

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 517, Approved and Ordered July 18, 2016


Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that


- (a) section 3 (b) of the *Environmental Management Amendment Act, 2004*, S.B.C. 2004, c. 18, is brought into force,
- (b) the Hazardous Waste Regulation, B.C. Reg. 63/88, is amended as set out in the attached Appendix 1, and
- (c) the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, is amended as set out in the attached Appendix 2.

DEPOSITED

July 19, 2016

B.C. REG. 179/2016


Minister of Environment


Presiding Member of the Executive Council

(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 Amendment Act, 2004*, S.B.C. 2004, c. 18, s. 26;
Environmental Management Act, S.B.C. 2003, c. 53, ss. 21, 138 and 139

Other: O.C. 268/88, O.C. 84/2002

June 22, 2016

R/416/2016/96

APPENDIX 1

- 1 *Section 1 (1) of the Hazardous Waste Regulation, B.C. Reg. 63/88, is amended*
- (a) *by adding the following definitions:*
- “contaminated site” has the same meaning as in Part 4 of the Act;
- “contamination” has the same meaning as in Part 4 of the Act;
- “ex situ”, in relation to soil, sediment, surface water or groundwater, means that the soil, sediment, surface water or groundwater has been physically removed or excavated from where it originated; ,
- (b) *in the definition of “facility” by striking out “, secure buildings and in situ management facilities, but does not include an historical hazardous waste contaminated site” and substituting “and secure buildings”;*
- (c) *in the definition of “hazardous waste” by adding the following paragraphs:*
- (i.2) on site media that is stored ex situ unless the on site media is stored for one of the purposes set out under subsection (3),
- (t) on site media; ,
- (d) *by repealing the definition of “historical hazardous waste contaminated site”;*
- (e) *by repealing the definition of “in situ management facility”, and*
- (f) *by adding the following definition:*
- “on site media” means contaminated soil, sediment, surface water or groundwater that would be hazardous waste only because it meets any of the criteria described in paragraphs (a) to (i) of the definition of “hazardous waste”, but which remains at the contaminated site where the contaminated soil, sediment, surface water or groundwater originated; .
- 2 *Section 1 is amended by adding the following subsection:*
- (3) On site media is not hazardous waste under paragraph (i.2) of the definition of “hazardous waste” if the on site media is stored ex situ for one of the following purposes:
- (a) transport from the contaminated site within 60 days, or a different period approved by the director, from the date when the on site media was physically removed or excavated from where it originated;
- (b) remediation activities that involve the handling, management or treatment of contamination in accordance with the Contaminated Sites Regulation, B.C. Reg. 375/96;
- (c) another approved purpose.
- 3 *Section 2 (11) and (12) is repealed.*
- 4 *Section 24.1 (2) is amended by adding “undertaken in accordance with the Contaminated Sites Regulation, B.C. Reg. 375/96” after “activities”.*

5 *Section 41.1 (1) (a) is repealed.*

APPENDIX 2

1 *Section 33 (5) of the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, is amended by striking out “under subsection (1) (a)” and substituting “under subsection (1)”.*