**

		2NW		2N		2NE			
8W	4W	2W	1NW	1N	1NE				
			1W	0	1E	2E	4E	8E	
			1SW	1S	1SE				
	4SW	2SW		2S		2SE			
							4SE		

**Clover Point (Copper, 2003)**

	West 800	West 400	West 200	West 100	0	East 100	East 200	East 400	East 800
North 200									
North 100				14.9		12.3			
0	13.6	15.1	12.1		172.0	17.3	10.1	12.3	
South 100				11.1		13.4			
South 200					12.3				
South 400		15.7						13.8	

Graphs are oriented from the point of view of a person on the water, looking north-west



**Page 6: Geographical distribution of Total PAH around outfalls (2003)**

**Total PAH criteria / standards:**

BC Contaminated Sites Regulation: 20.0

**Macaulay Point (Total PAH, 2003)**

	West 800	West 400	West 200	West 100	0	East 100	East 200	East 400	East 800
North 200			0.23		0.81		0.32		
North 100				0.47	0.14	0.44			
0	0.30	0.28	0.39	4.27	9.14	17.16	4.40	0.29	3.85
South 100				0.98	2.15	98.27			
South 200			0.62		0.18		1.42		
South 400		0.33						0.78	

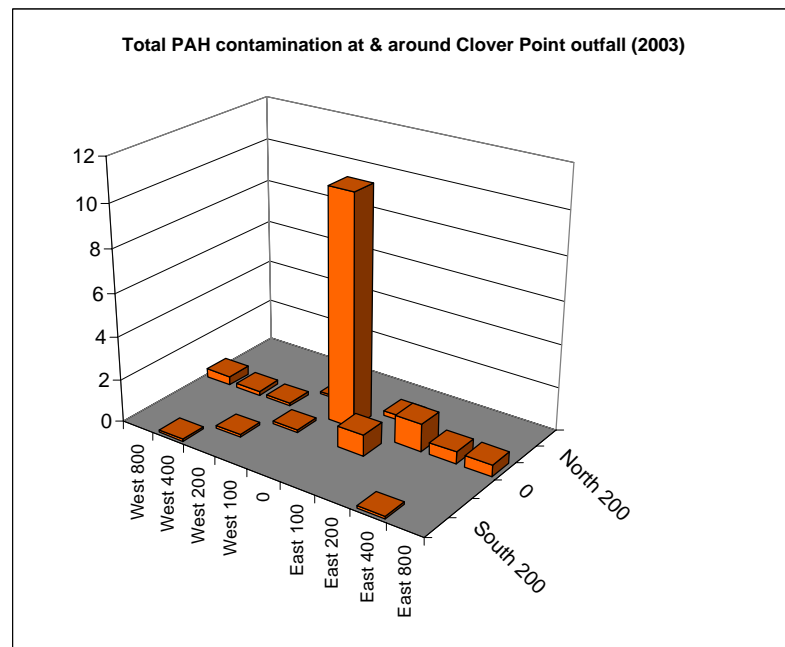
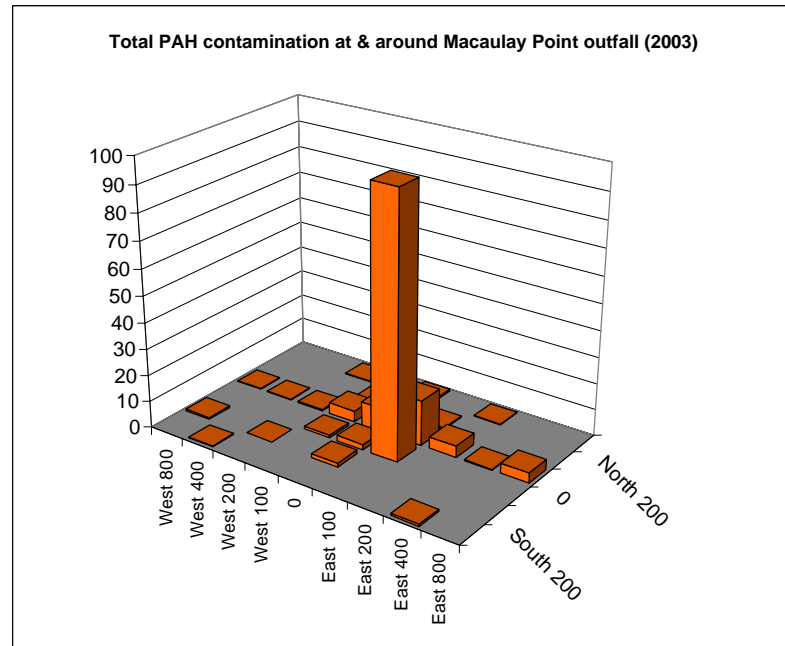
Sampling station locations around outfalls:

