



Governance and Priorities Committee Report For the December 18, 2014 Meeting

To: Governance and Priorities Committee **Date:** December 11, 2014
From: Dwayne Kalynchuk, P. Eng., Director of Engineering and Public Works
Subject: Removal, Transportation and Disposal of Contaminated Concrete Blocks

Executive Summary

The purpose of this report is to obtain Council authorization for the release of funds either of the Equipment and Infrastructure Reserve or the Tax Sale Lands Reserve in order to remediate the land at 203 Harbour Road which was sold earlier this year to Ralmax. Remediation, in this case, includes the removal of contaminated concrete blocks and debris, and the closure of this approved storage facility to the satisfaction of the Ministry of Environment in accordance with its Hazardous Waste Regulation. Council was made aware of the existence of these blocks and staff's plan for their removal at the last quarterly Johnson Street Bridge update in September.

The expense to remove and dispose of the contaminated concrete blocks could be funded from either of two Reserve Funds, the Equipment and Infrastructure Reserve or the Tax Sale Lands Reserve. These Reserve Funds have balances, after current commitments, of \$32.6 million and \$3.55 million respectively. A Council Resolution or an Adopted Budget Bylaw is required for all appropriations from either of these two Reserve Funds.

Background

A number of lead contaminated concrete blocks have been on the bridge site at 203 Harbour Road dating back 25 years. The City received a permit from the Province, under the former Waste Management Act (now Environmental Management Act), authorizing the temporary storage of these cement loc-blocks at 203 Harbour Road.

Earlier this year, as a component of the City's land swap deal with the Province, 203 Harbour Road was sold to Ralmax. As a condition of sale, the City is responsible for the removal of the contaminated loc-blocks in accordance with the regulations and protocols described in the Province of British Columbia *Environmental Management Act*, *Contaminated Sites Regulation* and *Hazardous Waste Regulation*.

Tender Results

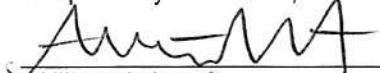
The City issued a tender for the provision of equipment, materials and trained labour, for the safe removal and disposal of contaminated concrete blocks, fragments and debris from the storage site at 203 Harbour Road to an approved disposal site in accordance with SNC-Lavalin's recommendations and current regulations.


HL Demolition has provided the lowest cost proposal to the City for this work while meeting the requirements stipulated. HL, in its proposal, have committed to beginning this work immediately upon award by the City and to completing it within five days.

Recommendation:

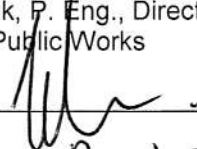
That Council authorize the release of \$134,000 from either of the Equipment and Infrastructure Reserve Fund or the Tax Sale Lands Reserve Fund for the purpose of awarding a contract to HL Demolition to manage the removal, transportation, and disposal of contaminated concrete blocks to a secured landfill in Alberta.

Respectfully submitted,


Allison Ashcroft,
Senior Planner, Environment


Dwayne Kalynchuk, P. Eng., Director of
Engineering and Public Works

Report accepted and recommended by the City Manager:

Date: 
December 11, 2014

Purpose

The purpose of this report is to obtain Council authorization for the release of funds from either of the Equipment and Infrastructure Reserve Fund or the Tax Sale Lands Reserve Fund in order to remediate the land at 203 Harbour Road which was sold earlier this year to Ralmax. Remediation, in this case, includes the removal of contaminated concrete blocks and debris, and the closure of this approved storage facility to the satisfaction of the Ministry of Environment in accordance with its Hazardous Waste Regulation. Council was made aware of the existence of these blocks and staff's plan for their removal at the last quarterly Johnson Street Bridge update in September.

Background

The City, in remediating the Dockside Green area lands in 1989, excavated soil containing lead contaminants and stabilized the contaminated waste by adding cement and constructing concrete loc-blocks. This waste originated from the former Industrial Iron and Metals Scrapyard.

In 1991, the City received a permit from the Province, under the former Waste Management Act (now Environmental Management Act), authorizing temporary storage of these cement loc-blocks containing lead-contaminated soil at a nearby property owned by the City at 203 Harbour Road.

