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Federal Contaminated Sites Action Plan (FCSAP)

**FCSAP Advisory Bulletin (FAB):
Can Provincial/Territorial Guidelines be
applied in lieu of existing Federal
Guidelines?**

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FCSAP Advisory Bulletin (FAB): Can Provincial/Territorial Guidelines be applied in lieu of existing Federal Guidelines?

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Aussi disponible en français.



FCSAP Advisory Bulletin

Can Provincial/Territorial Guidelines be applied in lieu of existing Federal Guidelines¹?

Background

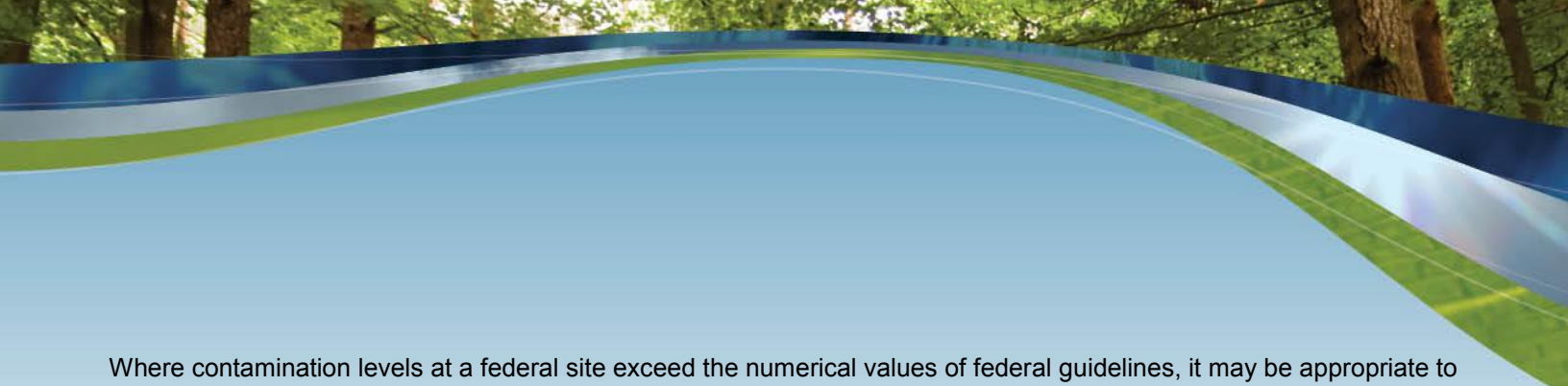
The Treasury Board *Policy on the Management of Real Property* states that "...management activities (including remediation) must be undertaken to the extent required for current or intended federal use. These activities must be guided by standards endorsed by the Canadian Council of Ministers of the Environment (CCME) or similar standards or requirements that may be applicable abroad..." (Section 6.1.12). The Federal Contaminated Sites Action Plan (FCSAP) interprets this to mean that the CCME Canadian Environmental Quality Guidelines, and/or other federal guidelines¹ adopted by the Government of Canada, must be applied on federal land unless a federal guideline is not available for a particular contaminant, in which case a guideline from a different jurisdiction may be considered.

Standard Approach

Federal guidelines¹ can be applied at three different tiers:

- Tier 1 - direct application of generic numerical levels (*i.e.*, application of the lowest guideline for any pathway);
- Tier 2 - modification of Tier 1 values based on site-specific conditions and focusing on exposure pathways and receptors that are applicable to the site; or
- Tier 3 - development of site-specific remediation objectives by conducting human health and/or ecological risk assessments (CCME 2008, 2006, 2003²; Environment Canada 2012). The level of protection afforded to human health and the environment must be identical for all three tiers (CCME 2001, 2006, 2008).

If CCME and/or other federal guidelines are available, FCSAP does not support the use of numerical criteria from other jurisdictions as Tier 1 values.



Where contamination levels at a federal site exceed the numerical values of federal guidelines, it may be appropriate to develop and apply site-specific Tier 3 guidelines. In this situation, criteria from other jurisdictions may be considered in the development of Tier 3 guidelines; however, all Tier 3 Guidelines must be supported by a risk assessment demonstrating that they provide the same level of protection as federal Tier 1 guidelines.

It is the responsibility of the federal custodian to ensure that a level of protection equivalent to that of federal Tier 1 guidelines is achieved at a federal site.

