

The Roster of Approved Professionals

The ministry offers several legal instruments to help its clients – developers, land owners, and others – meet the requirements of the contaminated sites legislation and regulations. These instruments include:

- Determinations about whether a site is contaminated or not;
- Approvals in Principle of remediation plans;
- Certificates of Compliance with environmental quality standards; and
- Contaminated Soil Relocation Agreements.

Before any of these instruments can be issued, however, an associated site investigation report, remediation plan, and/or confirmation of remediation report must be reviewed.

Milestone date

As of November 1, 2004, any client wishing to have one of these instruments approved for a low or moderate risk site must hire someone from the “Roster of Approved Professionals” to make the application on the client’s behalf.

The ministry can issue any of the above instruments without the need for staff review, if the instrument in question has been recommended by an Approved Professional.

Who is on the Roster?

The Roster includes professional biologists, geoscientists, agrologists, and engineers who have the knowledge to assess the validity of the instruments they are recommending. Almost all are members of the Contaminated Sites Approved Professional (CSAP) Society.

Why was the use of Approved Professionals to recommend applications introduced?

The ministry established the Roster of Approved Professionals to improve client service, to meet ministry Service Plan targets, and to focus ministry resources on high risk sites. By expanding the role of Approved Professionals on lower risk sites, the ministry has greatly improved its service application processing efficiencies. The faster ministry turnaround on applications enables clients to proceed with development and other activities in a more timely fashion than before, while still complying with the requirements of our contaminated sites legislation.

Among the criteria for membership on the Roster are education and work experience, a passing grade on the Roster examination, membership in the College of Applied Biology, the British Columbia Institute of Agrologists, or the Association of Professional Engineers and Geoscientists of British Columbia, and adequate insurance. Membership in the CSAP Society is also normally required.

What services do Approved Professionals provide?

On request, an Approved Professional will review the documentation for a site (i.e. the site investigation report, remediation plan, and/or confirmation of remediation report), make a recommendation to issue a contaminated sites legal instrument, and draft the instrument required. He or she will then submit all of these files plus a Summary of Site Condition and the required application form to the CSAP Society for review, before it is forwarded to the ministry.

Once the Society is satisfied that an application is correct and complete, the documents and fees payable to the ministry will be forwarded to the ministry. The ministry will review the Summary of Site Condition and the draft legal instrument before signing the instrument – ministry officials are authorized to sign Determinations of Contaminated Site, Approvals in Principle, Certificates of Compliance, and Contaminated Soil Relocation Agreements recommended by Approved Professionals. The detailed reports and plans and the Summary of Site Condition will be filed and noted on the Site Registry. The ministry fees for issuing legal instruments and reviewing the Summaries of Site Condition will also be levied.

Which applications are eligible for submission by Approved Professionals?

Consistent with the ministry's Service Plan, Approved Professionals are expected to make submissions for all low and medium risk contaminated sites.

Details about the types of sites and legal instruments for which the services of an Approved Professional must be used are defined in our Protocol 6 for Contaminated Sites, "Eligibility of Applications for Review by Approved Professionals".

What does it cost to hire an Approved Professional?

Fees charged by the ministry for processing submissions from Approved Professionals are listed in Schedule 3 of the Contaminated Sites Regulation. These fees are in addition to fees

- a) an Approved Professional charges a client for reviewing reports and making a recommendation to the ministry, and

- b) fees charged by the Society to process an application.

The ministry is not involved with setting the fees that Approved Professionals and the Society charge their clients.

Operation of the Roster

The Board of Directors of the CSAP Society manages the Roster on the behalf of the ministry. The Board consists of four members appointed by the Director in addition to Society members elected by the Society membership. In addition, committees dealing with membership, discipline and performance assessment play a supporting role. Procedures to be followed by the ministry in administering the Roster are described in "Procedures for the Roster of Approved Professionals" which is on our web site:

http://www.env.gov.bc.ca/epd/remediation/policy_procedure_protocol/index.htm

How is the performance of Approved Professionals monitored?

Quality review program

Performance assessments are carried out on one in five risk assessments and one in ten numeric-based Roster submissions. These assessments confirm the accuracy and correctness of the draft legal instrument submitted and the presence of complete and convincing supporting documentation. These reviews are selected by the Society at random to ensure administrative fairness and to ensure they are representative of the range of submissions. The performance assessments are conducted by the Society and do not involve field visits or site sampling. In most cases, any deficiencies identified through this quality review program are addressed easily.

The Director may also request a targeted performance assessment when the ministry has information about a site that supports a recommendation different from that submitted by an Approved Professional.

Potential for delays in application approval

If the Society reviewers find that the recommendation of an Approved Professional is not supported by the documentation, or if there are inaccuracies with the draft legal instrument, issuance of the instrument will be delayed pending resolution.

Issues are typically addressed either in a meeting with the Society reviewers and the Approved Professional submitting the application, or by the preparation of additional explanatory documentation. In rare circumstances, additional site investigation and remediation may be required and additional fees may be charged to the proponent by the Society to review follow up reports.

Consequences of deficient performance

When a performance assessment identifies serious issues with an Approved Professional's submission (e.g. a recommendation that is inconsistent with the information provided), one or more of the following actions might be taken:

- a requirement to undertake training or other remedial measures;
- targeted reviews of the Approved Professional's next submissions;
- suspension of CSAP Society membership;
- removal of the individual from the Roster.

How can someone become appointed to the roster?

The Director of Waste Management of the Ministry of Environment has the authority to appoint and remove individuals from the Roster of Approved Professionals. Generally for a person to be appointed to the Roster he or she must be a member in good standing of the CSAP Society. For detailed information about becoming an Approved Professional, see <http://www.csapsociety.bc.ca/>

How can you secure the services of an Approved Professional?

A list of Approved Professionals is maintained by the ministry at the following web address: <http://www.env.gov.bc.ca/epd/remediation/roster/index.htm>

Note: This summary is solely for the convenience of the reader. The current legislation and regulations should be consulted for complete information.

For more information, contact the Environmental Management Branch at site@gov.bc.ca.