		2NW		2N		2NE			
8W	4W	2W	1NW	1N	1NE		2E	4E	8E
			1W	0	1E				
		2SW	1SW	1S	1SE				
	4SW			2S		2SE			
								4SE	

**Clover Point (Total PAH, 2003)**

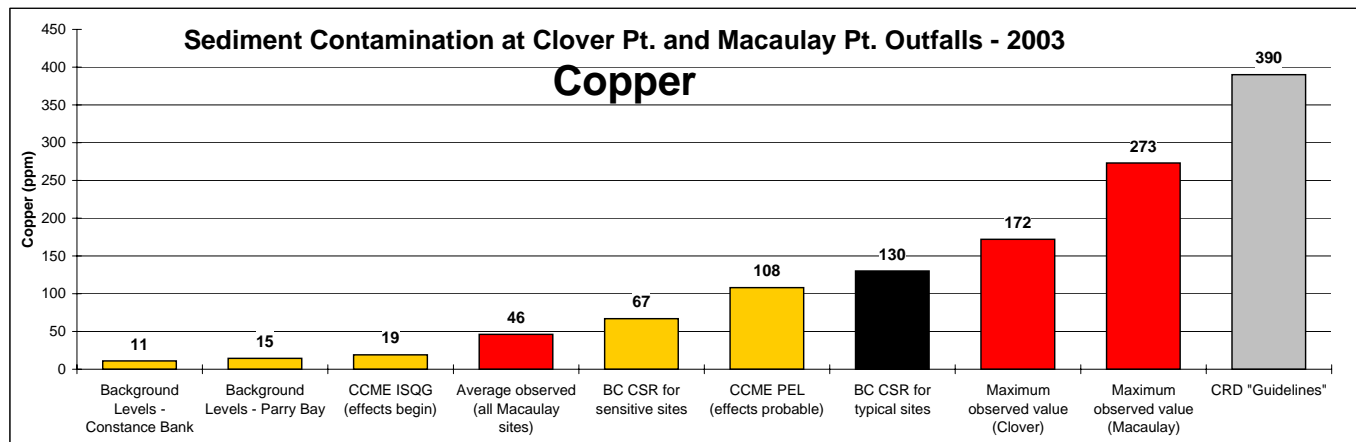
	West 800	West 400	West 200	West 100	0	East 100	East 200	East 400	East 800
North 200									
North 100				0.11		0.23			
0	0.41	0.19	0.13		10.70		1.30	0.56	0.54
South 100				0.11		1.00			
South 200					0.10				
South 400		0.10						0.11	

Graphs are oriented from the point of view of a person on the water, looking north-west



