

# OMRR (OMNIBUS) AMENDMENTS AND STAGE 11 (HOUSEKEEPING) CSRA PROCESS

## CSR STAGE 11 AMENDMENT WEBINAR #4 NOVEMBER 28, 2017

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## **Glyn - OMRR (Omnibus) Amendments**

What Happened – CSR Amendments

What Happened – HWR/OMRR Amendments

## **Danielle - Stage 11 (Housekeeping) CSRA**

Issue & correction

Moving forward on CSRAs

- Current Initiatives

## **Glyn - CSRA Flowchart**

- Process work through

# HWR/OMRR – STAGE 10 (OMNIBUS)

## HWR (Omnibus) – OIC 747

1. Updated HWR Schedule 1 Dioxin Toxicity Equivalency Factors (TCDD-TEFs)
2. Updated HWR Schedule 2 PAH Toxicity Equivalency Factors (BaP-TEFs)

## OMRR (Omnibus) – OIC 747

1. Replaced OMRR Schedule 9 generic soil standards with new matrix soil standards (cobalt, molybdenum, nickel and selenium)
2. Updated existing OMRR Schedule 10 matrix soil standards (arsenic, cadmium, chromium, copper, lead, mercury and zinc)
3. Consolidated former Schedule 9 and 10 standards into a single new Schedule 10.1

## Other Effects

1. Provided 1 year transition period (Nov 1, 2017) for HWR/OMRR consequentials

More detail, see : Oct 31, 2017 Update on Contaminated Sites – [Stage 10 & Stage 11 Amendments to the Contaminated Sites Regulation](#)

# HWR/OMRR – STAGE 11 (HOUSEKEEPING)

## HWR (Housekeeping) – OIC 418

1. Corrected 3 errors in updated HWR Schedule 1 Dioxin Toxicity Equivalency Factors (TCDD-TEFs)

## OMRR (Housekeeping) – OIC 418

1. Corrected various typographical, transcription and other errors in new consolidated OMRR Schedule 10.1

For listing of all errors corrected by CSR/HWR/OMRR Housekeeping amendments see:  
Oct 23, 2017 CSR Admin Bulletin 4 - [Errata \(Version 5\) for the Stage 10 \(Omnibus\) Amendment to the Contaminated Sites Regulation](#)

# Questions thus far

## Stage 10 Changes to CSRA Process

1. EMA 55 (1) prohibits the relocation of contaminated soil to another site in the absence of a CSRA, if a CSRA is need under the Regulation
2. Under the CSR (pre-omnibus) the need to obtain a CSRA was determined using CSR Schedule 7 – Standards Triggering CSRAs
3. CSR Schedule 7 included only a subset of prescribed substances and land use soil standards.
4. The Omnibus Intent:
  - eliminate Schedule 7 in favor of using all Schedule 3.1 soil standards for all prescribed substances and land uses to determine when a CSRA is needed, and
  - Re-draft/eliminate various subsections of CSR 40, 41, 42, 43, 45 & 46 and created a new CSR section 46.1 in an attempt to:
    1. incorporate new tools to assess when a CSRA is or is not needed, and
    2. mimic as closely as possible the prior existing triggers for the need to obtain a CSRA.

## Problem 1 – Incorrect CSRA Triggers

The new legal wording in Stage 10 (Omnibus) modified Part 8, resulted in CSRA triggers that:

- Capture some soils that would currently be exempt from need to get a CSRA, and
- Fail to capture other soils that should require the need to obtain a CSRA

## Example 1 – Incorrect over-capture

The Stage 10 (Omnibus) amendment would require a CSRA to move AL+ (but RL-) soil from an AL site to a RL site.

## Example 2 – Incorrect under-capture

The Omnibus would not require a CSRA to move IL- (but RL+) soil from an IL site to a RL site.

## Problem 2 – Incomplete Authorization of New Tools

The new legal wording in Stage 10 (Omnibus) failed to adequately incorporate or authorize some of the [new Omnibus tools](#) to assess when a CSRA was, or was not, needed.

