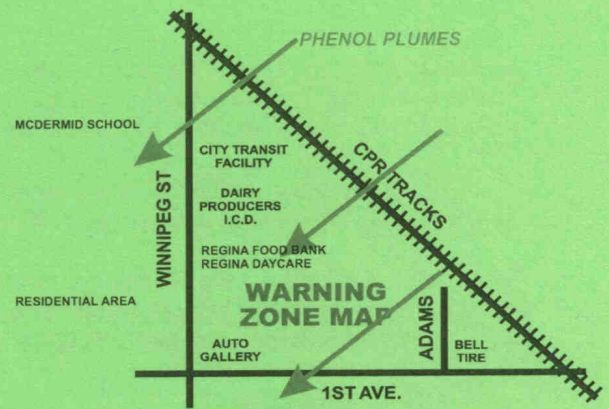


# FACT SHEET

## Public Action Whistleblower Handout



## REGINA IMPERIAL OIL REFINERY 1916 to 1975

**PHASE II - ENVIRONMENTAL SITE ASSESSMENT...**As of September 2008 the Ministry of the Environment has ordered the Imperial Oil Limited to perform a "PHASE II - ENVIRONMENTAL SITE ASSESSMENT", which involves soil sampling and tests relative to the former Imperial Oil Refinery property.

This effectively affirms "contamination" as a primary concern on the respective property and the PHASE II (ESA) is designed to profile the full extent and degree of airborne and migrating ground contamination on the Commercial and adjacent Residential features.

**NO MONITORING OR REMEDIATION...**According to early 80's Environmental Engineer soils test reports, withheld by the City of Regina, sufficient concentrations of in situ refinery contamination involving Lead and Carcinogenic Hydrocarbons are present to affect the entire neighbourhood. Large leachate phenol plumes are predicted in these early reports, to be migrating in a South-westerly direction radiating out from the primary refinery property, at an upper rate of more than 60 meters per year. Interestingly the City, fully aware of the problem, has not initiated any further tests, monitoring or remediation actions.

The City fire Department and the Environmental Hazardous Materials Division have been specifically instructed not to get involved with any inspection within the area. Regardless of the fact that much of the original refinery's pipelines, foundations, and cisterns remain buried, while some can be seen protruding from the ground.

**CONFLICT OF INTEREST...**Certain City of Regina department officials have been fully aware, since the early 80's, that a serious problem exists jeopardizing commercial and residential functions, however due to a "Conflict of Interest" regarding the City's involvement history and it's property value interest in the area, the situation has been intentionally withheld from the public attention and scrutiny. The City has simply treated the matter as a non issue of no consequence, hoping memories fade over time.

**DISTRACTION...**Because the Imperial Oil Refinery property has never been subjected to comprehensive PHASE II (ESA) soil testing or remediation, these City officials have adopted this shortcoming to enable them to ignore the problem. These City officials subscribe to an "out of sight - out of mind" denial philosophy...where they do not want to know the full extent of the problem affecting the health and safety of the neighbourhood. The City instead encourages new construction and endorses over assessment of area property values as a "Distraction" of the larger problem.

The long overdue PHASE II (ESA) having to be initiated by the Ministry of the Environment on the refinery's environmental impact...is proof that the City of Regina has neglected it's duty, which can only be attributed to the City's "**CONFLICT OF INTEREST**" in the area, **further facts of which follow:**

1. The Regina Imperial Oil Refinery commenced operation in 1916. In 1975 it was part of three western Canadian oil refinery closures, including in Winnipeg and Calgary, which were amalgamated to a new refinery in Edmonton.
2. After nearly 60-years of operation as one of the first Canadian refineries, the Regina Imperial Oil Refinery ceased operation and started decommissioning of the above ground refinery structures, however there were no environmental provisions regarding contamination testing or any soil remediation.
3. To date no remediation has occurred on the former Imperial Oil Refinery site.
4. The Imperial Oil Refinery during its operation period produced leaded gasoline, oil, grease, and various chemical products, which generated wastes containing high concentrations of cyanide in spent caustic, including concentrations of highly poisonous phenol. These wastes were initially dumped into surface pits and into the City sewer system, later these wastes were deep-well injected from a number of onsite locations.
5. Records regarding the scope of refinery's waste handling actions, over this operational period, have not been made available for environmental review, which will be a determination priority of the Phase II (ESA).



