

Waste Management Storage Site Operational Practices

EXECUTIVE SUMMARY

In November 2018, Council brought forward Notice of Motion C2018-1356 that highlighted situations where waste management storage site operations may present a risk to public safety. In March 2019, Administration reported back on challenges with The City's identification of these sites and the implementation of the Subdivision and Development Regulation (SDR), and interim steps to minimize the safety risks of these site operations through inspections. This report provides Council with an update on additional analysis and actions The City has taken to further limit safety and liability risks.

Administration has resolved that:

- 1) Fire is the key risk at a waste management storage site and The City will enhance the frequency of Alberta Fire Code compliance inspections as the primary action to mitigate fire risks from poor operations.
- 2) The City will conduct compliance inspections to better oversee waste management storage sites, as well as non-regulated material recyclers which can pose similar public safety risks. Attachment 1 shows the 12 sites identified to date.
- 3) Challenges with site identification and implementation of the Subdivision and Development Regulations are addressed through improved communication procedures between Alberta Environment and Parks (AEP) and The City, as well as improvements to City of Calgary planning applications intake processes.
- 4) The City will better control the location of new waste management storage sites by ensuring Land Use Bylaw 1P2007 is consistently applied and all waste management storage sites are approved as a 'Waste Disposal and Treatment Facility', which requires a Direct Control District.
- 5) The City will engage with the Alberta Urban Municipalities Association (AUMA) and other municipalities to move the province-wide standardization of waste management storage site operational best practices forward with the Government of Alberta, as per the recently passed (September 2019) City sponsored AUMA resolution.
- 6) The City should continue to advocate with other members of the Calgary Metropolitan Region Board (CMRB) for regional waste management storage site issues to be considered within a waste and recycling service plan.

Administration's response balances taking actions within our existing authority, control, and budgets, while encouraging a coordinated provincial regulatory approach to address additional risks.

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ADMINISTRATION RECOMMENDATION

That the Standing Policy Committee on Utilities and Corporate Services recommends that Council direct Administration to:

1. Mitigate waste management storage sites risks by focusing The City's efforts on better utilizing existing controls exercised through the Alberta Fire Code and Land Use Bylaw 1P2007; and,
2. Control the location of new waste management storage sites by ensuring Land Use Bylaw 1P2007 is consistently applied.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2018 November 19, Council brought forward a Notice of Motion C2018-1356 on Waste Management Storage Site Operational Practices, directing Administration to report back through Standing Policy Committee (SPC) on Utilities and Corporate Services no later than Q1 2019 on an interim approach to minimize the safety risks of these operations.

Administration was also directed to return no later than Q4 2019 with a scoping report on The City's authority to use existing controls to limit the safety hazard, risk and liability of The City of Calgary from the operation of waste management storage sites, and recommendations for potential policy and potential regulatory requirements to standardize practices that reflect best practices.

BACKGROUND

Within the waste management sector are companies that operate sites where materials other than hazardous waste are collected or received from multiple sources, sorted, stored temporarily, and then either sold for recycling or sent to landfill and/or composting. At some of these sites, poor operational practices have resulted in fires; non-compliance with the Alberta Fire Code with regards to stockpile content, height, and/or separation; and concerns for public safety. Other concerns raised include the potential for environmental contamination, impacts on adjacent properties, and risk of landowner and City financial liabilities.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Attachment 2 provides additional details on the analysis and actions The City has taken at the municipal and provincial levels to further address the risks and challenges and close the gaps. The following points summarize the key takeaways:

- 1) Fire is the key risk at a waste management storage site and The City will enhance the frequency of Alberta Fire Code compliance inspections as the primary action to mitigate fire risks from poor operations.
- 2) The City will conduct compliance inspections to better oversee waste management storage sites, as well as non-regulated material recyclers which can pose similar public safety risks. Attachment 1 shows the 12 sites identified to date.

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- 3) Challenges with site identification and implementation of the Subdivision and Development Regulations are addressed through improved communication procedures between Alberta Environment and Parks (AEP) and The City, as well as improvements to City of Calgary planning applications intake processes.
- 4) The City will better control the location of new waste management storage sites by ensuring Land Use Bylaw 1P2007 is consistently applied and all waste management storage sites are approved as a 'Waste Disposal and Treatment Facility', which requires a Direct Control District.
- 5) The City will engage with the Alberta Urban Municipalities Association (AUMA) and other municipalities to move the province-wide standardization of waste management storage site operational best practices forward with the Government of Alberta, as per the recently passed (September 2019) City sponsored AUMA resolution.
- 6) The City should continue to advocate with other members of the Calgary Metropolitan Region Board (CMRB) for regional waste management storage site issues to be considered within a waste and recycling service plan.

Stakeholder Engagement, Research and Communication

Administration's response involved Calgary Building Services, Calgary Community Standards, Calgary Fire Department, Calgary Growth Strategies, Environmental & Safety Management, Intergovernmental & Corporate Strategy, Law, and Waste & Recycling Services. Regional engagement occurred through the Intermunicipal Committees (IMCs) of Rocky View County and Foothills County, as well as through the respective Administrations. Provincial engagement occurred with AEP and through the AUMA. Administration provided the owners of waste management storage sites and recycling businesses an update regarding The City's actions to mitigate site risks.

Strategic Alignment

This report aligns with the 2019-2022 Citizen Priorities: A Prosperous City, A City of Safe & Inspiring Neighbourhoods, and A Healthy & Green City.

This report also aligns with the Municipal Development Plan, 2.6 Greening the city, 2.6.6 Waste:

- a. Encourage development that incorporates sustainable planning and building practices by (ii) utilizing best practices for building deconstruction with emphasis on recycling materials and material reuse; and
- b. Protect the operational needs of landfill and recycling facilities by reducing conflicts with incompatible uses by locating uses such as commercial, industrial and recreational between waste management facilities and incompatible uses (e.g. residential).

Social, Environmental, Economic (External)

Administration's analysis and actions have taken into consideration the balance of social, environmental, and economic factors associated with waste management storage sites by:

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continuing to support citizen and industry recycling efforts; managing potential for environmental contamination; mitigating public safety risks associated with contamination and fires; considering the location of sites and their impacts on adjacent properties and businesses; and, continuing to support businesses to remain viable and enter the sector.

Financial Capacity

Current and Future Operating Budget:

The actions taken in support of this report have been achieved within current operating budgets.

Current and Future Capital Budget:

The actions taken in support of this report have no impact on current capital budgets.

Risk Assessment

Risks associated with not approving this recommendation are:

- The potential for improper site operations that contravene the Alberta Fire Code, resulting in unmanageable waste management practices, posing a risk to health and safety.
- A lack of control over the location of new waste management storage sites and the implementation of the associated Subdivision and Development Regulation prohibited use setbacks.

There are no identified risks associated with approving this recommendation.

REASON FOR RECOMMENDATION:

Administration's collective actions provide reasonable mitigation of risks associated with waste management storage sites, while balancing what is within our existing authority, control, and budgets.

ATTACHMENTS

1. Attachment 1 – Map of Waste Management Storage Sites and Non-Regulated Material Recyclers
2. Attachment 2 – Analysis and Actions