A Property Owner's Guide

to Contaminated Site Remediation in Nunavut











Use of This Guide

This Guide is not an official statement of the law and is provided for guidance only. Its intent is to increase the understanding of Nunavummiut to the risks and hazards associated with contaminated sites and to assist in the management and cleanup of these sites.

It is a companion document to the Environmental Guideline for Contaminated Site Remediation and should always be used in association with the Guideline.

This Guide does not replace the need for the owner, facility operator or person in charge, management or control of a contaminated site to consult Nunavut's Department of Environment, other regulatory authorities and qualified persons with expertise in contaminated site management and cleanup.

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Introduction

Hazardous materials are used every day in Nunavut. They are used to heat homes and businesses; to run trucks, cars, snowmobiles and boats; and keep pipes from freezing in the winter. While these materials serve many useful and important purposes, they can also pose a hazard to people, property, plants and animals if spilled on the land or into water.

Municipal, territorial and federal laws exist to protect the environment. One of these laws is the Government of Nunavut's *Environmental Protection Act*. The Act ensures the quality of Nunavut's land, water and air continue to be high by preventing spills of hazardous materials into the environment. In other words, every person is responsible for ensuring that hazardous materials they own are used, handled and stored in a safe manner. If a spill occurs, that person must ensure that a cleanup is undertaken and any damage caused by the spill is repaired.

Unfortunately, many hazardous materials are spilled into the environment each year. Questions commonly asked following a spill include, "What do I do now?" and "Who can I call for help?". In 2009, the Nunavut Department of Environment updated the *Environmental Guideline for Contaminated Site Remediation* to help answer these, and other, questions. The Guideline describes how to identify, assess, plan and clean up land that has become contaminated.



Oil sheen on collected water.



Stable fuel tanks on metal stand.

The Guideline is a technical document intended to be used by engineers, consultants and other experts. Technical and scientific terms are used throughout the document which, although commonly used by the environmental industry, are sometimes difficult for the public to understand.

This Guide has been developed to help explain the *Environmental Guideline for Contaminated Site Remediation* using non-technical language.

Why have an Environmental Guideline for Contaminated Site Remediation?

Spills are a major source of environmental contamination in Nunavut. Each year more than 200 spills of heating oil, diesel fuel, gasoline, lubricating oils, antifreeze, sewage and other hazardous materials are reported to the NWT-Nunavut 24-hour Spill Report Line. Each spill must be cleaned up to ensure the safety of people, property, animals, plants and the environment. If it is not cleaned up, the result is a contaminated site.

"What do I do now?"
"Who can I call for help?"

The Environmental Guideline for Contaminated Site Remediation has been adopted under the Environmental Protection Act to ensure a consistent approach is taken to managing and cleaning up contaminated sites in Nunavut. It describes the owner's responsibilities and actions that must be taken to identify, assess, plan and clean up the site. It also provides cleanup standards for petroleum and other chemicals. These standards are sometimes referred to as "remediation criteria". If the amount of any hazardous material spilled at a site exceeds the remediation criteria, then the site is said to be contaminated.

Who does the Guideline apply to?

The Guideline applies to every person who owns, stores, handles or transports hazardous materials in Nunavut. This includes home and business owners and operators. If you know, or have reason to believe, that a site is contaminated, you must immediately report the incident and take actions to repair any environmental damage. Failure to take these actions could result in fines or other penalties under the *Environmental Protection Act*.

If you are not sure how your situation is affected by the Guideline, contact the nearest office of Nunavut's Department of Environment for advice and assistance. Further information can be obtained through the following web site: http://www.gov.nu.ca/env/environment.shtml.



Cleanup of spring melt water using a temporary dyke and absorbent pads.



Waste oil drums at a community landfill site.

What is an environmental contaminant?

