

PERFORMANCE ASSESSMENT UPDATE

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Outline

- Update on Performance Assessment Committee (PAC) Activities
- Performance Assessment Stats
- Transfer of Detailed Screening task from MOE to CSAP (update by Bob Symington)
- New CSAP checklists to replace existing PSI/DSI checklists (TG10 and TG11)
- Review of common errors and omissions (Lessons Learned)

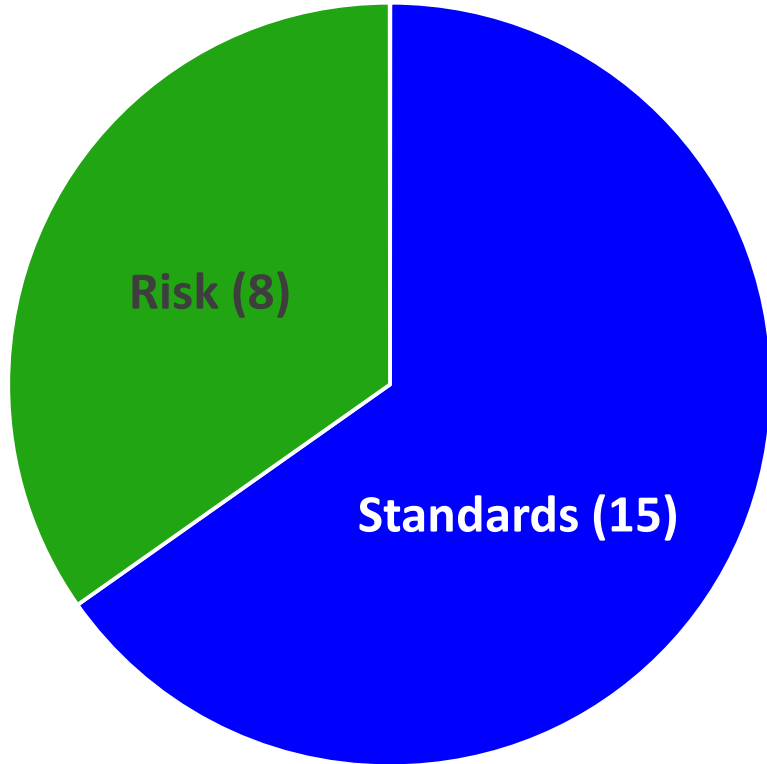


CSAP Society

PAC Involvements

- Took over Detailed Screening of all P6 submission from MOE
- Participated in the creation of the “Annotated” Summary of Site Conditions
- Currently looking into taking on instrument amendments at the request of MOE
- Exploring options for streamlining the PA process
- Delivering Webinars on P6 Submissions, PA and Detailed Screening process and lessons learned
- Posting of PA lessons learned on the CSAP member website

Performance Assessments 2014-2015 (up to Q3)



1 in 8 submissions are randomly selected for:
Random Performance Assessment

Non-random Performance Assessment
may be undertaken:

- At the request of MOE
- If major errors or omissions are identified in Detailed Screening

Performance Assessment Results

PAs	Initiated	Completed		In Progress
		Sufficient	Deficient	
2008- 2009	8	7	1	0
2009- 2010	15	14	1	0
2010- 2011	20	17	3	0
2011-2012	7	6	1	0
2012-2013	11	10	1	0
2013-2014	17	14	3	0
2014-2015	16	16	0	0
2015-2016	7	4	1	2
TOTAL	101	88	11	2

Of the total of 101 Performance Assessments; 3 were Non-Random

CSAP Checklists

1. Stage 1 PSI, Stage 2 PSI/DSI, Confirmation of Remediation, Human Health and Ecological Risk Assessments
2. Will be required for Protocol 6 submissions once they have been reviewed and approved by MOE
3. Will be subject to review during Performance Assessment

	A	B	C	D
	GENERAL TOPIC			Suggested Points of Review - Human Health and Ecological Risk Assessment
1				
2				
3	AUTHORS AND RELIANCE	1	Does the investigator identify who the major participants are in the investigation and state his/her qualifications?	
4		2	Does the report or cover letter provide reliance of the report to the Ministry-?	
5	RISK ASSESSMENT SUBMISSION ELIGIBILITY	3	Has the site:	
6		a	Been properly classified as eligible for risk assessment submission under Protocol 6?	
7		b	If not, has BCMOE provided preapproval for applications listed under Table 2 No. 6 (probabalistic analysis, toxicity testing of material or organisms, <i>de nova</i> modification of TRVs, or derivation or use of a site-specific risk-based concentration (April 1, 2013 version) ?	
8		4	Is the site eligible under Protocol 6 after applying the risk classification system of Protocol 12?	

