CSAP Society of Contaminated Sites Approved Professionals of British Columbia

Performance Assessment Panel Orientation

March 4, 2015

Introductions

PA Committee:

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Catherine Schachtel, CSA

CSAP
Society of Contaminated Sites Approved Professionals of British Columbia

GUIDELINES FOR PERFORMANCE ASSESSMENT OF SUBMISSIONS BY CONTAMINATED SITES APPROVED PROFESSIONALS

1.0 Definitions

The following are the acronyms used in this document:

1.1 **"CSAP or the Society"**, The Society of Contaminated Sites Approved Professionals of British Columbia
1.2 **"AP "**, Approved Professional
1.3 **"CSR"**, Contaminated Sites Regulation
1.4 **"PAC"**, Performance Assessment Committee
1.5 **"PAP"**, Performance Assessment Panel
1.6 **"PA"**, Performance Assessment
1.7 **"DM"**, the delegated member of the PAC committee
1.8 **"RPA"**, Random Performance Assessment
1.9 **"NRPA"**, Non-random Performance Assessment
1.10 **"RoFR"**, Review of Findings Report
1.11 **"RFQ"**, request for qualifications
1.12 **"SoSC"**, Summary of Site Condition
1.13 **"PA Coordinator"** CSAP Executive Director

Why do we have PAs?

- Performance Assessments (PA) are required under CSAP bylaws to maintain quality of Approved Professional Submissions
- While the main purpose of a PA is to ascertain whether the submission is sufficient or deficient, it also provides:
  - A learning opportunity for the submitting AP
  - Information on adequacy of existing CSAP and MOE

Key Points

- Role of PA Coordinator, DM and PAP Members
- PA Guidelines and Templates
- Practice Guidelines and Checklists
- Conflict of Interest
- CONFIDENTIALITY!

Key Players and Roles

- **PA Coordinator (**Catherine Schachtel - CSAP Executive Director): Coordinates the PA
- **Delegated Member (DM** - member of PAC): Responsible for the PA, including making the final decision on the outcome of the PA
- **The Performance Assessment Panel (PAP) members** PAP members are selected on a rotating basis to undertake the PAs.
- The PA is undertaken by one DM and two PAP members each for Standards and Risk portions of the PA.

ALL "PA" INFORMATION IS CONFIDENTIAL!

PA Initiating Process

- 1 in 8 submissions for Standards and Risk are randomly selected for PA. Non-Random PA may also be conducted for specific reasons.
- The submitting AP provides either PDF or hardcopies of all documents (hardcopies are required for drawings larger than 11x17).
- The submitting AP informs the client that the submission has been randomly selected for a PA.
- The PA Coordinator invites the DM and panel members
- The PA Coordinator requests the MoE provide any pertinent information they may have regarding the site

Check for Potential Conflict

- **CSAP Submission No.** **PA 15-000**
- **Instrument Type :** Certificate of Compliance: Numeric Standards
- **AP:** Bob Smith (P.Geo.) (Numerical)
- **AP's firm:** Gander Consulting Ltd
- **Applicant:** Little Oil Company (Dan)
- **Agent:** Bob Smith, Gander Consulting Ltd
- **Site Owner:** Pretty Nice Holdings Ltd (contact: Angel Crawford)
- **Site Location:** 42 Johnston Canyon, Vancouver, BC
- **PID:** 444-444-444
- **Site ID:** 900070
- **Report authors:** Catalyst Consulting Services Ltd (John Swarzenegger)

Site information is included with the invitation to partake in the PA and must be reviewed to determine if you have any conflicts!

Who does what

Roles of PA Team

- The **PA coordinator** is the key contact for administration and is responsible for setting up the PA team (selecting **DM** and the **PAP members).** All correspondence should be addressed to the **PA Coordinator** and copied to the **DM**
- The **DM** is the direct contact for **PAP members** with respect to technical matter.
- The **DM** contacts MOE for clarification if required. **PAP members** must not contact the MOE or the submitting AP. If approached by the AP, inform the AP to contact the **DM** or **PA Coordinator**
- The **DM** chairs the PA and provides guidance to the **PAP members** with respect to regulatory and technical questions and makes the final decision regarding the outcome of the PA.

PAP Member Responsibility

- Consider that the average time to complete a PA is 2 months and the typical level of effort is about 30 hours, and judge whether you are able to make the commitment
- You are required to confirm in writing (e.g. email) that you are able to meet the expected timeline and effort, and that you are not aware of any conflicts of interest
- The PAP members review the submission and use the worksheet template to record the findings. PAP members are encouraged to use CSAP checklists (see example on next slide)
- The focus of the PA is on **deficiencies that would have an effect on the final conclusions**.
- **PAP** members cannot delegate or communicate anything about the review to other persons.