6. The fact that the City of Regina health, safety and hazardous materials departments have neglected to initiate any proper environmental inquiry respecting this area, points to the City's "Conflict of Interest", and exposes the City's lack of fiduciary duty to public health and safety.
7. In 1979 ownership of the refinery property, approximately 112 acres, was transferred to the City of Regina for the low price of 2.4 million. There were no environmental concerns or conditions addressed in the sale.
8. In 1980, without providing any contamination testing or remediation, the City of Regina sold approximately 55 acres of the property to Dairy Producers Cooperative Creamery for the amount of 1.2 million and City council, at the time, approved rezoning and permitting the construction of a creamery, of all health orientated operations, centred on the previous refinery property.
9. In the sales agreement the City required Imperial Oil to demolished and level Liski's Imperial Oil Key Lock, a fuelling station supplied from underground tanks, located in the area relative to the Adams Street and First Avenue intersection. The City fire department have no records of any tests, remediation, or oversight regarding the removal of the Key Lock facility.
10. Leader Post reported that the City had purchased the refinery property with the intended purpose of expanding Ross Industrial Park with the sale of lots to private industries. It is interesting to note that the City has never followed through with their original plans as we see the greater portion of the North area property remains open and undeveloped, which goes to suggests the City's awareness of the sever ground contamination respective the area and their decision to hold the property undeveloped in a misleading act to avoid real estate sales conditions for Phase II (ESA) report that would assuredly attract negative environmental attention to the properties in the entire refinery area. In this way the City has effectively sacrificed the health and safety of the public in favour of protecting their history and financial interest in the area.
11. Without any contamination testing or remediation, in 1980 the Dairy Producers commenced construction of its multi-million dollar food-processing creamery in the middle of an old refinery. Dairy Producers also divided the remainder of its excess land into commercial lots and constructed Adams Street, which was rezoned, permitted and serviced by the City.
12. Subsequently the Dairy Producers sold commercial lots, bordering Adams Street, to various business operations without providing any site contamination warnings or forewarnings regarding the refinery history of the respective property.
13. In 1980 and in 1986 City of Regina commissioned environmental engineer soil tests and aquifer contamination reports, which required dozens of piezometers (wells points), a few of which can still be seen protruding above ground as painted green culverts and pipes in the general area. It is important to note that Dairy Producers would not permit the environmental engineers access to their property for ground tests.
14. For the first time, the resulting environmental engineer reports clearly identified high concentrations of phenol hydrocarbon site contamination with predicted plumes of contamination migrating at a maximum rate of up to 66-meters per year, in a southward direction crossing Winnipeg Street and into the adjacent residential and commercial zones.
15. These early environmental engineer reports further identified significant concentrations of lead from the manufacture of leaded gasoline mixing operations, as well as 7-10 meters of highly saturated hydrocarbon soil conditions, coupled with gas conditions so severe that the report sternly warns of the potential for an entrapped gas explosion and the ill affects to site workers inhalation of fumes.
16. Based on these reports the Regina City Transit Facility, including the Dairy Producers facility have been subjected to possible entrapped gas explosion at any moment. Nowadays, we are more aware of toxins in the environment, and that lead has serious affects on young children's nervous systems. We also know hydrocarbons are carcinogenic.
17. These environmental engineer reports go on to attribute the increasing contamination of the underlying Condie and Regina aquifers to the leaching affects primarily generated from the Imperial Oil Refinery's ground contamination. This ever widening contaminating condition continues to this very day, simply because the City has failed to properly recognize the implications or initiate any site remediation action. This is broader issue affecting the entire community and local wild life, since these two underlying aquifers discharge into Boggy and Wascana creeks.
18. The environmental engineer reports advised that additional tests and monitoring are important, however to date the City of Regina has neglected to follow report recommendations or take any precautions to protect the health and safety of the general public.



