



Ministry of
Environment

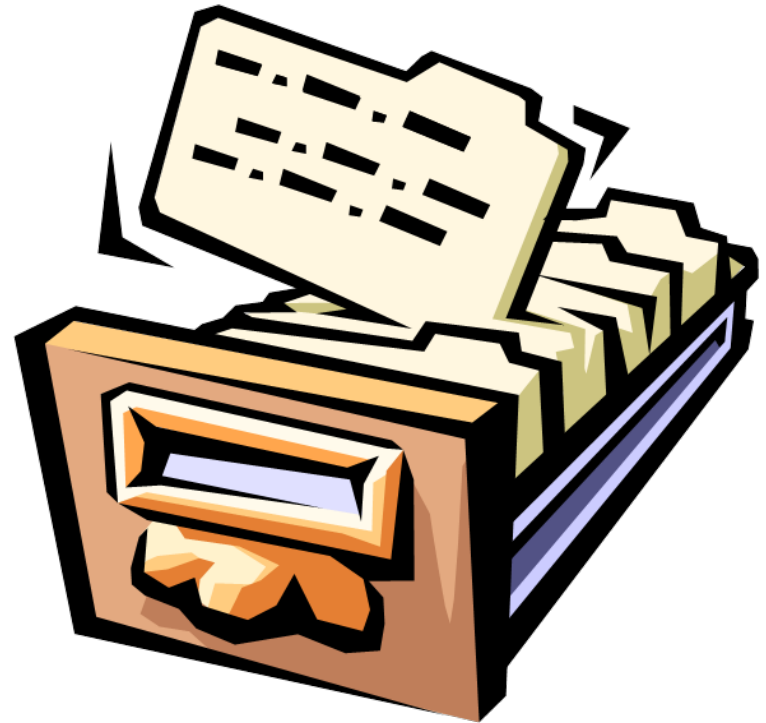
Protocol 12 Update and Changes

CSAP Workshop
October 26, 2011
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Protocol 12 Update and Changes

Overview

- Submission statistics
- Audit process
- Changes



Protocol 12 Update

Protocol 12 Statistics:

- Between June 1, 2010 and October 5, 2011:
 - 470 sites have been classified under P12
 - 32 are high risk (6%)
 - 415 are non-high risk
 - 23 are pending classification

 - 2 sites have been reclassified from high risk to non-high risk

Protocol 12 Update

SRCR Submission Trigger	Number	Percentage of Total
Notification of Independent Remediation	261	56%
Notification of Offsite Migration	86	18%
Submission of investigation report required by a director	3	1%
Contaminated Sites Service Application	112	24%
SRCR required by a director	6	1%
High risk conditions at a neighbouring parcel		

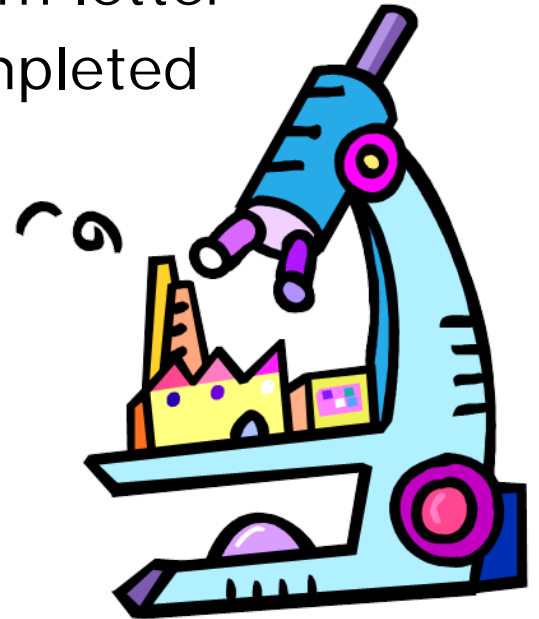
Protocol 12 Update

- Commercial and industrial uses associated with high risk site conditions include:
 - Petroleum operations – 12 sites
 - Dry cleaning operations – 6 sites
 - Chemical manufacturing – 3 sites
 - Shooting ranges – 2 sites
 - Shipyards – 3 sites
 - Electrical power generating operations – 1 site
 - Mining – 1 site
 - Spill – 1 site
 - Oil and gas – 1 site
 - Landfill – 1 site
 - Smelter – 1 site

Protocol 12 Update

Auditing Process

- 1 in 20 site risk classifications are subject to a random ministry audit
 - Applicants are informed via a form letter
 - To date 22 audits have been completed



Protocol 12 Changes



Protocol 12 Changes

- Section 5 – Reporting exemptions
- Table 1 – Added Column IV - Persons with the duty to submit Site Risk Classification information
- Section 5.4- Reporting for off site migration, Section 5.5 – Reporting for high risk site for IR and Section 5.6- Part of site remediation, have been reworded
- General rewording for clarity but the meaning of the Sections remains the same.

