

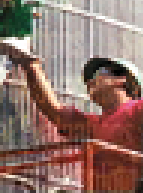
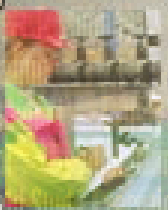
# Complications Associated with Property Transfers of Previously Remediated Sites

October 22, 2003

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# Introduction

- NS Case Study- Property Transfer completed in 2002
- Complications: Key complication- regulatory framework
- Resolution
- Lessons Learned



Property Permitting

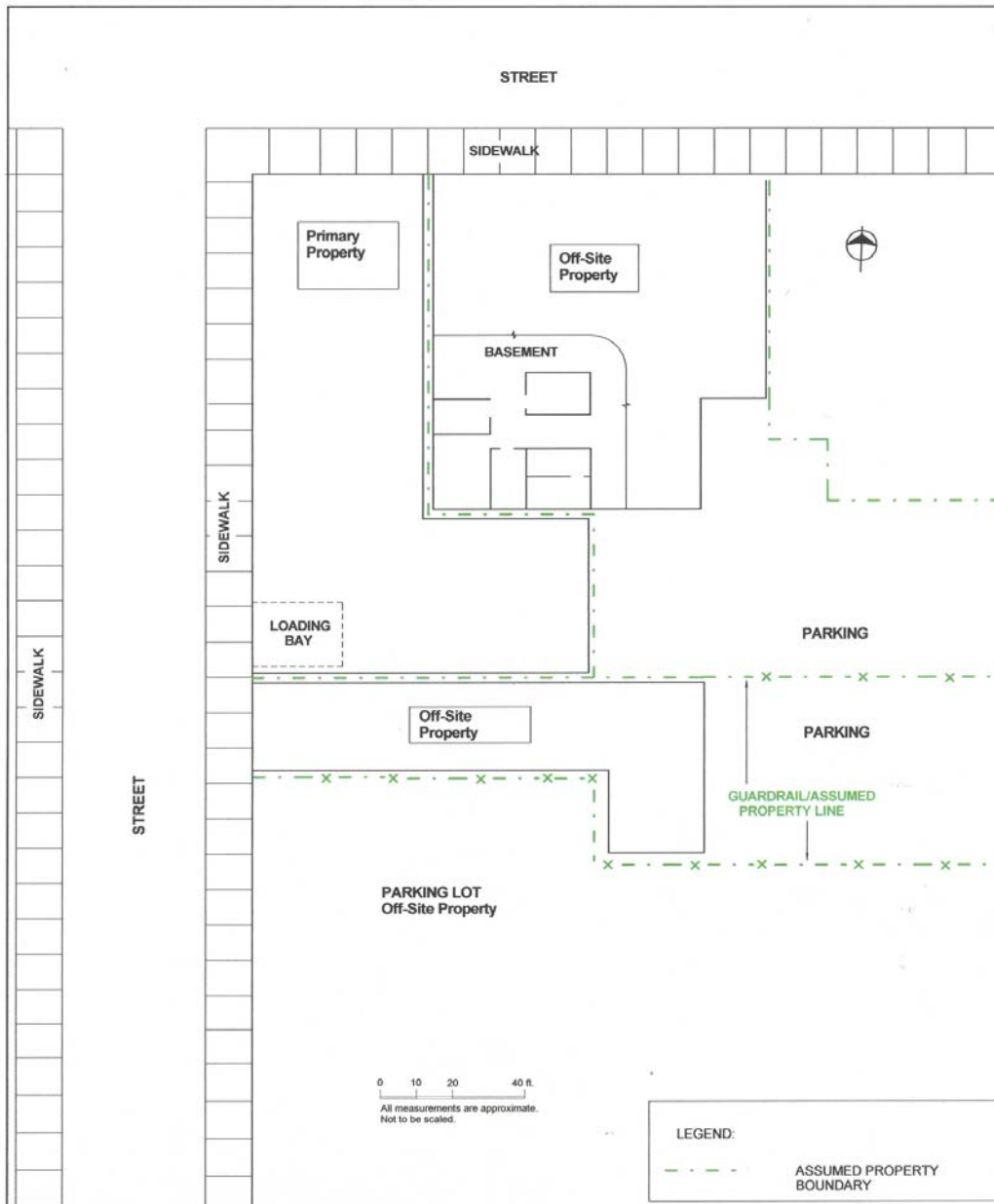


Air Quality

E N V I R O N M E N T A L S E R V I C E S

# Case Study Introduction

- Location- urban, highly developed area, commercial property
- Assessment driven by pending property transaction
- Present usage- retail store- poses minimal risk to environment in the past ten years.
- Historical Usage- Service Station



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# 1992 Property Transfer

- remediation- all accessible soils on site to bedrock and the edges of property boundaries
- All samples reported below criteria for NSDEL for hydrocarbon except one soil sample. (eastern corner of the site)
- Monitor well samples reported acceptable groundwater concentrations of hydrocarbon and lead
- Three soil samples collected adjacent to property boundaries reported lead concentrations that exceeded criteria.