An environmental contaminant is any substance that, when spilled or released into the environment, could harm people, plants and animals. A substance that could damage property (e.g. buildings) or interfere with people's general enjoyment of the environment could also be an environmental contaminant. Examples include:

- Gasoline
- Kerosene
- Iet fuels
- Fuel oils and diesel fuel
- Lubricating oils (e.g. hydraulic fluid, transmission fluid and gear oil)
- Crude oil
- Antifreeze
- Untreated sewage

What is a contaminated site?

A contaminated site is land that is affected by contaminants and has the potential to harm people, property or the environment, including plants and animals. Normally, the contaminant is found at levels higher than would be expected in the surrounding area.

If you suspect a site is contaminated – anticipate, plan and act.

Where do I start if I suspect my property is contaminated?

The general rule to follow if you suspect a site is contaminated is to *anticipate*, *plan and act*. The best approach is a *phased approach*, starting from the general and proceeding to the specific details. This will enable the development of an effective work plan and result in the safe, effective and least costly cleanup of the contaminated site. The steps in this phased approach are:

- Report the incident;
- Assess the site;
- Determine the most appropriate remediation criteria;
- Prepare a cleanup plan;
- Implement the cleanup plan; and
- Report the results.

Who must be notified?

The *Environmental Protection Act* requires that spills of an environmental contaminant be immediately reported to the 24-hour Spill Report Line. The Spill Report Line can be contacted by telephone at at (867) 920-8130 any time of the day or night. Collect calls will be accepted. Any person whose health, safety or property could also be affected by the spill (e.g. neighbours) must also be notified.



Nunavut Conservation Officer assembling a containment boom.



Setting a floating containment boom.

The Government of Nunavut's Department of Environment is the key environmental agency dealing with spills of contaminants and contaminated sites within communities. Department representatives can provide advice and guidance on how best to manage and clean up a contaminated site. However, the owner and facility operator are ultimately responsible for the safe operation of their facility and for taking the actions necessary to clean up the site.

Does an engineer have to be contracted to clean up a contaminated site?

No, but it is recommended that a qualified engineer or other knowledgeable person be contracted to help in cleaning up a contaminated site. Each site is unique. The cleanup methods will depend on what and how much is spilled, the site's location and its proximity to people, other property and water bodies, the type of soil present, and other factors. Employing an engineer or other knowledgeable person helps to ensure the cleanup is done right the first time, and for the least amount of money. The Department of Environment can provide a list of qualified environmental consultants.

The owner or facility operator must ensure the contaminated site is properly and thoroughly cleaned up.



Unstable fuel tank on wooden stand. Note oil staining on ground.

While an engineer or other knowledgeable person can provide advice and assistance, it remains the responsibility of the owner or facility operator to ensure the contaminated site is properly and thoroughly cleaned up and all legal requirements are fully complied with.

What is a site assessment?

An environmental site assessment is gathering information to determine what environmental contaminants, and at what levels, are present at a site. The objective is to learn as much as possible about the site so that a cleanup plan can be prepared.

A site assessment usually takes a phased approach – from the general to the specific:

- *Phase I* Initial actions to gather information on the land, hazardous materials, buildings and other facilities (e.g. storage tanks) on site. Phase I includes reviewing reports, studies and other available information, but not the sampling and testing of soil and water.
- Phase II Builds upon the results of Phase I by sampling and testing soil and water to determine whether contaminants are present, how much and where it is located. This information is then compared to remediation criteria to determine whether a cleanup is required. A cleanup plan may be developed following Phase II testing if enough information about the site has been obtained.

 Phase III – The most detailed level of assessment that addresses any outstanding issues and information gaps following a Phase II assessment.

Is it always necessary to complete a Phase III site assessment?

No. A Phase III assessment is required only if additional information is required to prepare a cleanup plan. Cleanup activities may be very expensive. A Phase III assessment can provide information that is required to better "target" the cleanup activities. This will save time and money if the site is large, complex or located in a remote area.

What remediation criteria should be used for soil? How clean is clean enough?