Lessons Learned Database and Webinars

1. CSAP PD Webinar – Sept. 29th, 2015; PA and Detailed Screening Lessons Learned
2. CSAP PD Webinar – April 22, 2015; Detailed Screening Process
3. CSAP PD Webinar – Nov. 18, 2014; Prepare a CSAP Submission

CSAP Submissions Manager



My Submissions

Applications

My Account

PD Hours

[Lessons Learned Database](#) - [Conditions of Use](#)

Signed in as:  Reidar Zapf-Gilje

 Help!

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CSAP Updates > >

The database is currently only accessible on the secure member-part of the CSAP website

Consolidation of Site Investigation Reports



ISSUE:


- Latest report included new data only
- Lack of clarity on APECs and AECs

SOLUTION:

- PSI/DSI should be reported in a standalone manner where each report consolidates all of the earlier work and provides context for the evolution of APECs/AECs, PCOCs/COCs, and delineation

CSAP Guidance: Conducting review of Stage 2 PSI and DSI items 12 and 17.

AG11 – Communication Requirements



11
ADMINISTRATIVE GUIDANCE
ON CONTAMINATED SITES

Effective date: April 1, 2013 Version 1.1 May 2013

Expectations and Requirements for Contaminant Migration

Introduction
This guidance focusses on the ministry's communication requirements and expectations for persons responsible for parcels that are the source of migration of contaminants (source parcels). It also contains important guidance for owners of parcels which have likely or actually been affected by the migration of contaminants onto their parcels (affected parcels). See Appendix 1 for a summary of the key requirements and expectations.

Administrative fairness requirements
When administering provisions under the *Environmental Management Act* (the Act), a Director of Waste Management must ensure that the principles of administrative fairness are followed. In the context of migration, the Director must ensure that those who may be significantly affected parties (such as owners of affected parcels) have an opportunity to review and comment on relevant site investigation information and on any proposed remediation in relation to contamination migrating onto their lands. The Director must allow adequate time for affected parties to review information and must carefully consider any comments received before making any decisions.

Discovering contaminant migration

Notifications of Migration (NOMs)
Under sections 57 and 60.1 of the Contaminated Sites Regulation (the Regulation) if, during any stage of investigation or independent remediation at a parcel, it has been found that one or more substances has migrated or is likely

to have migrated to a neighbouring parcel and is causing or is likely causing contamination at that parcel, the affected neighbouring parcel owner(s) and ministry must be notified in writing.

Who is responsible for sending notification?
The responsible person for the source parcel might be a parcel owner, operator of a business, leaseholder, spiller, or anyone else responsible for a release of a substance that results in the contamination or likely contamination of a neighbouring parcel. The responsible person for the source parcel must provide the notification.

Who must be provided notification?
An owner of a neighbouring parcel that is likely or actually contaminated by the migration of substances must be provided notification. A copy must also be sent to the Director. The Act defines an owner as a person who possesses, has the right of control or occupies or controls the use of real property. Owners could include lessees, tenants and owners of neighbouring roadways, easements and utility corridors. They could include municipalities and the Provincial government.

How and when must the notification be provided?
The required notification form is contained in [Protocol 17, "Forms for Notifications of Independent Remediation and Migration."](#) The [NOM form](#) is also available on our website under the "Forms" heading. The affected parties and the ministry must be notified within 15 days of the responsible person becoming aware of the likely or actual migration.

Issue:

- AG11 requirements for written communication records are not met

Solution:

- Follow AG11:
 - Appendix 1 for a checklist on Key requirements and expectations
 - Appendix 2 for Communication Requirements

Example: Notification to be sent via registered mail. If no response, then direct contact should be attempted (phone, email, in-person)

Importance of Correct CONCEPTUAL SITE MODEL

Probe installation:

