# Property Development

The Property Development Program (PDP) within THE Plan works with property owners and developers to address metals in surface soil during the redevelopment or new development of residential, commercial or industrial property within the Program Area (refer to map). The PDP excludes work on existing residential properties which are addressed through the Home and Garden Program of the THEP. The PDP exists as a separate program from the Home and Garden Program because new developments/redevelopments create a specific opportunity (since significant ground works are usually required as part of the development) to address soil contamination at the property during the development and obtain a Certificate of Compliance[[1]](#footnote-1). The goal of the PDP is to address metals in surface soil that may be present from historic smelter emissions such that the property is remediated to risk-based standards as defined in the Contaminated Site Regulations, so that a Certificate of Compliance can be obtained for the property.

The PDP is triggered if a property requires rezoning, subdivision or a municipal permit[[2]](#footnote-2). However Teck will consider on a case-by-case basis requests for the PDP on properties that are not triggered. In some cases that are triggered, it may be found through the process that it is not advantageous to address soil contamination at the time[[3]](#footnote-3).

The PDP is delivered by the Community Program Office (CPO) on behalf of Teck Metals Ltd. The PDP is structured to take place in conjunction with the development planning for the property. Landowners are encouraged to contact the Community Program Office as early as possible so that the Property Development Program can be initiated. The process will vary for each unique property development but will generally involve the following steps:

* Property Development Program Application
* Preliminary Site Screening
* Property Development and Remediation Planning
* Legal Agreement
* Risk Based Remediation
* Property Development Program Closure

## Property Development Program Application

To initiate the PDP, the Landowner must fill out an Application Form (attached) with assistance from the CPO. The purpose of the application is to provide information on a proposed development without entering into a legally binding agreement.

The Application Form includes:

* Contact Information (Landowners, 3rd parties, etc)
* Property Location and Legal Description
* Land Use History
* Current Land Use
* Future Land Use
* Information on Development Permits and Rezoning Applications

The Property Development Program Application does not replace other applications required of Landowners or developers by the City of Trail or Regional District of Kootenay Boundary. The CPO records information from the Application Form in The Program Database for future tracking.

## Preliminary Site Screening

Landowners and Teck both participate in the Preliminary Site Screening. Landowners are responsible for completing a Stage 1 Preliminary Site Investigation[[4]](#footnote-4) (Stage 1 PSI) while Teck is responsible for conducting a surface metals screening investigation. The purpose of the preliminary site screening investigation is to provide information on historic and current contamination on the property.

* The Stage 1 PSI involves searching existing records for information about a site, interviewing people who are or have been involved with the site, and determining the general location and degree of any historic contamination. Stage 1 PSIs must be completed by qualified professionals and be suitable for submission under the BC Ministry of Environment Contaminated Sites Regulation (CSR). Information on the Stage 1 PSI process is available on the BC Land Remediation website and a checklist is included in MoE Technical Guidance 10[[5]](#footnote-5).

After landowners have submitted the program application and provided a qualified Stage I PSI, Teck will authorize the CPO to complete a metals screening investigation for surface soil.

* The metals screening will be performed in a manner similar to the Residential Yard Soil Assessment Program (section HG XX). It will collect sufficient data to get an early indication of smelter metals levels for current and future land use. Additional investigation may be required prior to remediation work.

The metals screening investigation focuses on surface soils. Surface soils will be screened using an X-Ray fluorescence analyzer that will provide a screening level indication of metals concentrations on the property. Depending on the results, samples may be submitted for confirmatory laboratory analysis. Surface soil sampling will follow the same methods as outlined in Section XX Home and Garden Program – Soil Assessment Operating Procedures. The number of samples collected on the property will vary depending on the size of the parcel.

The CPO will review and summarize the Stage 1 PS1 and the metals screening results for Teck’s review.

## Property Development and Remediation Planning

Once the preliminary site screening investigations are complete, Teck, with support of the Community Program Office, will arrange to meet with landowners to discuss the results and property development plans and schedules. It may take more than one meeting to achieve the following:

* Gather development plan information from the Landowner (i.e., development permits and plans, sequence of development, location of access roads, borrow pit areas, equipment and material lay down areas, etc.).
* Discuss the results of the metals screening investigation with the Landowners;
* Introduce the landowner to risk management options where preliminary metals screening suggest risk management is required to obtain closure for the property
* Identify data gaps and soil disposal areas
* Complete additional site investigation work to confirm results
* Provide remediation options
* Develop a proposed development schedule and budget
* Develop a proposed Legal Agreement

## Legal Agreement

Based on the information collected, Teck will develop and provide a proposed legal agreement. A legal agreement is in the interest of both parties and is required before Teck provides further technical and/or financial support to the Landowner. Part of the agreement will require the Landowner to proceed with the planned development project for funding to continue protect Teck from expending resources on a property that is not developed; however, the exact agreement will vary depending on the development. The legal agreement will

## Risk-based Remediation of Smelter Metals

Surface soil on properties in the PDP will be remediated to risk-based standards as defined in the Contaminated Site Regulations. Soil above the risk-based standards will be remediated with the goal to have the property eligible for a Certificate of Compliance under the CSR.

The Landowner will be responsible for retaining all consultants and contractors to complete the remediation activities. Teck will reimburse the developer for the costs of the remediation work.

Teck, through the CPO, will provide ongoing guidance during remediation activities and will monitor key milestones of the remediation scope:

* Confirming the depth of excavation and that the scope was followed,
* Collecting samples at the base of any excavation and screening for metals,
* Testing and approving backfill materials prior to brining on site, and
* Collecting post remediation samples to record metals levels in replaced soil.

Teck will reimburse the Landowner for the remedial costs outlined in the remediation agreement. Teck will not be responsible for non-smelter related contamination.

## Property Development Program Closure

The final phase of the Property Development Program requires the CPO to write a Confirmation of Remediation Report for a Certificate of Compliance with the Ministry of Environment.

## References

Preferred Operating Procedures:

* Soil Assessment POP
* Soil Remediation POP
* XRF Soil Screening POP

1. Also, until the Program receives an Approval in Principle from the Ministry of Environment, any developments that require rezoning, subdivision or a municipal permit requires a Site Profile which triggers a Contaminated Site Regulation process that requires the same risk based standards to be met. Note that Home and Garden Program remediation’s currently do not apply for a Certificate of Compliance, however that may become possible one the Program receives an AiP. [↑](#footnote-ref-1)
2. It is envisioned that after the Program receives an Approval in Principle from the Ministry of Environment, the municipality will make a referral to the THEP Community Program Office instead of asking for a Site Profile. [↑](#footnote-ref-2)
3. In such cases, the property would not be documented as “remediated”, and eventually the property would need to be remediated before a Certificate of Compliance could be obtained. [↑](#footnote-ref-3)
4. This is a standard requirement that most property purchasers or financial lenders require in any case, as part of good business practice across the province [↑](#footnote-ref-4)
5. http://www.env.gov.bc.ca/epd/remediation/guidance/technical/pdf/tg10.pdf [↑](#footnote-ref-5)