The remediation criteria that are approved for use in Nunavut are provided in Appendices 3 and 4 of the *Environmental Guideline for Contaminated Site Remediation*. These criteria have been developed by scientists and researchers from across Canada, and have been adopted as Canada's national standards by territorial, provincial and federal governments.



Documenting soil sampling locations and samples.

An environmental site assessment is gathering information about the site.

Deciding what remediation criteria to use can be difficult. Information gathered through the site assessment process is important in making the right decision. Several factors that must be considered when deciding what remediation criteria to use include:

- What, and how much, was spilled?
- How is the land being used?
- What type of soil is present?
- Where is the nearest shoreline, river or stream?
- Is groundwater present?

The Department of Environment, an engineer or other knowledgeable person should be contacted for assistance in identifying the appropriate remediation criteria for soil. In Nunavut, Indian and Northern Affairs Canada (INAC) is responsible for protecting water. If the contaminant has entered water, an INAC representative should also be contacted.



Oil runoff through road culvert.

Why is the type of petroleum important in deciding on remediation criteria?

Every petroleum product is a complex mixture of "chemical chains" made up of carbon, oxygen and other elements. The specific combination of these "chains" is unique to each petroleum product (e.g. gasoline, kerosene, diesel fuel) and gives it its own physical and chemical properties. When spilled into the environment, different petroleum products behave differently and present different hazards.



1,000 gallon oil tank in concrete berm.

For example, a spill of gasoline will evaporate quickly and may present a large fire or explosion hazard. A spill of diesel fuel will not evaporate quickly and presents only a small fire hazard, but will affect plants and animals that depend on clean soil for many years.

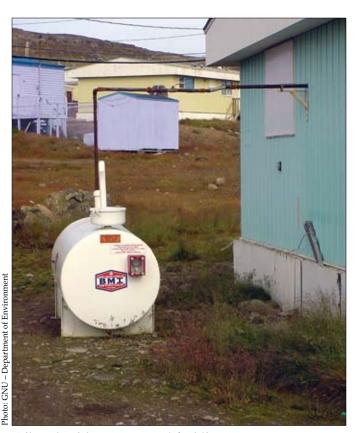
Different remediation criteria are applied to different petroleum products because of the different hazards each product presents to people, property and the environment. In this way, the same high level of protection is achieved regardless of what type of product is spilled.

Why is use of the land a consideration in deciding on remediation criteria?

The Environmental Guideline for Contaminated Site Remediation identifies four types of land use. These are agricultural/wildland, residential/parkland, commercial and industrial. Definitions for each land use are provided in the Environmental Guideline for Contaminated Site Remediation.

When spilled into the environment, different petroleum products behave differently and present different hazards.

People, plants and animals can come in contact with contaminants at a contaminated site in three different ways. These are by touching the contaminant, breathing it (e.g. dust) or swallowing it (e.g. soil or water). The amount of contaminant that people will touch, breathe or swallow depends in large part on what they are doing (e.g. living, playing, working) and the amount of time they spend on the site. For example, a small child living in a house (e.g. with a yard or playground) that is located on contaminated land will generally come into contact with more soil than will an adult working eight hours each day, five days every week at an industrial site. For this reason, remediation criteria are more stringent for residential land than for commercial or industrial land.



Oil tank with unsupported fuel line.

Any amount of contaminant that is spilled must be cleaned up.



Surface sample of sand and gravel soil.

Why is the type of soil important?

Two types of soil, or soil textures, are identified in the *Environmental Guideline for Contaminated Site Remediation*. These are fine-grained soil (e.g. clay) and course-grained soil (e.g. sand and gravel).

In general, contaminants will move quicker and easier through sand and gravel than they will through clay or other fine-grained soils. This can result in contaminants quickly spreading throughout sandy or gravel areas, and possibly entering nearby oceans, lakes, rivers, streams and groundwater. For this reason, remediation criteria are generally more stringent for course-grained soil than for fine-grained soil.