- 2-10 m from house
- ½ depth to source
- Min. 2 sides of building

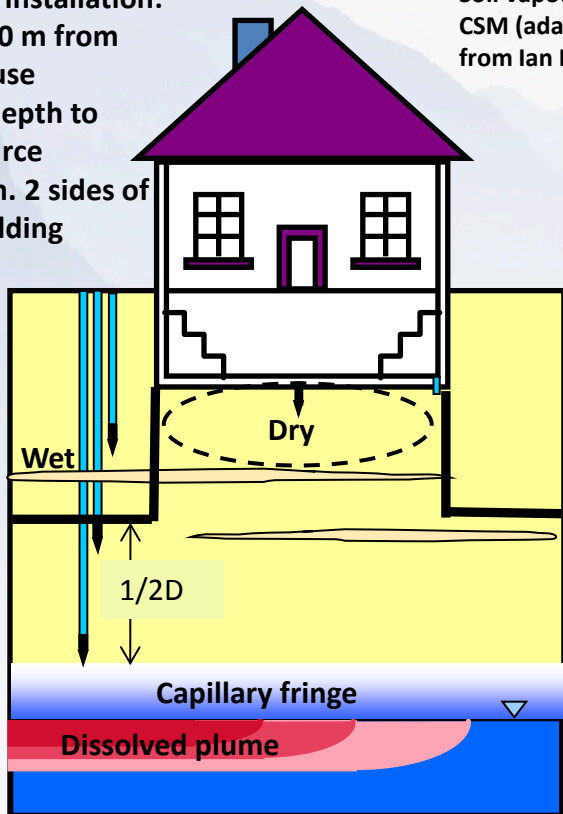
Soil vapour
CSM (adapted
from Ian Hers)

ISSUE:

- Sampling at incorrect locations or depths for soil, sediment, groundwater or soil vapour.

SOLUTION:

- Develop detailed CSM and provide clear sampling rationale
- Follow MOE and CSAP Checklist guidance, and TG4 and Health Canada document for soil vapour



Protocol 6 – Approved Professional Submissions

PREAPPROVALS

Table 2. Applications requiring preapproval by a Director of Waste Management

No.	Types of Applications for Contaminated Sites Legal Instruments Requiring Preapproval
<i>Involving the extent of the area of contamination delineated and remediated</i>	
1	If the applicant for a contaminated sites legal instrument is a responsible person for the source parcel and has not delineated and/or remediated the entire area of contamination including contamination at a parcel and contamination which has migrated from that parcel to neighbouring parcels.
<i>Involving background substance concentrations</i>	
2	If, under the application, local background substance concentrations in surface water, sediments or vapour were derived by any methods.
<i>Involving orders</i>	
3	If the application refers to a parcel currently subject to a preliminary or detailed site investigation order (excluding an order in response to the submission of a site profile under section 7.1 of the Contaminated Sites Regulation), remediation order, pollution prevention order or pollution abatement order under the Act.
<i>Involving Approvals in Principle</i>	
4	If the application is for an Approval in Principle under which remediation is not expected to be completed within five years of the anticipated date of issuance of the Approval in Principle.
<i>Involving risk assessments</i>	
5	If the application refers to a parcel where risk-based standards will be applied under a risk assessment and the parcel has or requires a hazardous waste <i>in situ</i> management facility authorization.
6	If the application is based on a risk assessment that includes any of the following: (a) probabilistic analysis; (b) toxicity testing of materials (soil, water, sediment), or organisms obtained at or from the parcel; (c) <i>de novo</i> modification of toxicity reference values; or (d) derivation or use of a site-specific risk-based concentration.

ISSUE:

- Incomplete on-site delineation of flow-through contamination

SOLUTION:

- Complete delineation is required on-site but not off-site
- Preapproval is required if horizontal or vertical delineation cannot be achieved (obstructions)

Protocol 13 – Screening Level Risk Assessment Precluding Conditions

3.2 Precluding conditions

Sites that are classified as high risk sites or as agricultural land use sites cannot be evaluated using this protocol without pre-authorization by the Director. In addition, this protocol shall not be used to screen sites that contain:

- ionizing organic substances,
- inorganic substances with soil pH < 5,
- bioaccumulative substances within the top 1 m of soils,
- presence of LNAPL or DNAPL,
- soil vapours (for all land uses except Wild Lands land use),
- very high permeability soil (e.g. cobbles) or complex hydrogeologic units (e.g. fractured bedrock, karst terrain),
- deep-rooting plants or trees (root structures extending below 1 m depth) in areas of contamination,
- contaminated sediments or surface water except where the contamination is related to a beneficial use,
- preferential flow pathways that transport contaminated groundwater or soil vapours directly to a receiving environment or water well, or
- groundwater contamination that extends offsite and is at concentrations that exceed standards protective of drinking water use (at sites where drinking water use is applicable).

ISSUE:

- Ionizing organic substances
- Inorganic substances with soil pH < 5
- Presence of NAPL
- Soil vapours exceed Sched 11 standards

SOLUTION:

- Use Detailed Risk Assessment
- Seek Preapproval