

# Contaminated Sites on Reserve (CSOR) Program Eastern Virtual Engagement Session

February 28, 2022



# About the Contaminated Sites On Reserve (CSOR) Program

- The priorities of the Contaminated Sites On-Reserve Program are:
  - To reduce and eliminate, where possible, environmental, health and safety risks posed by contaminated sites;
  - To ensure that First Nation lands are available for economic *and* community development and traditional use/cultural continuity.
- ***The CSOR Program receives most of its funding from the Federal Contaminated Sites Action Plan (FCSAP) Program.***
- As a custodian under the FCSAP Program, ISC is required to contribute through a cost share component (20% assessment, 15% remediation).



# CSOR Program Continued

- While CSOR is administered out of ISC HQ, ***the Program is implemented by First Nations and Regional ISC staff.***
- Projects are delivered jointly with First Nations and Tribal Councils, providing economic opportunities and opportunities for increased capacity for environmental management on-reserve.
- Project implementation can be funded in one of two ways:
  - ***Grants and Contributions funding (First Nation led), or;***
  - Operations and Maintenance funding (First Nation supported)



# What is a Contaminated Site?

- **A site at which substances occur at concentrations:**
  - above background levels and pose, or are likely to pose, an immediate or long-term hazard to human health or the environment, or;
  - exceeding levels specified in policies and regulations;



## **Sources of Contamination on Reserve**

**51%** Fuel Storage Tanks

**40%** Landfills/Solid Waste

**9%** Other Sources/Commercial

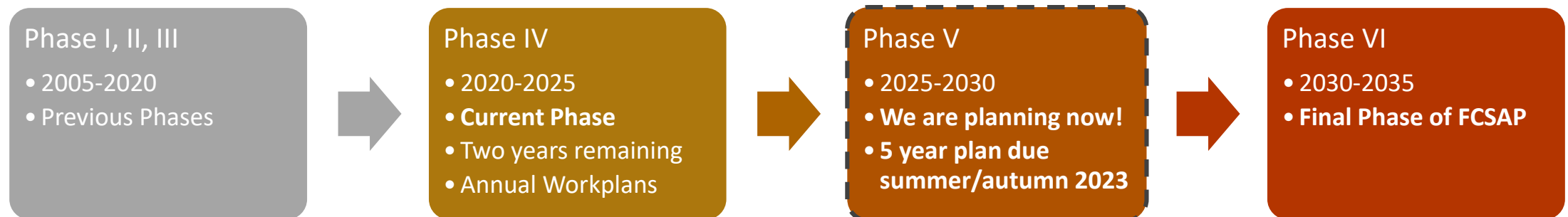
# I think we might have a contaminated site!

- Many sites were identified through Environmental Issues Inventory (mid-1990's), though sites have been added over time based on:
  - Additional sites identified by First Nations; through First Nations Land Management Environmental Site Assessments; environmental spills/incidents.
- ***ISC relies on First Nations to identify potential suspected contaminated sites.***
- Once identified, ISC staff will work directly with the First Nation to determine if a site has the potential to be a contaminated site.
- If the site is suspected to be contaminated, the site will be listed in the [Federal Contaminated Sites Inventory](#) as ***Suspected***.
- ISC follows a long standing, pre-determined *10 step process* to assess and if needed, remediate (clean up) a site.



