

Completing and Submitting an Application for a Contaminated Soil Relocation Agreement

Provisions for contaminated sites in the *Environmental Management Act* (the Act) and Contaminated Sites Regulation (the Regulation) create a process for tracking the movement and deposit of soils from contaminated sites. This document provides answers to common questions about completing and submitting an application for a Contaminated Soil Relocation Agreement (CSRA).

What is a CSRA?

A CSRA is an agreement between the owner of a source site, the owner or operator of a receiving site, and the Director of Waste Management, which allows the relocation of soils from a contaminated site to a suitable deposit site.

For the purposes of a CSRA, the source site is considered "contaminated" if substances in the soil to be relocated are present at concentrations greater than the applicable environmental quality standards in Schedule 7, 10 or 11 of the Regulation.

Note that the Schedule 7 or 10 standards may be lower than the land use standards that apply at the receiving site. The values listed in Schedule 7 represent the most stringent of the numerical standards provided in Schedules 4 and 5 of the Regulation, regardless of site-specific factors.

How do I determine if a CSRA is required?

Not all soil relocations require a CSRA. Figure 1 and the four-step procedure described below will help you decide when you must apply for a CSRA.

Step 1. Characterize the soils to be relocated from the source site

1. Identify all of the potential contaminants of concern (PCOCs) at the site.
2. Collect and analyze representative soil samples from the area to be excavated according to Technical Guidance Document 1, "[Site Characterization and Confirmation Testing](#)" or other suitable procedure.

Step 2. Compare soil quality data to the applicable Schedule 7, 10 and 11 standards

If the concentration of any substance in soil exceeds the applicable Schedule 7, 10 or 11 standards or director's interim standards, a CSRA may be triggered (see Step 4 for possible exemptions).

Step 3. Determine the applicable standards at the receiving site

The applicable land use is the primary land use at the surface of the site. Definitions for five land uses are provided in Part 1 of the Regulation. Subsection 12(5) lists other factors that may be considered when determining the appropriate land use for a site. See Technical Guidance 3, "[Environmental Quality Standards](#)" for more information about the application of land use standards.

The soil to be relocated must meet either:

- the numerical soil standards for the receiving site described in section 45 of the Regulation,
- the risk-based standards for the receiving site described in section 46 of the Regulation, or

- be treated within a facility designed to fully contain the contaminated soil.

If the soil will not meet one of these three requirements, the soil cannot be moved under a CSRA and alternate treatment or disposal options must be considered.

Note that to determine the applicable land use standard for certain metals, pH samples must be collected from the receiving site as described in Technical Guidance 5, "[Sampling and Determining Soil pH at Soil Relocation Receiving Sites](#)."

Also note that to determine the applicable land use standard for substances listed in Schedule 5, groundwater uses at the receiving site must also be identified.

Step 4. Decide if any exemptions apply

You are exempted from the CSRA requirements of the Act and the Regulation in the following circumstances:

- The deposit of soil at the receiving site is authorized by a permit or approval, an order, a waste management plan and its associated operational certificate, or a regulation under the Act.
- The relocation of contaminated soil is on the site at which the contaminated soil originates.
- The relocation of contaminated soil from a specific site does not exceed a total volume of 5 m³.
- The relocation of contaminated soil is to a landfill authorized to accept contaminated soil.
- The relocation of contaminated soil is to an authorized hazardous waste storage or treatment facility.

- The relocation is of soil that is deemed contaminated only because of the presence of the local background concentration of a substance, but only if the contaminated soil is relocated within the geographic area having soil with this local background level of contamination.
- The area and substances in soil are the subject of an approved wide area remediation plan.
- The relocation is for contaminated soil originating from emergency cleanup of a spill, but only if notice of the location to which the soil has been relocated is provided to a Director within 3 days of the soil relocation.
- The *receiving site* is federal property or a destination outside of British Columbia. Note that if the *source site* is federal property or a property outside of British Columbia, there are no exemptions to the CSRA requirements of the Act and Regulation.

If any one of these circumstances applies to your site, you will not be required to enter into a CSRA prior to relocating the soil. *Records documenting the applicable exemption, soil quality information and details of the relocation must be kept and produced for inspection, if requested.*

How do I complete a CSRA application?

The CSRA application form is provided in Schedule 8 of the Regulation. You can obtain a user friendly version of the form from the Land Remediation Section web site at:

<http://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/guidance-resources/>; click on the "Forms" link.

