



# **Updates on the Hazardous Waste Regulation & Contaminated Sites Regulation**

**BC Environmental Industry Association**

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## Key Topics

### Legislation and Regulations

- Hazardous Waste Regulation Proposals
- Contaminated Sites Regulation Proposals

Where we are - Where we want to go



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## Vision for Environmental Protection

Guiding principles when reviewing regulations:

1. Accountability
2. Clarify & simplicity
3. Effective oversight and enforcement
4. Reduced and streamlined regulatory burden
5. Harmonization (consistency)



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# A Brief History of Recent HWR Regulatory Amendment Activity

- 2004: - SWR re-named HWR
- 2006: - Minor & Housekeeping
- 2008: - Minor & Housekeeping
- 2013?: - Substantive Amendments



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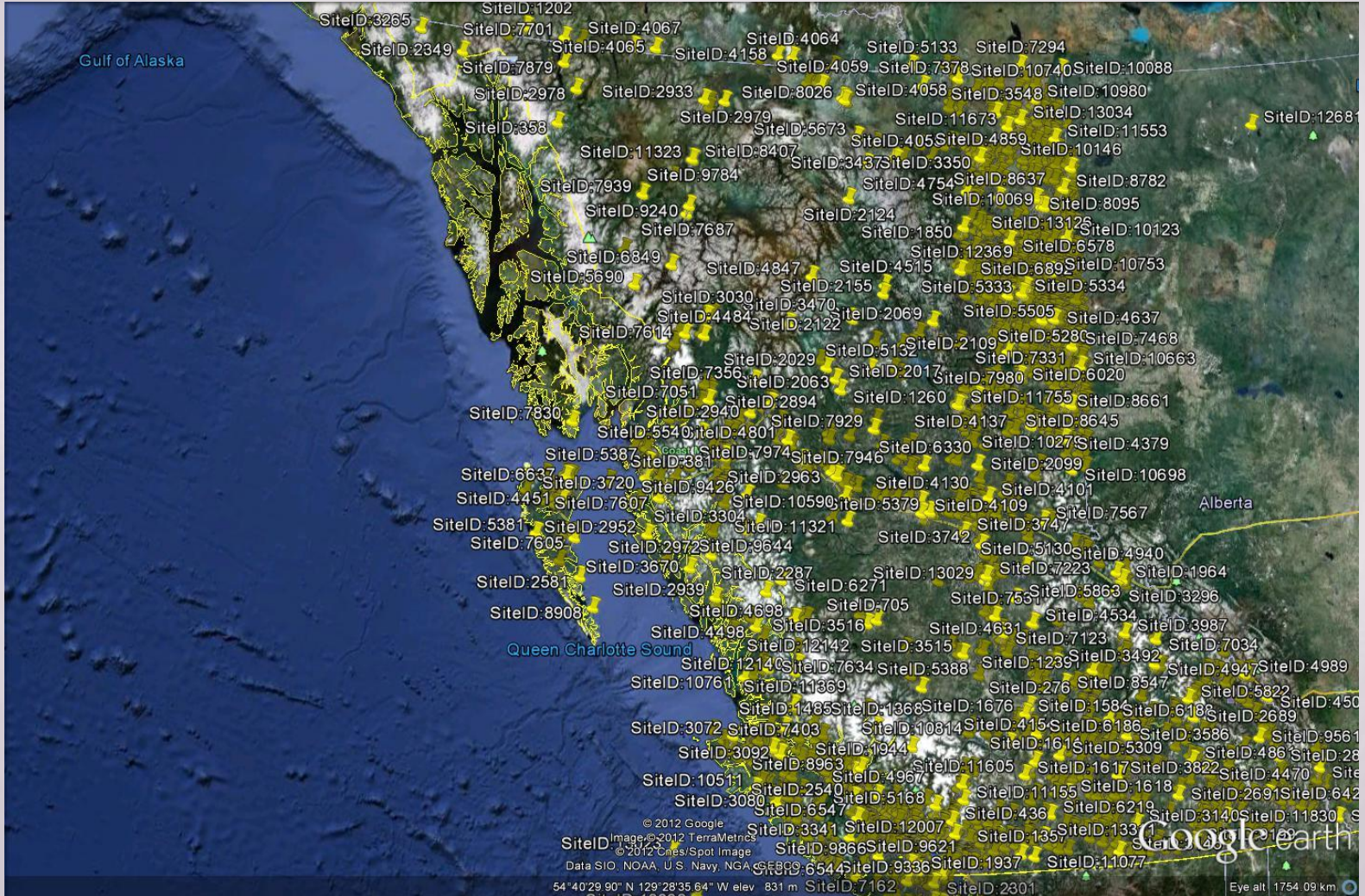


## Overview of Changes to the HW Reg

1. Revising the HWR structure and organization
2. Adding new types of hazardous waste and revising current definition
3. Relying on Qualified Professionals
4. Encouraging recycling of stewarded wastes while ensuring proper management



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## Drivers for changes to the CSR

- Internal developments
  - Streamline the system
  - Need to fill gaps
  - Reduce decision points
  - Increase transparency to stakeholders
  - Improve consistency
  - Implement recommendations from commissioned reports – institutional controls, offsite migration, Brownfields
  - To strengthen site boundaries procedures
  - Ensure adequate procedures for consultation with affected property owners



## Drivers for changes to the CSR

- External developments
  - National policy on remediation liability
    - CCME 14<sup>th</sup> Principle – liability transfer
  - B.C. appeals and court cases
  - Trends in other jurisdictions
  - Increasing number of wide area sites
  - Leverage CSAP capacity
  - Improve connections with local governments
  - Need to update standards based on new science





## Where to next?

Work on two options simultaneously

1. Amendments to the *Environmental Management Act* Parts 4 and 5
  - Continue to build on previous concepts
2. Possible new *Site Remediation Act*
  - A new statute created by removing Parts 4 and 5 (and other relevant sections) from EMA



## What could be improved?

- Cumbersome provisions , e.g., site profiles and soil relocation
- Rarely or never used provisions
- Confusing, overlapping provisions for discharge authorizations and hazardous waste
- Gaps – independent remediation, feasibility studies, contaminant migration
- Lack of fundamental principles



## Discussion papers for public review

- Preliminary topics identified
  - Site screening and site profiles
  - Soil relocation
  - Standards and contaminated sites definition
  - Liability, dispute resolution, minor contributors
  - Remediation
    - Independent remediation
    - Feasibility studies
    - Mines remediation
    - Oil and gas site remediation



## Discussion papers

- Preliminary topics identified
  - Administrative issues
    - Consultations and administrative fairness
    - Delegation
    - Funds
    - Approved Professionals
    - Legal instruments
    - Notifications and reporting requirements
    - Offences and administrative penalties
    - Orders



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**Thank you!**

<http://www.env.gov.bc.ca/epd/remediation/>