19. In 1986 City of Regina ignores environmental reports and constructs a City Bus Transit facility at 333 Winnipeg Street, building over the reported 7-10 meters of severely saturated hydrocarbon contaminated ground without any remediation whatsoever. It is interesting to note the City's 2008 Property Tax Website showed this facility appraised at a fair value of 3.8 million, regardless of the fact the building is constructed on top of 7-10 meters of contaminated ground. This local property valuation misleading to area values, which is clearly a self serving assessment that fails to factor in the known facts, conditions and circumstances, which clearly demonstrates the City's "Conflict of Interest" in the area.

20. Interestingly the City's 2009 assessed value on the City Bus Transit facility has been reduced to 2.7 million, while all the other adjacent property values are increased, regardless a facility constructed on 7-10 meters of known contaminated ground is basically worthless and could never be sold privately. This clearly demonstrates that the City assessors blatantly continue under a "conflict of interest" perpetuating a misleading value falsification, while knowing full well ground under and around the Transit facility is highly contaminated. The City assessors have neglected to factor in a contamination adjustment, otherwise the value status would be assessed as a remediation liability.

21. It is understandable that local properties would experience an overall depreciation and in some circumstances may become a worthless liability, had the City duly recognized the reported contamination problem relative to the Transit Facility and to the entire refinery related area. The health and value implications of this situation and the years of negligent actions by the City, is the source of motivation behind of the City's "Conflict of Interest" and cover up.

22. Local property assessments, prepared by the City of Regina property tax assessors, continue to blatantly ignore the facts, conditions and circumstances contained in the environmental engineer reports and instead function in a state of "wilful blindness and denial". They continue to treat the area as if a refinery never existed.

23. In 1997, the City of Regina changed the defined subdivision designation from "Pipe and Refinery" to "Commercial", which coincidentally followed the property assessment appeals as submitted by Dairy Producers that significantly lowered the value on seven of the Dairy's remaining unsold lots in and around Adams Street. The City assessors have not been forthright in providing the actual submitted grounds of these appeals.

24. In 2000 general soil test received relative to Lynnview Ridge, the redevelopment of the former Calgary Imperial Oil Refinery property, showed high concentrations of lead and carcinogenic hydrocarbons. It is important to know the Calgary refinery was a third smaller and ten years newer than the Regina refinery. As noted above, the Calgary refinery also ceased operation in 1975.

25. As a result of the site contamination, CBC Marketplace developed television reports on Lynnview Ridge, which can be seen on the CBC website under "Dirty Secrets".

26. As a result of these soil tests the Alberta Ministry of Environment ordered Imperial Oil Limited to repurchase all the properties and remediate the entire site, currently most of the structures have been demolished and remediation is ongoing. The site is planned to be converted into a green space, and will never be rezoned residential or industrial again.

27. The Calgary Imperial Oil Refinery is the precedence setting case, there is every reason to believe contamination relevant to the larger and older Regina refinery would be at least equal if not worse than the Calgary soil tests, and the only variance to this situation is that the City of Regina purchased the Regina refinery property, whereas the Calgary refinery was redeveloped privately, which again points to the City of Regina's "Conflict of Interest" in the area. It is only speculation to think that had the Regina refinery been sold to a private developer, the subject area would have been properly determined by this time, due to an environmental order initiated by the City's Environmental Engineering Department.

28. Interestingly in 2000, the Dairy Producers Cooperative Creamery, vacates their multi-million dollar creamery facility in Regina, re-builds and moves to Saskatoon. It is important to note that at that time the Dairy owned sufficient expansion property in Regina. The question is...was this move coincidentally prompted by the contamination conditions developing around the Calgary Refinery, and the liability implications that would have had on a dairy, of all things, operating in such highly contaminated zone.

29. In 2001 the City assessors raise property taxes in the subject area 3-times higher than other similar commercial properties in the Ross Industrial Park, which goes to suggest these excessive assessments were initiated as a distraction intended to mislead local owners into thinking their properties were highly valued, therefore disassociating the area from its refinery past.