## CSRA – CSR Stage 11 (Housekeeping) – MO 366



The Stage 11 (Housekeeping) has:

1. corrected the unintended over and under-capture issues, related to triggering the need for a CSRA, and
2. correctly incorporated and authorized the new Omnibus tools to assess when a CSRA is, or is not, needed.



# MOVING FORWARD ON CSRAs

## Errata & Housekeeping

= corrects the error of removing Schedule 7 without a replacement trigger mechanism

## Soil Relocation Intentions Paper

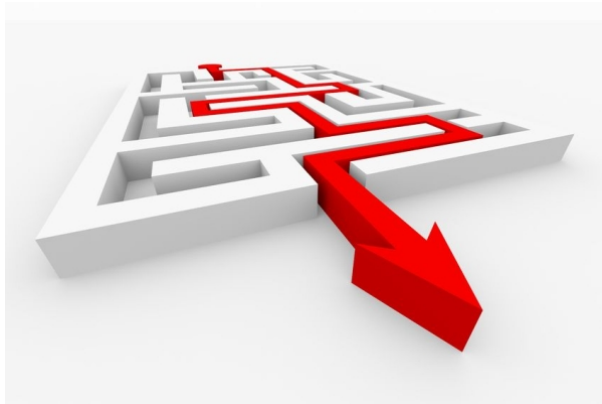
= longer term process to comprehensively revise the soil relocation scheme (still in progress)

\* Don't confuse the 2 processes!

# Questions thus far

## New process to decide when a CSRA is needed

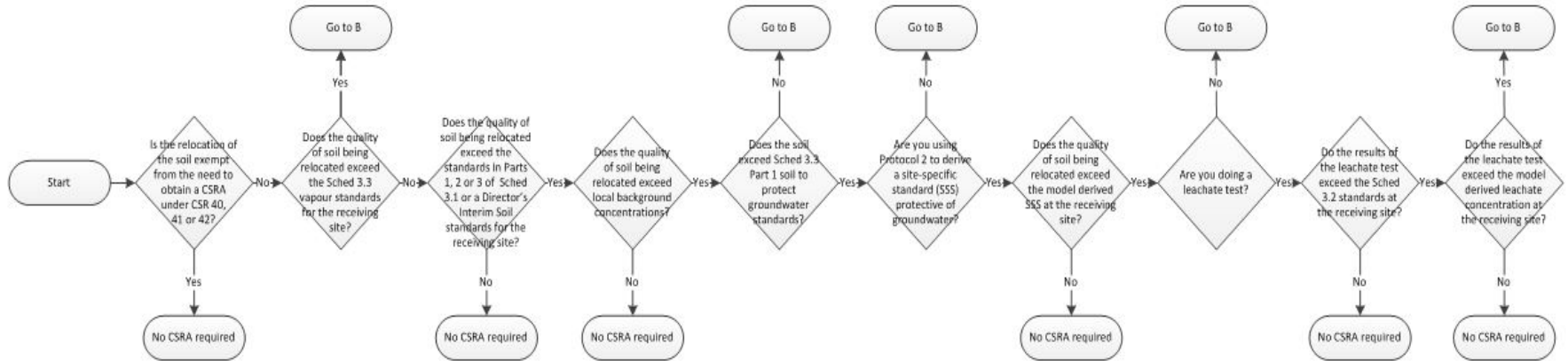
The following flowchart provides an overview of the steps to decide if a CSRA is needed



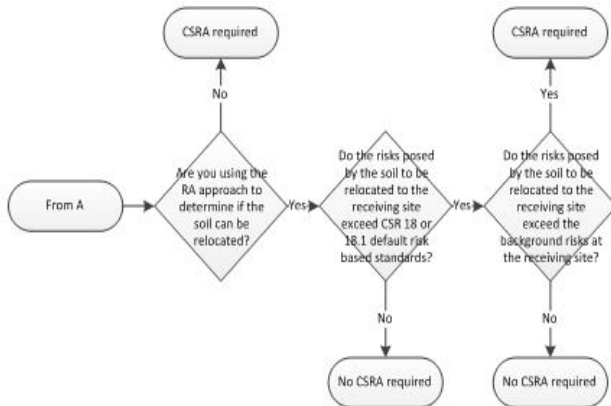
Let's work our way through the flowchart

