

UDI MEMBER BULLETIN

BC CONTAMINATED SITES REGULATION CHANGES

Significant changes to the Contaminated Sites Regulation have been made and are effective November 1, 2017. These changes could have a significant affect on your project!

- The current regulation remains in effect until November 1, 2017; submissions under the current regulation will be accepted until 5 PM October 31, 2017.
- Several changes are positive for developers –
 - New high density residential land use (3 or more stories) applying essentially commercial land use soil standards
 - Parkade use standards in combination with high density residential land use allows higher attenuation factors for soil vapour
 - Soil relocation may be easier, but the Ministry of Environment (MOE) process is not complete
- Changes to standards are both positive and negative for developers with some standards (particularly many metals) being more stringent and some standards being less stringent
- The new regulation authorizes changing the standards every 5 years to remain more current with toxicological data, so the standard should be consistent for several years.
- The changes require updating and preparation of new guidance, protocol, procedures etc. during the transition period leading up to implementation of the new regulation on November 1, 2017. All of these documents will require review and comment by UDI
- Because of the substantial nature of these changes, they are still being reviewed and digested by the UDI Contaminated Sites Committee.
- Make sure that you give full consideration to projects you have in the works or are contemplating that require assessment for contamination. There may be advantages for either completing your site under the current regulation or the new regulation. Contact your environmental consultant to assist you with this evaluation.
- Applications can be made under the new regulation prior to the November 1, 2017 implementation date. Such submissions will be held until that date and will be processed in the order received.
- Application made under the current regulation before October 31, 2017, must be complete, fees paid, application form completed and date stamped by Contaminated Sites Approved Professionals Society (CSAP) or MOE. If such a submission is rejected after November 1, 2017, resubmission will have to be made under the new regulation.
- UDI is planning a breakfast seminar on this topic to assist you in understanding the new regulation and its effect on your project early in the new year.