

Alberta 

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Remediation Certificates 101

Government
of Alberta 

Outline

- What are they?
 - Regulatory basis for issuing remediation certificates
 - Definitions and brief history of the program
- Why should I want one?
 - Benefits for the site owner
 - Benefits for the public at large
 - Benefits for regulators
- How do I get one?
 - Site eligibility requirements
 - Application process
- The future of the program

What are they?

A brief history



What are they?

Regulatory basis for the program

- Regulatory Basis
 - For sites under part 5 of the *Environmental Protection and Enhancement Act*
 - Regulatory scope of certificates is defined via the Remediation Certificate Regulation
- Voluntary certificate program
- Commenced June 2009 for petroleum storage tank sites. This was recently replaced with two programs:
 - The first program is for general contaminated sites.
 - The second program is for upstream oil and gas sites

What are they?

Scope and authority

- Authority/limits of a remediation certificate
 - Certificates are issued on a release basis
 - Once a certificate is issued, environmental liability is discharged for that release
- Audits verify the effectiveness of the program
 - 10% of sites to be audited
 - Intrusive audit program similar to the subsurface audits for the Reclamation Certificate program

Why should I want one?

Benefits for stakeholders



Why should I want one?

Reclamation vs. Remediation

- Reclamation:
 - Returning disturbed land to equivalent capability
 - Focus on land surface
 - Required for specified land
 - Surface liability remains for 25 years after certification for surface
 - No liability closure for subsurface contamination
- Remediation:
 - Reducing contaminant levels to concentrations below environmental risk
 - Focus on subsurface soil and groundwater
 - Liability release for subsurface contamination upon certification

Why should I want one?

Benefits for site owners

- Provides certainty for proponent if standards change
- Provides closure of liability upon certification
- Displays willingness of the site owner to clean sites up completely and with transparency

Why should I want one?

Benefits to the public at large

- Incentive to remediate
 - e.g., Redevelopment of vacant properties in the urban core
- Provides assurance that appropriate remedial measures were employed
 - Data and information required for application is well-defined
 - Provides requirements for assessment and remediation
- Formalizes risk management of offsite contamination
 - The certificate is issued contingent on operation of the risk management plan

Why should I want one?

Benefits to regulators

- Incentive to remediate
 - Brownfield vs. Greenfield redevelopment
 - Thousands of abandoned and suspended well sites with no regulatory mechanism to drive formal closure
- Provides a way to assure the public that appropriate remedial measures were employed
- Allows for future tracking of remediation statistics