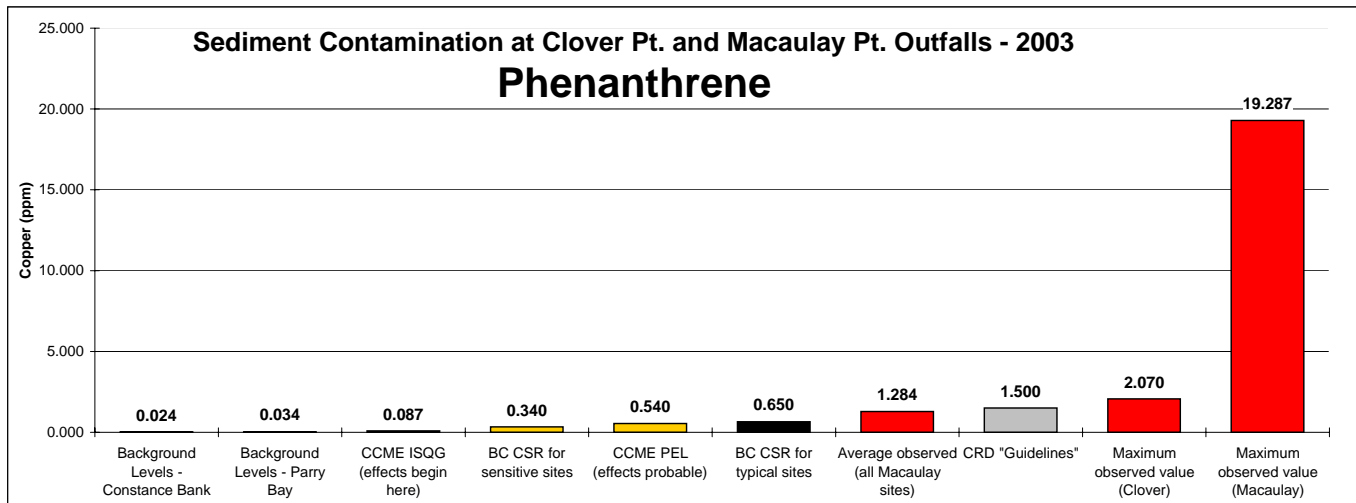
**Copper**

	mg/kg
Background Levels - Constance Bank	11
Background Levels - Parry Bay	15
CCME ISQG (effects begin)	19
Average observed (all Macaulay sites)	46
BC CSR for sensitive sites	67
CCME PEL (effects probable)	108
BC CSR for typical sites	130
Maximum observed value (Clover)	172
Maximum observed value (Macaulay)	273
CRD "Guidelines"	390



**Phenanthrene**

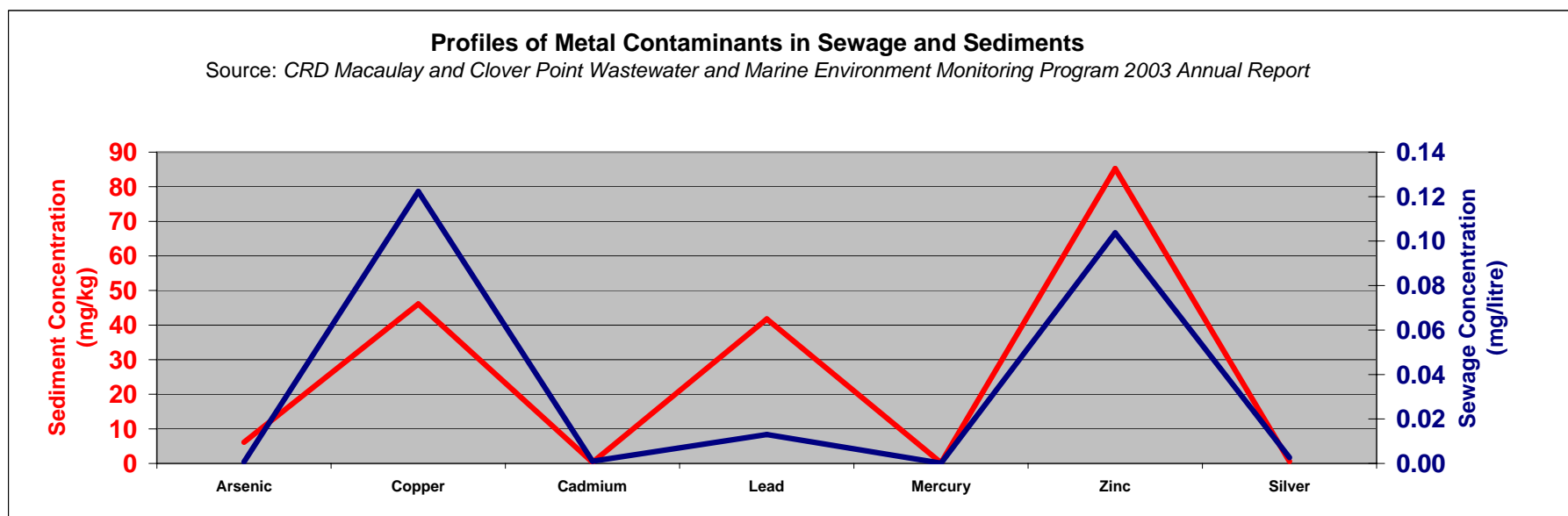
	mg/kg
Background Levels - Constance Bank	0.024
Background Levels - Parry Bay	0.034
CCME ISQG (effects begin here)	0.087
BC CSR for sensitive sites	0.340
CCME PEL (effects probable)	0.540
BC CSR for typical sites	0.650
Average observed (all Macaulay sites)	1.284
CRD "Guidelines"	1.500
Maximum observed value (Clover)	2.070
Maximum observed value (Macaulay)	19.287