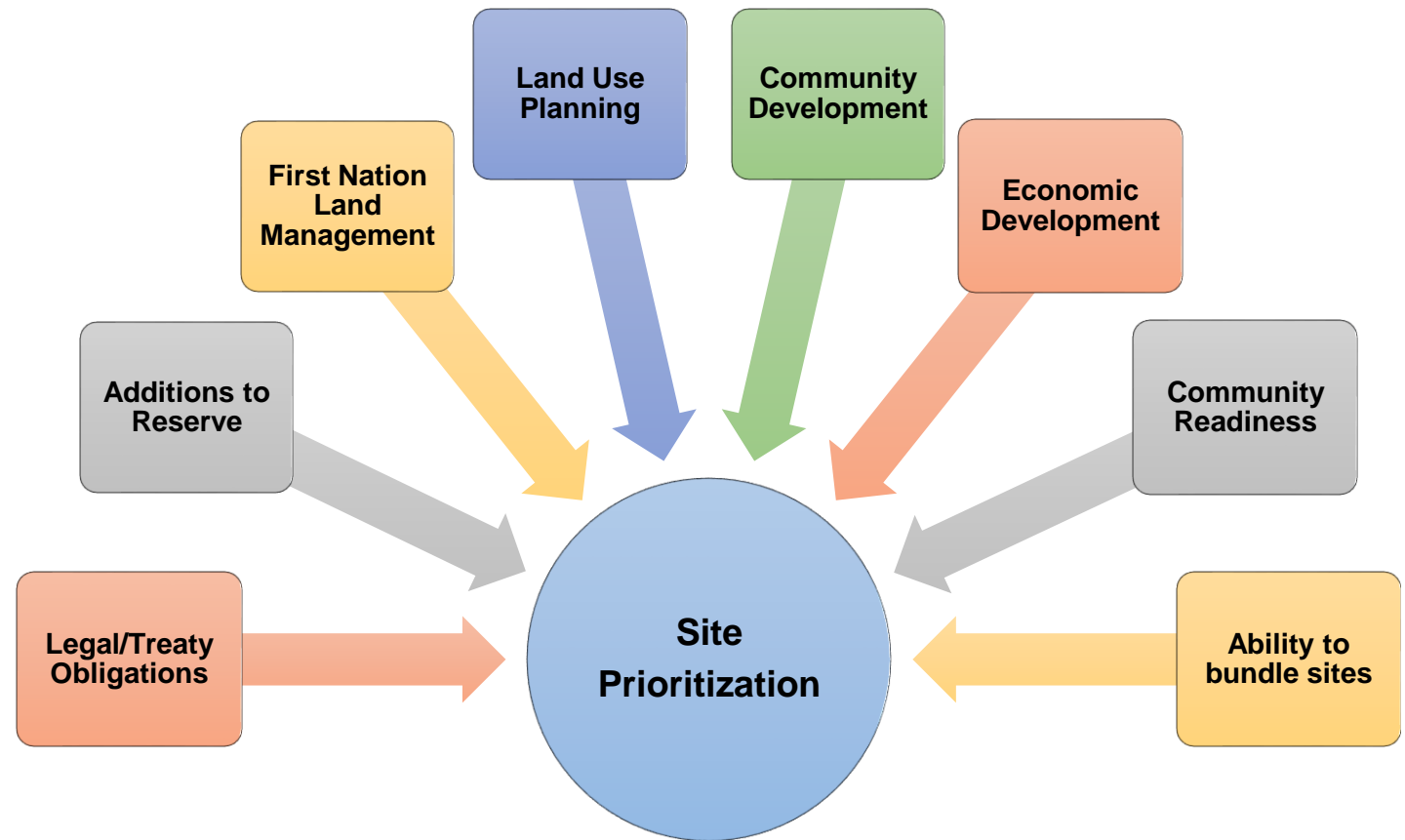
# What is the planning process like?

- ***Projects on the workplan are driven by First Nations.*** ISC relies on First Nations to indicate what projects on-reserve are priorities.
- Projects are prioritized for assessment/remediation based on available funding, risks to human health and the environment, economic and community development plans, capacity, and other factors the First Nation determines.
- ISC follows an annual workplan/funding cycle that's directed by an overarching 5-year plan. FCSAP oversees this.
  - Workplans are updated annually, allowing for priority projects to be included.



# How are sites prioritized for remediation?

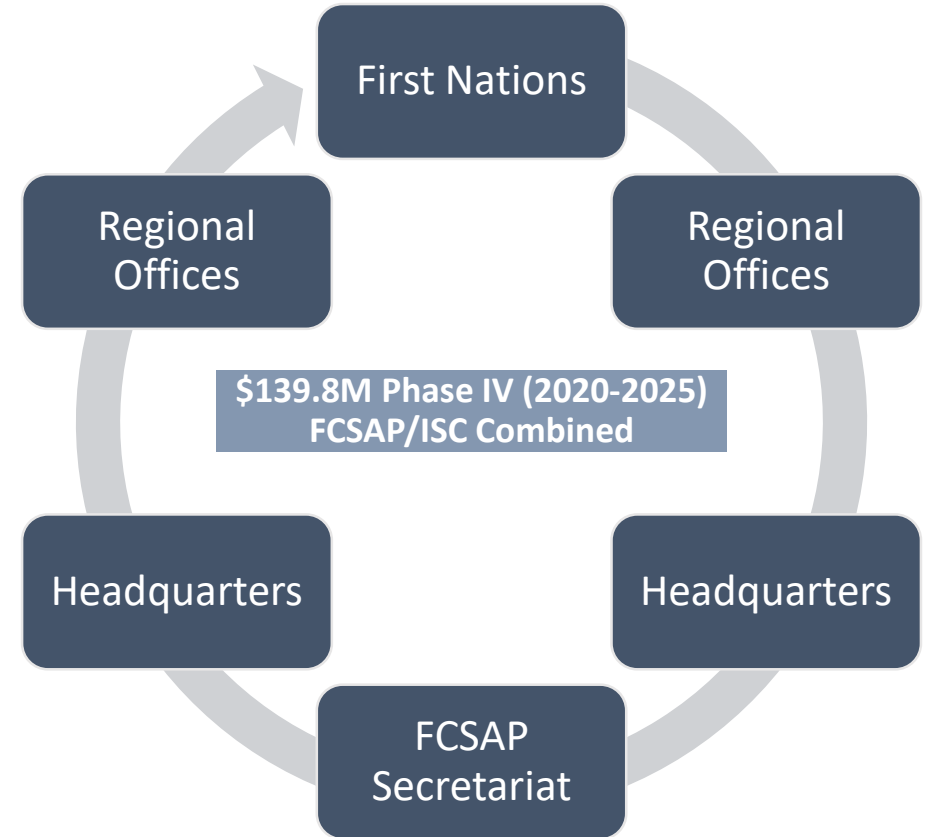
- Prioritizing sites for remediation is primarily influenced by:
  - Risks to human health and the environment;
  - Availability of funding;
  - Other factors First Nations determine.
- **Sites must be assessed and classified in order to be eligible for remediation funding.**



