

Prevention of Site Contamination from Soil Relocation

The Ministry of Environment (the ministry) is reviewing aspects of British Columbia's site remediation legal regime. The review encompasses a number of components, including provisions addressing soil relocation and the mechanism for identifying potentially contaminated sites (the site profile process).

The ministry has prepared a discussion paper with background information, discussion of site management and the prevention of site contamination from soil relocation and considerations for amending current soil relocation provisions. The discussion paper, and additional copies of this response form, can be viewed and downloaded from the ministry's [Land Remediation website](#).

Comments on the prevention of site contamination from soil relocation and amending current soil relocation provisions can be provided to the Ministry of Environment by e-mail attachment or mail at the address listed below. Written submissions received by **February 2, 2015** will be considered by the ministry in reviewing options for amending the process.

Before submitting a response, interested parties are invited to participate in an information webinar scheduled to be held on Wednesday, January 14, 2015. If you are interested in receiving information about or participating in the webinar please contact Cindy Bertram at the email or address below for further details.

The ministry has prepared consultation questions based on the discussion paper. Those interested are invited to submit comments to the ministry using the prepared consultation questions or by separate submission if desired.

All submissions will be treated with confidentiality by ministry staff and contractors when preparing consultation reports. Please note however that comments you provide and information that identifies you as the source of those comments may be publicly available if a Freedom of Information request is made under the *Freedom of Information and Protection of Privacy Act*.

If you have any questions or comments regarding this discussion paper, as well as comments on the ministry's schedule for the consultation process, contact Cindy Bertram of C. Rankin & Associates who has been contracted to manage consultation comments, at:

Email: cindybertram@shaw.ca

Mail: PO Box 28159 Westshore RPO
Victoria B.C. V9B 6K8

Comments to the ministry should be made on or before February 2, 2015.

Thank you for your time and comments!

Consultation Questions: Prevention of Site Contamination from Soil Relocation

The following topic areas and questions are based on the prevention of site contamination from soil relocation discussion paper.

1. Ministry priorities and objectives for updating soil relocation provisions

- 1.1 Do you have any comments regarding the ministry's priority interests and objectives for soil management and prevention of site contamination from soil relocation?
- 1.2 Are there any additional objectives or considerations that should inform or guide the ministry's review of British Columbia's site remediation legal regime?
- 1.3 Do you have any comments or suggestions regarding the ability of local governments to enforce management plans in relation to the prevention of site contamination from soil relocation?

2. Concerns with current soil management and soil relocation provisions

- 2.1 Do you have any comments or concerns regarding current regulations and practices addressing prevention of site contamination from soil relocation?

3. Suggestions for revised soil relocation provisions

- 3.1 Do you have any suggestions for a revised process that would address prevention of site contamination from soil relocation?

4. Revising the role of soil relocation provisions

- 4.1
 - a. Do you have any general comments about the role and use of soil relocation agreements in regulating the relocation of potentially contaminated soils?
 - b. Would you recommend that they be amended or deleted? If so, why?
- 4.2 Do you have any comments or suggestions about *when* and/or *why* the ministry should be notified of soil relocation (that is, "triggers" for ministry notification)?

- 4.3 Do you have any suggestions for *how* the ministry could or should be notified of soil relocation (for example, in a site risk classification report, with application for a Certificate of Compliance)?
- 4.4 Do you have any comments or suggestions regarding appropriate requirements for management of soil relocation (for example, source and/or receiving site soil management plans, transportation plan)?
- 4.5 Do you have any comments or suggestions regarding when, why and/or how local governments should be notified of soil relocation from or to a potentially contaminated site?
- 4.6 Do you have any comments or suggestions about including provisions to manage contaminated soil generated within local government or regional district boundaries in Official Community Plans, Waste Management Plans and/or Landfill Operational Certificates?

5. Clarifying definitions and scope of soil relocation provisions

- 5.1 Do you have any comments regarding definitions (for example, definition of a contaminated site) that could or should be clarified in the context of requirements for relocation of contaminated soil?
- 5.2 Do you have any suggestions for developing common understanding and supporting consistent application of regulatory provisions relevant to First Nations lands?
- 5.3 Do you have any comments regarding scope and application of regulatory provisions in relation to soil relocation (for example, rock, sediment, vapours)?

6. Additional comments?

- 6.1 Do you have any additional comments or suggestions regarding the ministry's review of British Columbia's site remediation legal regime and/or the prevention of site contamination from soil relocation?

REVIEW OF BRITISH COLUMBIA'S SITE REMEDIATION LEGAL REGIME

Background and Area of Interest

Please mark an "x" in the appropriate boxes if your primary interest in site remediation relates to your:

- Work in the land development or redevelopment sector**
- Work providing professional services to private companies or government**
Please describe (e.g., engineering, qualified professional):
- Work for a government regulatory agency**
Please describe (e.g., federal, provincial, municipal):
- Work for a public sector organization**
Please describe (e.g., health authority, education institution, Crown corporation)
- First Nation:** Please describe:
- Involvement or work for an environmental or community interest group**
Please describe:
- Other interest:** Please describe:

If you wish, you may also provide contact information below. Contact information will be compiled separate from responses and used to inform respondents of following actions with respect to the ministry's review of British Columbia's site remediation legal regime.

Contact Information

If you wish to receive further information concerning the ministry's review of British Columbia's site remediation legal regime, please include an e-mail address.

Note that all information will be treated as confidential by government staff and contractors. However, information that identifies you as the source of submission comments may be publicly available if a Freedom of Information request is made under the *Freedom of Information and Protection of Privacy Act*.

Contact Name:

Business or Organization Name (if appropriate):

Email:

Mailing address:

Telephone:

Thank you for your time and comments!

Please remember to return this response form to the Ministry on or before February 2, 2015.