



April 5, 2005

Lynnview agreement signed

Calgary... Alberta Environment and Imperial Oil Limited (IOL) have signed a mutual agreement that enables clean up of properties and nearby land on Lynnview Ridge to begin.

The agreement follows intense mediation, which, through cooperation, led to a successful resolution of the issues outside the formal order and appeal process.

"I'm very pleased the matter has been resolved," said Alberta Environment Minister Guy Boutilier. "Clean up can now begin and Alberta Environment's standards will be achieved. We have been good stewards of the environment."

Wayne Cao, MLA for Calgary-Fort, expressed his satisfaction with the outcome of mediation. "From my perspective, this has always been about the health of my constituents," he said. "My constituents coped with a difficult situation but they will now have their properties cleaned up so they can enjoy them in the future."

Details of the agreement include:

- Complete removal of the top 0.3 metres of soil on private properties, IOL owned properties, and municipal property within the designated area, except soil under homes, garages and municipal roads and sidewalks.
- On private properties, Alberta Environment will initiate a soil sampling program to ensure all soil above 140 parts per million (ppm) lead is removed by IOL between 0.3 and 1.5 metres beneath the surface.
- Administrative controls, which provide protection to any future development that might impact these soils, will be applied on City property and homes purchased by IOL to ensure protection in the 0.3 to 1.5 metre range. No Administrative Controls will be required on private property.
- A Community Protection Plan has been developed to provide protection to the residents, the community, and the environment during the remediation period.
- Environmental Protection Orders (EPOs) issued to IOL in August of 2003 will be withdrawn by AENV and IOL will withdraw current appeals to these Orders.
- Clean up is anticipated to begin during the 2005 construction season and all efforts will be made to complete cleanup by the fall of 2005. Beginning the work will depend on getting the necessary municipal permits, weather, and receiving homeowners' permission to access private properties. Residents will not be required to move during remediation.

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Backgrounder attached.

Media enquiries may be directed to:

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Backgrounder

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A history of Lynnview Ridge

- From 1923 to 1975, Imperial Oil Ltd. owned and operated a petroleum refinery on lands immediately north of Lynnview Ridge, and storage tanks on part of the lands in Lynnview Ridge. Other parts of those lands were used for a "land farm," where petroleum sludge was treated by spreading it on open lands.
- The refinery, holding tanks and land farm were decommissioned between 1975 and 1977. There were no regulatory soil standards relating to lead or hydrocarbon contamination at that time.
- The lands were subsequently developed into a residential subdivision. Devon Estates Ltd., a wholly owned subsidiary of Imperial, provided the lands in a joint venture with Nu-West Developments, who provided the development expertise. The City of Calgary granted the necessary development approvals.
- In 1997, the Canadian Council of Ministers of the Environment (CCME) issued cleanup guidelines for lead in residential soil, which Alberta Environment (AENV) adopted.
- In the spring of 2001, meetings were held between Alberta Environment, the Calgary Health Region, the City of Calgary and Imperial Oil to discuss concerns arising from soil testing in Lynnview Ridge. The residents were notified of issues relating to the presence of lead and hydrocarbon vapors, and both Imperial Oil and the City of Calgary were advised that they may have responsibility for the contaminants under environmental legislation.
- On May 28, 2001, Alberta Environment issued a Notice of Investigation, advising the City of Calgary and Imperial Oil that an investigation was underway and further steps may be taken.
- On June 25, 2001, Alberta Environment issued an Environmental Protection Order (EPO) naming Imperial Oil and Devon Estates as "persons responsible" under the Environmental Protection and Enhancement Act (EPEA) for the contamination and directing them to take various steps. These steps included: sampling, delineating and reporting on soil contamination; outlining the short-term measures that would be taken to address the risks; consulting with the residents and developing a schedule for all measures. The parties were also directed to submit a report containing all options to remediate the subsurface contamination at the subdivision by July 18, 2001.
- On July 3, 2001, Imperial and Devon Estates appealed the EPO to the Environmental Appeal Board (EAB). A hearing date was set for September.
- In August 2001, Imperial took steps to deal with the short-term risks to the residents, and the company provided various reports to the Director. Since August 2001, Imperial Oil has voluntarily purchased more than 140 of the 160 single-family homes in the subdivision, and the two townhome complexes.
- Since September 2001, Imperial and Alberta Environment have undertaken a number of legal proceedings including a hearing before Environmental Appeals Board, and a subsequent review by the Court of Queen's Bench.
- Alberta Environment issued two new EPOs to Imperial Oil on August 29, 2003.
- In September 2003, Imperial Oil appealed both EPOs, and Imperial and Alberta Environment requested the hearing be adjourned for mediation to occur.
- Mediation was commenced by the EAB in November 2003.
- Mediation is confidential and there can be no discussion of that process, but it resulted in the agreement to

remediate.

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