

Administrative Guidance 16 - Approved Professionals Role in the Administration of Site Profile Releases – Scenarios 3, 4 and 5

Stakeholder	Document Section(s)	Issue	Stakeholder Comments / Recommendations	Ministry Response(s)
SNC Lavalin – Tony Gillette	General	Offsite Migration	Neither AG6 or AG16 appears to indicate that remediation of affected neighbouring parcels needs to be addressed in the remediation plan submitted with Site Release request or in CoR report submitted with compliance reporting. Has this been considered?	As part of the release requirements, an Approved Professional must confirm that following remediation, the proponent’s parcel will be eligible for a Certificate of Compliance. The entire extent of contamination must be addressed in order to be eligible for a Certificate of Compliance. As such, the remediation plan must include remediation of offsite contamination.
	General	Offsite Migration	Overall, it really is not clear in AG6 or AG16 that any management of off-site contamination is required. Can the MOE clarify this?	See above response.
Canadian Fuels Association – Rob Hoffman	General	Word usage	We notice the use of the word “must” throughout the document, we suggest the document should be reviewed to determine if the word “must” is appropriate in all cases, and in some cases consider if “must” might be replaced with “should”.	In some cases “must” has been replaced with “should”. In other cases “must” has been retained to reflect requirements of Approved Professionals in relation to Protocol 6 and the Act and Regulation.
	Scenario 4 and 5	Risk Assessment	Is it implied in AG6 for Scenario 4 and 5 that the remediation plan can include risk assessment and risk based remediation – esp. for Scenario 4 where remediation of all contamination is not required (only at the construction footprint)?	Yes. Risk assessment is an acceptable remediation option for both Scenario 4 and 5 releases.
Canadian Fuels Association – Rob Hoffman	Part II – Compliance Reporting	Requirements imposed by Director	“Remediation must be completed within 5 years”. This is inconsistent with “remediation plan” as defined in Procedure 8, which does not specify completion in 5 years.	This procedure applies to non-high risk sites. The requirement for remediation within 5 years is consistent with the requirement to complete remediation in relation to an Approval in Principle issued under Protocol 6.
		Confirmation of remediation reports	Clarification of when this confirmation is required would be helpful, i.e. provide an example under each Scenario	Remediation is only required under Scenario 4 and 5. As such, confirmation of remediation reports are only required for those scenarios. The language in this section was amended for clarity.

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SNC Lavalin – Tony Gillette	Confirmation of Remediation Reports	Clarity	Notice of Completion of IR (NoCoIR) with CoR report compliant with CSR 49(2)(b) sufficient to support AP statement (presumably in the required Cover Letter although this is not specified) that remediation was conducted according to the Remediation Plan on which the Site Release letter was based and that the site would be eligible for a CofC (or Determination of no contamination was found). The underlined text does not seem to distinguish between Scenario 4 and 5, although AG6 indicates that it is only applicable to Scenario 5 since in the case of Scenario 4, remediation is only required within the construction footprint. Can you please clarify this?	The text will be updated to indicate that this only applies to Scenario 5 releases.