CSAP Practice Guidelines – Human Health Risk Assessment Checklist

SITE: "INSERT SITE NAME"

Reviewer: "Insert reviewer's name"

Mandatory to SITE?	HHRA Checklist Item	Does HHRA adequately address checklist question? (Yes, No, NA, NC)*	Review Comments #1 - ("insert date")
1.0 - General Requirements			
Mandatory	1.1 Does the HHRA identify who the major participants are in the risk assessment and state their qualifications?		
Mandatory	1.2 Does the HHRA provide a clear definition of the spatial area addressed by the HHRA?		
Mandatory	1.3 Has the site been properly classified as eligible under Protocol 6?		
Mandatory	1.4 If Protocol 6 preapproval was required, has a copy of the preapproval issued by BCMOE been provided?		
Mandatory	1.5 Does the risk assessment report meet the requirements for an Arm's Length Review per the CSAP Practice Guidelines?		
Mandatory	1.6 Has a statement by the Standards AP been included that the DSI is complete and: (a) that for each potential contaminant of concern (PCOC), the horizontal and vertical extent of contamination has been delineated, and (b) that the contamination present at the site is stable or decreasing in concentration and extent (Technical Bulletin #2).		
Mandatory	1.7 Does the HHRA take the form of a stand-alone document that provides all results pertinent to the risk assessment performed. If the results of previous investigations, reports or assessments are referenced, a complete summary of the previous results must be included (Technical Bulletin #2).		
Mandatory	1.8 Does the report make it clear what risk controls are required (if any) and which instrument is being applied for. The risk controls should be consistent with the Schedule B conditions of a COC and the Performance Verification Plan.		

PA Findings Reports

- The PA process consists of two stages (Stage 1 and Final Stage):
  - **Stage 1 Findings**: Sufficient or Additional Information Required
    - Optional Meeting with Submitting AP if Additional Information Required. CSAP strongly recommends that the Submitting AP requests this meeting.
  - **Final Findings**: Sufficient or Deficient
- Report format (using templates):
  - Cover letter on company letterhead, limitations and signature
  - Worksheet for description of findings and requested clarification
  - Provide the final findings in PDF and a redacted version in MSWord
- Provide clear description of issues, what clarification is required and how the issues were resolved. Redacted final reports will be posted on “members only” CSAP website as “lessons Learned”.

Table 2: Typical Performance Assessment Timeline

Action	Sufficient (Working Days)	Final Findings (Working Days)	TOTAL (Working Days)
Initial and selection of a submission by the PA Coordinator for PA	5		
Stage 1 Report prepared by PAP Members and submitted to Delegated Member. **Note:** PAP Members have 10 days from the time they received the a copy of the submission	10		
For RA Performance Assessments additional time is required for review and preparation of the Stage 1 Report	5		
Review of Stage 1 Report by Delegated Member and approval for forwarding to submitted AP by CSAP Society	5		Std – 20 Risk – 25
If the Stage 1 Report indicates that Additional Information Required: • The submitting AP has up to 2 months to prepare an addendum to the submission providing the requested additional information • During this 2 month period, the submitting AP may request a meeting with the PAP, DM and PA Coordinator to the review the Stage 1 Reports and their DRAFT additional information addendum			
PAP members review the additional information addendum(s) provided by the submitting AP and issue Final Findings Report to DM		10	
Review of the Final Findings Reports by DM and preparation of the Final Performance Assessment Findings letter by the DM and forwarding to submitting AP by CSAP		5 10	Std – 35 Risk – 45

PA Timelines – Stage 1

PA Stage 1 Report

- **Kick-off call:** A conference call (video-conference may be used to facilitate screen sharing) will be arranged within 4 days after you received the submission documents. You are expected to have a quick look at the documents for major issues in time for this meeting.
- **Stage 1 Findings Report: (Standards 10 working days; Risk 15 days)**
  - Draft prepared for DM (PAP Members are encouraged to share information)
  - Conference call to discuss draft findings (video-conference may be used to facilitate screen sharing)
  - Complete Stage 1 Findings
- **Stage 1 Meeting:** Submitting AP is encouraged to request a meeting with PA Team to discuss responses to Stage 1 Findings. The draft Addendum with additional information will be submitted by AP before the meeting and finalized after the meeting.

PA Timelines – Final Findings

PA Final Findings Report

- Panel members complete the Final Findings Report after the additional information addendum has been received: (Standard 10 working days; Risk 15 working days):
  - PAP Members prepare draft Final Findings Report for DM
  - DM reviews reports and seeks clarification if necessary
  - DM prepares CSAP letter with final findings outcome. PAP members' reports are attached

PA Invoicing

- Time spent on Stage 1 and Final stage must be itemized. Separate invoices may be used, or the break out can be provided on a single invoice.
- Panel members will be remunerated at a rate of $165/hour. Administrative staff are not billable

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Performance Assessment

QUESTIONS?

