

	Environmental Protection Division	2
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Name of procedure:

Procedures for Managing the Site Registry

Staff affected:

Ministry of Environment, Lands and Parks staff responsible for managing SITE and the Site Registry

Authority:

Waste Management Act section 26.3 and Contaminated Sites Regulation section 8

Purpose of procedure:

This procedure is to provide guidance to regional Pollution Prevention Managers and the Site Registrar concerning the format, source, type, approval, and level of detail of information that may be entered into the Site Registry.

Relationship to previous procedure:

None

Issued by: Deputy Director

Deputy Director's Approval: _____ **Date:** _____
Pollution Prevention and Remediation Branch

1.0 Definitions:

Historical information means information that the ministry had in its possession before April 1, 1997 relating to the environmental condition of land, water and sediments.

Historical site notification process means the process required under subsection 26.3 (3) of the *Waste Management Act* where regional Pollution Prevention Managers inform site owners and operators of their intention to request the Site Registrar to deposit into the Site Registry historical information concerning the environmental condition of property, and provide a period for comment.

Notation means an entry in the Site Registry that repeats, summarizes or comments on a matter relating to a site, including partial or complete correspondence, reports, plans, notes, and entries for events.

Routine release means the release of records which are available to the public without a request for access pursuant to the *Freedom of Information and Protection of Privacy Act*.

SITE means the BC Environment electronic database recording information in the possession of the ministry relating to the environmental condition of property.

Site Registry means the registry established by BC Environment pursuant to subsection 26.3 (1) of the *Waste Management Act*. It has two components:

- The paper Site Registry into which paper records are deposited.
- The electronic Site Registry into which computer-based records are deposited and which is delivered by BC OnLine or other electronic service. In part, the electronic Site Registry serves as an index to the paper Site Registry.

2.0 General:

The *Waste Management Act* requires the creation of the Site Registry, which contains information about the environmental condition of land in British Columbia. The Contaminated Sites Regulation enables the Director to establish policies for the Site Registry, as well as to allow the Site Registrar to enter information on historical information that the Director may require.

3.0 Procedure:

3.1 Format and Basis of the Site Registry

3.1.1 The electronic Site Registry shall contain notations with a level of detail comparable to that shown in the example Manager's Site Registry Report provided in Appendix 1.

- 3.1.2 The electronic Site Registry shall be derived from historical and other records relating to sites, including the paper Site Registry, ORCs site files and additional records possessed by the ministry pursuant to the contaminated sites provisions of the *Waste Management Act* and Contaminated Sites Regulation. It may contain notations for verbal notices received by the ministry for sites. By agreement with the Government of Canada, it may also contain information on sites in British Columbia under federal jurisdiction.
- 3.1.3 Records in the paper Site Registry may include partial or complete correspondence, reports, plans, notes, and other paper records pertaining to a site.

3.2 Receiving and Accepting Reports and Other Documents

- 3.2.1 A submitter of reports and documents who requests or indicates that an item is to be kept confidential shall be advised in advance of submission that the ministry cannot accept in confidence the records concerning the items listed in subsection 26.3 (2) of the *Waste Management Act* and subsection 8 (1) of the Contaminated Sites Regulation, shown in Appendix 2 or subsection 3.3.4 of this procedure.
- 3.2.2 For a document related to the items listed in Appendix 2 or subsection 3.3.4 of this procedure, the submitter should be informed that once a document is submitted to the ministry, the ministry is obliged to enter the document into the Site Registry.
- 3.2.3 For a document related to the items listed in Appendix 2 or subsection 3.3.4 of this procedure, the submitter should be informed in advance of submitting the document that the ministry will not offer the opportunity for the submission of the document to be retracted.
- 3.2.4 For a document not related to the items listed in Appendix 2 or subsection 3.3.4 of this procedure, the submitter should be given the opportunity to retract the submission before the ministry processes it further.
- 3.2.5 For a document not related to the items listed in Appendix 2 or subsection 3.3.4 of this procedure, whether or not the document is retracted, the ministry may note its existence on the electronic Site Registry.
- 3.2.6 For a document not related to the items listed in Appendix 2 or subsection 3.3.4 of this procedure, if the document is not retracted, the ministry will assume that the submitter accepts the policy and that the document or report is considered routinely releasable.