Limited funding for assessment has had a major impact on which projects are identified for remediation.

# Funding approval/distribution

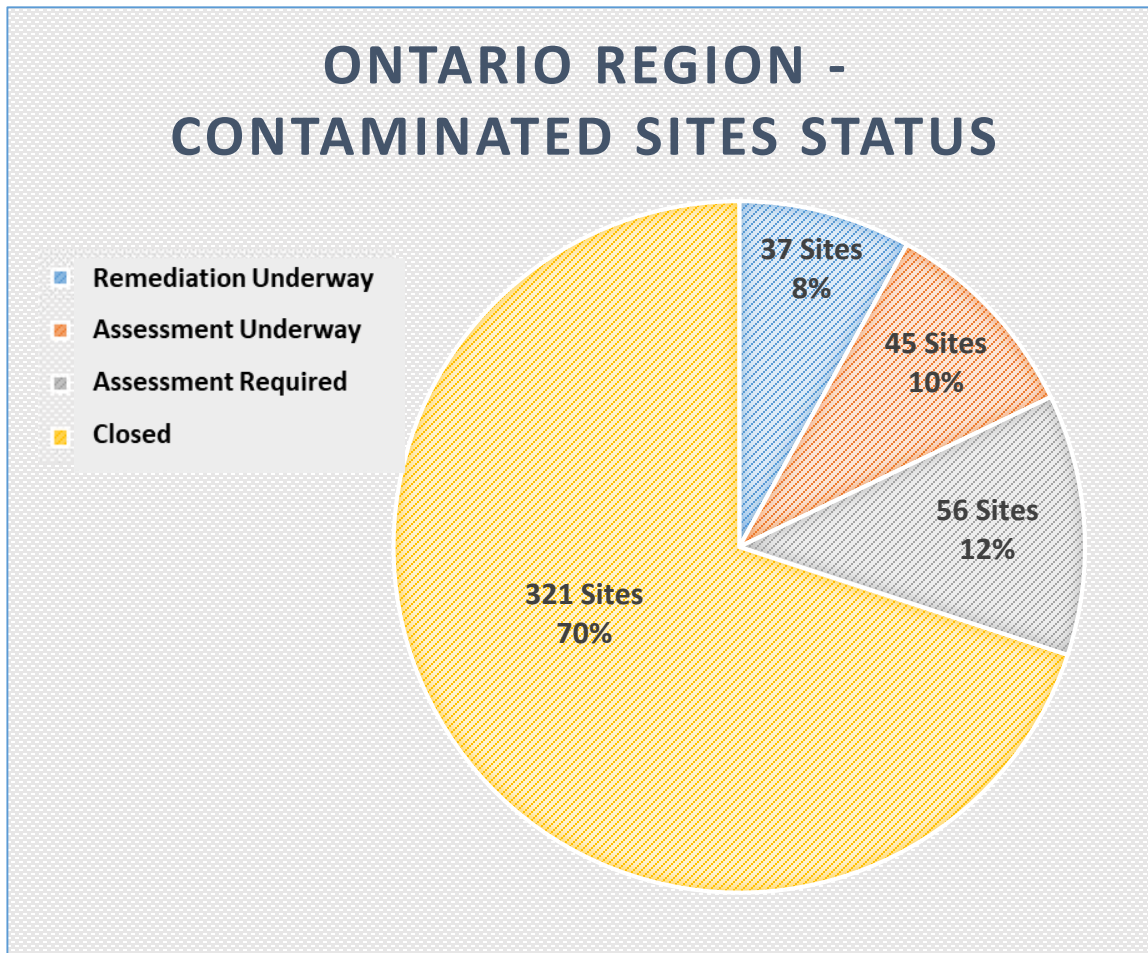
- After receiving input from First Nations, ISC Regional staff submit annual/5-year workplans to ISC HQ for review/ approval.
- Workplans are then submitted to the FCSAP Secretariat for review and approval.
- Once approved, funds are then distributed to the regions to establish ***Contribution Agreements (G&C's) with First Nations*** or contracts (O&M).



