

PROVINCE OF BRITISH COLUMBIA
REGULATION OF THE MINISTER OF ENVIRONMENT

Environmental Management Act

Ministerial Order No. M 016

I, Terry Lake, Minister of Environment, order that the Contaminated Sites Regulation, B.C. Reg. 375/96, is amended as set out in the attached Schedule.

DEPOSITED
January 24, 2013
B.C. REG. 6/2013

Date Jan. 17/13

Terry Lake
Minister of Environment

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Environmental Management Act, S.B.C. 2003, c. 53, s. 63

Other: M271/2004

December 5, 2012

RESUB/R/949/2012/14

SCHEDULE

- 1 *Item H20 of Schedule 2 of the Contaminated Sites Regulation, B.C. Reg. 375/96, is amended by striking out “special waste” and substituting “hazardous waste”.*
- 2 *Schedule 5 is amended in the table for arsenic*
 - (a) *by adding “300” to Column VI opposite “Intake of contaminated soil” in Column I, and*
 - (b) *by repealing note 3 and substituting the following:*
3. Standards have been derived based on results of clinical studies at sites. Standards represent the rounded sum of the toxicologically-based value plus the applicable soil ingestion clinical study factor, if one is available. For AL, PL, and RL, the soil ingestion clinical study factor is 80 ug/g. For CL, the soil ingestion clinical study factor is 240 ug/g. For IL, no soil ingestion clinical study factor is available. For IL, the toxicologically-based value without addition of a clinical study factor approximates the CL soil standard, therefore the IL standard was set equal to the CL standard.
- 3 *Schedule 5 is amended in the table for barium by adding “> 1 000 mg/g” to Column VI opposite “Intake of contaminated soil” in Column I.*
- 4 *Schedule 5 is amended in the table for benzene by adding “6 500” to Column VI opposite “Intake of contaminated soil” in Column I.*
- 5 *Schedule 5 is amended in the table for benzo[a]pyrene by adding “50” to Column VI opposite “Intake of contaminated soil” in Column I.*
- 6 *Schedule 5 is amended in the table for cadmium*
 - (a) *by adding “3 500” to Column VI opposite “Intake of contaminated soil” in Column I, and*
 - (b) *by repealing notes 3 and 4 and substituting the following:*
3. For AL, PL and RL, if the land is used to grow produce for human consumption, the standard is 3 ug/g, if not, the standard is 35 ug/g. For CL and IL, standards are applicable only to land that is not used to grow produce for human consumption.
4. Standards have been derived based on results of clinical studies at sites. For AL, PL and RL, the 3 ug/g standard represents the rounded remainder of the toxicologically-based value (35 ug/g) minus the soil ingestion clinical study factor (32 ug/g). For CL, the standard was set equal to the soil ingestion clinical study factor (100 ug/g). For IL, no soil ingestion clinical study factor is available, therefore the IL standard was set equal to the toxicologically-based value.
- 7 *Schedule 5 is amended in the table for chloride ion by adding “> 1 000 mg/g” to Column VI opposite “Intake of contaminated soil” in Column I.*
- 8 *Schedule 5 is amended in the table for chromium by adding “20 000” to Column VI opposite “Intake of contaminated soil” in Column I.*
- 9 *Schedule 5 is amended in the table for copper by adding “200 000” to Column VI opposite “Intake of contaminated soil” in Column I.*
- 10 *Schedule 5 is amended in the table for dichloro-diphenyl-trichloroethane*

(a) *by striking out "2" in the column headed "Note" opposite "Site-specific factor" in Column I and substituting "3",*

(b) *by adding "3 500" to Column VI opposite "Intake of contaminated soil" in Column I, and*

(c) *by repealing Note 2 and substituting the following:*

2. Standards are for the sum of DDT and DDT metabolites.

11 *Schedule 5 is amended in the table for ethylbenzene by adding "700 000" to Column VI opposite "Intake of contaminated soil" in Column I.*

12 *Schedule 5 is amended in the table for ethylene glycol by adding "> 1 000 mg/g" to Column VI opposite "Intake of contaminated soil" in Column I.*

13 *Schedule 5 is amended in the table for lead by repealing Note 4 and substituting the following:*

4. Standards have been derived based on results of clinical studies at sites. Standards represent the rounded sum of the toxicologically-based value plus the applicable soil ingestion clinical study factor. For AL, PL and RL, the soil ingestion clinical study factor is 385 ug/g. For CL, the soil ingestion clinical study factor is 650 ug/g.

