



Contaminated sites – what you need to know



What is a contaminated site?

A contaminated site is a location where commercial and industrial activities may have caused spills and deposits of chemicals on land. Toxic substances such as PCBs, lead or gasoline may be present in soil, surface or groundwater.

Who regulates sites and clean-ups?

The Ministry of Water, Land and Air Protection inspects and reviews sites, issues permits, and enforces legal controls. The Contaminated Sites Program is coordinated by the Contaminated Sites Unit of the Environmental Management Branch. Major responsibilities include:

- advising on contaminated sites procedures, policies, protocols, laws, regulations and standards;
- advising senior ministry representatives, regional staff and stakeholders;
- reviewing site investigation, remediation and risk assessment reports;
- tracking the progress of investigation and remediation throughout BC with the site registry, and
- reviewing site investigation and remediation reports.

Which legislation governs sites?

The *Waste Management Act* was amended in 1997 to incorporate provisions for managing and regulating contaminated sites. The *Contaminated Sites Regulation* provides rules to complement the contaminated sites provisions in the *Waste Management Act*.

What is the site registry?

The site registry provides public access to information on the site cleanup process. It contains information on 6,000 sites. The site registry is accessible through BC OnLine and includes:

- **General** - information on a site's location, fee category, cleanup status and current site profile.
- **Notations** - information on legal events such as issuance of pollution abatement, pollution prevention and remediation orders, Certificates of Compliance and Approvals in Principle.
- **Participants** - information on people and/or organizations involved in a site and their roles.
- **Documents** - information on the existence of reports concerning a site.
- **Land Use** - information on the land use considered related to a site.

Two categories still to be developed are:

- **Assessments** - general information on the main substances found at a site.
- **Remediation Plans** - general information on different cleanup plans used and the target cleanup standards.

Who should use the site registry?

Anyone buying, developing or advising on property that is or was used for activities likely to cause contamination. These include bankers, land owners, developers, purchasers, lawyers, real estate agents, insurers, local governments, appraisers, notaries, and land surveyors.

Why is site information important?

During the development of contaminated sites legislation, concerned stakeholders informed the province of their need for quick and easy access to information about sites:

- *Land owners, developers and businesses* wanted to minimize their site cleanup costs and to reduce their liability in land transactions.
- *Local governments* wanted to minimize their potential liability in their approval of developments of contaminated land.

- *Banks* wanted to avoid paying for site cleanups if loans default.
- *Lawyers, consultants and real estate agents* wanted to advise and protect their clients appropriately by practicing "due diligence."

On May 14, 2002 the Hon. Joyce Murray, Minister of Water, Land and Air Protection appointed an advisory panel to carry out a review of the contaminated sites provisions in Part 4 of the *Waste Management Act* and the Contaminated Sites Regulation.

The Panel will review key components of the Contaminated Sites Program and will consult with citizens and stakeholders to determine their needs and expectations.

The Panel will report to the Minister in September 2002. The recommendations of the Panel will be used to develop a new policy framework for the regulation of contaminated sites in British Columbia and will be used to inform subsequent legislative changes required for the Spring 2003 Legislative session and consequential regulatory changes.

The Board's government relations committee will keep you informed.

Source: Ministry of Water, Land and Air Protection