3.3 Deposit of Records into the Site Registry

- 3.3.1 Records received by the ministry after April 1, 1997 and which are deposited into the paper Site Registry shall include complete correspondence, reports, plans, notes, and other paper records pertaining to a site.
- 3.3.2 All records concerning the matters described in Appendix 2 received by the ministry on or after April 1, 1997 shall be entered directly into the paper Site Registry without review by site owners and operators. Notations in the electronic Site Registry for these records shall also be made without review by site owners and operators.
- 3.3.3 Records in SITE shall be deposited a minimum of once weekly into the electronic Site Registry.
- 3.3.4 Pursuant to subsections 8 (3) (a) and 8 (4) of the Contaminated Sites Regulation, information regarding compliance and enforcement actions under the *Waste Management and Environment Management Acts* may be entered into the Site Registry.
- 3.3.5 For easy retrieval, it is suggested that a record for a site entered into the paper Site Registry be filed in a section of an ORCs 26250 - 20 series file dedicated to the paper Site Registry. It may be encoded green, or contained within a green file folder within the ORCs file. Any other paper record in a 26250 - 20 file could be placed in the non-paper Site Registry, operational records section of the file.
- 3.3.6 Paper records contained in a 26250 - 20 series ORCs file should be segregated into the paper Site Registry or operational section of that file:
- a) on receipt of a request for information in that file under the *Freedom of Information and Protection of Privacy Act*,
 - b) on receipt of a Site-Specific Information Request (SSIR) pursuant to a request under item 3, Table 1, Schedule 3 of the Contaminated Sites Regulation, or
 - c) when they are first placed on file.
- 3.3.7 Before information is entered into the electronic Site Registry, the Site Registrar shall approve the proposed entry by dating and initialling the Site Registrar Detail Report.
- 3.3.8 Before information subject to the historical site notification process is entered into the paper Site Registry, the Site Registrar shall approve the proposed entry by initialling and dating the records or by indicating in writing which records are considered deposited into the paper Site Registry.

3.3.9 The Site Registrar may enter into the Site Registry information on landfills, and chemical spill, mine, oil and gas drilling sites and other general classes of sites that the Site Registrar may consider appropriate.

3.3.10 As a courtesy to property owners and operators, the only site name to be deposited into the electronic Site Registry shall be the legal name.

Revision history

Approved Date	Effective Date	Document Version	Notes
August 18, 1999	August 18, 1999	1.0	

APPENDIX 1

Example of Notations and Level of Detail for Electronic Site Registry

APPENDIX 2

**Information to Be Provided by Regional Pollution Prevention Managers for
Deposit into the Site Registry
Under the *Waste Management Act* and Contaminated Sites Regulation**

Waste Management Act Section 26.3

- (2) A manager must provide to the registrar, in a form suitable for inclusion in the site registry, information respecting
 - (a) all site profiles, preliminary site investigations and detailed site investigations that the manager receives,
 - (b) all orders, approvals, voluntary remediation agreements and decisions, including determinations under section 26.4 (3), made by the manager under this Part,
 - (c) pollution abatement orders requiring remediation under section 31,
 - (d) notifications of independent remediation under section 28 (2), and
 - (e) declarations and orders made by the minister under section 28.4.
- (4) The registrar must enter by notation into the site registry information referred to in subsections (2) and (3) and decisions of the appeal board.

Contaminated Sites Regulation Section 8

- (1) For the purposes of section 26.3 (2) (f) of the Act, a manager must provide to the registrar information respecting all of the following:
 - (a) any contaminated soil relocation agreement entered into under section 28.1 of the Act;
 - (b) any decision made by a manager under section 26.2 of the Act respecting whether a preliminary site investigation and detailed site investigation will be ordered;
 - (c) any remediation plan prepared and submitted to a manager under sections 27.1, 27.4 and 27.6 of the Act;
 - (d) any approval in principle, certificate of compliance or conditional certificate of compliance issued under section 27.6 of the Act;
 - (e) any covenant required to be registered under section 27.6 (3) (e) of the Act;
 - (f) any determination by the manager that a site is an orphan site or a high risk orphan site under section 28.4 (1) of the Act;
 - (g) the designation by a manager of a wide area site under section 14 of this regulation;

- (h) the approval by a manager of the scope of a proposed wide area remediation plan under section 14 of this regulation;
- (i) an opinion from the allocation panel received by a manager under section 27.2 (2) of the Act and section 54 (1) of this regulation;
- (j) any information pertaining to monitoring, verification and confirmation of compliance with a remediation plan;
- (k) notations of information about appeal decisions by the director or consent agreements pertaining to a contaminated site;
- (l) any agreement between parties pertaining to responsibility for remediation if the parties jointly provide the agreement to the manager for the purpose of entering a notation about the agreement on the site registry.