¹ *Federal Guidelines* refers to environmental quality guidelines and/or criteria adopted by the Government of Canada; these include CCME Canadian Environmental Quality Guidelines (<http://st-ts.ccme.ca/>), the Canada-Wide Standards for Petroleum Hydrocarbons (CCME 2008), and the Federal Interim Groundwater Quality Guidelines (Environment Canada 2012).

² The CCME (2003) framework for developing site-specific water quality guidelines parallels the three-tiered approach outlined for federal soil quality guidelines (CCME 2008, 2006).


References:

CCME 2006. A Protocol for the Derivation of Environmental and Human Health Soil Quality Guidelines.


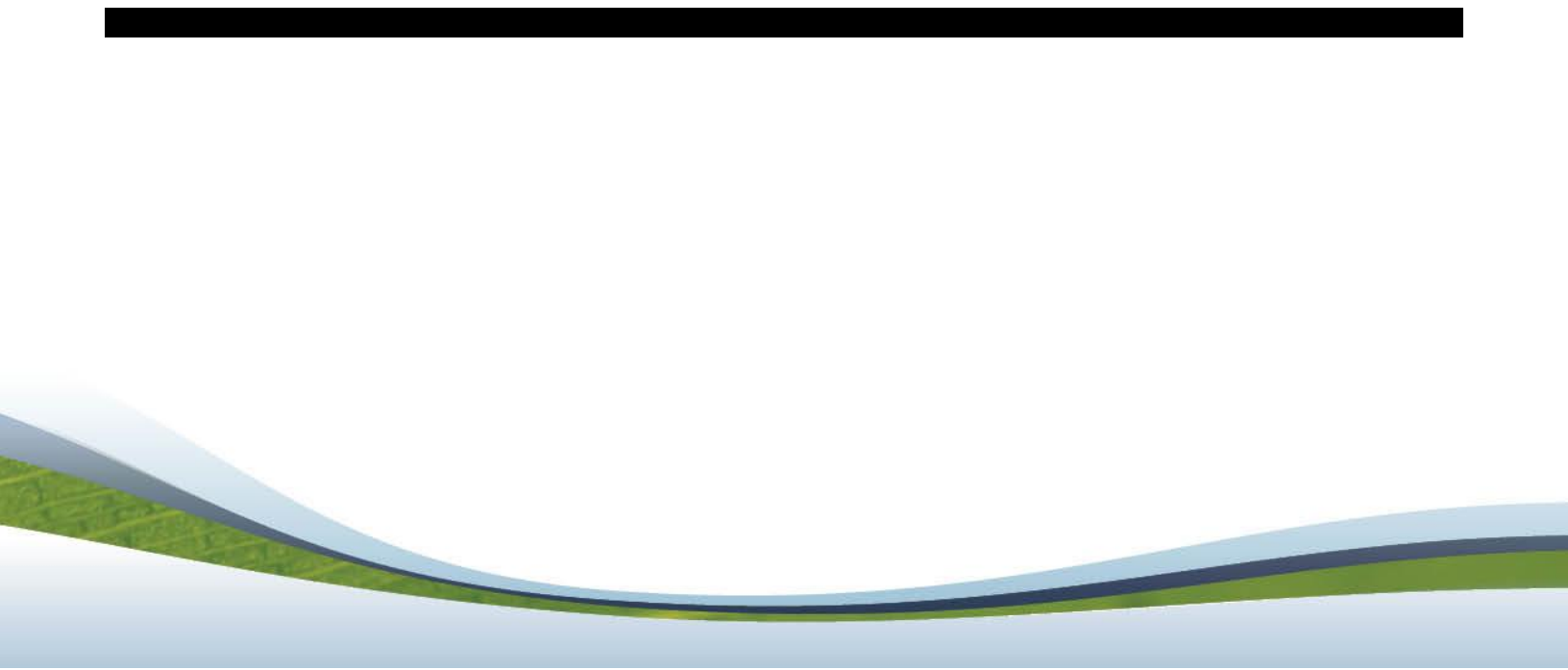
CCME 2001, 2008. Canada Wide Standards (CWS) for Petroleum Hydrocarbons (PHC) in Soil.

CCME 2003. Guidance on the Site-Specific Application of Water Quality Guidelines in Canada: Procedures for Deriving Numerical Water Quality Objectives.

Environment Canada. 2012. Guidance Document on Federal Interim Groundwater Quality Guidelines for Federal Contaminated Sites. November 2012.



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