# Ontario Region - FCSAP Project Delivery

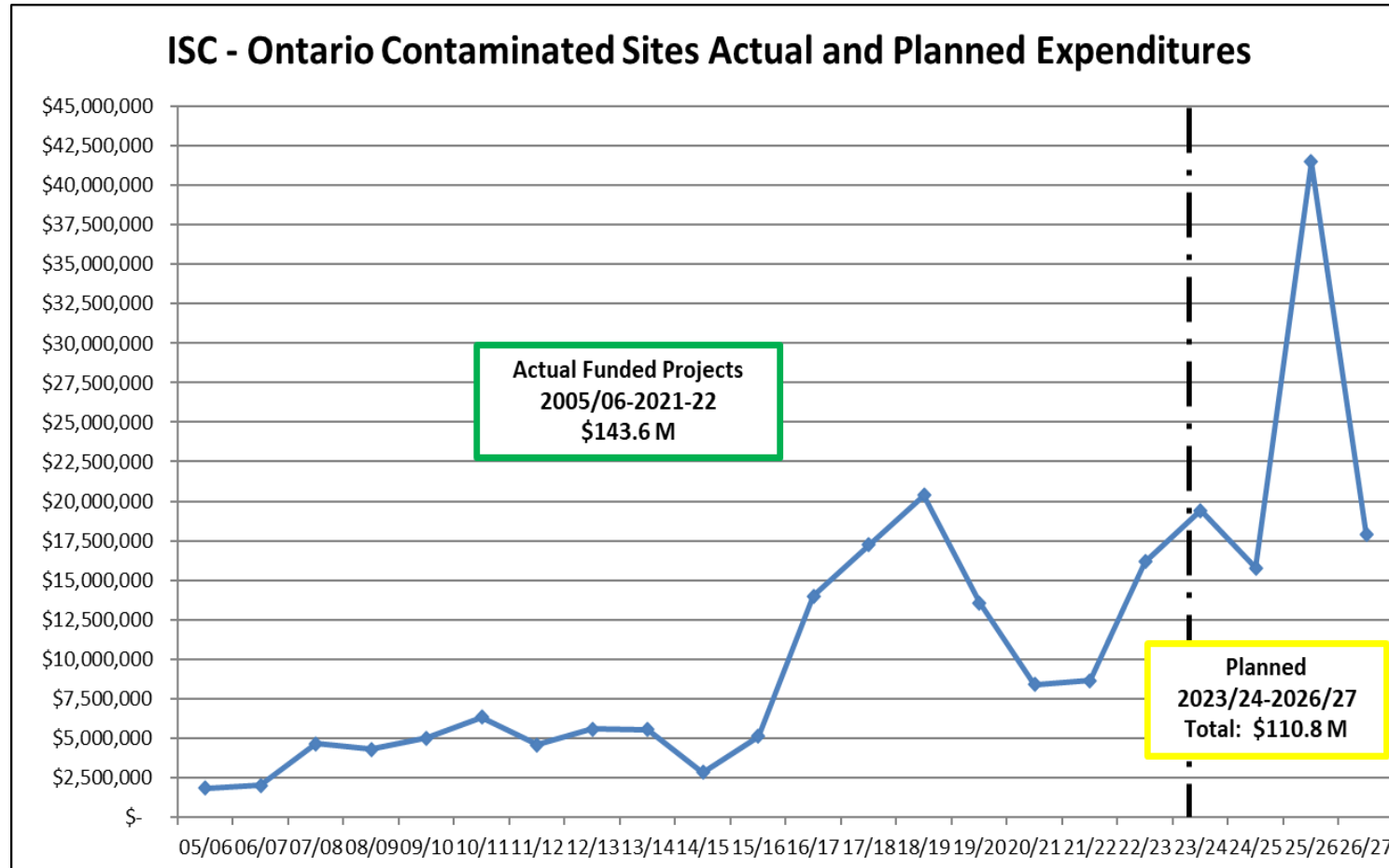


# Ontario Region – Background and Status



- Current inventory is almost certainly incomplete – baseline from mid-90s Environmental Issues Inventory
- Please reach out - we don't know, what we don't know ([kerri.hurley@sac-isc.gc.ca](mailto:kerri.hurley@sac-isc.gc.ca))
- Goal is to address remaining sites by 2035
- An additional ~150 sites on-reserve that are identified as third party (e.g., service stations, private fuel storage), work needed to determine site status, some may be orphaned

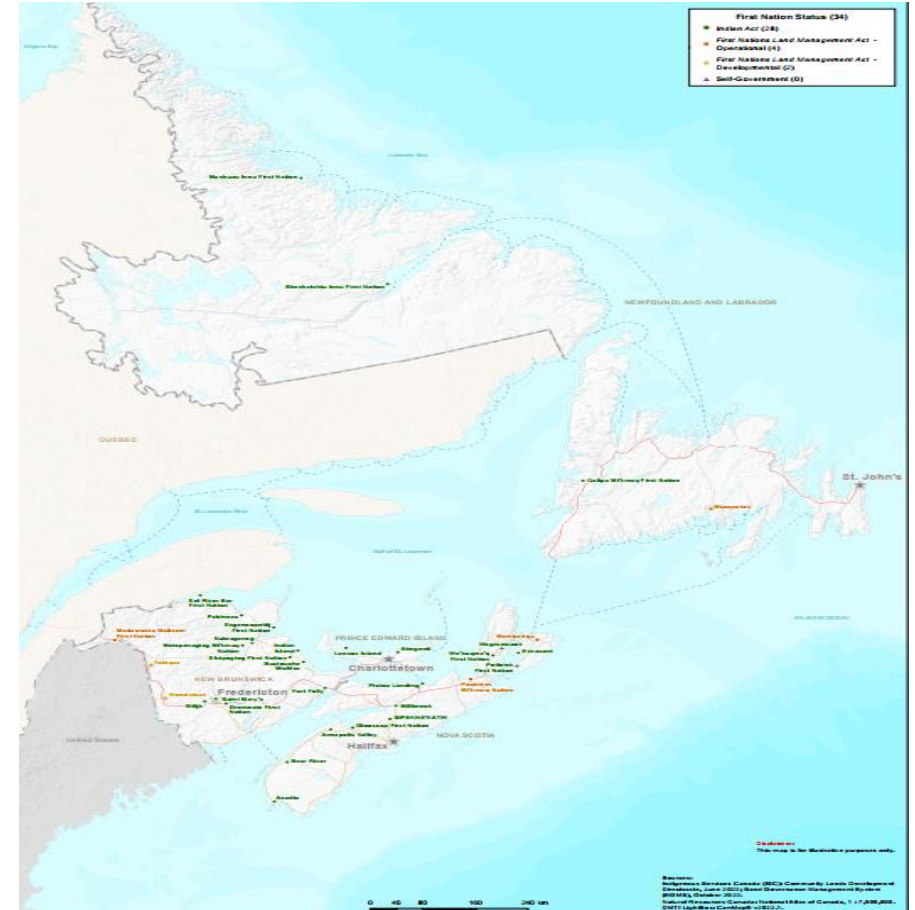
# Ontario Region – Progress to Date



- Since the start of FCSAP, **213** sites have been assessed and remediated in **34** First Nations.
- **68** of these sites are fully remediated and have been closed, meaning the land has been restored and is safe to be redeveloped to meet community needs.
- These 68 sites had a total of 120,816 M<sup>3</sup> (180,000 T) of contaminated soil

# Atlantic Region - Overview

- Working with First Nations in four provinces to identify and address contaminated sites - restoring land to a state to support traditional and future use.
- Inventory is evolving through discussions with First Nation Communities, Environmental Site Assessments, First Nation Lands Management process. (147 sites in database: 123 closed, 24 suspected or active)
- Most known sites are a result of illegal dumping and fuel spills. (Class 2 or Class 3 sites)



# Atlantic Region - Overview

**Sheshatshiu Former Sawmill (Class 1) – \$618,427**  
***Sheshatshiu Innu First Nation, NL***

On reserve, restoring prime area for traditional use and potential housing or commercial development.

