

# Contaminated/Impacted Sites Program

## Frequently Asked Questions

### How do I know if Manitoba Sustainable Development has environmental files for a property?

The following lists are posted on our website:

- Sites that have been designated as *contaminated* under the *Contaminated Sites Remediation Act (CSRA)* are shown on the [Designated Contaminated Sites List](#). A Designated Contaminated Site is one that is a site is contaminated at a level which **poses a threat** to human health or safety or to the environment.
- Sites that have been designated as *impacted* under the *CSRA* are shown on the [Designated Impacted Sites List](#). A Designated Impacted Site is one that is a site is contaminated at a level which **may pose a threat** to human health or safety or to the environment.
- All sites for which the Contaminated/Impacted Sites Program of Manitoba Sustainable Development has a file are shown on the [All Sites List](#).

For details regarding the contents of a site file, please complete a [File Search Request Form](#).

### May I see the file that Manitoba Sustainable Development has for a specific site?

Yes, you may complete a [File Search Request Form](#) and make arrangements to view the file with staff from the Contaminated/Impacted Sites Program. When possible, an electronic version of the file may also be provided once a file search has been requested.

### Is it possible to have a site removed from one of the lists?

When a site is designated as either *contaminated* or *impacted*, it remains on either the [Designated Contaminated Sites List](#) or the [Designated Impacted Sites List](#) until the designation is revoked by the Director of Environmental Approvals (the Director). The Director will revoke the site designation when the site is no longer considered *contaminated* or *impacted* as defined by the *CSRA*. Sites for which a risk management plan is underway may remain designated indefinitely.

Any site for which Manitoba Sustainable Development's Contaminated/Impacted Sites Program has a file will be shown on the [All Sites List](#) and cannot be removed from that list. This list lets the public know that Manitoba Sustainable Development has some information pertaining to that particular site, regardless of its designation status.

**I know of a site that used to be a gas station. Why isn't it on the list?**

If Manitoba Sustainable Development has not received an environmental report for a site, a file will not exist for that site and it will not be listed on the [All Sites List](#).

**How do I know if there are contaminants at a site?**

If there is no environmental information available for a site and you would like to know if contaminants are present, you can retain an Environmental Professional to conduct an Environmental Site Assessment (ESA) for the property with the permission of the owner. There are two kinds of ESAs: a non intrusive assessment, also called a Phase I ESA, and an intrusive assessment, also called a Phase II ESA.

**What is the difference between a Phase I ESA and a Phase II ESA?**

A Phase I ESA is a historical review of the land use of a property followed by a site inspection. The purpose is to determine if there are any environmental concerns from either the past or current use of the property and if further investigation is warranted.

A Phase II ESA involves collecting and analyzing samples (they could be soil and/or water) from areas of concern that were identified in the Phase I ESA. The Phase II ESA compares the results of the samples to known guidelines and assesses the risk on site, along with any recommendation for further work, if necessary.

**Who is responsible for conducting an ESA?**

The owner/occupier of a property is responsible for conducting an ESA on their property.

**How can I get an ESA completed for a property and how much does it cost?**

Manitoba Sustainable Development does not provide these services. However, the following listings are available to the public:

- Environmental Professionals that conduct ESAs are listed in the [MTS Yellow Pages™](#) under the heading "[environmental consultants and services](#)".
- The membership directory of the Manitoba Environmental Industries Association (MEIA) also contains the names of firms that conduct ESAs. The MEIA directory can be accessed at: <http://www.meia.mb.ca/directory.php>. Not all members of the MEIA are firms that conduct ESAs.
- The Association of Consulting Engineering Companies – Manitoba website has a feature entitled "Find a Consulting Engineer". This feature can be accessed at (<http://acec-mb.ca/members-find.php>).

Manitoba Sustainable Development does not provide estimates on the cost of an ESA. Not every property is the same and the costs of conducting an ESA will depend upon the size and complexity of the investigation. Firms that provide ESA services may be able to provide a quote for a particular project.

### **Who is qualified to conduct an ESA or perform environmental work in Manitoba?**

The Manitoba Sustainable Development Contaminated/Impacted Sites Program often requires that environmental work be performed by an “environmental professional”. An Environmental Professional is defined by the Contaminated/Impacted Sites Program as a person whose livelihood, at least in part, is dependent on the performance of environmental work through a registered business, and who has some experience in the work being performed.

### **Do I have to report the results of the ESA to Manitoba Sustainable Development?**

Under the [CSRA](#), when the owner/occupier becomes aware of information that indicates that the site has been contaminated at a level that exceeds a standard established by the *Contaminated Sites Remediation Regulation* ([CSRR](#)), the owner/occupier *must* report those findings to the Contaminated/Impacted Sites Program of Manitoba Sustainable Development. Typically, this information only becomes available through the completion of a Phase II ESA. However, if the results of an ESA indicate that there are no exceedances of the reporting standards present at the site, there is no requirement to report the findings.

### **The ESA recommends a clean-up of the contamination on site. What should I do?**

If an ESA recommends a remediation program, a Remediation Plan must be submitted to Manitoba Sustainable Development. The Remediation Plan must be prepared by an Environmental Professional. The Contaminated Sites Specialist will review the plan and the owner/occupier will be notified via a letter indicating whether the proposed Remediation Plan has been approved. If Manitoba Sustainable Development receives an ESA that indicates that remediation is necessary and no Remediation Plan is submitted, the owner/occupier will be sent a letter indicating that the site has been designated as either *contaminated* or *impacted* and that the owner/occupier is required to submit a Remediation Plan within a specified time (30 days for a *contaminated site* and 90 days for an *impacted site*) from the date of the letter.

### **Who is going to pay for the remediation?**

The [CSRA](#) uses the “polluter pays principle” in assessing responsibility for the remediation of a site. The owner/occupier of a property will be notified that remediation is required for a site, and that a remediation plan is required for the site. However the owner/occupier may ask for a “determination of responsibility” for the contamination if they feel that they are not the polluter upon receipt of notice of designation. Note that the site must only be remediated to the applicable guideline criteria appropriate

for its current use (e.g. if a site is used commercially, remediation must be completed to meet commercial use guidelines).

Manitoba Sustainable Development does not provide funding for remediation projects.

If remediation is necessary as a result of the change of site use or redevelopment/development activities (e.g. change from commercial use to residential use, or exposure of a formerly sealed pathway), it is the responsibility of the redeveloper to remediate the site to the new site criteria, or to eliminate the exposure pathway.

**I suspect that my neighbour's property is contaminated. Who should I report this to?**

The [Environmental Compliance and Enforcement Branch](#) of Manitoba Sustainable Development investigates environmental complaints.

**Can I receive notice of updates to the Guidelines and Information Bulletins produced by the Contaminated/Impacted Sites Program?**

To receive email notifications about updates or additions to the Contaminated/Impacted Sites Program that may affect you or your clients (e.g. posting of new/updated information bulletins & guidelines, upcoming information sessions, program changes, etc.) please subscribe at [contaminatedsites@gov.mb.ca](mailto:contaminatedsites@gov.mb.ca).

**Is there a list of soil treatment facilities in Manitoba?**

Yes. A listing of all licensed soil treatment facilities in Manitoba are provided in the following link: [list of soil treatment facilities](#).