Section 5 - New Reporting Exemptions

- Duplicate Site Risk classification information
 - Simultaneous triggers: If there are simultaneous triggers for the submission of a SRCR, only one needs to be submitted
 - Previous submission: If all the information required for one site has already been submitted and there is a new trigger for submission, **but all the Site information remains the same**, a new SRCR does not need to be submitted – this exemption is valid for 5 years of the date of the first submission

New Reporting Exemptions

- Soil Quantity
 - A person undertaking IR is not required to submit the Site risk classification information if the quantity of soil to be remediated does not exceed 5 m³ during the entire course of remediation.
- Application for a Determination of not contaminated site
 - A person applying for a Determination, does not need to submit the site risk classification information

New Reporting Exemptions

- Residential UST removal – no site risk classification information is required when:
 - No NOM is required
 - Where contamination is limited to petroleum hydrocarbons in residential heating oil
 - Sites are not high risk
 - Land use is Residential, and
 - Where the UST volume is less or equal to 2,500 litres

New Reporting Exemptions

- Spill reporting: no site risk classification information is required when:
 - Remediation of spill is completed within 30 days of the spill, or any of the following:
 - The spill is **NOT** reportable under the Spill Regulation,
 - Quantity of soil doesn't exceed 5 m³
 - Spilled substance is not regulated
 - Spill has been contained
 - Spill has occurred under Federal jurisdiction lands
 - An application for a COC has been received within 90 days of remediation of the spill

Protocol 12 Exemptions

- All these exemptions are currently explained in the Q&As section of the contaminated Sites webpage
- But will be incorporated in the Protocol 12 document



Table 1 - Addition

Column I	Column II	Column III	Column IV	Column V
No.	Notification Trigger	Timing for Submission of Site Risk Classification Information	Persons with the Duty to Submit Site Risk Classification Information	Notes
1	Submission of a Notification of Initiation of Independent Remediation to a Director	At the time the Notification of Initiation of Independent Remediation initiation is submitted	The person with the duty to submit the associated Notification of Initiation of Independent Remediation	1
2	Submission of a site investigation report required or ordered by a Director	At the time the site investigation report is submitted	The person required or ordered by the Director to submit the associated site investigation report	1
3	Submission of a Notification of Likely or Actual Offsite Migration to a Director	At the time the Notification of Likely or Actual Offsite Migration is submitted	The person with the duty to submit the associated Notification of Likely or Actual Offsite Migration	1
4	Application to a Director for a contaminated sites service in Table 2 or 3 of Schedule 3 of the Regulation	At the time the application for a contaminated sites service is submitted	The applicant for the associated contaminated sites service	2
5	Imposition by a Director of the requirement for a Site Risk Classification Report submission	At the time the Director has specified for the submission	The person on whom the Director imposes the requirement for the Site Risk Classification Report	
6	Potential or actual high risk conditions at a neighbouring site are indicated in the Site Risk Classification Report submitted to a Director for a site under any of the preceding triggers	At the time the Site Risk Classification Report is submitted for the source site	The person who has the duty to submit a Site Risk Classification Report for an associated site under any of triggers 1 – 5	1, 3

Changes to Forms

- Exposure Pathway questionnaire: **Exposure pathway HV-3** (soil vapour exposure to humans on wildlands) has been deleted
- **Not applicable checkboxes (N/A)** have been added to section VI and Section VIII of the SRCR
- We added a new **Section X “Additional information”** to the SRCR

Additional documents

- We are currently working on Procedure 16
“Procedure for determining if a Director should require the submission of a Site Risk Classification Report under Protocol 12”
(trigger 5)
- Updates to Administrative Guidance 10 “Site Risk Classification”

High Risk and Risk Assessment Sites

- This latest version of P12 **does not** include the provision previously requested by the risk assessors that a site determined to meet acceptable risks without any **“works”** would no longer be considered a HR site as this is considered an unlikely scenario.
- We are considering preparing a Procedure explaining this scenario

What's next

- Updates to Protocol 12 are currently under review by upper management.
- After review, Updated Protocol 12 will be posted for public comments
- Final version will be posted after comments have been received and reviewed

**Estimated timeframe for Revised P12:
June, 2012**

Questions?