In 2014, the City sold 203 Harbour Road and as a result must remove and dispose of these cement blocks and close the permitted storage facility in accordance with the regulations and protocols described in the Province of British Columbia *Environmental Management Act*, *Contaminated Sites Regulation* and *Hazardous Waste Regulation*.

Issues & Analysis

Testing under the Hazardous Waste Regulation (HWR)

Under the Hazardous Waste Regulation, a series of leachability tests are required to determine a suitable disposal method and site for the hazardous waste. The City hired SNC-Lavalin to coordinate the testing and classification of this waste, and the submission of test results and other required documentation under the HWR.

Representative samples of the lock blocks were collected and analyzed using the Toxicity Characteristic Leaching Procedure (TCLP) test. The analytical results indicate that leachable concentrations of metals were below the levels specified in the HWR. However, upon discussion with the Ministry of Environment, the blocks are still considered to be hazardous waste material in BC until the material is delisted.

The protocol provided by the Ministry for delisting these stabilized cement blocks is both ambiguous and onerous due to the unique nature and volume of this contaminated material. As such, it is uncertain whether the City could satisfy the requirements for delisting as specified in the protocol provided by the Ministry of Environment. Upon recommendation of SNC-Lavalin, the safe transportation and secured disposal of this contaminated material to an approved disposal site is deemed preferable and more cost effective.

Documentation with the Ministry

Under the HWR, the Ministry of Environment requires that the City submit a closure plan for the temporary storage facility at 2013 Harbour Road. The City's contract with SNC-Lavalin includes the preparation and submittal of this closure plan to the Ministry for approval upon removal of the concrete blocks.

SNC-Lavalin prepared the specifications for the City's tender to remove, transport and dispose of the contaminated material, and will observe the removal and clean-up of this facility, to ensure it is completed satisfactorily and in compliance with all current regulations.

Options & Impacts

The City, as a condition of sale of the land at 203 Harbour Road, must remove the contaminated cement blocks at 203 Harbour Road. Further, under the HWR regulation, there are specific tests and procedures required to ensure the safe disposal of these blocks and the closure of the temporary storage facility at 203 Harbour Road, including the filing of all necessary documentation and manifests for both the blocks' movement and the land's remediation.

Tender Results

The City issued a tender for the provision of equipment, materials and trained labour, for the safe removal and disposal of contaminated concrete blocks, fragments and debris from the storage site at 203 Harbour Road to an approved disposal site in accordance with SNC-Lavalin's recommendations and current regulations.

Three proponents responded to this tender. HL Demolition has provided the lowest cost proposal to the City for this work at \$133,812. The other two tenders were received from Clean Harbours for \$151,021 and Tri-Arrow for \$172,350.

The tender documents require that HL "carry out the Disposal Work in strict compliance with the terms and conditions of this Agreement, and any applicable legislation, including without limitation the Environmental Management Act and the Hazardous Waste Legislation, or such enactments as may replace them from time to time". The agreement also requires that HL, "Provide to the City at the conclusion of the Disposal Work a written report certifying that all Disposal Work has been carried out in strict accordance with the terms and conditions of this Agreement, and any applicable legislation".

HL, in its proposal, have committed to beginning this work immediately upon award by the City and to completing it within five days.

Source of Funds:

The expense to remove and dispose of the contaminated concrete blocks could be funded from either of two Reserve Funds. A Council Resolution or an Adopted Budget Bylaw is required for all appropriations from either of these two Reserve Funds.

The Equipment and Infrastructure Reserve Fund was established to account for proceeds from any sales of City land and buildings and to provide a source of funds to properly maintain City Buildings and Infrastructure. The balance in this Reserve Fund after current commitments is \$32.6 million.

The Tax Sale Lands Reserve was established to account for proceeds from any sales of City land and buildings. This reserve is funded from all sales of City land and buildings. These funds are available for building and land purchases and capital expenditures required for preparing City properties to sell (i.e. remediation, servicing, etc.). The balance in the Tax Sale Lands Reserve after future commitments is \$3.55 million.

Recommendation:

That Council authorize the release of \$134,000 from either of the Equipment and Infrastructure Reserve Fund or the Tax Sale Lands Reserve Fund for the purpose of awarding a contract to HL Demolition to manage the removal, transportation, and disposal of contaminated concrete blocks to a secured landfill in Alberta.