



GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

Department of Environment and Conservation

Pollution Prevention Division
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GUIDANCE DOCUMENT

Title: Division of Responsibility with Respect to Impacted Sites

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Approved By: 
Derrick Maddocks, Director

**IMPACTED SITES RESPONSIBILITY
GD-PPD-007.1**

1.0 SUBJECT:

Division of Responsibilities between the Pollution Prevention Division (PPD) and Service Newfoundland and Labrador (Service NL), Government Service Centre (GSC), with respect to impacted sites.

2.0 OBJECTIVE:

To ensure the following:

- (i) Staff in PPD and the GSC are aware of their specific roles and responsibilities with respect to the assessment and remediation of impacted sites.
- (ii) The public can be provided with the efficient departmental review, comments and regulatory closure in accordance with the Guidance Document for the Management of Impacted Sites.

3.0 BACKGROUND:

The Memorandum of Understanding (MOU) between the Department of Environment and Labour (now ENVC) and the Department of Government Services and Lands, (now Service NL) dated May 1998 outlines each Department's roles and responsibilities in general terms.

It states in the preamble that "with the establishment of the Government Service Centre on April 1, 1995, some front line, field functions for the Environment Branch of the Department of Environment and Labour such as:

- (i) Responding to complaints;
- (ii) Processing applications;
- (iii) Responding to spills; and
- (iv) Conducting and reporting on investigations and inspections.

have been transferred to that agency. The Department of Environment and Labour retains overall policy and legislative responsibility for all mandated activities under the Province's environmental legislation."

4.0 POLICY:

Based on the above, Service NL-GSC has the following responsibilities:

- Respond to a release, environmental emergency, or report of an impacted site;
- Inspect site following release, to determine if emergency response measures are required;

- Give written notice to the person responsible through issuing an Impacted Sites letter, to notify them of their requirement to hire a Site Professional;
- Forward a copy of the Impacted Sites Letter to ENVC;
- Communicate with property owners and impacted third party property owners, and environmental consultants on the regulatory requirements and process;
- In cases where Tier I (generic) guidelines will be used, make final determination of acceptability of remedial action plans;
- In cases of cleanup to Tier II/Tier III (site-specific) guidelines, an ecological risk assessment (ERA) or a soil vapour assessment, transfer file to ENVC and provide site specific input and advice to ENVC, where required;
- Review closure reports where generic guidelines are applied, to ensure the work has been managed in accordance with the Guidance Document of the Management of Impacted Sites, and if so, sign the Record of Site Condition (RoSC), acknowledging regulatory closure; and
- Forward the original signed RoSC to the person responsible, with copies kept in the file and forwarded to ENVC and any others involved (i.e., consultants, property owner if not person responsible, or third party impacted property owners).

ENVC, Pollution Prevention Division has the following responsibilities:

- Update guidance documents as deemed necessary;
- Record and maintain information on impacted sites in a registry;
- Provide direction and guidance to GSC, other Government Departments and Agencies and others, on the management of impacted sites.
- Reviews files where Tier II/III assessments (site specific; including ERAs and vapour assessments) are completed, and on sites where institutional or engineered controls are required.
- Review Tier II and Tier III closure reports to ensure the work has been managed in accordance with the Guidance Document of the Management of Impacted Sites, and if so, sign the RoSC, acknowledging regulatory closure;
- Forward the original signed RoSC to the person responsible, with copies kept in the file and forwarded to the GSC and any others involved;
- May assume full/ lead/ additional responsibility for sites such as:
 - Military sites;
 - Sites involved in government land transfer agreements, reversion/agreements and divestiture;
 - industrial sites;
 - Sites involving corporate mergers, takeovers, bankruptcies, where corporate property assessment involves sites in various regions of the province.

In these cases, specific responsibilities will be agreed to by ENVC and Service NL.