## Page 8: Comparing metals in the sewage and sediments at Macaulay Point outfall

This is a "rough science" attempt to show that metals which are high in the sewage effluent are also high in the sediments, suggesting the most likely source of the sediment contamination is the sewage effluent

Macaulay (2003)		Arsenic	Copper	Cadmium	Lead	Mercury	Zinc	Silver	Correlation: 0.821
Concentration in Sewage		0.0007	0.1223	0.0010	0.0130	0.0001	0.1037	0.0027 mg/L	
Average concentration in Sediment		6.14	46.10	0.34	41.79	0.18	85.23	0.57 mg/Kg	



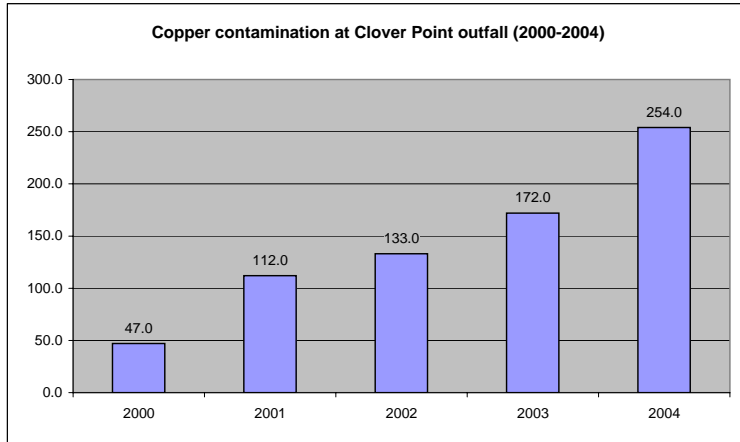
**Page 9: Copper and Mercury contamination at outfalls over time (2000 - 2004)**

**Copper**

Copper (Cu) criteria / standards:

BC Contaminated Sites Regulation:	130.0
Canadian PEL:	108.0
Canadian ISQG:	19.0

Year:	2000	2001	2002	2003	2004
Copper at Clover Point outfall (C0)	47.0	112.0	133.0	172.0	254.0
Copper at Macaulay Point outfall (M0)	152.0	266.0	158.0	273.0	143.0

