#### 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**

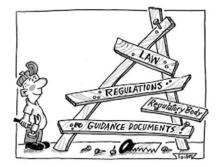
# Large Volume Receiving Sites

- 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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