

Canadian Brownfields Network



Jurisdictional Review of Contaminated Site Qualified Professional Programs

Brownfield Stakeholder Meeting – Dec. 5, 2007

www.CanadianBrownfieldsNetwork.ca



Canada's Voice for Brownfields Redevelopment

Presentation Overview

- **Background**
- **Research Scope**
- **Key Findings**
- **Recommendations**



2

Background

- QPs play a significant role in the execution of high-quality and consistent contaminated site work
- A number of jurisdictions are developing or reviewing their QP programs
- What are the best practices or key elements of QP Programs?
- Issue of harmonization is being raised

3

Research Scope

Purpose

- Obtain an analysis of existing QP Programs
- Identify key elements of QP Programs
- Identify harmonization between jurisdictions

OCETA conducted

- Review and assessment of existing QP Programs
- Survey key stakeholders to identify “best practices”

Supported by

- Canadian Petroleum Products Institute, Kilmer Brownfield Equity Group, Cement Association of Canada, and the Canadian Manufacturers and Exporters

4

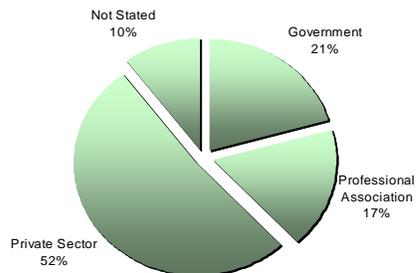
Research: Review and Assessment

- Reviewed jurisdictions from across Canada, U.S., Australia, U.K.
- Gathered information from government websites, third party reports and interviews with experts
- Examined structure, reason for creation, and requirements

Name for Professionals	QP Qualifications				Reviews or Audits of Assessments
	Education and Experience	Association Membership	Exams	Other	
Licensed Environmental Standards Professional	10 years of experience in contaminated site assessments	<ul style="list-style-type: none"> • Association of Professional Engineers and Geoscientists of BC (APEGBC) • College of Applied Biology (CAB) • British Columbia Institute of Agrologists 	<ul style="list-style-type: none"> • QP technical and regulatory examinations (in addition to professional association exams) 	<ul style="list-style-type: none"> • If not part of one of the three parent organizations, the applicant must demonstrate that (s)he is not eligible for registration in the organizations (i.e. toxicologist) • Must have liability insurance (\$2 million) 	Responsibility of the CSAP. The Province can audit the processes of the CSAP.
Licensed Environmental Risk Assessment Professional	10 years of experience in contaminated site risk assessments	<ul style="list-style-type: none"> • Association of Professional Engineers and Geoscientists of BC (APEGBC) • College of Applied Biology (CAB) • British Columbia Institute of Agrologists 	<ul style="list-style-type: none"> • QP technical and regulatory examinations (in addition to professional association exams) 	<ul style="list-style-type: none"> • If not part of one of the three parent organizations, the applicant must demonstrate that (s)he is not eligible for registration in the organizations (i.e. toxicologist) • Must have liability insurance (\$2 million) 	Responsibility of the CSAP. The Province can audit the processes of the CSAP.

Research: Survey

- Cross section of key stakeholders
- Twenty-nine survey responses (from 69 contacts) (Electronic survey and personal interviews)
- Obtained information on key elements and best practices
 - Education and experience requirements
 - Professional designations
 - Skill maintenance
 - Liability coverage



Findings: Review and Assessment

- QP Programs established or being developed in Canada require membership in a professional organization
- Only two jurisdictions have implemented independent societies to govern QPs
- In addition to mandatory QP Programs, there are a number of voluntary programs that do not require professional designation

7

Findings: Review and Assessment

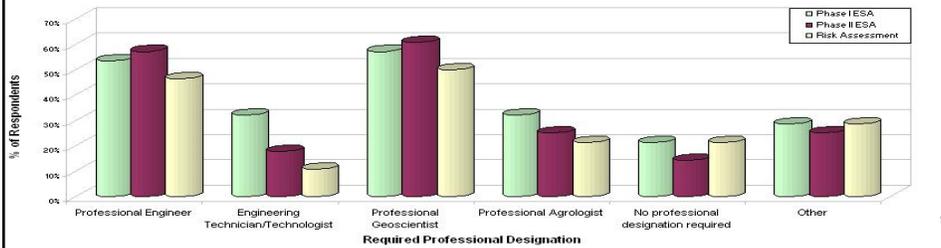
- In jurisdictions where experience is a requirement, the majority require 5-10 years of relevant experience
- Many jurisdictions require project management as well as technical experience
- Level of responsibility in assuming liability for remediation of contaminated sites varies by jurisdiction
 - Jurisdictions that accept liability tend to have more stringent qualification requirements for QPs

8

Findings: Survey

General:

- Need early stakeholder consultation in development of QP Program
- Only Atlantic Canada appears to have considered harmonization
- Existing National Programs are voluntary and used to attest to the apparent competence of members
- No agreement on the number of years of experience
- No agreement on preferred method to audit QP work
- QPs should be members of independent, self-governing associations



Findings: Survey

Concerns:

- Independent QP associations can facilitate abuse of privilege
- Prevention of conflicts of interest
- Qualified and experienced practitioners without professional designation may be excluded
- Professional designation on its own does not ensure quality work

Findings: Survey

Best Practices:

- Government needs to communicate requirements/expectations
- Professional organizations help protect public interest
- QP should assemble and manage a multi-disciplinary team
- Liability insurance is essential for practicing QPs (amount of coverage should be based on the level of risk)
- Rigorous exam or qualification process
- Ongoing education and professional development is key to improving quality of work (training focused on regulations)

11

Recommendations

- 1) Engage all stakeholders early in the development or re-design of QP Programs**
 - Consultations ensure stakeholder positions are considered and that stakeholders understand and are engaged in the decision-making process and outcomes
 - Encourage provincial licensing associations to work closely (partnerships) with other provincial government counterparts
- 2) Leverage existing accredited professional organizations**
 - Qualified Professionals should be members of existing professional organizations
 - Maintain an open working relationship and communication with the professional organizations

12

Recommendations

- 3) **Conduct a national working session on QPs**
 - Potential topics: responsibilities of professional organizations, certification requirements, ongoing performance expectations, disciplinary standards, accommodation for non-professionals

- 4) **Clearly communicate requirements and expectations of QPs**
 - Broadly communicate the qualifications, on-going certification and performance expectations of the QP Program
 - Example - Guidelines and bulletins
 - Focus on regulatory updates, requirements such as technical and scientific discipline requirements for RAs and recommendations for QP work

13

Recommendations

- 5) **Provide ongoing consultation and training on regulatory issues and requirements**
 - Conduct outreach and education activities for QPs

- 6) **Initiate discussions with other jurisdictions regarding harmonization**
 - Harmonization of programs will allow companies to more easily transfer expertise between jurisdictions to expedite the redevelopment of contaminated sites
 - Harmonization discussion with other jurisdictions acts as another level of due diligence in the creation of a QP Program

14

Contact

Tammy Lomas-Jylha

VP, Remediation and Brownfield Services - Division of OCETA

tlomasjylha@oceta.on.ca

Tammy@canadianbrownfieldsnetwork.ca



www.canadianbrownfieldsnetwork.ca