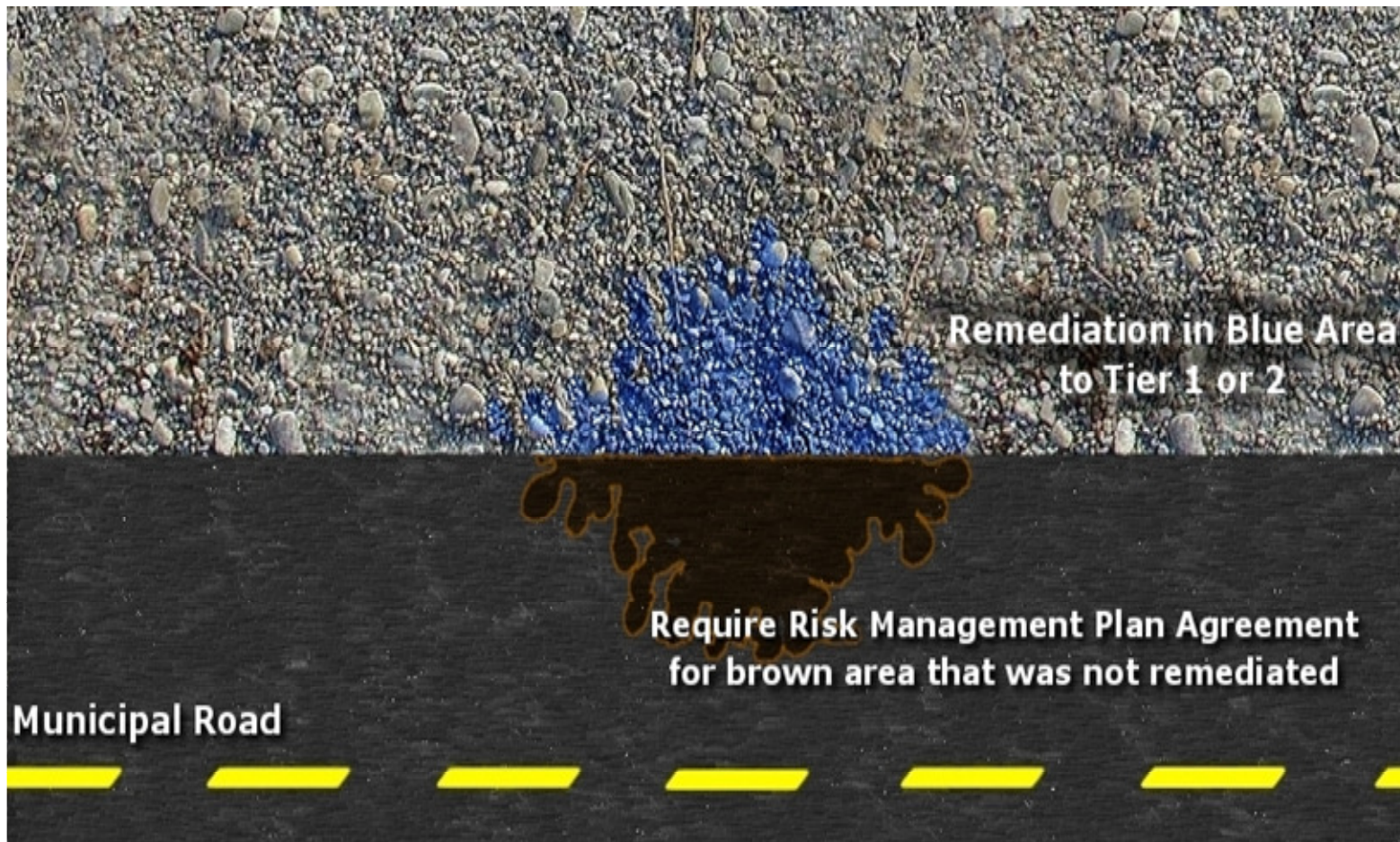
How do I get one?



How do I get one?

Remediation Certificate eligibility

- On-site Spill
 - Entirely remediated
- On-site Spill extending Offsite
 - Remediate on-site contamination
 - Remediate or risk manage off-site areas
- Off-site Remediation
 - Must include exposure control to protect from on-site impacts



How do I get one?

Application Process

- Remediation Certificate application submitted to the regulatory approvals centre
- Administrative review is done to ensure all of the required information has been submitted
- Application is given a technical review to ensure technical sufficiency
- Certificate is issued or refused



How do I get one?

Application information required

- Substance release information
- Area and depth of contamination
- Offsite information
- Receptors and pathways
 - Water wells, surface water bodies, adjacent residences.
- Remediation land use criteria used
 - Current and future zoning
- Remediation process
- Remediation criteria used
 - Tier 1 or Tier 2

How do I get one?

Application information required

- Survey plan of the site with remediated area
- Map with location of remediated area
- Cross – section of top and base of remediation
- Land title certificate
- Phase 1 ESA, Phase 2 ESA reports that haven't been submitted
- Borehole logs
- Lab analytical data
- Risk management plan & *Third Party Risk Management Plan Agreement*
- \$1000 Fee

How do I get one?

Professional signoff requirements

- Applicant Declaration
- Professional Declaration: sign off required
 - Seven professional regulatory organization
 - ACPA, AIA, APEGGA, ASET, ASPB, CAPF, CAPFT
 - Minimum of 5 years verifiable experience in remediation relative to the Competency Tables
 - Carry errors and omissions insurance coverage

How do I get one?

Avoid these common issues

- Not signed by a professional
 - Must be stamped or membership number must be included
- No cross – sections of the remediated zones
- Insufficient or improper remediation excavation samples
- Backfill soil quality analyses not included
- Improper application of Tier 2 and/or salinity guidelines

Questions?

Contact Alberta Environment and Water's
Information Centre
(780) 427 2700