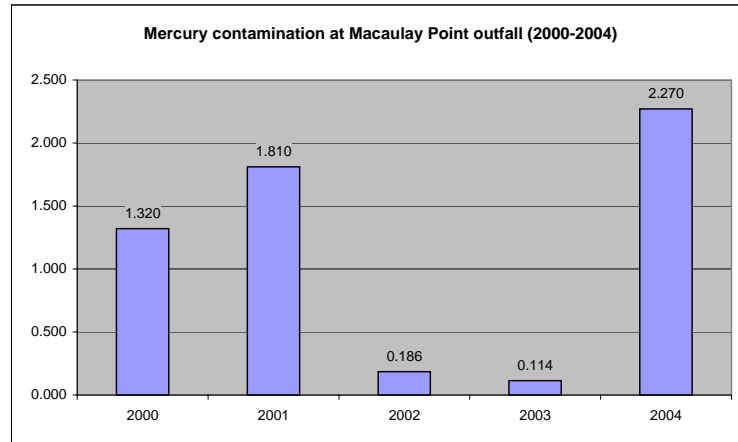
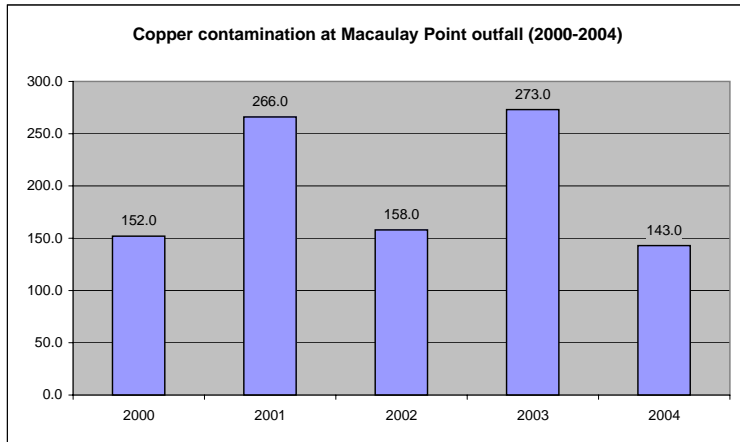
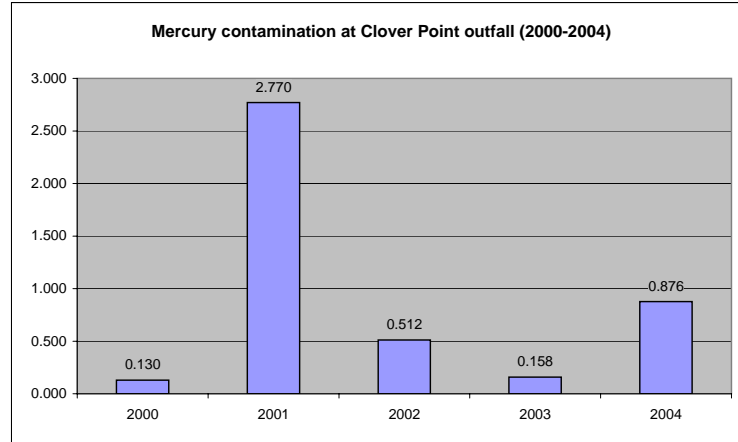


**Mercury**

Mercury (Hg) criteria / standards:

BC Contaminated Sites Regulation:	0.84
Canadian PEL:	0.70
Canadian ISQG:	0.13

Year:	2000	2001	2002	2003	2004
Mercury at Clover Point outfall (C0)	0.130	2.770	0.512	0.158	0.876
Mercury at Macaulay Point outfall (M0)	1.320	1.810	0.186	0.114	2.270



**Page 10: Chemical removal by wastewater treatment plants**

COMPOUND	Annacis (Secondary)			Iona (Primary)			Lion's Gate (Primary)		
	Influent Loading (g/day)	Effluent Loading (g/day)	% change	Influent Loading (g/day)	Effluent Loading (g/day)	% change	Influent Loading (g/day)	Effluent Loading (g/day)	% change
Phthalates: Bis-(2ethylexyl)	8,500	1,400	<b>84</b>	7,700	6700	<b>13</b>	2,400	1,400	<b>42</b>
nonylphenols	25,000	3,600	<b>86</b>	12,300	13,000	<b>0</b>	1,520	2000	<b>0</b>
PCBs	7	0.083	<b>99</b>	18.9	8.5	<b>56</b>	2.2	1.7	<b>23</b>
PAHs : (LPAHS)	1,800	9.5	<b>99.9</b>	310	120	<b>62</b>	86	80	<b>6</b>
(HPAHS)	1,980	21	<b>99</b>	470	270	<b>43</b>	111	108	<b>3</b>
<b>Copper</b>	<b>72,000</b>	<b>4,700</b>	<b>93.5</b>	<b>82,000</b>	<b>80,000</b>	<b>3</b>	<b>26,000</b>	<b>22,000</b>	<b>16</b>
Chlorobenzenes	900	110	<b>87</b>	320	180	<b>44</b>	31	26	<b>17</b>
<b>Average percent removal</b>			<b>92.6</b>			<b>31.6</b>			<b>15</b>

Data source: Bertold, S and Stock, P. 1999. GVS&DD Municipal Wastewater Treatment Plant 1997 Monitoring Program: Wastewater Chemistry – Data evaluation. Final Report. Greater Vancouver Regional District, 4330 Kingsway, Burnaby BC.

