

Modified Requirements to Alberta Environment and Parks



July 11, 2017

Attention:

Matt Haghighi and Jan Quinlan
Alberta Environment & Parks
2938 11 ST NE
Calgary, AB, T2E 7L7

RE: Landfill Setback Variance Applications
City File Number: LOC2016-0189
Site Address: 1550 84 Street SE (Located in the Community of Belvedere)

Further to our meeting of 2017 January 23, The City of Calgary (The City) would like to confirm the approach to landfill setback variance applications from the Stoddart Landfill. From this meeting, The City understood that:

- AEP's position remains that the site is a non-operating landfill and the 300 m landfill setback is applicable;
- AEP does not have or is not aware of environmental reports that characterize the waste and environmental conditions of the Stoddart Landfill;
- The responsible party for the Stoddart Landfill has not met and has not been required by AEP to meet the reclamation, closure and post-closure care requirements of AEP's Code of Practice for Landfills; and
- The information requirements outlined in Alberta Environment and Parks (AEP) "Requesting Consent to Vary the Setback Distance for a Development to a Non Operating Landfill (May 2013)" will need to be modified for this landfill. Specifically, to support a request to AEP for consent to vary a landfill setback:
 1. No letter of consent from the landfill operator will be required;
 2. No Stoddart Landfill specific information will be required to be submitted; and
 3. Any supporting environmental assessments should characterize the soil, groundwater, and soil gas conditions of the applicant's land to confirm that there are no impacts from the Stoddart Landfill.

Please advise, **before 2017 September 11**, if any of the above points are incorrect or do not accurately reflect AEP's understanding.

Modified Requirements to Alberta Environment and Parks

With this understanding and for the Stoddart Landfill, The City proposes that the following information will be required to satisfy Section 6 (Engineering Report) of AEP's "Requesting Consent to Vary the Setback Distance for a Development to a Non Operating Landfill (May 2013)" document. For this email, we have noted the sections that will not be required for the Stoddart Landfill.

- 1. Phase I Environmental Site Assessment (ESA) of the Development Site**
 - 2. Phase II Environmental Site Assessment (ESA) of the Development Site**
Phase II ESA to address any outstanding issues identified in Phase I ESA and also to evaluate potential impacts from the identified operating/closed landfill (e.g. soil, groundwater, landfill gas).
 - 3. Risk Assessment (RA) of the Development Site**
The RA should assess a number of issues for the proposed development site including the characteristics of the landfill, potential for off-site migration of chemicals of concern, potential exposure pathways, and details of any mitigation measures and/or additional environmental investigation required. In addition to information deemed appropriate by the qualified professional(s) preparing the RA, at a minimum the following items should be addressed in the report:
 - a) Physical Setting of Landfill**
 - Location;
 - A map showing the proposed development site, all water wells, residences within a 1.0 kilometre radius and other topographical features, such as water bodies, within 5.0 kilometres of the site;
 - Regional and site specific geology (Note: must specify if there is a natural physical barrier to gas movement);
 - Regional and site specific hydrogeology (groundwater depth, flow direction);
 - Details of any ongoing monitoring programs for soil, soil vapour and groundwater at the site (e.g. number of wells, type, placement, frequency of sampling, monitoring parameters, results, etc.); and
 - The applicable sections of the Area Structure Plan (ASP) documenting the general land use and expected use of the landfill site and adjacent areas.
 - b) Proposed Development**
 - Description of the proposed development including any existing or proposed sub-grade structures (such as basements); and
 - Identification of existing and proposed utilities that service the development/site.
 - c) Evaluation of Pathways and Receptor Exposure**
 - Identification of contaminant exposure pathways and receptors of concern for the proposed development; and
 - Identification of any features on-site or off-site that may act as preferential pathways (e.g. utility corridors, water bodies, etc.) or alternatively mitigate contaminant migration.
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Modified Requirements to Alberta Environment and Parks

d) Recommendations & Conclusions

- Specify how the application meets all of the "Considerations for Consent" set out in the latest version of Alberta Environment & Parks' *"Requesting Consent to Vary the Setback Distance for a Development to a Waste Management Facility"*.
- The report Conclusion must specify the following:
 - Suitability of the development site for the proposed restricted use(s);
 - Impacts from the landfill to the development site;
 - Required additional investigations at the development site; and,
 - Required engineering controls and long term risk management measures at the development site.

e) Risk Management Plan and/or Ongoing Monitoring Plan (as needed)

If the RA has identified the need for mitigative measures and/or ongoing monitoring, the report will address, at a minimum, the following:

- For each risk management and mitigation measure and/or ongoing monitoring requirement, specify the timing of implementation with respect to the proposed development;
- Specify the roles and responsibilities of parties involved in implementing and maintaining the risk management and mitigation measures and/or ongoing monitoring plan; and
- Discuss the mechanisms for notifying future land owners of the risk management measures and/or ongoing monitoring and reporting requirements.

As The City noted during our meeting, we are currently reviewing a land use application where a portion of the application area is within the 300 m setback of the Stoddart Landfill. The area within the setback contains proposed residential and commercial land uses. At this time the application area is not zoned for residential or commercial land uses, therefore, no development permit or subdivision applications can be accepted for the application area (i.e. no landfill setback variance is legally required at this stage of development). That said, The City would like some preliminary input from AEP in regards to the feasibility of future consent to vary the landfill setback. If, for example, restricted uses are not feasible, then the proposed land uses would need to be modified accordingly.

The City is requesting the following from AEP:

1. Please confirm that, for applications to vary the landfill setback from the Stoddart Landfill, a consent letter from the landfill operator is not required;
2. Please confirm that the above noted information requirements are acceptable to meet Section 6 of AEP's *"Requesting Consent to Vary the Setback Distance for a Development to a Non Operating Landfill (May 2013)"* for the Stoddart Landfill; and
3. Provided that the applicant provides the above noted information and assuming that the information is sufficient, please advise if AEP would be prepared to provide a letter or comments at this stage of development (i.e. land use zoning) in regards to the feasibility of consent for future landfill setback variance requests.

Modified Requirements to Alberta Environment and Parks

If any of the above points are incorrect or do not accurately reflect AEP's understanding. The City is available to meet to discuss the contents of this email.

Please call if you have any questions.

Sincerely,



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Modified Requirements to Alberta Environment and Parks

From: Matt Haghghi [<mailto:Matt.Haghghi@gov.ab.ca>]
Sent: Tuesday, September 12, 2017 3:34 PM
To: Leong, Paul <Paul.Leong@calgary.ca>; Jan Quinlan <jan.quinlan@gov.ab.ca>
Cc: Allan, Tyson G. <Tyson.Allan@calgary.ca>; Diane Duplessis <Diane.Duplessis@gov.ab.ca>
Subject: RE: Stoddart Landfill - Setback Variance Applications (REF: Tristar OP LOC2016-0189)

Paul,

Your statements in the attached letter to the email below dated July 11, 2017 is correct. Just for your information, Ing Developments (2009) Ltd., owned and operated by Bill Ing has been in touch with the Department and has committed to clean up the site and remove all the waste to an appropriate waste management facility. Please see the attached email from the Department to Bill Ing.

It is our understanding that Mr. Ing is in the process of removing all the waste from the site currently in order to have the "landfill" designation removed from the property. If I hear any further from Mr. Ing regarding the cleanup of the site, I will inform the City.

Matt.

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