

Administrative Guidance 6 – Site Profile Decisions and Requesting Releases Where Local Government Approvals are Required

Stakeholder	Document Section(s)	Issue	Stakeholder Comments / Recommendations	Ministry Response(s)
Canadian Fuels (Rob Hoffman)	General	Submission of documents in digital and hard copy	Suggest that submissions should be in digital format only.	The ministry has an obligation to maintain both an electronic and paper filing system at this time. As such, all documentation relating to a release request must be provided in both formats for the foreseeable future.
Canadian Fuels (Rob Hoffman)	Scenario 1	Site Decommissioning Reporting Requirements	If a proponent can show no unacceptable risk to environment or offsite receptors at a vacant site can an exemption (from this requirement) then be considered?	The only way to prove unacceptable risk under EMA and CSR is to complete the Site Risk Classification Report. In order to complete the form you must complete sufficient site investigation. As such, the requirement to submit the site investigation reports and a Site Risk Classification Report is considered reasonable. This requirement has been in place for several years.
	Scenario 2	This scenario cannot be used in situations where there will be no further approvals required for redevelopment of a parcel	This statement should be clarified, Could it be rephrased to say “This scenario can only be used in situations where there will be no further approvals required for that development”.	Scenario 2 can be used in a variety of different circumstances, as long as the property would be “captured” by the system again in the future. The wording will be amended for clarity.
SNC Lavalin (Tony Gillette)	Scenario 4 and 5	Obtaining an instrument	Essentially Type 3 sites (i.e., imminent risk of exposure of high risk discharge if risk controls fail) cannot get Release Letters (i.e., can’t do independent remediation) in Scenario 4 (Site Upgrade) and Scenario 5 (Change of Site Use) situations. In these cases an AIP is required before a Site Release letter will be provided. There does not seem to be a requirement to obtain a CofC, although a confirmation report is required as noted. Why is there no requirement to obtain a CofC?	There is no legal provision in the Environmental Management Act or Contaminated Sites Regulation that requires a property owner to obtain a Certificate of Compliance following completion of remediation. Property owners may obtain a COC for other reasons.
SLR Consulting (Canada) Ltd. (Michael Sloan)	Scenario 4 and 5	Requirement for PVP	Under Scenario 4, one of the conditions of providing a release is the submission of a PVP for Type 1B and 2 sites, yet the Summary of Release Scenarios does not mention PVPs. This condition should be removed from	Scenario 5 actually states that the requirements imposed under that Scenario are the same as presented under Scenario 4 of the same

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			Scenario 4, as it is not mentioned (and need not be required) in any other scenario or the summary.	document. The Summary of Release Scenarios has been corrected to include the requirement for PVP for both scenarios.
Canadian Fuels (Rob Hoffman)	Scenario 4	Requirement to remediate prior to occupancy	Completion of the remediation plan prior to occupancy may be onerous and may not be consistent with the realistic timeline of all the tasks in the remediation plan.	If the remediation plan cannot be completed prior to occupancy the Director will not consider issuing a release. In this case, an AiP may be the appropriate option.
	Scenario 4 and 5	Contamination has not been identified to date but there is “potential” for contamination to exist at the parcel	This section seems unnecessary and speculative	The release mechanism for Scenario 4 and 5 is based on “receipt and acceptance of independent remediation”. If no contamination exists at the property, then a person cannot obtain a release under these scenarios unless there is still a chance that contamination could be encountered (e.g. Under an existing building or area not previously investigated). If there is no potential for contamination, then the proponent must obtain a Determination that the site is not contaminated.