


**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL**

Order in Council No. 254

, Approved and Ordered June 19, 2026

  
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Lieutenant Governor

**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective July 1, 2026, the Contaminated Sites Regulation, B.C. Reg. 375/96, is amended as set out in the attached Appendix.



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Minister of Environment and Parks



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Presiding Member of the Executive Council

*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: *Environmental Management Act*, S.B.C. 2003, c. 53, ss. 62, 138 and 139

Other: OIC 1480/96

R20947396

## APPENDIX

- 1 *Section 1 of the Contaminated Sites Regulation, B.C. Reg. 375/96, is amended by repealing the definition of “external contract reviewer”.*
- 2 *Section 9 is repealed.*
- 3 *The following sections are added:*

### Interpretation

#### 9.1 In this Part and Schedule 3:

“**additional ministry service**” means an activity, other than a compliance verification activity, that is or would be carried out by a person on behalf of the ministry to consult, negotiate or provide advice or other services for a specific site in relation to the following:

- (a) any analytical method for contaminated sites;
- (b) an approval in principle;
- (c) a certificate of compliance;
- (d) a confirmation of remediation report;
- (e) a covenant under section 219 [*registration of covenant as to use and alienation*] of the *Land Title Act*;
- (f) a determination of a contaminated site under section 44 [*determination of contaminated sites*] of the Act;
- (g) a review by an external contract reviewer carried out under section 10 [*review of report or plan by external contract reviewer*] of this regulation;
- (h) an environmental risk assessment report;
- (i) a human health risk assessment report;
- (j) any implementation of remediation;
- (k) any indemnification provided under the *Financial Administration Act* for the purposes of section 67 (1) (b) [*advanced exploration sites*], 68 (1) (b) [*producing or past producing mine sites*] or 69 (a) [*historic mine sites*] of the Act;
- (l) any independent remediation;
- (m) any ministry contaminated sites guidance;
- (n) any ministry contaminated sites policy, procedure or protocol;
- (o) a minor contributor status provision or designation;
- (p) any notification for the migration or likely migration of a substance to a neighbouring site;
- (q) an order for public consultation or review under section 52 [*duties of director respecting approvals in principle and certificates of compliance*] of the Act;
- (r) a pollution prevention order or pollution abatement order under Part 7 [*Powers in Relation to Managing the Environment*] of the Act;

- (s) any provision for an appointment or opinion of an allocation panel under section 49 [*allocation panel*] of the Act;
- (t) a remediation order;
- (u) financial security, including the posting of security;
- (v) a site disclosure statement;
- (w) a site investigation;
- (x) a site registry requirement;
- (y) soil relocation;
- (z) a standard, criterion or protocol;
- (aa) a summary of site condition;
- (bb) a transfer agreement under Part 5 [*Remediation of Mineral Exploration Sites and Mines*] of the Act;
- (cc) a voluntary remediation agreement;
- (dd) environmental management area planning or designation;
- (ee) a request for ministry support related to requirements that are imposed in relation to
  - (i) remediation activities at high risk sites, or
  - (ii) monitoring requirements under section 54 (3) (d) [*independent remediation procedures*] of the Act set out in
    - (A) any performance verification plans, or
    - (B) any requirements in orders made in relation to independent remediation procedures;
- (ff) any other provision of Part 4 [*Contaminated Site Remediation*] or 5 of the Act;

**“compliance verification activity”** means inspection, monitoring or verification carried out for the purpose of any of the following:

- (a) any remediation;
- (b) any approval in principle;
- (c) a certificate of compliance;
- (d) a voluntary remediation agreement;
- (e) a transfer agreement;
- (f) a request or application for indemnification;
- (g) any contaminated sites compliance investigation;

**“ministry platform”** means the online platform that is

- (a) administered by or on behalf the ministry for the purposes of the Act, and
- (b) known as the Site Remediation Services web application;

**“online”**, in relation to a service or activity, means

- (a) by way of electronic communication tools, or
- (b) by way of the ministry platform;

“**specified request or review**” means a request or review that is set out under items 1 to 15 in Column 1 of Table 2 of Schedule 3.

