

What you need to know about
CONTAMINATED SITES

When you need a
cleanup

You believe your property is contaminated.

This brochure lays out the process you must follow. You may also call the local office of Nova Scotia Environment to report the problem and receive guidance and instructions on what to do next.

What to do

To address the contamination you need to hire a contaminated sites professional.

If you have the right insurance coverage, your insurance company will hire a site professional to manage the process of dealing with the contamination on your behalf.

If your insurance does not cover the contamination, you must hire a site professional yourself. Look online or in the yellow pages for environmental consulting companies. Advice on hiring a site professional is discussed later in this brochure.

First, the site professional will assess the situation. The site professional will find out what the effects are and what steps to take to address them.

The process for cleaning up depends on several important factors including these:

the hazard – the type of substance involved, that may be harmful to people or the environment

the pathways – how the substance will affect people or the environment, such as breathing vapours, eating or touching contaminated soil, or drinking water contaminated by the substance

the receptors – people or type of environment that will be affected by the contamination

Difference between reporting spills and contaminated sites

All contamination that is not eligible for an exemption under the Notification Protocol must be reported to Nova Scotia Environment. A site professional can help you decide what to report. Reporting spills is different from reporting a contaminated site.

How to report a spill

A spill is reported because something has been released into the environment. Anyone who discovers a spill must report it if it may cause harm or is more than the volume specified in the Environmental Emergency Regulations (novascotia.ca/just/regulations/regs/envemerg.htm). For example, you have no heat and the burner technician you call finds a leak in your fuel line and your oil tank is empty. Both you and the technician have a duty to call your local NSE office to report the spill.

Responding to a contaminated site

A contaminated site is reported based on the levels of contamination, not on whether something spilled. This type of reporting is formally called “notification” under the regulations.

First, you contact your insurance company. If you do not have coverage for contamination, you must call a site professional yourself.

You must have a site professional manage the cleanup to make sure the work follows the legal and technical requirements of the Contaminated Sites Regulations.

Site professionals test the site to assess the contamination. If the levels of contamination are above the standards, they use the test results and other site information to decide which option is best for cleaning up the site.

The owner and the site professional are legally responsible to ensure notification to Nova Scotia Environment within the time lines set out in the regulations. In most situations, notification is required within 90 days. Sometimes, it is required immediately. A site professional can help you determine when to notify.

The test results and the remediation plan are submitted later, within 180 days following the notification unless a time extension is given by Nova Scotia Environment. Time extensions are available from Nova Scotia Environment if the site professional follows the appropriate process outlined in the Phase 2 ESA Protocol.

Quick Response

Whether you have a spill or a contaminated site, a quick response is important. This will reduce how far the contamination moves and the risk to people’s health and the environment. It may also save you a lot of work and money. If a site professional decides that a spill meets certain criteria, under the Notification Protocol, you can use a 30-day Cleanup process.



30-Day Cleanups

Many spills can be cleaned up within 30 days. Ask a site professional whether this kind of cleanup can be used for your site. It takes a minimal amount of paperwork and Nova Scotia Environment requires less information from the site professional.

Example

The delivery hose from an oil truck breaks when the tank is being filled and 190 litres of oil spills into your driveway. The spill affects only the soil.

The cleanup starts right away. It takes less than 30 days. The site professional sends a single brief report that meets the requirements spelled out in the Notification Protocol and the process is closed.

You may be able to use a 30-Day Cleanup for a sudden spill of any of these substances

- petroleum hydrocarbons – the oil in your oil tank or the gas in your car
- glycols – antifreeze and solvents
- other automotive fluids – brake fluid, transmission fluid, and antifreeze

The process is simplified because there is no contamination in the groundwater, and the soil, sediment, and surface water are all cleaned up to the standards in the Contaminated Site Regulations.

Hiring a **site professional**

Look online or in the yellow pages for an environmental consulting company.

- Ask to see qualifications.
- Make sure the company's site professional has the five years of experience in all areas required under the regulations (see list below).
- Ask for references and check them.
- Check with the professional association to make sure the professional's licence and registration are up to date and in good standing.

A site professional in Nova Scotia must have these qualifications

- a licence or certificate of registration in engineering or geology in Nova Scotia
- at least five years experience with all steps in dealing with a contaminated site: assessing the contamination (Phase 1 and Phase 2 ESA), making remediation plans and cleaning up sites.
- professional liability insurance of \$2,000,000 "per claim and aggregate"

What type of **clean up** is needed?

The regulations offer options that can be tailored to the type of cleanup for a site and the conditions. The type of cleanup depends on

- the hazard or contaminant. This also includes the amount and the concentration
- the exposure pathway or where the contaminants have gone
- the receptor, or who or what is affected (people and the environment)

Other factors that lead to how a site is cleaned up include what the land is used for (residential and parkland, agriculture and wilderness, commercial, or industrial), whether the soil is coarse or fine grained, and whether the groundwater is used for drinking. For example, the likelihood that particular factors will cause harm in a residential area may be different from harm they could cause in an industrial area.

Additional information, including frequently asked questions, fact sheets and brochures, as well as the full Contaminated Sites Regulations and Ministerial Protocols are available on the Nova Scotia Environment website novascotia.ca/nse/contaminatedsites.

