



ADMINISTRATIVE BULLETIN

FOR CONTAMINATED SITES

Effective date: January 25, 2019

Version 1 Draft 3

Waste Discharge Authorizations at Contaminated Sites

Purpose

This bulletin serves to clarify and summarize situations that may require a discharge authorization for contaminated site contaminant management, which is a prescribed activity under the Waste Discharge Regulation.

Types of discharge authorizations

Section 6 of the *Environmental Management Act* prohibits the introduction of waste to the environment in the course of a prescribed industry, trade or business without a valid permit, approval, order, regulation or waste management plan approved by the minister.

For contaminated site contaminant management, the applicable authorizations are either a permit or an approval. A permit is issued by a director to authorize the introduction of waste to the environment subject to requirements for the protection of the environment. An approval is similar to a permit but is for the temporary discharge of waste up to 15 months duration.

Activities that may require authorization at a contaminated site

Remediation activities that involve onsite management of wastes, as listed below, require a discharge authorization:

1. Refuse discharge (including soil consolidation) – for onsite, long term management of waste soil, where waste soil is considered soil that exceeds industrial land use standards, including both mandatory and site-specific factors applicable to the site.
2. Effluent discharge – for discharge of effluent to ground or to a receiving water body from a groundwater remediation system.
3. Air (vapour) discharge – for discharge of an air contaminant into the air from an engineered remediation system.

How to obtain a discharge authorization

The application process for a waste discharge permit or approval may involve some or all of the following steps:

- a pre-application meeting between the ministry and the applicant;
- public notification, consultation and a comment period;
- the production of a technical assessment for ministry review; and
- a formal submission and review of a final application.

For more information about the application process, please visit the [waste discharge authorization](#) website.

Ministry response to existing non-compliance

It has come to the ministry's attention that the requirement to obtain a waste discharge authorization for onsite waste soil management was not well understood. As such, there may be sites where discharge of waste soil has occurred without authorization. The ministry will review existing occurrences of non-compliance on a case-by-case basis to determine the appropriate level of response. In these instances, information should be provided to the ministry describing the discharge that has occurred and the risk management measures implemented to ensure the protection of human health and the environment. Conditions will be imposed where necessary in either a certificate of compliance or approval in principle, or as Director's requirements under the Contaminated Sites Regulation section 54(3)(d) to ensure that soil is appropriately managed. Contact the ministry for further advice regarding issues of non-compliance.

Please be aware that waste discharged without appropriate authorization following issuance of this bulletin will be subject to a standard ministry response for non-compliance.

Associated documents:

[Protocol 3, "Blending, Mixing, or Dilution as a Remediation Approach"](#)

[Protocol 15, "Soil Treatment Facility Design and Operation for Bioremediation of Hydrocarbon Contaminated Soil"](#)

[Waste Discharge Regulation](#)

[Public Notification Regulation](#)

Definitions: Terms used in this bulletin are defined in the ministry's [Procedure 8, "Definitions and Acronyms for Contaminated Sites"](#) and the [Waste Discharge Regulation](#).

For more information, contact the Environmental Emergencies and Land Remediation Branch at site@gov.bc.ca.