Common PA Findings

- Incomplete effort in bringing together all relevant information in most recent report.
  - This is particularly evident for sites with several years of investigation/remediation, often carried out by different consultants
- Poorly supported rationale/conclusions
- Poorly developed conceptual site models
- Not assessing all APECs/PCOCs in all media

Common PA Findings (continued)

- Electing not to request a Stage 1 Findings Meeting
- No clear report conclusions (e.g. In the DSI, not clearly identifying the COCs remaining on site for risk assessment)
- Lack of clear statements regarding delineation (vertical/lateral)
- SoSC incorrectly filled in

Common PA Findings
(continued)

Focus of PA is to identify significant issues that could impact the conclusions!

PA Guidance Table 1, Page 6

Table 1 – Performance Assessment Clarification Chart

- Use when the Stage 1 PA Findings indicate that 'additional information is required'
- As the PA progresses into the Final stage, this chart provides the guidelines for PAP members to determine if the submission is Sufficient or Deficient
- The Table is not intended to cover ALL possibilities, case specific variations may be warranted

Table 1: Performance Assessment Process Clarification Chart

<table>
<tr><th colspan="2">Stage 1 Findings: Additional Information Required</th></tr>
<tr><td colspan="2">A submission may be found to require additional information if:
A report contains documentation errors or mandatory information is missing (i.e.: text, calculations, table, figures or appendices);
A conclusion is not clearly supported by the data and/or the rationale presented;
The level of site investigation and/or remediation/risk management appears to be insufficient; or,
A conclusion that has the potential to affect the recommendation for issuance of the instrument appears to be incorrect.</td></tr>
<tr><td colspan="2">The following type of additional information may be provided as an Addendum to the AP submission in response to Stage 1 findings:
Correction to, or provision of missing text, calculations, tables, figures and appendices
Presentation of additional data/details which were already available but had not been adequately presented
Collection of additional field data for confirmation of conclusions drawn as further defined below under Final Findings, “Sufficient”</td></tr>
<tr><th colspan="2">Final Findings</th></tr>
<tr><th>Sufficient</th><th>Deficient</th></tr>
</table>

Final Findings	
Sufficient	**Deficient**
A submission is considered Sufficient if the information provided in the Addendum indicates that: • The correction to, or the provision of missing text, calculations, tables, figures and appendices completes the reporting requirements • Data that was previously omitted or inadequately discussed were found to support the conclusions • Additional confirmatory field data substantiates the conclusions drawn; this does not include new investigations of any unidentified or not previously investigated APEC/PCOC or medium • The scope of the additional confirmatory sampling is limited compared to the original sampling scope	A submission is considered Deficient if the information provided in the Addendum indicates that: • The response to the "Additional Information Required" is submitted more than 2 months after the date the Stage 1 Findings were provided to the AP, unless a request for extension has been granted by the PAC. • The AP fails to adequately correct or provide missing text, calculations, tables, figures or appendices • Data that was previously omitted or inadequately discussed DID NOT support the original conclusions • An unidentified or not previously investigated APEC/PCOC or medium required investigation • Additional confirmatory field data do not support previously drawn conclusions • The submission was ineligible for Protocol 6 or the incorrect instrument was applied for • The scope of the additional confirmatory sampling was not limited compared to the original scope • A conclusion that would affect the recommendation for issuance of the instrument is incorrect • The risk management measures proposed are not adequate to address the risk • The scope of the additional receptors, exposure pathways and chemical of potential concern was not limited compared to the original scope.

PA Guidance Table Intro

As previously mentioned, during the Final Stage:

- The submitting AP has the opportunity to provide clarification, corrected information and additional confirmatory data to support report conclusions and address Stage 1 review findings (as an Addendum)
- Table 1 helps guide the 'appropriateness' of the Addendum information:
  - How much data, text, corrections
  - What kind of testing or sampling
  - What conclusions or rationale are made

Performance Assessment

QUESTIONS?

Resubmission Commitment

- If a submission is considered deficient and a resubmission is made, the PAP members of the original submission will be invited to take part in the review of the resubmission
- Significant time (up to 4 months) may have passed since the initial review

PA Feedback and Lessons Learned

- **Feedback Process (CS)**
  - The submitting AP will be asked to complete a feedback form commenting on the PA process
  - PAP members will be sent a feedback form seeking comments on the PA process and how the DM role was conducted
  - DMs will complete PAP member evaluations
  - Redacted Final Findings reports will be posted on CSAP's secure "members only" webpage as "Lessons Learned"

Your Feedback is confidential and will only be used for evaluation and improvement of the PA process

Performance Assessment

QUESTIONS?

CSAP PA Panel Orientation & Update

Thanks for attending!