

# Update on legislative and regulatory changes - New Site Identification and New Soil Relocation

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# NEW TIMES, NEW SOLUTIONS

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Ministry of  
Environment and  
Climate Change Strategy

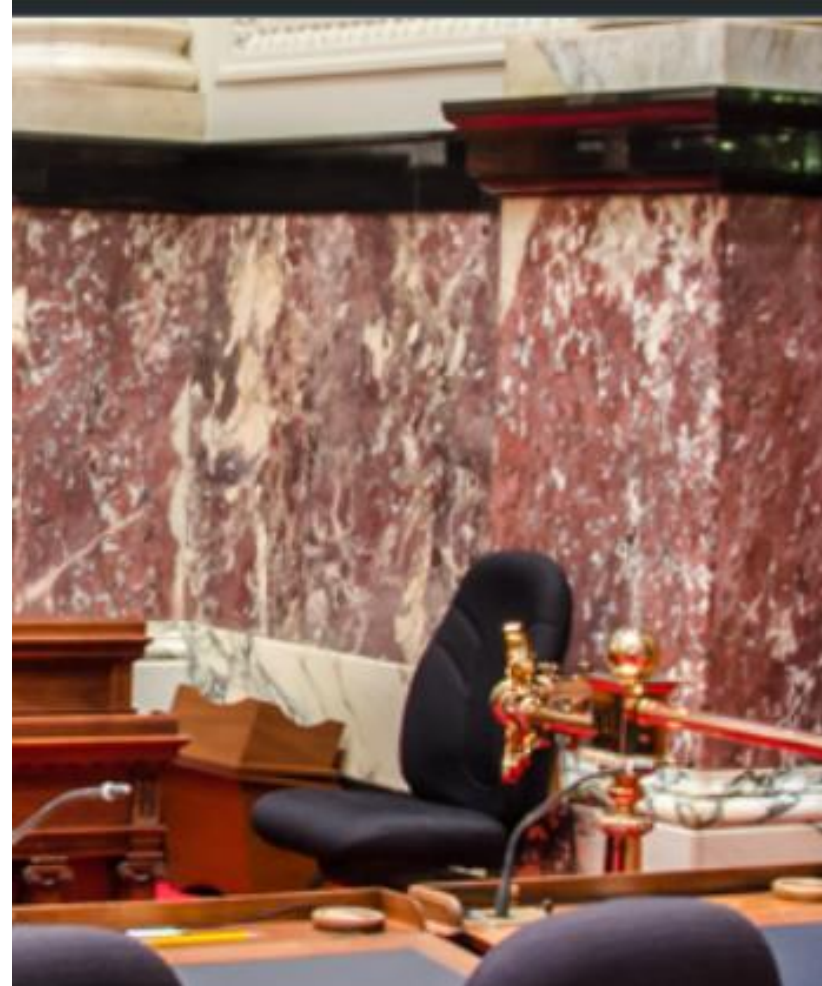
# OVERVIEW

- Environmental Management Act - Bill 17 and Bill 3
- Next steps – Stage 13 & 14 amendments to the CSR

# SITE IDENTIFICATION PROCESS – BILL 17

- EMA amendments complete
- Proposed CSR changes submitted to Cabinet in Spring 2020
- Proposed effective date:

**February 1, 2021**



# EMA AMENDMENTS – BILL 17

- Revised terms and clarified definitions
- Simplified conditions for submitting a site disclosure statement and the submission process
- Director no longer reviews site disclosure statements – automatic site investigation
- Repealed certain exemptions
- Addressed responsibilities for oil & gas sites
- Alignment and transition provisions
- [www.leg.bc.ca](http://www.leg.bc.ca) – Bill 17 - 2019

## Site disclosure statements

- New form in Schedule 1
- Completed by owner, operator or designated agent
- Submitted to Registrar



## **Exemptions from submitting a site disclosure statement**

- Proposed exemptions for many situations that do not involve a change to the Schedule 2 activity
- “Opt out” exemption removed

## Site Closure definitions

- Decommissioning a site - specific actions taken to stop all Schedule 2 activities at a site
- Ceasing operations - the land has not been used for any Schedule 2 activity for at least 12 months



## Automatic requirement for site investigation

- CSR will set out requirements to complete site investigation and submit information



# PROPOSED CHANGES TO THE CSR - 5

## Schedule 2

- Clarifications
- Additions

### Schedule 2

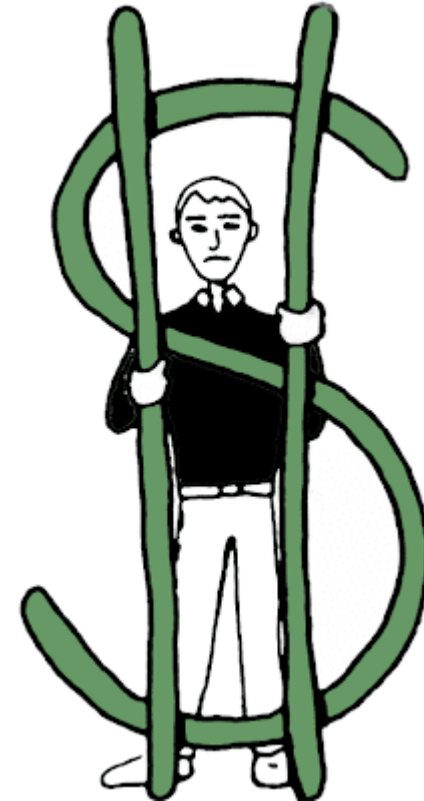
[am. B.C. Regs. 17/2002, s. 16; 239/2007, s. 5; 343/2008, s. 12; 62/2013, s. 1; 253/2016, s. 16.]