How much can be spilled before cleanup is required?

Any amount of contaminant that is spilled must be cleaned up. Even a very small spill can cause levels in soil to exceed the remediation criteria. To help illustrate this, the following table shows the amount of gasoline that would need to be spilled to create a contamination level of 1,000 parts per million. Note that 1,000 parts per million exceeds the remediation criteria for gasoline in soil by two to three times.

Amount of Soil and Gasoline Creating a Level of 1,000 Parts per Million

Volume of Soil

4.5 litres or 1 gallon bucket

205 litres or 45 gallon drum

Enough soil to fill a room that is 15'x20'x8' (e.g. a typical living room)

Volume of Gasoline

4.5 millilitres or less than 1 teaspoon

205 millilitres or 3/4 of a cup

68 litres, 15 gallons or 3 jericans



Cleanup of collected spring melt water with absorbent pads.

Besides petroleum, have cleanup criteria been adopted for other contaminants?

Yes. Remediation criteria have been developed for a wide range of environmental contaminants by scientists and researchers from across Canada and have been adopted for use in Nunavut. These include heavy metals, pesticides, antifreeze and many other man-made chemicals. The remediation criteria for these contaminants are provided in Appendix 4 of the *Environmental Guideline for Contaminated Site Remediation*.

The sooner actions are taken, the easier the cleanup will be.

Does a contaminated site always need to be cleaned up immediately?

Actions must always be taken to cleanup or reduce the hazards associated with a spill of a contaminant, regardless of the amount spilled. The sooner actions are taken, the easier the cleanup will be and the less likely the surrounding environment and safety of neighbours will be affected. Immediate actions also help to reduce the costs of cleanup. The general rule is to start the cleanup immediately upon discovering a spill.

Exceptions to this rule will be considered by the Department of Environment on a case-bycase basis. As an example, if the area around a community fuel storage facility's pump island becomes contaminated because of repeated small spills, a decision could be made to delay cleanup until the facility is shut down. Factors to consider in making such a decision include the size of the contaminated area, actions taken by the owner to avoid further spills, whether the contaminants are moving off-site, and the facility's proximity to water, houses, playgrounds and other sensitive areas. In all cases, the owner or facility operator needs to prepare a remedial action plan, monitor the area to ensure the situation does not worsen and report regularly to the Department of Environment.



Stained soil after servicing vehicles.



Recovering pooled oil using absorbent pads and booms.

What is a remedial action plan?

A remedial action plan, also known as a cleanup plan, is a written document that clearly and concisely describes what actions will be taken to clean up a contaminated site and repair any damage caused to the environment. The results of the environmental site assessment are used to develop the plan. In general terms, the plan should:

- Summarize information collected through the site assessment;
- Identify the proposed remediation criteria;
- Describe the selected cleanup and disposal methods; and
- Include a time schedule for completing the work.

In some cases, a remedial action plan may also include a plan to ensure the health and safety of workers and neighbouring residents. While an engineer or other knowledgeable person may be contracted to prepare and implement the plan, it remains the responsibility of the owner or facility operator to ensure the contaminated site is properly and thoroughly cleaned up.

A remedial action plan describes what actions will be taken to clean up a contaminated site

Why is it important to provide the proposed remedial action plan to Nunavut's Department of Environment for review before starting the cleanup?

The proposed remedial action plan should be submitted to the Department of Environment for review to ensure the plan meets all regulatory requirements. Without this important step, the plan may have to be later revised and cleanup activities repeated. This can result in delays to remediating the site and significantly higher costs to the owner or facility operator.

Can the remedial action plan be changed after cleanup has begun?

Yes. It is possible that new information will be obtained after cleanup of the site has begun. This could include information such as there being greater or less contamination than previously thought or additional types of contaminants being found. This new information would require changes to the remedial action plan. In all cases, changes to the plan should first be discussed with the Department of Environment and a revised copy provided for review.



Recovering oil from culvert stream during spring melt.

