

# FACTS ON CONTAMINATED SITES

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### The Site Profile System

The site profile system is a legally defined, uniform process that provides a mechanism to screen potentially contaminated sites in British Columbia.

Site profiles are forms that require readily available information about the past and present uses of a site, as well as basic land descriptions. The assistance of a consultant is not required to complete a site profile.

The content and format of a site profile are provided in Schedule 1 of the *Environmental Management Act's* Contaminated Sites Regulation (the Regulation). <u>User-friendly versions of the site profile form,</u> including a fillable PDF form, can be obtained from our website.

## When must a site profile be completed and submitted?

There are three steps in determining if submission of a site profile is required.

Step 1 is to establish if any of the following triggers pertain to the site:

- application to local government for zoning, subdivision, development or development variance, soil removal, or demolition;
- decommissioning a site;
- taking over a property as a trustee, receiver or liquidator;
- selling property that has or had a Schedule 2 activity on it; and

• application for a Certificate of Restoration under the *Petroleum and Natural Gas Act*.

In step 2, it must be determined if any of the activities listed in Schedule 2 of the Regulation have occurred on the site. Schedule 2 lists commercial and industrial activities and uses that have the potential to cause contamination. If the answer is no, then there is no requirement to complete a site profile. If the answer is yes, then a site profile may have to be submitted.

Step 3 involves determining if any exemptions apply. The Regulation lists numerous exemptions from the requirement to submit a site profile.

In summary, a site profile must be completed and submitted to the appropriate recipient if a Schedule 2 use or activity applies, one or more of the listed triggers pertains to the site, and there are no applicable exemptions. In addition, a site profile must be submitted if one is ordered by a Director of Waste Management.

Site profiles must be submitted to different parties depending on the site profile trigger. These parties include approving officers, local governments, prospective purchasers or a Director of Waste Management.

For detailed instructions on completing and submitting a site profile, see <u>Administrative</u> <u>Guidance 1, "Completing and Submitting Site Profiles"</u>.

#### Assessing site profiles

Site profiles submitted to local governments or approving officers must be assessed for completeness within 15 days of submission. If the site profile is not satisfactorily completed, it will be returned to the applicant for correction.

Site profiles submitted to local governments or approving officers that have any "yes" responses in sections IV through IX of the form will be forwarded to a Director for review and entry into the Site Registry. If there are all "no" responses, the site profile will be forwarded to the Site Registrar in Victoria and entered directly into the Site Registry without review.

#### Site investigations

Once a site profile has been received by a Director, he or she has 15 days to determine whether a site investigation is required. If one is required, the local government or approving officer and the applicant will be notified of the Director's decision.

When the Director determines that a site investigation is required, this decision will suspend approval of the subject application, or other future applications for the site as identified in section 40 of the *Environmental Management Act* until:

- the proponent applies for and obtains one of the following *Environmental Management Act* instruments, as applicable: a Determination that the site is not a contaminated site, a Voluntary Remediation Agreement, an Approval in Principle of a remediation plan, or a Certificate of Compliance confirming the satisfactory remediation of the site; or
- the local government receives a release notice from the Director.

For more information about site investigations and site profile freeze and release provisions, please refer to Technical Guidance documents 10 and 11 and Fact Sheet 37.

## How do I obtain a contaminated sites legal instrument for my site?

Most applications for contaminated sites legal instruments (see <u>Fact Sheet 46</u>) must be submitted via the Contaminated Sites Approved Professionals Society with the recommendation of an Approved Professional. Please refer to <u>Fact Sheet 30</u> for some basic information about the Roster of Approved Professionals.

Applications for a contaminated sites legal instrument must include a completed Contaminated Sites Services Application form. We recommend that a qualified consultant assist with the application process. An overview of the contaminated sites services offered by the ministry is provided in <a href="Fact Sheet 28">Fact Sheet 28</a>. Service fees are listed in Schedule 3 of the Contaminated Sites Regulation and are reviewed in <a href="Fact Sheet 25">Fact Sheet 25</a>, "Fees for Contaminated Sites Services."

## How do I obtain a release notice from the Director for my site?

To obtain a release notice, applicants must submit specific information to the Director based on the current and proposed future use of the site. For detailed information about release scenarios and instructions on requesting a release notice, see <a href="#">Administrative Guidance 6</a>, "Site Profile Decisions and Requesting Release Where Local Government Approvals Are Required."

Note: This summary is solely for the convenience of the reader. The current legislation and regulations should be consulted for complete information.

For information about site profiles, please send a message to <u>siteprofiles@gov.bc.ca</u> or visit the "<u>Site Profiles</u>" key topic on our website.