

GUIDELINE
June 2014

**SUBMISSION OF REMEDIATION PLANS FOR
IMPACTED AND CONTAMINATED SITES**

1.0 Introduction

Remediation projects are conducted routinely in Manitoba to minimize or eliminate the hazards associated with *contaminated sites* and *impacted sites*. As the government agency with the mandate for enforcing the *Contaminated Sites Remediation Act* (CSRA) and the *Contaminated Sites Remediation Regulation* (CSRR), Manitoba Sustainable Development (the Department) has a duty to ensure that remediation is carried out in accordance with the CSRA and the CSRR, together with applicable guidelines.

In this document, remediation refers to methods of managing risks associated with site contamination. Options for remediation include, but are not limited to:

- excavation of contaminated soil and ex-situ treatment of contaminated soil and/or groundwater;
- in-situ physical, chemical and biological treatment systems; and
- on-site risk management programs (e.g. monitored natural attenuation).

For the purpose of this guideline, remediation projects will include those covered in the CSRA and CSRR, that is, remediation of sites designated as either a *contaminated site* or an *impacted site*. When the owner/occupier of a site becomes aware of contamination on their site, they are required to inform the Department and provide all available information. Based on the information provided, the Department may designate the site as either a *contaminated site* or an *impacted site*. If a site has been designated, the Department requires that a Remediation Plan be prepared and submitted.

2.0 Submission of Remediation Plans

For a site designated as either a *contaminated site* or as an *impacted site*, a detailed written Remediation Plan must be submitted to the Department within thirty (30) or ninety (90) days (respectively) prior to the onset of any site remediation work. Remediation may not proceed without approval by the Department. Prior to reviewing any Remediation Plan, the Department will require submission of an environmental site assessment (ESA) detailing the nature, degree of severity, and extent (areal and

vertical) of site contamination. The responsible parties for a *contaminated site* or an *impacted site* may submit the Remediation Plan with the ESA report either as a separate chapter to the report or under a separate cover.

Remediation Plans should fully outline:

- the proposed procedures and methods;
- target remediation criteria;
- quantities of contaminated media;
- destinations for any off-site transport or treatment and/or disposal;
- project time frames; and
- any other pertinent information.

When handling contaminated materials which are classified by the Department as Hazardous Waste, special attention should be given to appropriate transportation requirements (e.g. manifesting, safety placards, etc.), generator registration requirements, and treatment facility destinations.

3.0 Response to Remediation Plans

Upon receipt of a Remediation Plan, the Department will review the plan to ensure that an appropriate ESA has been conducted and that the Remediation Plan addresses the risk factors in a manner consistent with provincial guidelines and policies. Any requirements for permitting or notification of other agencies are the responsibility of the proponent submitting the plan.

After any deficiencies have been addressed and it is determined that the Remediation Plan is acceptable to the Department, a written authorization will be submitted to the proponent.

4.0 Submission of Remediation Report

Following completion of field activities associated with the Remediation Plan, a comprehensive summary report detailing the remedial actions and all supporting documentation shall be forwarded to the Department for review. The report must contain a clear and concise determination of any risk remaining on site.

Following a review of the remediation report, the Department may issue an order revoking the designation of the site as either a *contaminated site* or an *impacted site* provided that there are no conditions on the site that require further work. A letter notifying the owner/occupier of the site and any other appropriate stakeholders will be issued and the site will be removed from the registry.

5.0 Other Issues

Department staff may attend the site during remedial activities in order to ensure that all appropriate requirements are met and that site activities are conducted in accordance with applicable regulations.

In the event that the remediation does not follow the procedure outlined in this guideline, or the responsible party fails to conduct the required remediation of a designated site, the Department has the authority to enforce the CSRA and CSRR. Enforcement actions may include:

- formal warnings to comply with the appropriate section of the CSRA and/or CSRR;
- Director's Orders for the responsible party to conduct additional investigations and/or to proceed with remediation as specified by the Department;
- Director's Order to proceed with remediation of a site under the direct supervision of the Department with the cost of remediation charged to the responsible party; and/or
- formal charges under the CSRA and CSRR. Penalties for offences under the CSRA include a fine of up to \$50,000 or imprisoned for a term of not more than six (6) months, or both, for a first offence. For each subsequent offence, an individual is liable to be fined an amount of up to \$100,000 or imprisoned for a term of not more than one year, or both.

6.0 For More Information

For more information, please contact:

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