# 1992 Property Transfer (cont.)

- summary: lead and hydrocarbon impacts in soil at property boundaries above remedial criteria of the day
- The outcome of remedial efforts? NSDEL concluded “that the site was remediated to an acceptable level”.
- Property was transferred

# 2002 Property Transfer

- Phase I ESA required and completed
- Conclusions from Phase I indicated no present environmental concerns, noted previous site usage- service station
- Further assessment was required **based on the past usage of the site**
- Client (owner) questioned this need for assessment

# Key Concerns Expressed by Regulator

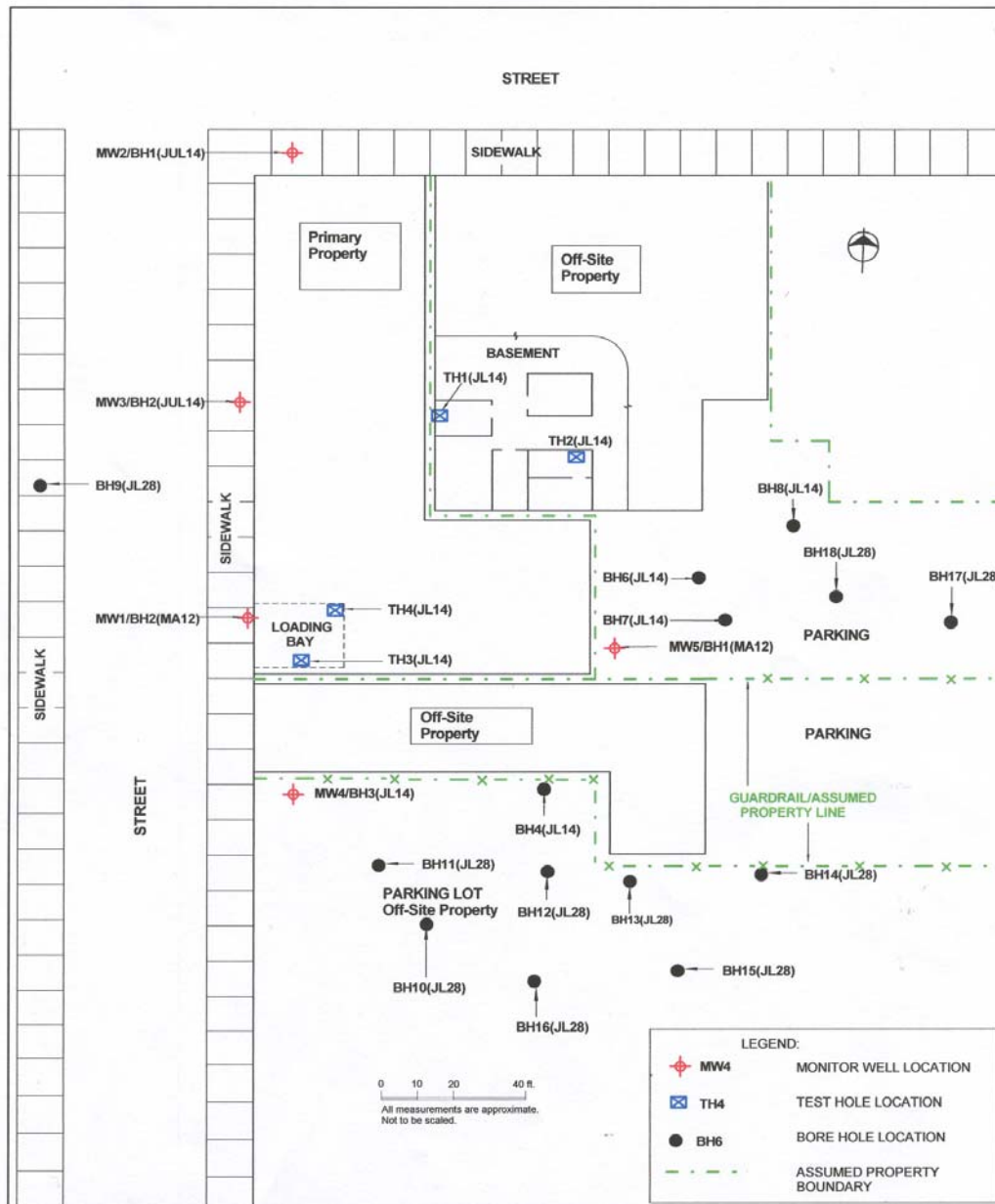
- possible residual hydrocarbon contamination-soil and groundwater
- Possible recent impacts (since 1992) in on-site soils
- Lead impacts in soil at property boundaries
- Boundaries of property- potential effect on third party properties, TPH and lead

# Major Complications

- Change in guideline standards  
Provincial, Federal or Municipal
- Change in standard practices of the day
- The relationship between province and municipal government- HRM requirements have changed for their property
- Different regulatory personnel involved, different requirements

# Assessment Process

- Test holes on adjacent properties
- Boreholes and monitor wells on adjacent properties
- Assessment of site soils- boreholes
- Confirmation of lead and hydrocarbon concentrations on adjacent properties
- Metals and PAH sampling in soil
- Risk Assessment and Site Management Plans



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# Technical Complications

- primary site building footprint
- Location- commercial/retail area in HRM
- 24 hr/day, 7 days/week retail business
- Off site buildings adjoin site building
- Two streets required assessment
- Refusal from one third party for access
- Number of stakeholders involved

# Resulting Outcome

- 2 months worth of assessment, delineation and risk assessment of residual lead impacts in soil
- Owner forced to delay sale of property
- Expensive assessment process
- Eventual Certificate of Compliance for primary property and affected adjacent properties
- Property transfer completed

# Lessons Learned

- Re-developed or remediated sites may still create challenges for owners when future property transactions arise.
- As regulatory requirements change, assessment requirements may change.
- Communication of these challenges to clients and regulators during property transactions is key to successful assessment and property transfer.