#### **Administrative matters in respect of fees**

- 9.2** (1) The fees that are payable under this regulation are payable to the government, except fees payable to an approving officer or municipality under section 9.3 (2) (b).
- (2) The fees set out in Schedule 3 in respect of different actions or activities are exclusive of one another and of fees associated with any other action or activity under this regulation.
- (3) If a fee set out in Schedule 3 is payable in respect of a number of hours, the number of hours refers to the time during which the activity is performed by a person or, if applicable, the estimated time the person would require to perform the activity.
- (4) A director may do any of the following:
- (a) invoice a person for a fee;
  - (b) agree in writing in a particular case to accept the payment of a fee in installments;
  - (c) require in a particular case that a person pay a fee in advance of any services being provided.
- (5) In addition to any other fees under this section, a person who requests the following action or activity must pay a fee equal to the amount of the reasonable travelling and out of pocket expenses necessarily incurred by a person in performing the action or activity on behalf of the ministry:
- (a) an action or activity set out in item 16 in Column 1 of Table 2 of Schedule 3;
  - (b) an action or activity set out in item 1 in Column 1 of Table 3 of Schedule 3.
- (6) If a person withdraws a request referred to in section 9.4 (1) (a) [*fees in Table 2 of Schedule 3 – flat fees for certain ministry services or functions*] in relation to an action or activity set out in Column 1 of Table 2 of Schedule 3, the fee that is payable by the person is reduced to a fee
- (a) that is not more than the original fee that would have been payable if the request had not been withdrawn, and
  - (b) that the director determines is equivalent to
    - (i) the amount of work undertaken by the ministry for the action or activity before the person withdraws the request, as determined by the hours of work, and
    - (ii) the reasonable travelling and out of pocket expenses necessarily incurred by a person in performing the action or activity on behalf of the ministry before the person withdraws the request.

#### **Fees in Table 1 of Schedule 3 – actions relating to site disclosure statements and obtaining information**

- 9.3** (1) A person who undertakes an action described in Column 1 of Table 1 of Schedule 3 must pay the fee set out opposite the action in Column 2 of that Table.

- (2) A fee that is imposed under section 40 (5) [*site disclosure statements*] of the Act by an approving officer or a municipality for assessing a site disclosure statement
  - (a) may not exceed the amount of the fee set out in item 1 in Column 2 of Table 1 of Schedule 3 for providing a site disclosure statement to an approving officer or a municipality, and
  - (b) is payable
    - (i) to the approving officer or municipality, and
    - (ii) at the time the person provides the site disclosure statement to the approving officer or municipality.
- (3) A person or organization is exempt from paying all or part of a fee set out in item 2, 3, 4 or 5 in Column 2 of Table 1 of Schedule 3, in the amount specified by a director, if
  - (a) the person or organization satisfies the director that paying the fee or the part of the fee would be an unmanageable financial burden on the person or organization required to pay it, or
  - (b) in the case of a government ministry or a person acting on behalf of a government ministry, the fee does not exceed \$1 000 and the director is satisfied that granting the exemption is in the public interest.
- (4) A person or organization obtaining information as a representative of a first nation government is exempt from paying a fee set out in item 2, 3 or 4 in Column 2 of Table 1 of Schedule 3.
- (5) In this section, “**first nation government**” has the same meaning as in section 91.1 [*definitions relating to spill preparedness, response and recovery*] of the Act.

**Fees in Table 2 of Schedule 3 – flat fees for certain ministry services or functions**

- 9.4** (1) A person must pay the flat fee set out in Column 2 of Table 2 of Schedule 3 that corresponds to an action or activity set out in Column 1 of that Table if the person
- (a) requests the applicable action or activity,
  - (b) undertakes an action or activity requiring the applicable action or activity,
- or
- (c) is ordered or required by a director to undertake an action or activity requiring the applicable action or activity.
- (2) In the case of a request for a review of a human health risk assessment report or environmental risk assessment report, a director may, on application, reduce the fee by up to 50%, if satisfied that the risk assessment is a screening level risk assessment.