**Shannon Park – Addition to Reserve (Class 1) – \$900,488**  
***Millbrook First Nation, NS***

Restoring traditional land to add to reserve.

**Caribou Marsh - (Class 2) –\$636,822**  
***Membertou First Nation, NS***

Restoring land for future development and funded capacity building opportunity for the Nation.



# Atlantic Region - Goals

- Update contaminated sites inventory and build a phase V work plan (2025-2030)
- Leverage engagement opportunities to hear First Nation Community goals and priorities (identify and inventory areas of concern including priority lands not on reserve).
- Return lands to a state that meets and supports First Nation goals and priorities.

***For more information or to bring forward sites for discussion please reach out to the ISC Atlantic Contaminated Sites Team:***

Kirk Garrison ([Kirk.Garrison@sac-isc.gc.ca](mailto:Kirk.Garrison@sac-isc.gc.ca)) or Amy Deveau ([Amy.Deveau@sac-isc.gc.ca](mailto:Amy.Deveau@sac-isc.gc.ca))

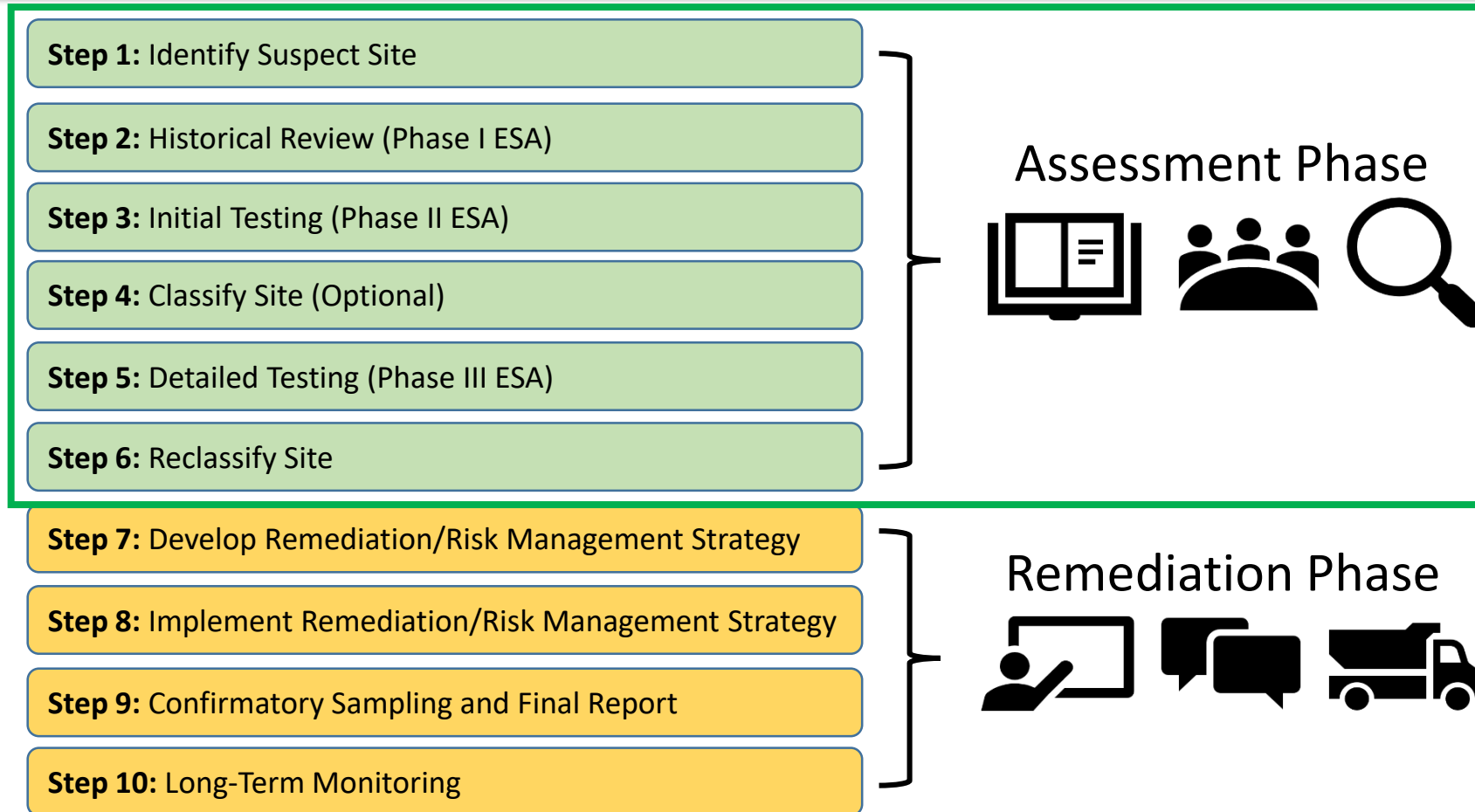
# Thank you!

