CHALLENGES OF SOIL RELOCATION UPDATE ON CHANGES TO PROVINCIAL PROCESS

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BRITISH COLUMBIA Ministry of Environment

THE ISSUE – REGULATOR

- Few tools to track and contain movement
- Determining the source of soil
- Illegal & inappropriate disposal
- Lack of awareness: industry, gov't staff, public
- Where to focus resources



THE ISSUE – PARTIES RELOCATING SOIL

- Limited options for disposal and treatment
- Sale of materials subject to requirements
- Cost
- Timing lengthy delays, unpredictable
- Liability





LEGAL PROCESS

• Current:

- Ministry authorization prior to movement
- Exemptions
- Proposed:
 - Notifications
 - Ministry audits



POTENTIAL CHANGES TO LEGAL REGIME

- Discussion paper
- Intentions paper
- Draft legal requirements
- Amendments to the *Environmental Management Act*
 - Contaminated Sites Regulation



WRITTEN COMMENTS - INTENTIONS PAPER

- 17 responses
 - Low support for current process
 - General support for notification process
 - Streamline
- Soil to be treated as a resource
- Opinions split regarding ministry involvement



GENERAL RESPONSE

- Strong support for ministry involvement in risk based soil relocation
 - Concerns with ministry capacity/resources to manage
 - No relocation over standards
- Mixed responses to triggers
 - All sites over a specific volume
 - No volume requirement for Schedule 2 sites



LOCAL GOVERNMENT RESPONSE

- Responsibility shift to municipalities
- Opportunities to review relocation notifications
 - Not part of the decision making process
- Two weeks notice prior to movement too short
- Trigger volumes for notification aligned with local bylaw volumes



CURRENT FOCUS ON CHANGES TO PROCESS

Local Government Issues

- Notification timing
 - **Coordination of responsibilities**
- Need for education that other requirements may be applicable – bylaws
- Management of municipal soils



CURRENT FOCUS ON CHANGES TO PROCESS

Leachate Testing

- Developing a leachate protocol with CSAP Working Group
- How does this apply to soil relocation
- Unique circumstances compared to site remediation
 - Volume concerns at receiving sites



CURRENT FOCUS ON PROCESS

Disposal of Soil on First Nations Land
Treaty lands vs. reserve lands
How does this involve other federal land
What requirements would apply



Exemptions and Beneficial Re-use of Soil

- Salt contaminated soil
- Materials as a product for sale
- Regulatory flexibility to promote and enhance re-use of soils – not disposal



Benefits & Issues



CURRENT FOCUS ON PROCESS

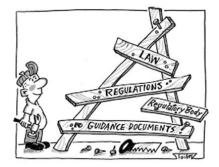
Large Volume Receiving Sites

- Creation of unauthorized/unregulated "landfills"
- Requirements protective of human health and the environment
- What requirements would apply
- How will these sites be monitored





- Continue work in areas discussed
- Potential working groups
- Exemptions
- Vapours



- Paper outlining details of proposed process for comment
- Drafting legislation



QUESTIONS

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