

# **Progress on a Second Stage Contaminated Sites Regulation Amendment**

**February 4, 2002**

## **Introduction**

The Ministry of Environment is required to evaluate the Contaminated Sites Regulation within three years of its coming into force on April 1, 1997, to determine if changes are appropriate based on advances in science, law and the management of contaminated sites.

This describes the second stage amendments to the regulation made on February 4, 2002. You may wish to consult our update of April 4, 2000, which describes the initial steps in preparing the second stage amendment package. You can [view it on the Internet](#).

## **Contaminated Sites Implementation Committee (CSIC)**

CSIC was formed shortly after the regulation came into effect on April 1, 1997. This multi-stakeholder group advises the ministry on the implementation of the regulation and assists in streamlining and improving implementation and environmental efficiencies. Members include representatives from environmental groups, business, law firms, academia, and government.

## **CSIC Proposals**

As part of the regulation review process, CSIC created a number of subcommittees to address specific issues. The proposals of the subcommittees were reviewed and the CSIC consensus was that improvements to the Contaminated Sites Regulation were needed in the following areas.

### **Streamlining and cutting Red Tape**

- Streamline procedures to make site cleanups more efficient and cost effective, and reduce delays in the regulatory process.
- Expand the functions performed by environmental consultants to improve timing on cleanups and soil relocation.

### **Improved Environmental and Human Health Protection**

- Update the environmental quality standards based on the latest scientific information.
- Expand the types of standards to include biomedical measures of risk.
- Incorporate a requirement for site owners to notify owners of neighbouring sites about the offsite migration of contaminants.

### **Changes to Fees**

- Increasing the fee a local government may collect for a site profile from \$50 to \$100.
- Clarifying the size of a site, which is used to determine the fees payable for various activities and functions.
- Providing for reduced fees when ministry staff rely on the advice of members of the expert roster for new functions.

## **What Has Been Amended?**

In response to the advice from CSIC, a number of changes were implemented. The [appendix](#) to this update explains each key amendment, how it works, and why it was made.

## **Are These Amendments Justified?**

Yes. The regulation passed in 1997 was based on the best possible science and information available at the time. Since 1997 a number of problems have become apparent:

Administrative complexity and duplication.

Out of date human health and environmental protection standards.

Delays in responding to private sector requests and applications for services.

Fee inequities.

Site owners are sometimes unknowing recipients of migrating contaminants.

These amendments address a number of these problems.

## **Is Regulation the Best Form of Action?**

Yes. Before the regulation was passed, business faced uncertainty in planning new developments for potentially contaminated sites. They requested legally enforceable standards, which are embodied in this regulation, based on the best available science. The current amendment continues to address these needs for certainty and good science.

## **Will There Be an Impact on BC's Competitiveness?**

These amendments should make BC more competitive by reducing unnecessary red tape and delays in the regulatory process.

[Appendix](#) (PDF/19 KB)