# CSRA FLOWCHART – DO YOU NEED A CSRA?

## A. Numerical Standards Approach

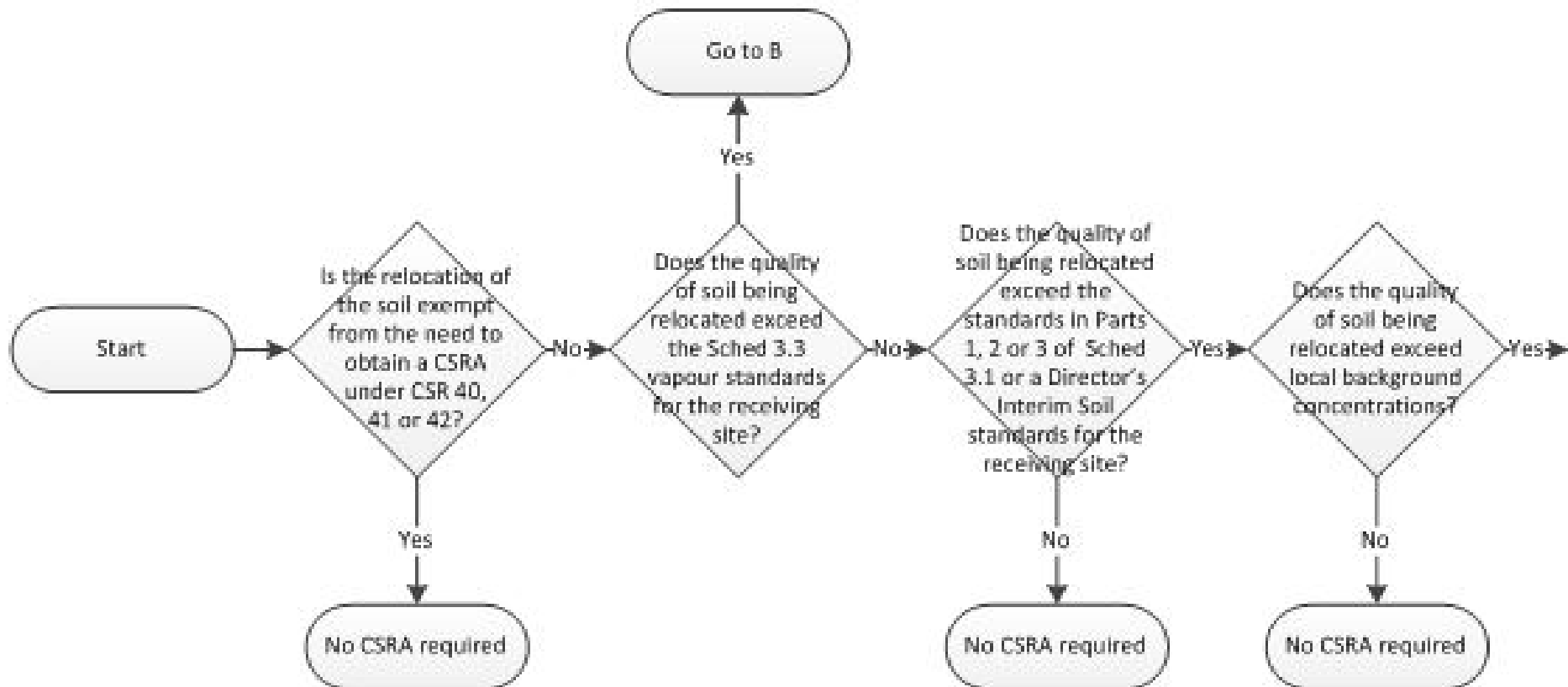


## B. Risk Assessment Approach

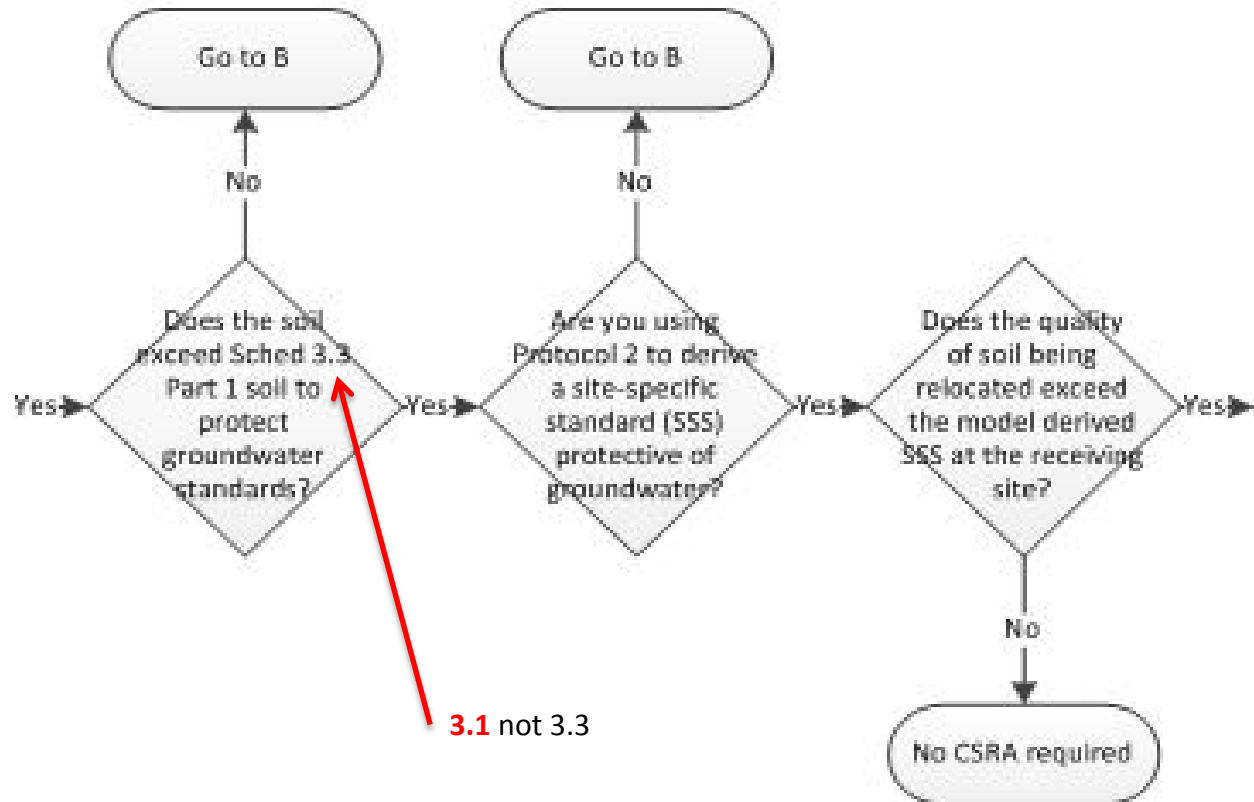


# CSRA FLOWCHART - NUMERICAL STANDARDS APPROACH

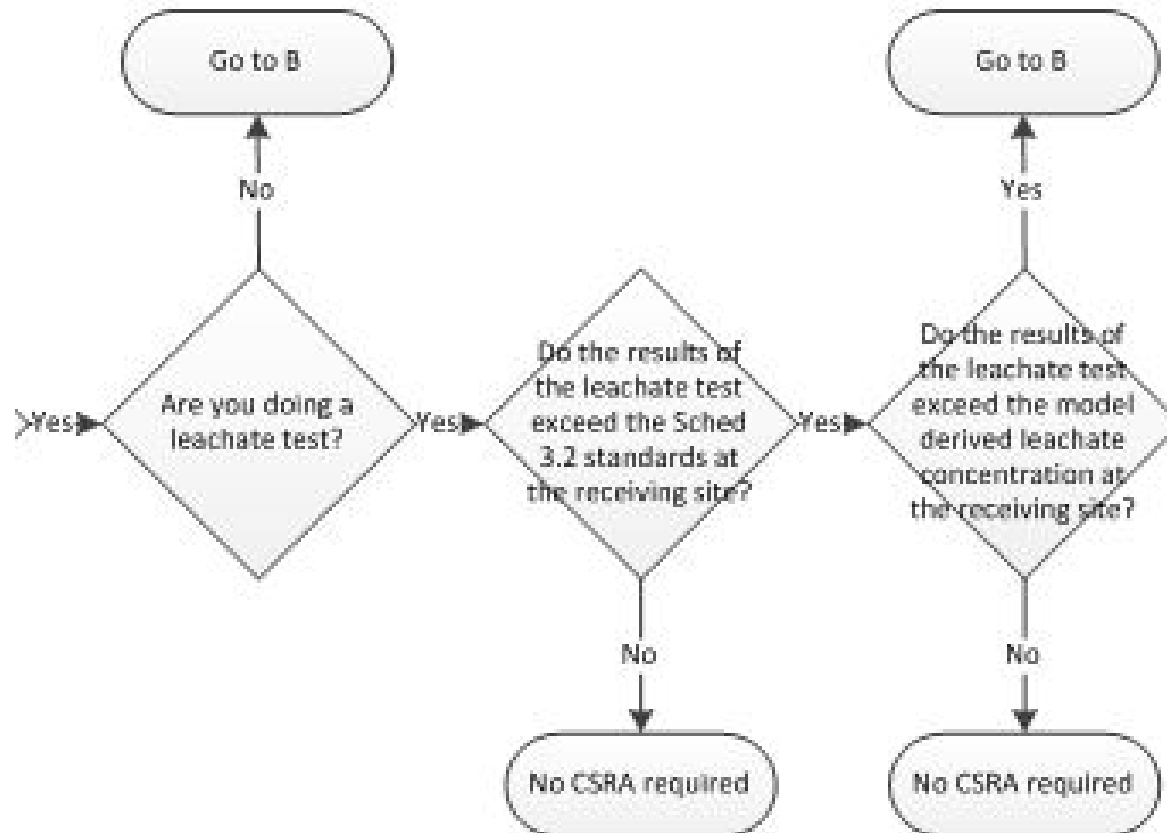
## A. Numerical Standards Approach



# CSRA FLOWCHART - NUMERICAL STANDARDS APPROACH

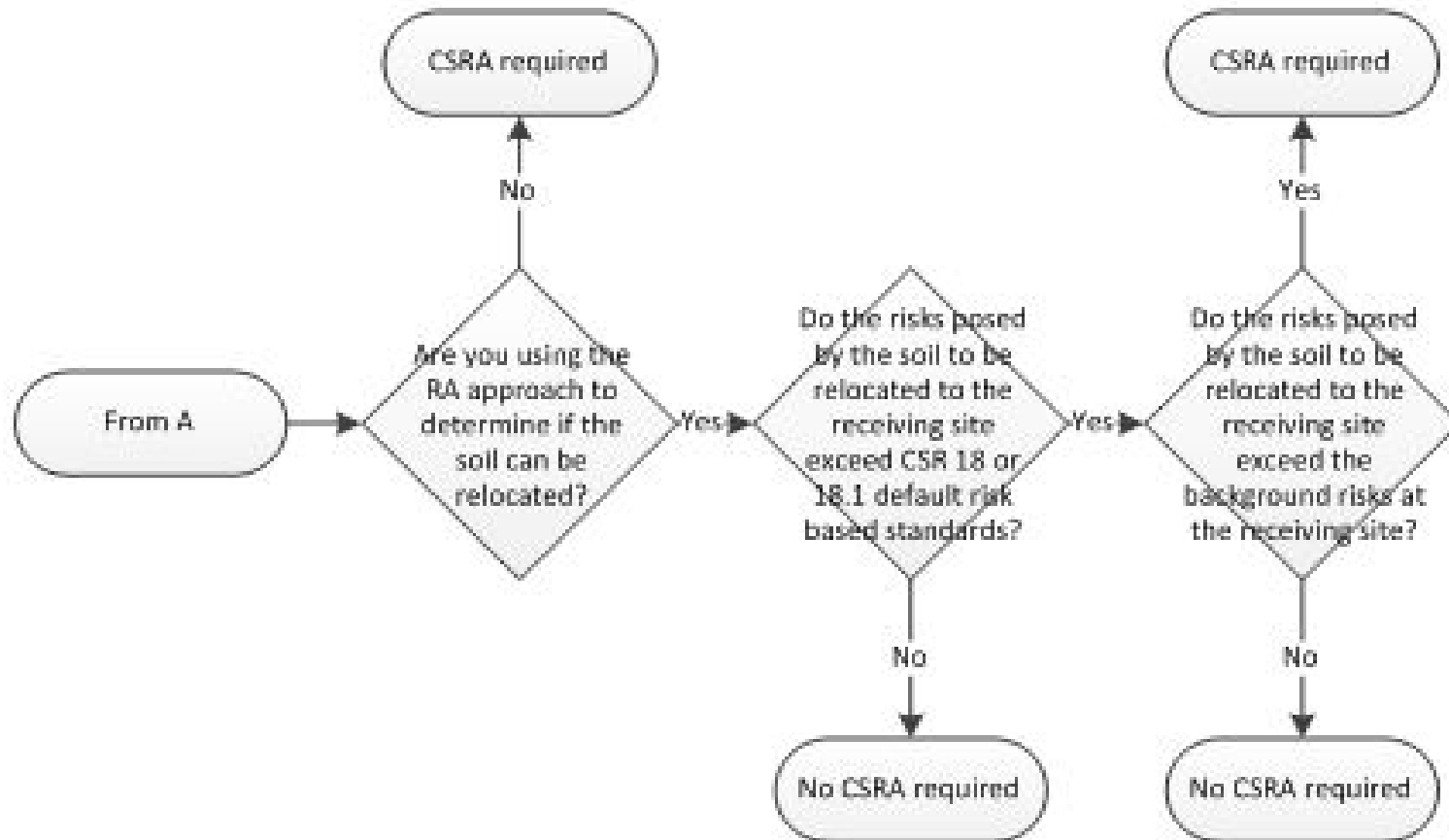


# CSRA FLOWCHART - NUMERICAL STANDARDS APPROACH



# CSRA FLOWCHART - RISK ASSESSMENT APPROACH

## B. Risk Assessment Approach





# QUESTIONS ?

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## New Omnibus tools to determine when a CSRA is, or is not, needed:

- Schedule 3.3 vapour standards applicable at receiving site
- a Director's Interim Standard for Vapour applicable at receiving site
- A site-specific soil to water protective standard determined using Protocol 27: Soil Leachate Tests for Use in Deriving Site-Specific Numerical Soil Standards, at receiving site
- Schedule 3.2 water standards applicable to groundwater at receiving site
- Background concentration in soil at receiving site determined by Protocol 4: Establishing Background Concentrations in Soil
- a Director's Interim Standard for Soil applicable at receiving site
- if after soil relocation, the quality of the soil at the receiving site is suitable for the use intended, or
- if the soil to be relocated would not exceed at the receiving site:
  1. a risk based standard,
  2. a background risk estimate, or
  3. a background risk based concentration, prescribed under CSR 18 or 18.1