**Fees in Table 3 of Schedule 3 – hourly fees for certain ministry services or functions**

- 9.5** A person must pay the hourly fee set out in Column 2 of Table 3 of Schedule 3 that corresponds to a request described in Column 1 of that Table if the person
- (a) requests the applicable action or activity,

- (b) undertakes an action or activity requiring the applicable action or activity,  
or
- (c) is ordered or required by a director to undertake an action or activity  
requiring the applicable action or activity.

**Subsequent review of report or plan by director**

- 9.6** (1) If a director considers that an application or report submitted in relation to a specified request or review set out under items 1 to 15 in Column 1 of Table 2 of Schedule 3 is incomplete or contains errors,
- (a) the director must return the application or report to the person who submitted the application or report for completion or correction, and
  - (b) the person may resubmit a completed or corrected report or plan for a subsequent review.
- (2) The fee for a subsequent review of an application or report by a director under this section is 50% of the fee paid under section 9.4 (1) [*fees in Table 2 of Schedule 3 – flat fees for certain ministry services or functions*] on the first submission of the application or report.

**4** *Section 10 is repealed and the following substituted:*

**Review of report or plan by external contract reviewer**

- 10** (1) In this section and section 10.1, “**external contract reviewer**” means an approved professional with whom a director enters into a contract under subsection (2) of this section.
- (2) A director may enter into a contract with an approved professional to assist, as an external contract reviewer, in the review of any of the following:
- (a) a preliminary site investigation report;
  - (b) a detailed site investigation report;
  - (c) a remediation plan;
  - (d) a human health risk assessment report;
  - (e) an environmental risk assessment report;
  - (f) a confirmation of a remediation report.
- (3) The external contract reviewer’s review of a report or plan listed in subsection (2) is carried out by making a report to the director containing the external contract reviewer’s professional opinion in respect of
- (a) the adequacy of the report or plan,
  - (b) the need for remediation of the site in respect of which the report or plan is submitted, and
  - (c) whether the report or plan complies with provincial laws and ministry policy.
- (4) The fee for a review carried out under this section is equal to the sum of
- (a) the amount of the fee payable by the government to the external contract reviewer under a contract referred to in subsection (2), and

- (b) 50% of the fee set out in Column 2 of Table 2 of Schedule 3 that would have been payable for a review of the relevant kind of report or plan listed in subsection (2) if the fee had been payable on that report or plan under section 9.4 (1).

**5     *The following section is added to Part 4:***

**Review of report or plan by external contract reviewer assigned by director**

- 10.1**
- (1) A person may request that a director assign an external contract reviewer to assist with a review of a report or plan listed in section 10 (2).
  - (2) If an external contract reviewer assigned under subsection (1) considers, and advises the ministry, that a report or plan the external contract reviewer has been asked to review is incomplete or contains an error, the person who requested the assignment of the reviewer may resubmit a completed or corrected report or plan for another review by the external contract reviewer.
  - (3) The fee for a subsequent review by an external contract reviewer assigned under subsection (1) is equal to the sum of
    - (a) the amount of the fee payable by the government to the external contract reviewer for the subsequent review, and
    - (b) if a director considers it justified on the basis of additional time it takes a person to review the completed or corrected plan or report on behalf of the ministry, 50% of the fee paid under section 10 (4) (b) on the first submission.