**We thank you for the opportunity to share with you today and look forward to hearing your feedback today.**

**For more information about the Contaminated Sites on Reserve Program, please reach out to your regional ISC representatives!**

# **Annex A - Supplementary Materials**

# Back to the 10 Step Process



**There are economic opportunities for First Nations to *support and/or lead assessment and remediation projects!***  
**ISC can support you through the process!**

# Environmental Site Assessment Types

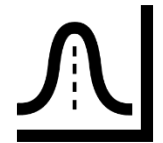
## ■ Phase I ESA:

- Research the current and historical use of the area to determine if there's a possibility for contamination on site.
- This can be done by conducting site visits and interviewing First Nation members and/or Elders, reviewing documents and looking at aerial photography.



## ■ Phase II ESA:

- If your Phase I ESA indicates the potential for contamination, there will be a need to collect samples from soil, surface water, groundwater to analyze for the presence of contaminants.



## ■ Phase III ESA:

- If your Phase II ESA determines that contamination is present, you will likely need to conduct additional sampling to determine the **extent** and **volume** of contamination on site.



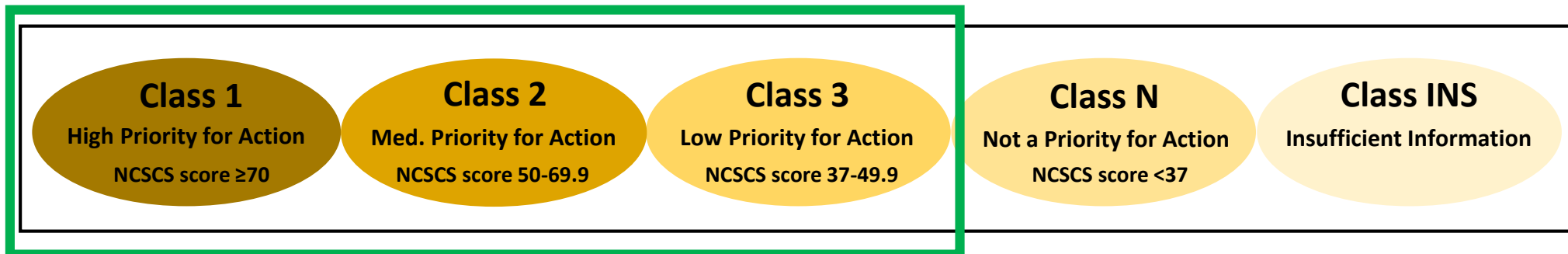
## ■ Human Health Risk Assessment\*

## ■ Ecological Risk Assessment\*

Lack of funding is often a limiting factor in the number of assessment projects implemented each year.

# What's Next? Site Classification

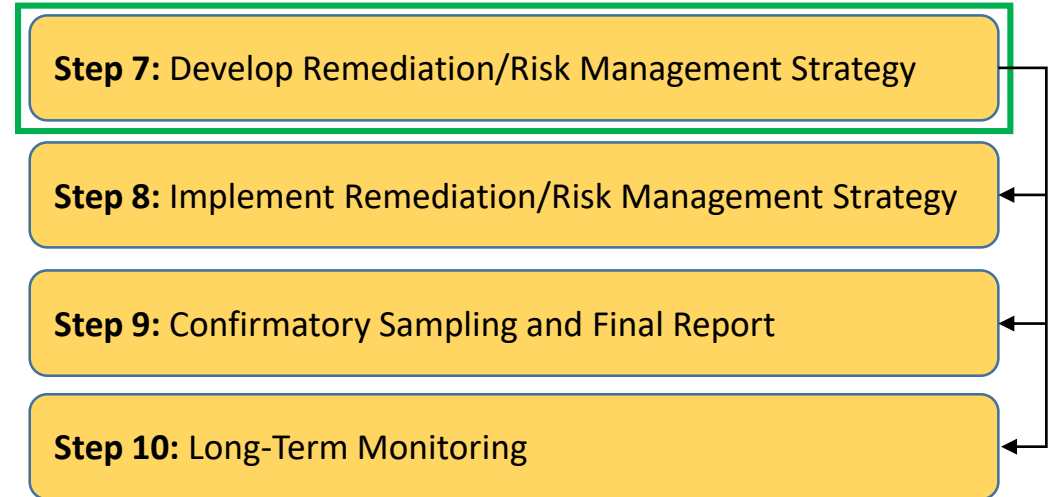
- You've completed your Phase II/III Environmental Site Assessment
  - In most cases, you will be able to **“classify”** your site with the information using the National Classification System for Contaminated Sites (NCSCS).
  - Site classification can occur after the Phase II ESA and/or Phase III ESA



- Classifications are determined based on the level of risk the site presents to human health and the environment.

