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# Corporate Report

NO: R081

COUNCIL DATE: April 5, 2004

REGULAR COUNCIL

Mayor &

Council

DATE: March 31,

2004

FROM: General Manager,

Engineering

FILE: 3200-30

(Stokes Pit) 6630-20

Campbell Heights

**SUBJECT:** Stokes Pit Certificate of Compliance for

Remediation of Contaminated Areas

### RECOMMENDATION

Council authorize staff to deliver the Certificate of Compliance (CoC) for the Stokes Pit lands east of 192 Street, to the Campbell Heights Group (CHG), who are the prospective purchasers of this land, by April 30, 2005.

# INTENT

To update Council on the status of the clean-up of Stokes Pit and the commitment to CHG providing the CoC and associated Provincial clearances.

## BACKGROUND

Stokes Pit has been used for many years by the City for gravel extraction purposes. The area that has had gravel removed has also been used for other purposes, namely: an RCMP gun range, an asphalt and concrete crushing and recycling operation, and a green waste composting operation. The actual areas impacted or potentially impacted by these activities represent around 10 acres, compared to the total site area of  $\pm$  250 acres. As part of the decommissioning and sale of these lands, the City commenced an environmental review of the site and applicable clean-up. Such action is intended to lead to the necessary documentation declaring the site has been cleaned up (CoC) or a determination that no clean-up is necessary.

The City retained Dillon Consulting Ltd. Limited -to undertake the necessary technical investigations and oversee any site clean-up. As part of Council's approval of the agreement for the sale of part of Stokes Pit, \$350,000 to CHG was authorized for this work. The investigation indicated that there was virtually no contamination from the recycling operations and that no clean-up was required. However, the gun range did have extensive lead and other heavy metal contamination. The clean-up of this area included the excavation and removal of the target mound and soil from surrounding area. This material was then trucked away to a secure special waste landfill.

On completion of the gun range clean-up and associated follow-up soil and groundwater samples, an-applications was were made to the Province for a Certificate of Compliance (CoC) for the gun range lot and dDetermination that the second lot, where the recycling operations had been located, doid not need further any clean-up. Thiese applications was were submitted in late November/early December of 2003, and isare in the process of being reviewed by the Province. The review has raised an issue that will delay the issuance of both the CoC and the Determination. The CoC is required as one of the conditions of the Purchase and Sale Agreement with CHG. The conditions of the

agreement are to be met by April 30, 2004, for the agreement to be executed and completed. With CHG's agreement, the condition requiring the Certificate of Compliance (CoC) can be waived; however, CHG is only prepared to waive this condition if the City is committed to pursue and obtain the CoC.

#### **Environmental Issue of Concern**

As part of the overall investigation and testing, it has been found that the groundwater in the surface layers of the pit in both subject lots exceed the Canadian BC Contaminated Sites Regulation Schedule 6 Drinking Water Quality Standards for iron, aluminum and manganese. These elements are more a taste and aesthetic concern rather than a health concern for drinking water and exceedances of these metallic elements in surface layer groundwater is a frequent occurrence in southwestern British Columbia. Similar exceedances of these elements were found at the Port Kells transfer station site that received a CoC in late 2002. However, because of wells for domestic water supply in the general area, the Province has flagged these exceedances as an issue of potential concern. Compounding this issue is the very recent introduction by the Province of a new testing protocol (Protocol 9) where such exceedances occur. Protocol 9 calls for the testing of the groundwater in adjacent natural areas and with tests to be spaced out over a reasonable time period in order to demonstrate that exceedances are a normal "background" condition. This new Protocol consequently adds considerable time, both for testing and data analysis, and review time by the Ministry. This means that it could be 4 to 6 months before athe required CoC and Determination are received to satisfy the conditions of the agreement with CHG regarding the sale of the lands.

The attached letter from Dillon Consulting—Ltd Limited: states their opinion on achieving athe Certificate of Compliance and Determination for the two subject lots, respectively, withinfor Stokes Pit. As stated, there is no known foreseeable reason why a CoC Provincial clearance will not be able to be achieved for this site. It is also anticipated that the necessary procedures to go through the Provincially prescribed protocols can be completed within the established budget and can be completed within a maximum one-year timeframe.

In view of the timeframe involved and the assurances from Dillon Consulting Ltd., conditions relating to the CoC will be deleted from the agreement and, in place, the City will provide CHG with its commitment to deliver the CoC and associated Determination by April 30, 2005.

#### **CONCLUSION**

The actions outlined in this report are in support of Council's approved direction of increasing the City's industrial land base. The waiving in the Purchase and Sale Agreement of the CoC condition and the commitment by the City to deliver the necessary Provincial approvals over the next year will allow the first phase of the Campbell Heights Industrial area to commence development on schedule.

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PH/MD:brb

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