

28. Re: Chevron Canada Ltd.,
P.P.A. #1435
(Item 6, Report 70, November 1, 1971)

At the November 1, 1971 Council Meeting the following resolution was passed regarding the above:

"THAT the Chevron request to extend PPA #1435 as far as the Rheiformer and the Carbon Monoxide Boiler are concerned, until the three motions of Council passed on July 12, 1971 are resolved, be tabled for the two weeks (until November 15, 1971); and THAT the contents of this report be forwarded to Chevron and to all parties that expressed interest in this general subject when it was being debated."

The resolutions passed by Council on July 12, 1971 when P.P.A. #1435 was authorized to be issued were as follows:

- " 1. THAT notice be given to the Oil Companies owning property in the Municipality that the Council is immediately proceeding with an investigation of ways and means to limit or confine any future expansion of the productive facilities in the refineries of the Companies.
2. THAT the Municipal Manager examine the fire regulations in force in the Municipality with a view to improving, if necessary, those that relate to the construction and operation of oil tank farms.
3. THAT Mayor Prittie initiate discussions, at the appropriate time, with the British Columbia Petroleum Association in regard to all ramifications of oil refineries; and further, that he invite representatives from the Council of Port Moody and appropriate persons representing Ioco to participate in the discussions."

After looking into this whole subject in considerable depth, the Municipal Manager makes the following observations:

1. The refinery industry is a healthy industry but at the same time it has several undesirable features, namely odor, sound and "visual" pollution. These problems can vary in intensity from time to time.
2. There are other industries with undesirable features. Refineries are only a part of the overall problem.
3. Standards have been set in California which have had the effect of controlling these undesirable features to maintain them within tolerable limits, and copies of the California material are on file.

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4. The Municipality could pass legislation prohibiting refineries from within its boundaries, but this legislation could not be made retroactive and thus would only affect future refineries. There would still be the problem of the existing refineries.
5. We therefore require some effective control measures over the existing refineries and their emissions and visual problems.
6. Such standards must be passed by and enforced over the Regional District if they are to be effective because (a) the Municipality will still have pollution from industries in surrounding municipalities even if Burnaby controlled the refineries and other industries within its boundaries and (b) the Municipality alone cannot afford the control and enforcement staff and equipment required.
7. Certain unsightliness of visual problems could possibly be overcome by making amendments to the zoning bylaw.
8. Controlling future expansion will be a continued and most difficult, if not almost impossible, task as the refineries are legitimate use in the proper zones. If one tries to control areas covered by refineries, technological advances will allow them to find ways to operate on smaller areas and we will still have pollution problems. As a matter of fact we could have a small plant with more serious pollution problems than a large one because the sulphur content of the crude has a great bearing on the pollution potential. To try to control the sulphur content of the crude is an impractical venture.
9. It becomes somewhat economical to work in anti-pollution devices with any expansion. It certainly is a logical time to make changes which will improve the environment.
10. Chevron Canada Ltd. state that the mechanical equipment being proposed by it in its modernization program as covered by P.P.A. #1435 is in compliance with the existing Bay Area Standards and that it is the Company's intention to have any future equipment installed also meet the existing Bay Area Standards.
11. History has shown that relocation of industry has only been a temporary solution to avoid its undesirable features. The odds of the problems arising again with a mobile society are great.
12. The most practical approach to resolve our problems with refineries, and other industries for that matter, appears to be to set standards to control the emissions of refineries rather than to "limit or confine any future expansion of the productive facilities in the refineries". Intermittent emissions concern us.
13. The Regional District is in the process of trying to get authority from the Province to control air pollution.
14. There is no authority in the Municipal Act to allow a Municipality to control air pollution per se.

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15. Some standards and control measures for emissions from refineries must be developed or adopted in the interim until the Regional District takes over on all types of emissions.
16. Such standards and controls could be negotiated as terms of approval for any expansion of any refinery.
17. Such negotiation can not fruitfully proceed until such time as or if Council agrees "in principle" to favourably consider expansion of refineries on the condition that there is the simultaneous implementation of standards and control measures including monitoring and enforcement, this being necessary until the Regional District receives authority to legislate, control and enforce such matters.

RECOMMENDATION:

THAT Resolution #1 in this report be rescinded and the following motion passed in its place:

- THAT notice be given to the Oil Companies owning property in the Municipality that the Council is proceeding with an investigation of ways and means to set standards for aesthetic or visual pollution and control, and for the level and quality of emissions from the refineries of the Companies as well as possible enforcement procedures; and
- THAT the Municipal Manager be authorized to negotiate with Chevron Canada Ltd. and others in connection with the voluntary adoption by the Company of the Bay Area Air Pollution Control District Standards, including the installation of monitoring equipment with attendant reading of same; and
- THAT the Municipal Manager be authorized to negotiate with Chevron Canada Ltd. in connection with visual pollution or aesthetic problems; and
- THAT the Municipal Manager be authorized to engage Dr. A. D. McIntyre of the B.C. Research Council to assist on a continuing basis in respect to pollution standards and control; and
- THAT the Planning Director be asked to prepare a report on suggested amendments to the Zoning Bylaw to control visual pollution or aesthetic problems in refinery areas; and
- THAT P.P.A. #1435 be extended for 4 weeks; and
- THAT the contents of this report be forwarded to Chevron and to all parties that expressed an interest in the general subject of refinery modernization and expansion when it was being debated previously.