# What does the remediation process look like?

- That depends – but it will start with the development of a Remediation (R) or Risk Management (RM) Strategy (Step 7)!
- Your R/RM strategy will be based on many important considerations, though ***future intended land use*** will be an important one.
- Your independent consultant will help you design your preferred R/RM strategy.



You can build funds into the project for community engagement activities and outreach!

# What about the remediation/risk management?

- Next is Step 8 - Implement Remediation Risk Management Strategy:



- This is where the physical work happens, creating additional employment opportunities, especially with local/Indigenous businesses and suppliers.



- The length of the R/RM work will depend on the nature, source and severity of contamination, remoteness, availability of contractors/equipment, length of field season etc.

- Depending on the project, when remediation is complete, you may move to close the site (Step 9), or into Long-Term Monitoring (Step 10).

- This will be determined in your R/RM Strategy.



**Step 8:** Implement Remediation/Risk Management Strategy

**Step 9:** Confirmatory Sampling and Final Report

**Step 10:** Long-Term Monitoring



# Is my site eligible for funding?

YES	NO
<ul style="list-style-type: none"><li>▪ Sites connected to community facilities (schools, band council offices, municipal garage, etc.)</li><li>▪ Former ISC Diesel Plants</li><li>▪ Former dump sites (authorized or illegal) on Reserve</li><li>▪ Abandoned/Orphan sites*</li></ul> 	<ul style="list-style-type: none"><li>▪ Sites in operation (waste/dump sites)</li><li>▪ Sites on Certificate of Possession lands</li><li>▪ Operating businesses, private fuel facilities</li><li>▪ Sites established <b>after</b> becoming operational under First Nation Land Management</li></ul> 

Reach out to your Regional ISC representative for questions relating to site eligibility and eligible costs!

# Eligible Costs – Assessment *and* Remediation

## **Eligible**

- Consulting, engineering, and contractor services and disbursements
- Mobilization/demobilization of equipment and personnel
- Development of Indigenous and/or stakeholder engagement plans or strategies
- Indigenous engagement (e.g., community meetings, workshops, distribution of brochures, newspaper advertisements, social media posts)

## **Eligible (Indirect – max 10% cost)**

- Archaeological studies and activities that are concurrent to assessment activities and that are required for the physical work to be carried out.
- The development and implementation of skills development and training programs for workers, Indigenous communities, or stakeholders.

# Eligible Costs – Remediation/Risk Management

## ▪ Eligible

- Re-creation of a lost species' habitat due to R/RM activities (e.g., loss of fish habitat, wetlands).

## ▪ Eligible (Indirect – max 10% remediation/risk management cost)

- *In the case of a built asset (buildings, facilities, or public works such as roads and sewers), equipment, or a storage tank system present at the site;*
  - *costs associated with relocation (temporary or permanent), demolition, dismantling, or removal and disposal or recycling of these items, provided that these activities are essential to access and remediate/risk manage contamination beneath or adjacent to the items.*
- Storage tank system removal or relocation if necessary to remediate/risk manage contamination beneath or adjacent to the storage tank system;
- Removal of debris not contributing to the contamination at the site only when required to access contamination as part of the R/RM strategy, but excluding the cost of disposal;

# Ineligible Costs

- Storage tank removal if not necessary for assessment or to access contamination;
- Storage tank system upgrades to stop ongoing contamination while a comprehensive R/RM strategy is being developed.
- Storage tank replacement;
- Assessment and/or decontamination of “sick” buildings due to occupational health and safety concerns (e.g., removal of asbestos, mould, flaking lead or PCB based paint from inside of a building).
  - ***In order for “sick” buildings to be eligible for FCSAP assessment and/or remediation funding, the building must be suspected/confirmed as a source of contamination and contaminants must have entered into the environment.***
- Ongoing administrative (O&M) site costs - e.g., hazardous, solid, or sewage waste management costs, costs associated with licensed or operating landfill sites.
- Costs associated with relocation or temporary accommodation of people who are at risk from contamination at a site or who must be displaced to allow assessment/remediation activities to be conducted.

