

# Submitting Record of Site Condition (RoSC): Intent of Submission

**Intended User:** Authorized representatives of AER regulated licensees and assigned delegates

## Overview

This quick reference guide (QRG) provides additional information on the Intent of Submission selection within the Record of Site Condition (RoSC) module in OneStop.

## Intent of Submission

Intent of submission identifies which legislative role the submission is intended to fulfill:

- Notifying the AER about the discovery of contamination.
- Providing details on remedial measures as required by the *Environmental Protection and Enhancement Act (EPEA)*
- Seeking a regulatory decision for a submission (e.g., Remediation Certificate Application)

This legislative role is identified by considering two questions:

- What is the intent of submission?
- What submission best fulfills that intent?

Appropriate selections for the intent of submission are required for the AER to systematically recognize submissions that require a regulatory decision.

### **Important:**

The submission type does not need to match the title of the professional report(s) attached to the RoSC.

## Regulatory Decision Terminology

|                              |  |
|------------------------------|--|
| <b>Accepted</b>              | Status indicating the RoSC has been accepted for intake and has met administrative review. This is different from regulatory acceptance. |
| <b>Returned</b>              | Status indicating an incomplete submission.  |
| <b>Evaluation</b>            | Where information is reviewed in a context specific to the submission type, but formal acceptance is not required or provided.           |
| <b>Regulatory Acceptance</b> | Formal communication of a regulatory decision where information has been reviewed by the AER and found to be acceptable.                 |

OneStop will display a submission status of either **Accepted** or **Returned** after a decision has been rendered, whether it is a regulatory decision or not. These submission statuses are considered administrative and do not indicate formal regulatory acceptance for any plans or submissions that require it.

A letter providing regulatory acceptance, rejection, or comments from an evaluation (in the case of Contamination Reviews for Reclamation and Site-Specific Risk Assessments) will be attached when the submission requires a regulatory decision. Submission types and associated regulatory decisions are summarized in Table 1.

Whether a regulatory decision is required or not, the licensee is responsible for managing the site and implementing remedial measures in accordance with the applicable legislation including, submitting remedial action plans (RAPs) in fulfillment of the *Remediation Regulation*, section 2.2.

### Intent of Submission Options

The RoSC provides four intent of submission options to choose from:

- Notice of Contamination
- Contaminant Identification and Characterization
- Contamination Management
- Regulatory or Administrative Closure of Contamination

You may select multiple submission types that fulfill one or both of Contamination Identification and Characterization and Contamination Management intents. Submission types that fulfill the Notice of Contamination or Regulatory or Administrative Closure of Contamination intents, by default, may **not** be submitted together with submission types that fulfill the other intents.

When indicating the submission(s) that best fulfill the intent(s), be aware – the entire OneStop RoSC submission may be returned if requirements of any one of the included submissions are not satisfied.

Example: An RoSC and professional reports are fulfilling the intents of a RAP and a site-specific risk assessment (SSRA). If an element of the SSRA is incomplete and cannot be accepted, the entire submission will be returned. In this case, both the RAP and the SSRA will not be accepted.

Each intent of submission has its own set of submission types that best fulfill it.

|                                     |                         |   |                          |   |
|-------------------------------------|-------------------------|---|--------------------------|---|
| What is the intent of submission? * | Notice of Contamination | Contaminant Identification and Characterization | Contamination Management | Regulatory or Administrative Closure of Contamination |
|-------------------------------------|-------------------------|---|--------------------------|---|

### Notice of Contamination

The notice of contamination may be used for unreported, lower-risk situations where there is no ongoing incident resulting in substances being released to the environment. Users may submit the RoSC using the Notice of Contamination intent to fulfil the reporting requirements under the *EPEA*, section 110 provided the following conditions **do not** apply:

- Situation involves an emergency
- Substance release is ongoing or uncontrolled (steps or procedures are required to minimize, control, or stop the release)
- Risk to public safety (e.g., an evacuation is underway or drinking water is affected)
- Observed or known impacts to water bodies or wildlife
- Oilfield waste has been released
- Substance release is at a mine site
- Substance release is associated with an activity that does not have a current AER licence number
- Situation occurs on a military base, international airport, First Nations, or national park land, or may cross the Alberta border
- Situation is a release to air or involves transportation of dangerous goods
- Uncertainty as to whether any of the above points apply to the situation

If any of the conditions above apply, report the substance release using the AER 24-hour Energy and Environmental Response Line 1-800-222-6514.