You must complete all sections of Parts I, II and III. If the application form is *not* complete, it will result in processing delays. The following provides more detailed instructions for completing certain sections of the form.

Part I

This part is to be completed by or for the owner of the source site from which soil is to be relocated.

Section A – Source Site Information

- “Name of source site owner” means the person or organization (one or more) that owns or operates on the source property.
- “Name of source site contact person” can be the same as the site owner or someone authorized by the owner to submit the CSRA application on his or her behalf.
- “Site Identification Number” means the ministry issued Site Registry number (Site ID) for the source site.

For urban sites:

- In general, most urban sites are legally surveyed, titled, and registered and will have PIDs (**P**arcel **I**Dentifiers). You can obtain PIDs for your site from your local Land Titles office or BC OnLine’s Land Titles Registry System.

For remote sites:

- If the site is untitled Crown land (and therefore has no PID number), then the appropriate PINs (**P**arcel **I**dentification **N**umbers) for each parcel, with the appropriate land description, should be supplied *if available*. Contact your local Crown Lands office to get this number.
- If there is a PIN available, but it is for an area larger than 1 km², provide the PIN of an adjacent site as well as the information required below for very remote sites.

For very remote sites:

- Sometimes a PID or PIN number is *not* available for such sites. In this case, provide the following:

- the latitude and longitude using the 1983 North American Datum, accurate to 0.5 of a second of the centre of the site;
 - a metes and bounds property description provided by a legal surveyor; and
 - an accurate map (at the largest scale available and containing latitude, longitude, and datum references) that shows the boundaries of the site.
- If it is available, also supply the Crown Land File Number for the site.

Section B – Contaminated Soil Information

- Soil characterization – at a minimum the following supporting information should be included:
 - summary tables of analytical results compared to applicable land use standards for the receiving site and Column II or III of Schedule 7, Column III or IV of Schedule 10, or Column II, III or IV of Schedule 11, as appropriate; and
 - supporting documentation including laboratory reports, and a site plan showing sampling locations.
- Soil characterization method – indicate whether samples were collected as per procedures outlined in Technical Guidance 1 or describe and provide justification for using an alternate soil characterization method. Supporting information should include a summary of historical activities at the site and associated PCOCs.

Complete preliminary and detailed site investigations reports are not required as part of a CSRA application.

Part II

This part is to be completed by or for the owner or operator of the receiving site to which contaminated soil is to be relocated.

Section A – Receiving Site Information

To be completed as per Part I, Section A with information relating to the receiving site.

Part III

This part contains the actual Agreement and is to be completed and signed by all parties (source site owner, receiving site owner/ operator and a Director).

Note that it is the applicant's responsibility to confirm that there are no regulations, bylaws or other legal restrictions which might prohibit the relocation of soil to the receiving site.

In addition to completing the CSRA form, the applicant must also complete a [Contaminated Sites Services Application Form](#) and include any supporting documentation and applicable fees with the application package. For more information see Administrative Guidance 3, "[Applying for Contaminated Sites Services](#)".

To whom do I submit my CSRA application?

If the application is eligible under Protocol 6, "[Eligibility of Applications for Review by Approved Professionals](#)" it must be submitted to an Approved Professional for review.

All other applications must be submitted directly to the ministry for review. An example of an application requiring direct ministry review is the relocation of soils to a soil treatment facility where the soil to be treated does not meet the applicable land use standards for the receiving site.

Contact information for submitting CSRA applications

Applications requiring review by an Approved Professional:

A contact list of Approved Professionals is available on the [Contaminated Sites Approved Professionals of BC](#) website.

or

Applications requiring direct ministry review must be submitted to:

Client Information Officer
Ministry of Environment
PO Box 9342 Stn Prov Govt
Victoria, BC V8W 9M1

Who is notified when a CSRA is approved?

The Director provides notice of the approved CSRA to the municipality for both the source and receiving sites. Before soil relocation begins, the applicant must ensure either a) that the municipalities have received notice from the Director or b) wait at least four business days after receiving the approved CSRA before moving any soil.

Note: This document does not replace the Environmental Management Act or its regulations. It does not list all provisions relating to Contaminated Soil Relocation Agreements. If there are differences or omissions in this document, the Act and regulations apply.

For additional information about CSRAs, please send a message to remediationFAQs@gov.bc.ca.

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

Figure 1. Process for deciding if a CSRA is required