14 *Schedule 5 is amended in the table for mercury (inorganic) by adding "2 000" to Column VI opposite "Intake of contaminated soil" in Column I.*

15 *Schedule 5 is amended in the table for pentachlorophenol by adding "35 000" to Column VI opposite "Intake of contaminated soil" in Column I.*

16 *Schedule 5 is amended in the table for polychlorinated biphenyls by adding "50" to Column VI opposite "Intake of contaminated soil" in Column I.*

17 *Schedule 5 is amended in the table for polychlorinated dioxins and furans by adding "0.07" to Column VI opposite "Intake of contaminated soil" in Column I.*

18 *Schedule 5 is amended in the table for sodium ion by adding "> 1 000 mg/g" to Column VI opposite "Intake of contaminated soil" in Column I.*

19 *Schedule 5 is amended in the table for tetrachloroethylene by adding "70 000" to Column VI opposite "Intake of contaminated soil" in Column I.*

20 *Schedule 5 is amended in the table for toluene by adding "550 000" to Column VI opposite "Intake of contaminated soil" in Column I.*

21 *Schedule 5 is amended in the table for trichloroethylene by adding "10 000" to Column VI opposite "Intake of contaminated soil" in Column I.*

22 *Schedule 5 is amended in the table for xylene by adding "> 1 000 mg/g" to Column VI opposite "Intake of contaminated soil" in Column I.*

23 *Schedule 5 is amended in the table for zinc*

- (a) *by striking out “(CHEMICAL ABSTRACT SERVICE # 7440-66)” and substituting “(CHEMICAL ABSTRACT SERVICE # 7440-66-6)”, and*
- (b) *by adding “> 1 000 mg/g” to Column VI opposite “Intake of contaminated soil” in Column I.*

24 *Schedule 6 is amended*

- (a) *in Column III of the entry for iron by striking out “5 000” and substituting “5 000^{58, 59},”*
- (b) *in Column V of the entry for iron by striking out “6 500^{56, 57}” and substituting “6 500^{56, 57, 58, 59},”*
- (c) *in Column III of the entry for manganese by striking out “200” and substituting “200^{60, 61},”*
- (d) *in Column V of the entry for manganese by striking out “550^{56, 57}” and substituting “550^{56, 57, 60, 61},” and*
- (e) *by adding the following footnotes:*

58 Standard applies to a site used for an industrial or commercial purpose or activity set out in Schedule 2 as

- (a) item A6, A7, A8 or A11,
- (b) item C1, C2, C3, C4 or C6,
- (c) item D2, D3, D5 or D6,
- (d) item E4, or
- (e) item H14.

59 Standard applies to a site used for an industrial or commercial purpose or activity set out in Schedule 2 as item H11 or H20 but only if the site was used for that purpose or activity in conjunction with or as a result of the site also being used for at least one of the purposes or activities set out in footnote 58.

60 Standard applies to a site used for an industrial or commercial purpose or activity set out in Schedule 2 as

- (a) item B1,
- (b) item C1, C3 or C4,
- (c) item D2, D3, D5 or D6,
- (d) item E4, or
- (e) item H3 or H14.

61 Standard applies to a site used for an industrial or commercial purpose or activity set out in Schedule 2 as item H11 or H20 but only if the site was used for that purpose or activity in conjunction with or as a result of the site also being used for at least one of the purposes or activities set out in footnote 60.

25 *Column VI of Schedule 10 is amended in the entry for manganese by striking out “550^{10, 11}” and substituting “550^{10, 11, 12, 13}.”*

26 *Schedule 10 is amended by adding the following footnotes:*

- ¹² Standard applies to a site used for an industrial or commercial purpose or activity set out in Schedule 2 as
- (a) item B1,
 - (b) item C1, C3 or C4,
 - (c) item D2, D3, D5 or D6,
 - (d) item E4, or
 - (e) item H3 or H14.
- ¹³ Standard applies to a site used for an industrial or commercial purpose or activity set out in Schedule 2 as item H11 or H20 but only if the site was used for that purpose or activity in conjunction with or as a result of the site also being used for at least one of the purposes or activities set out in footnote 12.