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Cross-County Check Up
Hot Properties @ Canadian Brownfields 2008

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Overview

- **What's New?**
 - Alberta
 - Saskatchewan
 - Manitoba
 - Nova Scotia

Alberta

- 1. Definition of “Contaminated Site”?**
 - No recent or anticipated changes
- 2. Who is a “Person Responsible”?**
 - No recent or anticipated changes

Alberta (cont'd)

3. What is “Clean”?

- Two new guidelines released, August, 2008
 - Alberta Tier 1 Soil and Groundwater Remediation Guidelines
 - Alberta Tier 2 Soil and Groundwater Remediation Guidelines
 - The new Guidelines update the 2007 documents by including minor changes to the tables in the Alberta Guidelines to be consistent with the updates from the CCME

Alberta (cont'd)

- *Frequently Asked Questions on the Alberta Tier 1 and Tier 2 Soil and Groundwater Remediation Guidelines (February, 2008)*
 - Provides guidance on whether the remediation values contained in the Alberta Soil and Water Quality Guidelines for Hydrocarbons at Upstream Oil and Gas Facilities or the Tier 1 or Tier 2 Guidelines apply (Reclamation Certificates based on December 1, 2007 lab analytical data sheets can be issued where the results comply with the 2001 Guidelines)

Alberta (cont'd)

- *Environmental Site Assessment Guidelines (2008 Draft)*
 - To establish minimum requirements for ESAs
- *Soil Monitoring Directive (2008 Draft)*
 - Establishes regulatory requirements where a person is required to conduct soil monitoring or soil management programs in accordance with an Approval issued under the *Environmental Protection and Enhancement Act*

Alberta (cont'd)

- 4. Is there any statutory sign-off with respect to liability closure?**
 - No recent changes
- 5. Registry of “Contaminated Sites”**
 - As of May 1, 2008 a Record of Site Condition form must accompany every Phase II ESA, Remediation Report and Risk Management Plan submitted to Alberta Environment. The RSC is a public record.
- 6. Qualified Persons**
 - Professionals registered with six professional regulatory organizations are permitted to sign a Professional Declaration for Reclamation Certificate Application Form.
- 7. Incentives for Brownfield Redevelopment**
 - No significant changes

Saskatchewan

- 1. Definition of “Contaminated Site”?**
 - No recent or anticipated changes
- 2. Who is a “Person Responsible”?**
 - No recent or anticipated changes
- 3. What is “Clean”?**
 - No recent or anticipated changes
- 4. Is there any statutory sign-off with respect to liability closure?**
 - No recent or anticipated changes

Saskatchewan (cont'd)

5. Registry of “Contaminated Sites”

- The 2008 Report of the Saskatchewan Auditor General stated that Saskatchewan Environment “had adequate processes at August 31, 2007 to regulate contaminated sites “except the Ministry needs to implement processes for assessing, monitoring, tracking and reporting the status of contaminated sites.” In November 2007 Saskatchewan Environment committed to seeking guidance regarding a computer system for managing information about contaminated sites and preparing a draft long-term strategy for assessing the risks of some non-uranium abandoned mines and drafting a contaminated site/spills communications plan

Manitoba

1. Definition of “Contaminated Site”?

- No recent or anticipated changes

2. Who is a “Person Responsible”?

- No recent or anticipated changes

3. What is “Clean”?

- Adoption of the CCME *“Canada Wide Standards for Petroleum Hydrocarbons and Soil” (Revised January, 2008)*
- Adopted *Canadian Drinking Water Quality Guidelines (Revised May, 2008)*

Manitoba (cont'd)

4. Is there any statutory sign-off with respect to liability closure?

- No recent changes

5. Registry of “Contaminated Sites”

- The Contaminated Sites Registry has been updated and is now current to November, 2007

6. “Qualified Persons”

- No recent changes.

7. Incentives for Brownfield Development

- No recent changes.

Nova Scotia

1. Definition of “Contaminated Site”?

- No recent changes

2. Who is a “Person Responsible”?

- Nova Scotia Law Reform Commission is examining the issue of liability and will report to the Minister of Environment in 2009
- Anticipated regulations under the *Environmental Goals and Sustainability Prosperity Act* (in force as of June, 2007) are anticipated to provide a sense of certainty for owners and developers of contaminated sites, as well as those that may be potentially liable

Nova Scotia (cont'd)

- 3. What is “Clean”?**
 - No recent changes
- 4. Is there any statutory sign-off with respect to liability closure?**
 - No recent changes
- 5. Registry of “Contaminated Sites”**
 - No recent changes
- 6. Qualified Persons**
 - No recent changes
- 7. Incentives for Brownfields Redevelopment**
 - No recent changes

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Thank You

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