Dear [REDACTED]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our file #ENV/038/2014]

On October 21, 2014 the Department of Environment and Conservation received your request for access to the following records/information:

"Regulatory compliance request for residential property of 182 Merrymeeting Road, St. John's. Requesting any information that your department would have on file for this site regarding: (1) past and present environmental permits issued for the property; (2) chemical spills and/or leaks at the property; (3) the presence, specifications, and permitting of fuel storage tanks (above and belowground); (4) historical uses of this property that may have impacted on the property's present environmental condition (e.g. landfill, storage tank, farm, etc.); (5) non-compliance issues of an environmental nature regarding this property; and (6) other environmental issues that may have impacted the property's conditions."

As per your request, a review of the Department of Environment and Conservation files was carried out for the referenced property. The Department has the following information on 182 Merrymeeting Road, St. John's, NL:

- An Impacted Site letter was issued by Service Newfoundland and Labrador on September 22, 2014. A copy is enclosed; and,

- One aboveground, steel tank with a capacity of 900L of home heating fuel is located inside the home on a concrete foundation. The Heating Oil Storage Tank (HOST) registration number for this tank is 2863.

Specific lines of text in the responsive records have been severed in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):
Section 30(1): "The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy."

In accordance with your request, the appropriate copies of records in the custody and control of the Department of Environment and Conservation have been enclosed.

Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review this response or you may appeal to the Supreme Court Trial Division. A request to the information and Privacy Commissioner shall be made in writing within 60 days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL A1B 3V8

Telephone: (709) 729-6309
Facsimile: (709) 729-6500

In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.

Please be advised that this response will be published following a 72 hour period after the response is sent electronically to you or five days in the case where the response is mailed to you. It is the goal to have the response posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact the Departmental ATIPP Coordinator at 709-729-7183 or courtneyblundon@gov.nl.ca.

Sincerely,

JAMIE CHIPPETT
Deputy Minister
September 22, 2014

REGISTERED MAIL

Re: Impacted Site Located at 182 Merrymeeting Road, St. John's, NL
Requirement to Complete an Environmental Site Assessment

You have been identified as the Person Responsible for contamination at the above referenced location. That contamination includes, but may not be limited to, a possible release of product from an aboveground fuel storage tank that was located on the property.

As a result of this contamination, the Province requires you to take the following actions, **within 30 days of receipt of this letter**:

1. You must hire a qualified Site Professional to complete an Environmental Site Assessment of the above-referenced site.
2. You must advise the undersigned that you have hired a Site Professional and provide the name and/or company of the site professional.
3. The undersigned Environmental Protection Officer is to be provided with details regarding what initial assessment work is planned and the estimated completion date.


You should be aware that information on the remedial status of this property will be available to individuals and lending agencies making inquiries to the Province.

Please feel free to contact the undersigned at (709) 729-3098 should you have any questions, concerns or require any further information.

Regards,

Chris Parsons, B.Sc., ADSA
Environmental Protection Officer
(On behalf of the Minister of Environment and Conservation)

C: Director, Department of Environment and Conservation, Pollution Prevention Division
Building & Property Management, City of St. John's, NL

P.O. Box 8700, S Mews Place, St. John's, NL, Canada A1B 4J6
Phone: (709) 729-2550 Fax: (709) 729-7400