**6     *Schedule 3 is repealed and the following substituted:***

**SCHEDULE 3**

**Table 1**

**Fees Relating to Site Disclosure Statements and Obtaining Information**

Item	Column 1 Action	Column 2 Fee
1	Site disclosure statement: person provides a site disclosure statement to an approving officer or municipality	\$150
2	Information obtained by accessing the site registry through the ministry platform: person accesses	
	(a) a site disclosure statement	\$50 per item
	(b) technical information	\$50 per item
	(c) compliance reporting form	\$50 per item
3	Information obtained by accessing the site registry through the ministry platform: person accesses detailed technical reports	\$150 per item
4	Information obtained by accessing the site registry through the ministry platform: annual subscription for notifications about new information about a site for the period of one year from the date of subscription or its renewal	\$50 per year

Item	Column 1 Action	Column 2 Fee
5	Information obtained from the site registry by manual retrieval of ministry records in non-digital form: person requests digital copies of records that require manual retrieval and digitization	\$100 per hour

**Table 2**  
**Flat Fees for Certain Ministry Services or Functions**

Item	Column 1 Action or Activity	Column 2 Fee
1	Request for determination of a contaminated site under section 44 of the Act	\$5 000
2	Request for approval in principle:	
	(a) person requests an approval in principle of a remediation plan under section 53 (1.1) of the Act	\$5 000
	(b) additional fee for an approval in principle if a person is ordered by a director to investigate or remediate a site	\$20 000
3	Review of summary of site condition report or detailed site condition report	\$5 000
4	Request to a director	\$5 000
5	Request for allocation panel:	
	(a) person requests the appointment of an allocation panel	\$5 000
	(b) person requests an allocation panel opinion and an allocation panel carries out the work and provides an opinion	\$1 000 per panel member per day
6	Review of interim report for the remediation of a contaminated site in accordance with an applicable director's protocol made under section 64 (1) (d) of the Act	\$5 000
7	Review of preliminary site investigation report	\$10 000
8	Review of a covenant	\$10 000
9	Complex request to a director	\$10 000
10	Request for certificate of compliance	\$10 000
11	Request for indemnification provided under the <i>Financial Administration Act</i> for the purposes of section 67 (1) (b), 68 (1) (b) or 69 (a) of the Act	\$15 000
12	Review of confirmation of remediation report	\$15 000
13	Review of the following:	
	(a) remediation plan	\$20 000
	(b) human health risk assessment report	
	(c) environmental risk assessment report	
14	Request for designation as an environmental management area	\$20 000
15	Review of detailed site investigation report	\$30 000

Item	Column 1 Action or Activity	Column 2 Fee
16	Request for compliance verification activity or additional ministry service, other than a specified request or review, with a flat fee for the applicable period of time required or estimated to require:	
	(a) up to and including 4 hours	\$1 000
	(b) more than 4 hours and up to and including 9 hours	\$2 500
	(c) more than 9 hours and up to and including 19 hours	\$5 000
	(d) more than 19 hours and up to and including 29 hours	\$7 500
	(e) more than 29 hours and up to and including 39 hours	\$10 000
	(f) more than 39 hours and up to and including 54 hours	\$15 000
	(g) more than 54 hours but less than 75 hours	\$20 000

**Table 3**  
**Hourly Fees for Certain Ministry Services or Functions**

Item	Column 1 Action or Activity	Column 2 Fee
1	Request for a compliance verification activity or for an additional ministry service, other than a specific request or review, requiring, or estimated to require, 75 or more hours in a fiscal year commencing April 1 and ending March 31	\$300 per hour
2	Request to amend any of the following:	\$300 per hour
	(a) a contaminated site determination under section 44 of the Act	
	(b) a minor contributor determination under section 50 of the Act	
	(c) a voluntary remediation agreement under section 51 of the Act	
	(d) an approval in principle under section 53 (1.1) of the Act	
	(e) a certificate of compliance under section 53 (3) of the Act	
	(f) a transfer agreement referred to in section 67 (1) (a) or 68 (1) (a) of the Act	
	(g) an existing indemnification provided under the <i>Financial Administration Act</i> for the purposes of section 67 (1) (b), 68 (1) (b) or 69 (a) of the Act	