**Page 11: Applying the federal methodology for prioritizing contaminated sites to the Clover and Macaulay Point outfalls (2003)**

The federal Contaminated Sites Management Working Group (CSMWG) has developed a methodology to prioritize contaminated sites (see [http://www.ec.gc.ca/etad/csmwg/pub/marine\\_aquatic/en/chap3\\_e.htm](http://www.ec.gc.ca/etad/csmwg/pub/marine_aquatic/en/chap3_e.htm)).

The method is based on BC Ministry of Environment's recommended Sediment Evaluation Methodology.

The approach looks at both the number of substances exceeding CCME PELs (probable effects levels) & the degree to which they exceed those levels (the 'PEL quotient').

If the average PEL quotient is over 2.3 or more than 21 PELs are exceeded, the site is considered Highest Priority.

If the average PEL quotient is over 1.5 or more than 6 PELs are exceeded, the site is considered Medium-high priority.

Lower priority sites are categorized as either Medium-low or Lowest priority.

Based on 2003 data (the only year for which sediment data was collected at sampling stations around both outfalls):

Number of PELs exceeded within 100m of Clover Point outfall: 11	Priority = Medium-high
Number of PELs exceeded within 100m of Macaulay Point outfall: 16	Priority = Medium-high

Applying this methodology to the set of 13 Polycyclic Aromatic Hydrocarbons (PAHs) that have CCME PEL values (these are the same 13 PAHs in BC's *Contaminated Sites Regulation*) for 2003 data

	Acenaphthene	Acenaphthylene	Anthracene	Fluorene	Naphthalene	Phenanthrene	Fluoranthene	Pyrene	Benzo(a)pyrene	Chrysene	Benzo(a)-anthracene	2-methylnaphthalene	Dibenz[a,h]anthracene
	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg
<b>Canadian PEL</b>	0.0889	0.1280	0.2450	0.1440	0.3910	0.5440	1.4940	1.3980	0.7630	0.8460	0.6930	0.135	0.2010
<b>Observed values (bolded if above PEL)</b>													
C0	<b>0.294</b>	0.034	<b>0.522</b>	<b>0.192</b>	0.028	<b>2.070</b>	<b>2.360</b>	<b>1.840</b>	<b>0.945</b>	<b>1.100</b>	<b>1.140</b>	<b>0.173</b>	0.021
M0	<b>0.382</b>	0.012	<b>0.409</b>	<b>0.212</b>	0.058	<b>1.890</b>	<b>2.020</b>	<b>1.830</b>	0.682	0.762	<b>0.775</b>	0.108	0.069
M1E	<b>0.204</b>	<b>0.160</b>	<b>0.390</b>	<b>0.520</b>	<b>0.780</b>	<b>3.940</b>	<b>4.020</b>	<b>2.970</b>	<b>1.380</b>	<b>1.480</b>	<b>1.100</b>	<b>0.211</b>	<b>0.440</b>
M1SE	<b>3.439</b>	0.011	<b>6.836</b>	<b>2.222</b>	0.050	<b>19.287</b>	<b>20.620</b>	<b>17.117</b>	<b>8.815</b>	<b>9.017</b>	<b>9.747</b>	<b>1.104</b>	0.049
<b>PEL quotients (observed value / PEL)</b>													
C0	3.30709	0.26172	2.13061	1.33333	0.07161	3.80515	1.579651941	1.31617	1.23853	1.30024	1.64502	1.28148	0.10448
M0	4.29696	0.09141	1.66939	1.47222	0.14834	3.47426	1.352074967	1.30901	0.89384	0.90071	1.11833	0.8	0.34328
M1E	2.29471	1.25	1.59184	3.61111	1.99488	7.24265	2.690763052	2.12446	1.80865	1.74941	1.5873	1.56296	2.18905
M1SE	38.6873	0.08594	27.902	15.4306	0.12788	35.454	13.80187416	12.2439	11.5531	10.6584	14.0649	8.17778	0.24378

	Number of PELs exceeded	Average of PEL quotients	Priority (just from PAHs)
C0	10	1.49039	Medium-High
M0	7	1.3746	Medium-High
M1E	13	2.43829	Highest
M1SE	10	14.4947	Highest