#### Industrial and Commercial Purposes and Activities

COLUMN 1 Item	COLUMN 2 Purpose or Activity
<b>A</b>	<b>Chemical industries and activities</b> <ol style="list-style-type: none"><li>1. adhesives manufacturing or wholesale bulk storage</li><li>2. chemical manufacturing or wholesale bulk storage</li><li>3. explosives or ammunition manufacturing or wholesale bulk storage</li><li>4. fire retardant manufacturing or wholesale bulk storage</li><li>5. fertilizer manufacturing or wholesale bulk storage</li><li>6. ink or dye manufacturing or wholesale bulk storage</li><li>7. leather or hides tanning</li><li>8. paint, lacquer or varnish manufacturing, formulation, recycling or wholesale bulk storage</li><li>9. pharmaceutical products, or controlled substances as defined in the <i>Controlled Drugs and Substances Act</i> (Canada), manufacturing or operations</li><li>10. plastic products (foam or expanded plastic products) manufacturing</li><li>11. textile dyeing</li><li>12. pesticide manufacturing, formulation or wholesale bulk storage</li><li>13. resin or plastic monomer manufacturing, formulation or wholesale bulk storage</li></ol>
<b>B</b>	<b>Electrical equipment and activities</b> <ol style="list-style-type: none"><li>1. battery (lead acid or other) manufacturing or wholesale bulk storage</li><li>2. communications stations using or storing equipment that contains PCBs</li><li>3. electrical equipment manufacturing, refurbishing or wholesale bulk storage</li><li>4. electrical transmission or distribution substations</li><li>5. electronic equipment manufacturing</li><li>6. transformer oil manufacture, processing or wholesale bulk storage</li></ol>

## Offenses and penalties

- ENV ability to impose penalties for “administrative” matters (i.e., failure to submit)
- Improve enforceability

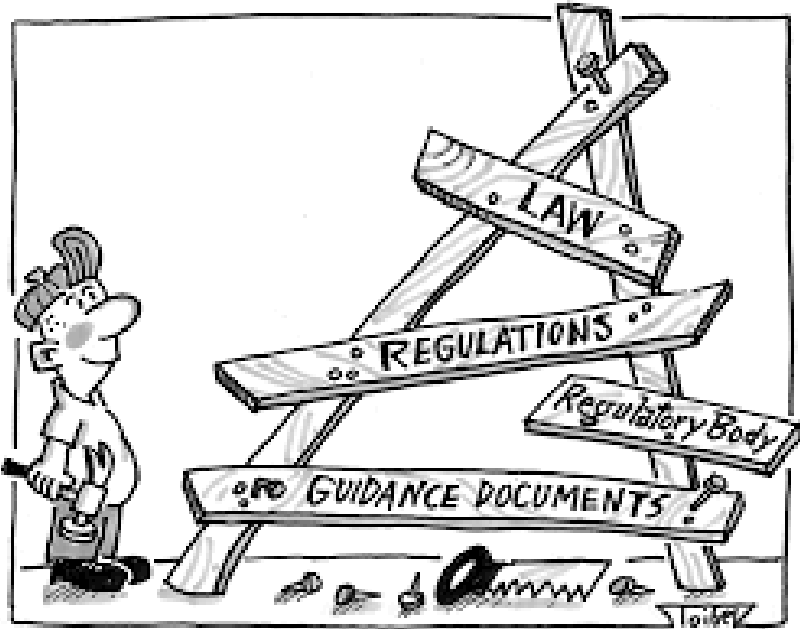


# ADDITIONAL STAGE 13 CSR AMENDMENTS

- Methanol standard
- Correction of typographical and transcription errors
- Summary of Site Condition



# IMPLEMENTATION TOOLS AND TIMELINE



- Updated webpage
  - Revised policy documents
  - Training opportunities
- 
- Cabinet approval: Spring 2020
  - Initiate Implementation: Fall 2020
  - Effective date: February 1, 2021

# SOIL RELOCATION – BILL 3



- Received Royal Assent on March 5, 2020
- Not yet in force (~fall 2021)
- Full text on B.C. Legislative Assembly website
- Compliance and enforcement work is ongoing

# WHAT WILL CHANGE

- EMA 55 (1) to (4) are repealed – no CSRAs
- New requirements are added:
  - Quality of soil removed from industrial/commercial site must be analysed
  - Notice must be provided before soil is removed from the site
- Notice must include:
  - Site from which the soil will be removed
  - Site or sites at which the soil will be deposited
  - Maximum amount of soil that will be deposited at each site
  - Summary of soil quality analysis
  - Other information prescribed by the regulation



# WHAT WILL CHANGE - CONTINUED



- Prohibition to move soil
  - To a different site
  - If volume is higher than advised in the notice
- Exemption from providing notice if less than prescribed volume
- New requirements for 'high volume soil receiving sites':
  - Plans and other prescribed information
  - Carrying out actions to prevent adverse effects
- Transitional provisions
- Consequential amendments to Vancouver Charter



# WHAT NEXT?

## Next steps

- Intentions Paper (Fall 2020)
- Consultation and report on 'what we heard'
- Submission to Cabinet (Spring/Summer 2021)
- Implementation (Fall 2021)



# SITE REMEDIATION NEWS

**You are invited to Subscribe to the  
*Site Remediation News* email service.**

You will receive email notifications of updates from the ministry. This replaces the former CS e-link subscription service. There is no need to re-subscribe if you were previously receiving CS e-link messages.

Visit the new webpage to subscribe:

<https://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-remediation-news>



# THANK YOU

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