

Implementation of the CWS for Petroleum Hydrocarbons (PHC) in Soil
- Manitoba Implementation Plans -

BACKGROUND:

The Canada-wide Accord on Environmental Harmonization is the framework agreement that establishes the common vision, objectives and principles that will govern the partnership between jurisdictions, and the development and implementation of sub-agreements. The Accord envisions governments working in partnership to achieve the highest level of environmental quality for all Canadians, and defines the partnership that will be established to address issue of Canada-wide interest. This includes the development of sub-agreements under the Accord to provide a one-window approach, assumption of roles by the government best situated to take them on, accountability through regular reporting of measurable obligations and results, and a commitment to develop alternative plans if obligations are not met. The Accord on Environmental Harmonization came into force on January 29, 1998.

The aim of the Canada-wide Environmental Standards Sub-agreement is to encourage governments to work together on key issues requiring standards Canada-wide to achieve a common high degree of environmental quality. The Environmental Standards Sub-agreement facilitates joint agreement on key priorities requiring standards, and encourages complementary workplans to achieve those standards, based on the unique responsibilities and legislation of each government. The Canada-wide Standards (CWS) process includes opportunities for public input in determining priorities, setting the standards, and developing implementation plans. Each jurisdiction will report to the public on progress. Similar to Canadian Ministers of the Environment (CCME) environmental guidelines, CWS are based on sound science and the evaluation of risk to human health and the environment.

The Petroleum Hydrocarbon (PHC) CWS is a remedial standard for contaminated soil and subsoil occurring in four land use categories. The standard is grounded in the science of risk assessment and can be applied at any of three “Tiers”: Tier 1 – generic numerical levels; Tier 2 – adjustments to Tier 1 levels based on site-specific information; Tier 3 – site-specific risk assessment. The same level of environmental and human health protection is required at all three tiers. The ministers endorsed the PHC CWS in April 2001.

PHC CWS IMPLEMENTATION PLAN FOR MANITOBA

It has been determined that as environmental issues related to PHC release to soil are principally limited to intra-jurisdictional effects, clause 6.1 of the CWS Sub-agreement applies to the PHC CWS. Jurisdictions have agreed to review current programs and tools. Where required, develop and activate jurisdictional implementation plans to integrate the CWS or ensure equal or better protection.

Under The Contaminated Sites Remediation and Consequential Amendments Act (CSRA), section 57(1) states that the director may from time to time establish, revise or adopt guidelines that may be used by the director, the commission or the persons responsible for the investigation or remediation of a site.

Implementation

Manitoba along with the other Canadian jurisdictions has endorsed the PHC CWS. Pursuant to s. 57(1) of the CSRA, Manitoba shall adopt the PHC CWS and apply it as a guideline in a similar fashion as the CCME Canadian Environmental Quality Guidelines to address the investigation, assessment, monitoring and remediation of contaminated and impacted sites in Manitoba. This shall be implemented immediately by Manitoba Conservation's Contaminated Sites Program.

In addition, the following Manitoba guidelines shall be amended to reflect the application of the PHC CWS:

- A Guideline for the Dismantling and Removal of Underground and Aboveground Petroleum Storage Tank Systems in Manitoba June 1991 (Revised January, 2000)
- Manitoba Guideline 98-01 – Guideline for Environmental Site Investigations in Manitoba
- Manitoba Guideline 96-05 – Treatment and Disposal of Petroleum Contaminated Soil June 1996 (Revised May 1998)
- Contaminated Soil Criteria for Acceptance at Licensed Waste Disposal Grounds (Draft May 2001)

Reporting

It is proposed that Manitoba Conservation through its electronic and hardcopy data management systems track all contaminated and impacted sites in Manitoba and through the assessment of the data, generate reports that will assess the progress in the implementation of the PHC CWS in Manitoba. This information shall be provided to the public on a regular basis and to the CCME Ministers as a comprehensive report at five year intervals beginning in year 2003.

Manitoba Conservation
October 2, 2001