

New Responsibilities for Approved Professionals

The Roster of Approved Professionals was established in 1999. It allowed the Director of Waste Management, in deciding whether to issue contaminated sites legal instruments (such as Certificates of Compliance), to rely on the recommendations of Approved Professionals for eligible sites. This voluntary system was a success, allowing ministry staff to focus on higher priority sites. Within a few years, one-third of the contaminated sites instruments were being issued using the Roster system.

Progress in implementing the Roster system was reviewed in 2003 by the Minister's Advisory Panel on Contaminated Sites. From that review, recommendations were made that the ministry further expand the system by:

- establishing an independent system of Licensed Environmental Professionals;
- allowing a broader range of professionals than was currently recognized; and
- allowing those professionals to oversee a wide range of activities on non-high risk sites and to work with the ministry on high risk sites.

New Society for Approved Professionals

Given these recommendations and direction by the ministry's service plans, several new responsibilities for Approved Professionals have been introduced as part of the new Society of the Contaminated Sites Approved Professionals of British Columbia (CSAP Society). This organization is now operating as authorized under the *Society Act*.

What are the expected outcomes?

Starting in July 2008, the ministry will largely divest oversight of non high risk sites to CSAP Society members. This will allow more ministry resources to focus on the remaining high risk sites and to develop new contaminated sites policies, guidance, and programs. The overall costs to clients under the new system are expected to be similar to those under the existing Roster regime.

Who will be appointed to the Roster?

Appointments to the Roster will still be made by the Director of Waste Management under powers provided by section 42 of the *Environmental Management Act*. In general, the CSAP Society will recommend which qualified candidates the Director should consider appointing to the Roster. However, the Director may also appoint individuals with special expertise, such as physicians and toxicologists.

Service application processing changes

Once the new system is in place, the way in which applications for ministry services are made will change significantly.

Under the current system, a typical service application for an eligible site is submitted directly to the ministry by an Approved Professional. The package contains a number of detailed reports and plans, a Summary of Site Condition, as well as a draft contaminated sites legal instrument. A fee is levied for each instrument and the Summary of Site Condition.

As of July 1, 2008, all applications for eligible sites will be assessed for completeness by the CSAP Society before submission to the ministry. Applications will include detailed reports and plans, draft legal instruments, and a Summary of Site Condition. The Society will collect fees for the services it provides in managing the applications and the fees levied by the Society and the ministry must be included with the application.

Once the Society is satisfied that an application is correct and complete, the documents and fees payable to the ministry will be forwarded to the ministry. The ministry will review the Summary of Site Condition and the draft legal instrument before signing the instrument. The detailed reports and plans and the Summary of Site Condition will be filed and noted on the Site Registry. The ministry fees for issuing legal instruments and reviewing the Summaries of Site Condition will continue to be levied.

Key functions and services

The CSAP Society, its Approved Professionals, and the ministry all provide specific functions and services. Additional information is contained in Fact Sheet 30, "The Roster of Approved Professionals".

The CSAP Society

The Society will be responsible for:

- establishing each member's qualification requirements and assessing qualifications;
- developing and holding exams;
- providing new member orientation and ongoing education programs;
- developing practice guidelines and operational procedures;
- conducting performance assessments,
- responding to and investigating complaints about its members and, where necessary, providing disciplinary action; and

- establishing a priority list for ministry guidance development and clarification.

The Society will also manage Approved Professionals' service applications to the ministry for the issuance of legal instruments for non high risk sites.

Approved Professionals

Approved Professionals will be responsible for:

- reviewing reports for all eligible sites;
- preparing Summaries of Site Condition;
- preparing draft legal instruments;
- submitting service applications to the ministry through the CSAP Society;
- making recommendations to the director to approve draft legal instruments; and
- maintaining membership in good standing in the CSAP Society.

The ministry

The ministry will issue all contaminated sites legal instruments and manage appointments to the Roster. It will also retain responsibility for administering the provincial contaminated sites legal regime, as well as for:

- processing all applications for high risk sites;
- monitoring the CSAP Society and conducting selected operational reviews;
- notifying the Society of relevant complaints;
- maintaining legislation, regulations, protocols, guidance, fact sheets, etc.;
- responding to detailed technical queries from Approved Professionals;
- developing and implementing a compliance monitoring and enforcement strategy; and
- appointing representatives to the Society Board and participating in Society workshops.

Note: This summary is solely for the convenience of the reader. The current legislation and regulations should be consulted for complete information.

For more information, contact the Environmental Management Branch at site@gov.bc.ca.