



# Understanding the Legislation: Brownfield Remediation and Redevelopment

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# Importance of understanding the legislation

- Need to know what you must do... for example:
  - obtain authorizations
  - provide notifications
- Need to know what you could do... for example:
  - alternative remedial approaches?
  - independent remediation?





# Generic brownfield legislative steps

## Community Planning

- Community-wide Brownfield Planning Activities
- Identification & Inventories of Brownfield Sites
- Interim Land-Use Planning

## Site Assessment & Planning

- Phase 1, 2 & 3 Site Assessments
- Risk Assessment (if required)
- Remedial Objective Determination
- Remediation and / or Risk Management Feasibility Studies / Optimization
- Remedial/Risk Management Action Planning

## Remediation / Risk Management

- Building Demolition / Waste Removal
- Remediation and / or Risk Management Implementation
- Confirmation of Compliance / Contaminated Site Closure

## Redevelopment

- Ongoing Risk Management and Monitoring (if required)
- Design and Construction of Infrastructure on the Site

- Municipal land use planning legislation
- Provincial environmental legislation
- Federal environmental legislation



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# Common elements of contaminated sites / brownfield legislative frameworks

- Definition and identification of sites
- Environmental quality standards (generic; risk-based)
- Liability provisions
- Implementation of remediation
- Notifications
- Regulator authorities
- Public access to site information





# Increasing brownfield stakeholder certainty

- British Columbia
  - Certificate of Compliance; Approval in Principle; Determination
  - Site Registry
- Ontario
  - Record of Site Condition; Certificate of Property Use
  - Environmental Site Registry
- Alberta
  - Remediation Certificate

# Working with environmental consultants and provincial regulators

- Important to identify and retain a qualified environmental professional who is knowledgeable both technically and about local legislation/regulations.
- Significant benefit from early planning, identification of critical paths, opportunities/constraints.
- Explore possibility of holding focused meetings with regulators about proposed project plan.