

Proposed Administrative Guidance Framework

Schedule B Conditions in Approvals in Principle and Risk-based Certificates of Compliance

Background

The Land Remediation Section developed a monitoring report management strategy in 2007 ([see Fact Sheet 39](#)) to facilitate compliance verification activities and reduce staff time associated with the administration of non-high risk sites. The key components of the strategy included modifications to existing reporting clauses to provide clarity, consistency and flexibility in the type and level of reporting according to the anticipated risk and type of Contaminated Sites Legal Instrument. Modified Approval in Principle and Certificate of Compliance Schedule B templates, which included reporting mechanisms set out in the monitoring report management strategy, were developed and incorporated into the “Roster Form Pack” for use by Approved Professionals in early 2008. The strategy was presented at the Land Remediation Section’s stakeholder workshop held in February 2008.

In January 2009, some stakeholders raised concerns regarding reporting conditions included in risk-based Certificates of Compliance. A process was subsequently initiated to further develop guidance around the circumstances when reporting is or is not warranted. The project was carried forward by Land Remediation Section staff with participation by some Approved Professionals. This document presents the proposed approaches for Approvals in Principle and risk-based Certificates of Compliance which resulted from that work.

Proposed approach for Approvals in Principle

It is proposed that reporting on progress of remediation be a condition in all Approvals in Principle. The frequency and form of reporting, however, may vary. Reporting may be in the form of an Approved Professional statement ([AiP Example 1](#)) or a complete report ([AiP Example 2](#)). Selection of the form of reporting would be at the discretion of the Director of Waste Management and would depend on site conditions and the remediation approach. It is expected that the form of reporting in Approvals in Principle recommended by an Approved Professional would typically be an Approved Professional statement. Where ministry oversight is warranted, such as may be the case at a high risk site, reporting may be in the form of a complete report.

In the examples, text bracketed by the symbols “< >” indicates that either the condition may not be applicable or insertion of specific information is required.

Proposed approach for risk-based Certificates of Compliance

Three main remediation types were identified (Type 1, 2 and 3). Descriptions of these remediation types and associated risk management measures, requirements for plans, record keeping and reporting are provided in the document “[Risk Management Conditions by Remediation Type \(Conditions in Certificates of Compliance Schedule B\)](#)”.

The following examples of Schedule B conditions for each remediation type are provided for additional clarification – [Type 1](#), [Type 2](#), [Type 3 Example A](#) and [Type 3 Example B](#). Two examples of Type 3 remediation types are included to demonstrate the spectrum of reporting conditions depending on site specific circumstances within the Type 3 group.