**Important**

The notice of contamination may only be submitted on its own and the user cannot select another intent. When “No” is the answer to the question, “Do you have a professional report that meets the *Alberta Environmental Site Assessment Standard* to submit with Notice of Contamination?”, the remaining tabs in the RoSC form are optional.

However, when “Yes” is the answer to the question, “Do you have a professional report that meets the *Alberta Environmental Site Assessment Standard* to submit with Notice of Contamination?”, the notice of contamination must be completed by also indicating one or both of Contaminant Identification and Characterization or Contamination Management intents.

**Contaminant Identification and Characterization**

This intent is best suited for submissions where work has been done to identify if contamination is present.

- Evaluate the extent of contamination (development of a conceptual site model), and/or assess the risk of contamination to relevant receptors.

No submission types under this intent require a regulatory decision. Phase 2 Environmental Site Assessments that investigated a site and found no evidence of contamination (i.e., Phase 2 that meets Tier 1) may be submitted under this intent.

**Contamination Management**

This intent is best suited for providing information on remedial measures and compliance with the *Remediation Regulation*. This intent applies to RAPs, risk management plans (RMPs), SSRAs, and other submissions where regulatory acceptance or evaluation is required, as well as submissions that do not require regulatory acceptance, such as reports detailing remediation or ongoing RAP or RMP activities.

**Important:**

Ongoing reporting for an existing RAP or RMP and remediation reports do not require regulatory acceptance. However, regulatory acceptance will be required if “Yes” is selected for the question, “Does the submission contain a request to modify the previously accepted program or plan?”

**Regulatory or Administrative Closure of Contamination**

This intent provides options for contamination closure submissions when remedial measures are no longer required. Submission types under this intent require regulatory acceptance, except for the Contamination Review for Reclamation (regulatory evaluation) and the Oilfield Waste Management (WM) Undergone Closure Contamination Review. If “Regulatory or Administrative Closure of Contamination” is selected as the intent, no other intents can be selected (and vice versa).

|                                     |                         |   |                                 |   |
|-------------------------------------|-------------------------|---|---------------------------------|---|
| What is the intent of submission? * | Notice of Contamination | Contaminant Identification and Characterization | <b>Contamination Management</b> | Regulatory or Administrative Closure of Contamination |
|-------------------------------------|-------------------------|---|---------------------------------|---|

**Important:**

Applying for closure of contamination before site closure is an option at any point in the lifecycle (e.g., applying for a Tier 2 compliance letter before reclamation).

## Submission Types

When one or more submission intent(s) are selected, additional selections will appear listing options that best fulfil the intent. Table 2 summarizes the submission types and scenarios.

### Notice of Contamination

For data integrity and display, the Notice of Contamination is considered an intent and submission type.

### Contaminant Identification and Characterization

- Groundwater Monitoring Report
- Groundwater Monitoring Update
- Soil Monitoring Report
- Surveillance Monitoring Report
- Phase 2 Environmental Site Assessment Report
- Other

Applicable scenarios for selecting these submission types are listed below:

- Submission required by *EPEA* approval:
  - Groundwater Monitoring Report
  - Groundwater Monitoring Update
  - Soil Monitoring Report
  - Surveillance Monitoring Report
- A Phase 2 Environmental Site Assessment (ESA) has been completed for a new release, or new information is being provided (as per the *Remediation Regulation*):
  - **Phase 2 Environmental Site Assessment Report:** Includes reports detailing any site characterization or monitoring activities that are not associated with an *EPEA* approval, which includes assessments that conclude there is no evidence of contamination (i.e., site meets Tier 1). This selection informs the AER of the current understanding of the site but is not subject to any regulatory acceptance.
- None of the above scenarios are relevant:
  - **Other:** Contact [csusubmissions@aer.ca](mailto:csusubmissions@aer.ca) before using this submission type. In most cases, a submission would fall under one of the submission types above.

