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January 11, 2021

Ministry of the Environment and Climate Change Strategy
525 Superior St,
Victoria, BC V8V 1T7

Sent via email: sitelD@gov.bc.ca

**Reference: Site Remediation – Request for Comments
CSR Stage 13 Amendments – Revised Protocols**

Dear Sir / Madam,

The Canadian Brownfields Network (CBN) appreciates the opportunity to participate in the Ministry of Environment and Climate Change Strategy (ENV) to provide feedback on CSR Stage 13 Amendments - Revised Protocols. The CBN's Technical Advisory Committee (TAC) has solicited and compiled comments from interested members for the purpose of making this submission on behalf of CBN. CBN has a diverse membership of site owners, developers, consultants, and industry association representatives who are active in the area of brownfield development within British Columbia and across Canada.

CBN is committed to supporting the redevelopment and reuse of brownfield properties through advocacy for regulations and policies that are founded on sound science and appropriate risk, are harmonized across jurisdictions, and provide clarity and certainty with respect to brownfield redevelopment.

As required, the feedback has been included on the form provided on your website. We trust you will find our feedback useful.

If you have any questions or wish to discuss further the feedback provided, please contact us. In closing, we thank you for the opportunity to provide comments and input on the Amendment.

Kindest Regards,

A handwritten signature in black ink, appearing to read 'Peter Sutton', written over a white background.

Peter Sutton
Co-Chair, Technical Advisory Committee
Canadian Brownfields Network

A handwritten signature in black ink, appearing to read 'Christopher De Sousa', written over a white background.

Christopher De Sousa
President
Canadian Brownfields Network

Stakeholder Feedback Form

From Canadian Brownfields Network

| Protocol # | Section # | Comment/Recommendation |
|---|------------------|--|
| Protocol 1: Detailed Risk Assessment | 2.1 | The new Protocol 1 applies to the preparation and contents of ecological and human health risk assessments as part of a detailed Risk Assessment. A reference is provided for a detailed ecological risk assessment as Protocol 20. Suggest providing a reference for a detailed human health risk assessment. |
| | 2.2 | At the end of the paragraph, there is a statement "Remediation Orders may also be used". Suggesting elaborating on this statement and/or providing a reference. This will assist owners and responsible parties. |
| | 2.3 | Suggest revising the statements in the box for the following: (a) replacing the phase "Risk Assessment" with "Risk Management" as a remedial strategy (b) define "permanently"; does this mean remediation to numerical standards? (c) risk management can be a permanent solution in some instances (d) |
| | 2.4 | Suggest revising the title and other statements to reflect Risk Management as a remedial strategy and Risk Assessment is a tool to assess the level of risks. |
| | 2.4 - 1. and 3. | Suggest elaborating the reference to the QP as QP (standards) and QP (risk assessors). |
| | 3.2 page 10 | "For sediment and sediment porewater, the <u>detailed risk assessment (should this be detailed site investigation?)</u> report must either demonstrate that concentrations of contaminants do not exceed applicable numerical standards as set out in Table 2 of Technical Guidance 15, version 2.0..." |
| Protocol 4: Establishing Local Background Concentrations in Soil | 4.2.2. Option 2b | "Ideally, soil samples taken from the reference site and the site of interest should be subjected to identical analyses (should this state as identical analytical methods?), using whenever possible the same analytical laboratory". |
| Protocol 6: Applications with Approved Professional Recommendations and Preapprovals | 1.0 | Suggest including a sentence to state the requirement that the Approved Professional is an active member and in good standing with the CSAP Society for both Numerical Standards and Risk Based APs. |
| | 1.0 | Suggest making the sentence for Pre-approvals generic - so that the process can be used for other requirements and not limited to Determination, Approval in Principle and Certificate of Compliance according to Section 3.2. |
| | 3.1.1 Table 1 | Suggest removing "High Risk" type for Determination. This is causing confusion. If a Determination is being obtained for a Site to be not contaminated; then it certainly cannot be a high-risk Site. |
| | 3.1.2 | "Note that an Approval in Principle is typically required for scenarios involving remediation in Stages" suggest adding a phrase and "exceeding 5 years". |
| | 3.1.3 | For the sentence, "...must submit the Final Determination draft documents to CSAP...", suggest adding Society to CSAP i.e. CSAP Society. |
| | 3.1.3 | 30 days may not be adequate for all the Q&As and completion of review by the Approved Professional. Suggest increasing it to 45 days. |
| | 3.2.2 | Suggest adding "Site Profile Decisions and Requesting Releases Where Local Government Approvals are Required" to the list. |
| | 4.2 | Suggest including a section on "Communications Channels". Based on the experience of Approved Professionals, having an active communication channel via telephone calls and emails with the ENV staff is extremely beneficial to avoid delays on project schedules for clarifications on ongoing changes to policies and procedures and associated interpretations and to help manage the changes in the CSAP Society Board members and the ENV staff. |
| Protocol 9: Establishing Local Background Concentrations in Groundwater | 1.0 | Suggest adding a phrase "that exceeds numerical standards of the CSR" for the definition of "Contaminants of Concern". |
| Protocol 11: Upper Cap Concentrations for Substances Listed in the Contaminated Sites Regulation | | No Comments or feedback. |

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| Protocol 12: Site Risk Classification, Reclassification and Reporting | 5.2, Table 2 and Table 3 | Is Detailed Site Condition Report the Detailed Site Investigation (DSI) Report? If yes, suggest using the DSI name. If not please provide additional details. |
| Protocol 13: Screening Level Risk Assessment | 6.0 | A 2 year requirement has been specified for data collection to demonstrate plume stability but the number of data points to be collected has not been specified. In order to avoid delays of brownfield / industrial land redevelopment, would quarterly sampling of one data not suffice? |
| Protocol 16: Determining the Presence and Mobility of Non-Aqueous Phase Liquids and Odorous Substances | Overall Comment | It is not clear why the introduction of a new term "migrating NAPL" was required and how that would be different from "Mobile LNAPL". |
| Protocol 17: Site Remediation Forms | | In the form -"Notification of Independent Remediation" and Section VIII, Section X and Section XII; a correction is required from "Evacuation and Disposal" to "Excavation and Disposal" |
| Protocol 28: 2016 Standard Derivation Methods | | The Summary of Site Condition form requires a separate section if ENV were to complete the review to reflect sections 7.0 to 9.0 accordingly. The current form is limiting in its ability to make any substantial changes. |
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