

**ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT**

**BEING CHAPTER E-12 R.S.A. 2000 (the "Act")**

ENVIRONMENTAL PROTECTION ORDER NO. EPO-EPEA-35859

F.T.V Holdings Ltd.  
Registered Office:  
13223 – 41 Street NW  
Edmonton, Alberta T5A 2T6

and

Lloyd Alan Fountain, Director  
PO Box 66  
Viking, Alberta T0B 2N0

(Hereinafter referred to as "the Parties")

WHEREAS the company F.T.V. Holdings Ltd., formerly Fountain Tire (Viking) Ltd., is the registered owner of the lands legally described as Lot A, Block 4, Plan 5293MC since at least 1975 and Area 3, Plan 8920450 since at least 1989 (jointly described as the "Lands");

WHEREAS Lloyd Alan Fountain is the majority shareholder and the Director of F.T.V. Holdings Ltd.;

WHEREAS the Town of Viking (the Town) encountered hydrocarbon contamination in their utility corridor within the roadway adjacent to the Lands while conducting works to upgrade their wastewater collection system;

WHEREAS the Town removed and disposed of the contaminated material that impacted their utility corridor while they were conducting the work;

WHEREAS the Town replaced portions of their potable water distribution pipe due to concerns of hydrocarbon contamination impact to the asbestos concrete pipe;

WHEREAS the Town encountered additional hydrocarbon contamination and elevated field organic vapours while replacing the service line for the Lands;

WHEREAS the Town provided limited information from their service line work that indicates contamination may exist on the Lands to depths of up to 3.0m below ground level;

WHEREAS the service line intersects an area that historically contained a fuel pump island;

WHEREAS the Parties were made aware of the release of a substance into the environment both on and adjacent to the Lands that is potentially related to the historical fuel pump island by letter from Alberta Environment and Parks (AEP) dated June 25, 2019;

WHEREAS AEP has not received any records from the Parties indicating that the fuel pump island has been decommissioned and any potentially related contamination delineated;

WHEREAS Todd Urquhart, Compliance Manager, Regulatory Assurance Division South – Red Deer, has been appointed a Director for the purpose of issuing enforcement orders under the *Environmental Protection and Enhancement Act* (the “Director”);

WHEREAS the Director is of the opinion that the Parties have contravened and continue to contravene section 112 of the *Environmental Protection and Enhancement Act*;

WHEREAS the Director is of the opinion that the Parties have contravened and continue to contravene section 2.2(1) of the Remediation Regulation;

THEREFORE, I, Todd Urquhart, Director, pursuant to section 113(1) of the *Environmental Protection and Enhancement Act*, HEREBY ORDER THAT:

1. That the Parties investigate by conducting a Phase 2 Environmental Site Assessment (ESA) on the Lands in accordance with the *Alberta Environmental Site Assessment Standard (2016)* (the Standards) to delineate the potential impacts from the historical fuel pump island.
2. That the above noted Phase 2 ESA be conducted by a Professional as defined in section 2.2 of the Standards.
3. That the Parties shall, on or before May 27<sup>th</sup>, 2022, submit to the Director in writing the name and contact information of the Professional that has been retained to conduct the work outlined in clause 1.
4. That the Phase 2 ESA Report be submitted to the Director by August 25<sup>th</sup>, 2022 or as agreed upon in writing by the Director and the Parties.

DATED at the City of Red Deer in the Province of Alberta, this 26<sup>th</sup> day of April, 2022.



Todd Urquhart  
Compliance Manager  
Regulatory Assurance Division South – Red Deer  
Designated Director under the Act

**Section 91 of the Environmental Protection and Enhancement Act may provide a right of appeal against this decision to the Alberta Environmental Appeals Board. There may be a strict time limit for filing such an appeal. A copy of section 91 is enclosed. For further information, please contact the Board Secretary at #306 Peace Hills Trust Tower, 10011 – 109 Street, Edmonton, Alberta, T5J 3S8; telephone (780) 427-6207; fax (780) 427-4693.**

**Notwithstanding the above requirements, the Parties shall obtain all necessary approvals in complying with this order.**

**Take notice that this enforcement order is a remedial tool only, and in no way precludes any enforcement proceedings being taken regarding this matter under this Act or any other legislation.**