



TECHNICAL BULLETIN FOR CONTAMINATED SITES

Clarifying Amendments to Protocol 1 – Detailed Risk Assessment

Purpose

To provide clarification on the intent and implementation of recent amendments to Protocol 1: Detailed Risk Assessment, to consider climate change effects and First Nations' uses and interests, which takes effect on January 15, 2027.

What's Changing

Recent amendments clarify that qualified professionals are expected to use their professional judgement to consider where relevant:

- Potential climate change effects on site contamination and risk control measures
- First Nations' uses and interests, as part of identifying all potential contaminant-pathway-receptor combinations for a site

The core purpose and risk-based framework of Protocol 1 remain unchanged. The updates do not introduce new obligations for consultation or approvals, nor do they alter existing regulatory roles or decision-making authority.

Why These Changes Were Made

These updates are intended to:

- Improve clarity, consistency and technical completeness of risk assessments
- Ensure risk-based remediation remains protective over time
- Reflect evolving environmental and land use considerations

The amendments are based on:

- A 2022 discussion paper on [Making Contaminated Sites Climate Ready](#)
- What We Heard during engagement with [First Nations](#) and [the public](#).

The updates also build on earlier (2021) protocol updates requiring consideration of uniquely exposed individuals, including Indigenous Peoples and subsistence users.

What This Means

Climate Change

The updated protocol ensures qualified professionals consider how changing environmental conditions (such as extreme weather or groundwater changes) could affect:

- contaminant behaviour;
- exposure pathways; or
- long-term effectiveness of remediation.

This is necessary to ensure that risk assessments remain protective over the long term when contamination is left in place. See guidance for [Considering Climate Change in Remediation](#).

First Nations' Uses and Interests

This amendment builds on existing requirements in Protocol 1 for qualified professionals to consider uniquely exposed individuals by clarifying that potential First Nations' land and resource uses should be considered early in the risk assessment process when developing the problem formulation. This supports more complete and accurate identification of relevant exposure scenarios and reflects alignment with Section 35 of the *Constitution Act*, recognizing that First Nations may interact with land in diverse ways.

In practice, this may mean engagement (not consultation) with potentially affected First Nations to gather information about potential receptors and exposure pathways. See [here](#) for guidance on engaging with First Nations. While these documents are written with consultation in mind, they can be adapted for engagement purposes.

This amendment is strictly related to technical assessment and does not affect determination of rights, title, or jurisdiction, nor is it intended to introduce broader consultation, shared decision-making, or governance concepts into the contaminated sites regime.

Implementation Timeline

- The amendments come into effect January 15, 2027.
- The delayed effective date provides time for practitioners and applicants to prepare and align submissions.
- Applications submitted on or after this date must meet the updated requirements.