### Contamination Management

- Decommissioning Report
- Environmental Summary Report
- Soil Management Report
- Remediation Report
- Remedial Action Plan
- RoSC and Professional Report serving as a Remedial Action Plan
- Ongoing reporting of an accepted Remedial Action Plan or Risk Management Plan
- Risk Management Plan
- Site-Specific Risk Assessment
- Other

Applicable scenarios for selecting these submission types are listed below:

- Submission required by *EPEA* approval:
  - Decommissioning Report
  - Environmental Summary Report
  - Soil Management Report
- Detailing remediation results, which may include partial remediation:
  - **Remediation Report:** No formal acceptance of guidelines is provided when submitting a remediation report. Interim reports detailing partial remediation for releases that will be fully remediated within two years of discovery, may be submitted under this option. Where contamination management is ongoing and a RAP has been accepted, see “Ongoing reporting of an accepted Remedial Action Plan or Risk Management Plan.”

**Important:**

If “Remediation Report” is selected to comply with the *Remediation Regulation*, S2.2(1)(b), ensure that remediation has been completed to the applicable guidelines. Outstanding potential for adverse effects will require a RAP submission.

- Submission of a RAP as required by section 2.2(2) of the *Remediation Regulation*, an *EPEA* approval, or at the director’s request:
  - **Remedial Action Plan:** Written acceptance will be provided for RAPs or changes/updates to existing RAPs.
- A report and RoSC are serving the function of a RAP:

**Important:**

This option may be used when submitting a Phase 2 Environmental Site Assessment that serves the purpose of a RAP under the *Remediation Regulation*. In this case, reporting requirements for both the Phase 2 Environmental Site Assessment and RAP will be considered met.

- **RoSC and Professional Report serving as a Remedial Action Plan:** Information provided in the RoSC (specifically next steps and timelines), and the professional report provides elements of a RAP and fulfills the requirements under section 2.2(2) of the *Remediation Regulation*. Written acceptance of timelines for remedial actions will be provided for RoSCs and professional reports serving as RAPs.
- Details of the implementation of a RAP or risk management plan (RMP):
  - **Ongoing reporting of an accepted Remedial Action Plan or Risk Management Plan:** No formal acceptance for ongoing update reports on a RAP or RMP is provided.
  - If changes to any elements of the RAP or RMP occur, select “Yes” to the remedial measures question, “Does the submission contain a request to modify the previously accepted program or plan?” after indicating there is an accepted RAP or RMP associated with the site. In this case, the submission will be considered a new RAP or RMP and will be reviewed for acceptance.
- A formal RMP is required as per the *Risk Management Plan Guide*.
  - **Risk Management Plan:** Written acceptance will be provided for RMPs or changes/updates to existing RMPs.

- Site-specific risk assessment as per *Alberta Tier 2 Soil and Groundwater Remediation Guidelines* has been conducted:
  - **Site-Specific Risk Assessment:** An evaluation of the submission will only be provided if the conditional question is answered “Yes.” See image below.

Are you requesting review and consultation of the Site-Specific Risk Assessment from the Regulator? \*

Yes No

**Important:**

Ensure that conditions requiring an SSRA consultation are met for this submission type. Using routine, prescribed methodology to develop Tier 2 guidelines (i.e., pathway elimination, guideline adjustment, SST Tier 2A/B) does not constitute appropriate conditions for requesting SSRA review and consultation. See section 3.3.3 of [Manual 021: Contamination Management](#) for more information.