What is a site closure report and why do I need to prepare one?

A site closure report is a permanent record of the cleanup activities taken on the site. It is prepared by the owner or facility operator and includes a summary of all site activities conducted, the amount of contaminated soil treated or disposed of, the results of final soil testing and any other relevant information. A copy of the final site closure report must be provided to the Department of Environment.

In some cases, monitoring and testing of the site may be required over many years to ensure environmental problems do not re-occur as a result of the spill. This monitoring program should be outlined in the site closure report.



Containment boom around leaking barge at low tide.

How will I know when the site has been cleaned up to a satisfactory condition?

The Department of Environment will review the site closure report to ensure the remediation criteria and other objectives outlined in the remedial action plan have been achieved. Once this has been confirmed, the Department will issue a letter advising that no further cleanup is required based upon the information provided. If it is determined that further work is required (e.g. cleanup, sampling, long-term monitoring) or if restrictions need to be placed on the future use of the land, these will be outlined in the Department's letter.



Installing a containment berm and liner near the ocean shore.

What happens if the site is declared clean and additional contamination is later found on the site?

The owner and facility operator remains responsible for ensuring the facility is operated in a safe manner and the environment is protected. If additional contamination is discovered on the site because the first cleanup was not complete, then the entire process may need to be repeated, starting with another assessment. This would cost the owner or facility operator a lot of extra money and could require the temporary closure of the facility. The possibility of this occurring can be reduced by ensuring a qualified engineer or other knowledgeable person assists in the identification, assessment, planning and clean up of the contaminated site.

A site closure report is a permanent record of the cleanup activities taken on the site.



Excavated contaminated soil.

Am I responsible for damages caused to neighbouring properties?

Yes. The responsibility to clean up a contaminated site does not stop at your property line. The *Environmental Protection Act* requires the owner or facility operator, upon discovering a spill, to report the spill, notify any member of the public who may be affected by it and take all reasonable measures to repair damages to the environment. If your neighbours' property is impacted by contamination coming from your facility, then it is your responsibility to clean up their properties as well as your own. You would need to consult your neighbours to ensure they agree with the remedial action plan and obtain permission to enter onto their property. A more extensive Community Information Plan may be required if many properties or public land is contaminated.

Besides the Department of Environment, what other government agencies can become involved in the cleanup of contaminated sites?

While the Department of Environment is the key environmental agency dealing with contaminated sites within communities, the owner or facility operator may also need to contact one or more of the following agencies.

- Indian and Northern Affairs Canada contaminated water bodies (e.g. ocean, lakes, rivers, streams) and groundwater
- Office of the Fire Marshal, Department of Community and Government Services – fire and explosion hazards
- Office of the Chief Medical Officer of Health, Department of Health and Social Services – public health and safety (e.g. untreated sewage spills)
- Motor Vehicles Division, Department of Economic Development and Transportation – transportation of contaminated soil and other wastes
- Workers' Safety and Compensation Commission – workers' safety
- Municipal Government local disposal of contaminated soil and other wastes



Excavation to remove contaminated soil near building foundation.

For further information on contaminated site remediation in Nunavut, contact:

Department of Environment Environmental Protection Division Government of Nunavut Inuksugait Plaza, Box 1000, Station 1360 Iqaluit, Nunavut X0A 0H0 Phone: (867) 975-7729 Fax: (867) 975-7739

Web site: http://www.gov.nu.ca/env/

environment.shtml.