30. In 2003 the Dairy Producers sells their last 4 subdivided lots to a local car dealership "Auto Gallery" for the giveaway amount of \$1,250 each, with no attached Phase II (ESA) conditions, this when other equally sized lots in the area had previously sold for as much as \$40,000 and \$50,000. This transaction suggests collaboration between the Dairy and Auto Gallery.



31. Later in 2004 the Dairy Producers donate their multi-million dollar dairy buildings and property to a non profit organization the "Regina Food Bank". This type of transaction would not require mortgage financing. Therefore there was would be no requirement to provide a Phase II (ESA) environmental report on the property, which would have exposed the contamination secret.
32. The donation transaction will have benefited Dairy Producers as a multi-million dollar tax write-off on property otherwise worthless, had a Phase II (ESA) report been required on the site. Tests exposing the extent of hazardous contamination conditions throughout the entire property. Such a report would have in fact classified the property as a liability to the Dairy.
33. This contamination exposure would have expanded to the adjacent residential and commercial properties, as well as the City Bus Transit property and to the City's credibility regarding the withheld knowledge of the site conditions relative to the previous environmental engineer reports.
34. Currently, the "Regina Food Bank" is storing and distributing food, along with operating a Daycare Playground located on known carcinogenetic hydrocarbon contamination including high levels of lead contamination. This is not a sensible situation to health and safety.
35. The "Regina Food Bank" has further sublet a portion of the original Dairy building to a gymnastics group, schools and yet another food distributor, ICD. This simply compounds the problem in accomplice with the City blindly issuing permits and rezoning as required to encourage area redevelopment, thereby distracting and masking the fact that the area was once a 60-year old refinery operation.
36. It is interesting to note that the City appears afraid to redevelop the larger portion of 57 acres purchased from Imperial Oil, of open property North of the Bus Transit building at 333 Winnipeg Street. The City's original plan was to expand Ross Industrial Park into that area, however any sale of property in that area would expose the contamination relative to the whole area...therefore the City has left the property undeveloped in order to avoid any attention that would give focus on the situation and to the history of City's ongoing negligence in the area.
37. Contrary to all other previous refinery sites across Canada, this particular site to date has not been subjected to a full Phase II (ESA) soil tests, simply because the City has held financial and credibility interests in the area and has therefore maintained a policy of not wanting to know for sure, hence a classic case of "wilful blindness" in a "conflict of interest".
38. Health is a primary concern to the area's numerous past and present residents, which also includes the area's past and present employees, connected in any way to this particular environment. These persons will have been unknowingly exposed to various toxins, carcinogenic hydrocarbons, leads, and any number of other unidentified hazardous contaminates, which may have initiated any number of medical concerns.
39. To date, many persons with a direct association with the area have reported what appears to be an abnormal number of unexplained illnesses, including a high incidence of cancers.
40. Clearly the City of Regina's motivation is to avoid a huge attachable liability, regarding the manifesting health and property value issues. Even though the original polluter, Imperial Oil Limited, holds an on-going legal responsibility regarding contamination remediation costs, the City of Regina however has been intentionally deceptive and seriously neglectful of their fiduciary duty to the general public in respect to properly dealing with the health and safety issue associated with this area.
41. It is understandable that attitudes regarding environmental controls have matured over the years. However it is shameful that for nearly 30-years now certain City Departments and Managers, who know better, have purported a denial that a problem even exists, regardless of the fact they have never taken the initiative to facilitate a Phase II (ESA) to prove their premise.
42. Much depends on the long overdue Phase II (ESA) grid of soils test as ordered by the Saskatchewan Ministry of Environment on Imperial Oil later in 2008, which is expected to commence testing as soon as possible. This proves the Ministry has now concluded that site contamination on the former refinery property does in fact exist and that the Phase II (ESA) is expected to locate all in situ conditions throughout the site and log test data necessary to facilitate a Phase III remediation plan.
43. There is a Class Action in development.

**If you wish more information, or can add further substance and detail  
to the above subject matter, including any particular health issues,  
Please call 775-2626.**