

MEMORANDUM OF UNDERSTANDING

ON

An Atlantic Partnership in Risk-Based Corrective Action (RBCA) Implementation  
(Atlantic PIRI)

BETWEEN:

THE NEW BRUNSWICK DEPARTMENT OF ENVIRONMENT

THE NOVA SCOTIA DEPARTMENT OF ENVIRONMENT

THE NEWFOUNDLAND AND LABRADOR DEPARTMENT OF ENVIRONMENT  
AND CONSERVATION

THE PRINCE EDWARD ISLAND DEPARTMENT OF ENVIRONMENT, ENERGY  
AND FORESTRY

April 2008

## **BACKGROUND**

Through a Memorandum of Understanding between the four Atlantic provinces initially signed in 1997 and renewed in 2002, a working partnership of provincial and private sector representatives was established to develop a practical and flexible risk-based regulatory approach to the management of petroleum hydrocarbon contaminated sites in the Atlantic Provinces. The partnership, known as the Atlantic Partnership in Risk-Based Corrective Action (RBCA) Implementation (Atlantic PIRI), consists of Provincial Regulators represented by staff from New Brunswick, Nova Scotia, Newfoundland and Labrador and Prince Edward Island; the Petroleum Industry, and the Consulting Industry.

Since its inception, the partnership has maintained consultation with other stakeholders, a practical technical and socio-economic focus, and an open and transparent process. The partnership developed, implemented and is maintaining a standardized, risk based technical tool (RBCA) for use within the contaminated site management strategy of each province.

The objectives of the previous MOU are being expanded to allow for further harmonization and redevelopment of brownfield sites with the intention to take advantage of environmental, social and economic opportunities associated with returning these sites to productive use.

Atlantic PIRI is considered by stakeholders to be a positive and cooperative effort that has substantially improved petroleum contaminated site management in the Atlantic region. Integration and harmonization of the RBCA process into contaminated site legislation and management strategy of each province has been on-going since 1999.

## **Purpose of the Memorandum of Understanding**

In November 2001, the Council of Atlantic Premiers through a document entitled *Working Together for Atlantic Canada, An Action Plan for Regional Co-operation*, agreed to the continued support of risk-based corrective action for the evaluation of petroleum contaminated sites in the Atlantic Region.

The region has achieved success in remediating 3,000 sites with the RBCA methodology and through the efforts of Atlantic PIRI. However, impediments remain in bringing these sites back into productive use. Governments are examining the regulatory and liability issues that inhibit development of these properties.

At the January 2008 meeting of the Council of Atlantic Environment Ministers there was interest and agreement in broadening the RBCA methodology for the rehabilitation of brownfield sites to assist in redevelopment efforts.

Ministers agreed to encourage the PIRI committee to continue its investigation and bring recommendations regarding regulatory and technical impediments to the redevelopment of brownfield sites in Atlantic Canada.

Furthermore, the provinces agreed to determine what additional expertise would be needed by Atlantic PIRI to resolve outstanding issues associated with brownfield redevelopment.

The MOU also outlines the broad objectives of Atlantic PIRI, the financial commitments, and the reporting process. This Atlantic level MOU is meant to demonstrate commitment to the *Action Plan for Regional Co-operation* signed on November 8, 2001.

### **Objectives**

1. To maintain and enhance consistency between the four Atlantic Provinces in the remediation of petroleum contaminated sites.
2. To maintain and enhance consistency between the four Atlantic Provinces in the redevelopment of brownfield properties.
3. To provide continued technical support to each provincial environmental regulator in the application of Atlantic RBCA and brownfield redevelopment.
4. To monitor, evaluate and integrate into the Atlantic RBCA process appropriate advances in risk assessment and risk management techniques for contaminated sites. Specific to this objective is to ensure that the Atlantic RBCA process provides equivalent, or better protection than the CCME Canada Wide Standard for Petroleum Hydrocarbons in soil.
5. To provide a forum to encourage harmonized regulatory and legislative changes necessary to implement a harmonized brownfield redevelopment policy throughout Atlantic Canada.
6. To enhance communication with stakeholders to further their knowledge of, and participation in, brownfield redevelopment.
7. To work within each jurisdiction and involve provincial agencies with economic, social and environmental development mandates to further brownfield redevelopment opportunities.

The broad objectives, and other specific objectives that the partnership defines, will be achieved either through the work of the partnership, or through task forces and sub-committees comprising the partners and other stakeholders from a broader stakeholder group. These groups will be formed on an ad hoc basis.

All decisions and recommendations of the partnership will be made based upon a consensus agreement approach, and will be brought back to the respective governments for consideration.

### **Financial**

The partnership is driven by in-kind contributions from the partners. Travel and other associated expenses for regular meetings will be the responsibility of the individual partners. Any additional costs will be by mutual agreement of the partners.

### **Reporting**

The partnership shall prepare a joint annual report for the Ministers that will outline the progress of the partnership and identify appropriate actions for the coming year.

This Memorandum of Understanding will be reviewed in conjunction with priorities and budgets on a yearly basis.

**Signatories:**

The following persons recognize and support their respective agency involvement in this Memorandum of Understanding.

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**Rachel Bard, Deputy Minister  
New Brunswick Department of Environment**

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**Nancy Vanstone, Deputy Minister  
Nova Scotia Department of Environment**

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**Bruce Hollett, Deputy Minister  
Newfoundland and Labrador Department of Environment and Conservation**

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**John MacQuarrie, Deputy Minister  
Prince Edward Island, Department of Environment, Energy and Forestry**