Appendix
NT–NU Spill Report Form
Instructions for Completing the NT-NU Spill Report Form







Canadä NT-NU SPILL REPORT

OIL, GASOLINE, CHEMICALS AND OTHER HAZARDOUS MATERIALS

NT-NU 24-HOUR SPILL REPORT LINE

TEL: (867) 920-8130 FAX: (867) 873-6924 EMAIL: spills@gov.nt.ca

REPORT LINE USE ONLY

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AGE	AGENCY CONTACT NAME			CONTACT TIME			REMARKS				
LEAI	D AGENCY										
FIRS	ST SUPPORT AGENCY										
SEC	OND SUPPORT AGENCY										
THIE	RD SUPPORT AGENCY										

Instructions for Completing the NT-NU Spill Report Form

Spills of hazardous substances can be reported by calling the NT-NU Spill Report Line at (867) 920-8130. Collect calls are accepted. As an alternative, the Spill Report form can be filled out and e-mailed as an attachment to spills@gov.nt.ca. Receipt of e-mail transmissions should be verified with a follow-up telephone call to the Spill Line. Completed forms can also be faxed to the Spill Line at (867) 873-6924.

A.	Report Date/Time	The actual date and time that the spill was reported to the spill line. If the spill is phoned in, the Spill Line will fill this out. Please do not fill in the Report Number : the spill line will assign a number after the spill is reported.
В.	Occurrence Date/Time	Indicate, to the best of your knowledge, the exact date and time that the spill occurred. Not to be confused with the report date and time (see above).
C.	Land Use Permit Number/Water Licence Number	This needs to be filled in only if the activity has been licensed by the Nunavut Water Board or if a Land Use Permit has been issued. Applies primarily to mines and mineral exploration sites.
D.	Geographic Place Name	In most cases, this will be the name of the community where the spill occurred. For remote locations, identify the most prominent geographic feature, such as a lake or mountain or the distance and direction from the nearest community.
E.	Geographic Coordinates	This needs to be filled out if the spill occurred outside of an established community such as at a mine site. The location should be stated in degrees, minutes and seconds of Latitude and Longitude.
F.	Responsible Party or Vessel Name	Identify the person or party who owned or was in control of the substance at the time it was spilled. In the case of a spill from a ship or vessel, include the name of the ship or vessel. Include full address, telephone number and e-mail. Use box K if there is insufficient space. Note that the owner of the spilled substance is ultimately responsible for any spills of that substance, regardless of who may have actually caused the spill.
G.	Contractor involved?	Were there any other parties or contractors involved (e.g. a construction company who is working on behalf of the owner of the spilled substance and who may have contributed to, or directly caused, the spill and is responding to the spill)?
H.	Product Spilled	Identify the product spilled. Most commonly this is gasoline, diesel fuel or sewage. Use the chemical name of the substance and, where possible, identify the product using the four digit UN number (e.g. UN1203 for gasoline; UN1202 for diesel fuel; UN1863 for Jet A & B). Avoid trade names.
I.	Spill Source	Identify the source of the spill (e.g. truck, ship, home heating fuel tank) and the cause (e.g. fuel tank overfill, leaking tank, ship ran aground, traffic accident, vandalism, storm). Provide an estimate of the extent of the contaminated area (e.g. 10 m²).

J. Factors Affecting Spill	Identify any factors which might make it difficult to clean up the spill (e.g. rough terrain, bad weather, remote location, lack of equipment). Do you require advice and assistance with the cleanup? Identify any hazards to persons, property or environment (e.g. a gasoline spill beside a daycare centre would pose a safety hazard to children). Use box K if there is insufficient space.
K. Additional Information	Provide any additional pertinent details about the spill. State what action is being taken to clean up the spill, dispose of spilled material or notify affected parties. Attach additional sheets to the spill report if necessary. Number the pages in the same format found in the lower right hand corner of the spill form (e.g. Page 1 of 2). Number the pages to ensure that recipients can be certain they received all pertinent documents. If only the Spill Report form was filled out, number the form as "Page 1 of 1".
L. Reported to Spill Line by	Include your full name, employer, contact number and the location from which you are reporting the spill. Use box K if there is insufficient space.
M. Alternate Contact	Identify any alternate contacts. This information assists regulatory agencies to obtain additional information if they cannot reach the individual who reported the spill.
N. Report Line Use Only	Leave Blank. This box is for Spill Line use only.