**Note:** The AER does not routinely evaluate the application of prescribed Tier 2 approaches prior to closure. As such, when SSRA review, and consultation is requested the SSRA must clearly describe the elements within the report that are beyond prescribed Tier 2 approaches. Failure to efficiently indicate which elements are beyond prescribed Tier 2 approaches may result in extended review times and/or returned submissions. A required text box will appear. Indicate what elements of the submission are beyond prescribed Tier 2 approaches.

Specify what aspect of the report you are seeking consultation (note this must be beyond prescriptive Tier 2 approaches. Request

Comments \*

- None of the provided intents are relevant:
  - **Other:** Contact [csusubmissions@ aer.ca](mailto:csusubmissions@ aer.ca) before using this submission type. A regulatory decision may not be provided with this selection.

**Regulatory or Administrative Closure of Contamination**

- Oilfield Waste Management (WM) Undergone Closure Contamination Review
- Application for Tier 2 Compliance Letter
- Remediation Certificate Application
- Contamination Review for Reclamation

Applicable scenarios for selecting these submission types are listed below:

- When a submitter is seeking a change of status to undergone closure of an oilfield waste management facility under *Directive 058*, section 9.7:
  - **Oilfield Waste Management (WM) Undergone Closure Contamination Review:** Professional report(s) and RoSC are being submitted in OneStop as supporting documentation for an undergone closure application (submitted in the Integrated Application Registry [IAR]).

**Important:**

This selection only applies to waste management facilities. Ensure the waste management approval number is entered in the Related Entities section.

- When seeking formal acceptance for a site that meets Tier 2 remediation guidelines and remediation is not required:
  - **Application for Tier 2 Compliance Letter:** As per section 2.5(1) of the *Remediation Regulation*, written acceptance will be provided for Tier 2 Compliance Letter applications.
- Application for a remediation certificate under section 3(1) of the *Remediation Regulation*:
  - **Remediation Certificate Application:** Written acceptance will be provided for remediation certificate applications.

**Important:**

You will have the option to select either limited or site-based when Remediation Certificate Application is selected.

What kind of Remediation Certificate are you applying for? \*

- Limited Remediation Certificate
- Site-Based Remediation Certificate

- Submission of necessary documents in support of a reclamation certificate application, which may include a request for review of Tier 2 approaches in advance of reclamation activities:
  - **Contamination Review for Reclamation:** All reclamation certificate applications which include contamination management reports must include an RoSC with this submission type selected (refer to section 2.4 of *Manual 021* for details on when RoSCs are required). In cases where the site meets Tier 1 or minor guidelines exceedances, a standard review will occur. The application of Tier 2 guidelines will undergo additional review by the AER.

When selecting this submission type, contamination management must be complete for the entire site (this may be in advance of reclamation efforts or after reclamation has been complete).

The submission must contain all contamination-related information required for a reclamation certificate application. See section 11.5.1 of *Manual 021* and the [Contamination Review for Reclamation Submission Checklist](#) for more information.

**Important:**

Where an RoSC is required for a reclamation certificate application, you must submit the RoSC before initiating the reclamation certificate application and include the RoSC as a related submission. The RoSC status must be “Accepted” to attach it as a related submission within the Reclamation Certificate Application module.

**Table 1. Summary of RoSC Submission Types and Submission Status Based on Requirement for Regulatory Decision**

| Regulatory Decision Involved | Submission Status   |   | Submission Types  |
|------------------------------|---|---|---|
|                              | Accepted  | Returned  |   |
| <b>No</b>                    | <ul style="list-style-type: none"> <li>Submission received in OneStop.</li> <li>Additional requirements for the site, if any, will be attached to the decision.</li> </ul>  | <ul style="list-style-type: none"> <li>RoSC administratively incomplete and requires resubmission.</li> <li>Identified deficiencies attached with decision.</li> </ul>  | <ul style="list-style-type: none"> <li>Groundwater Monitoring Report</li> <li>Groundwater Monitoring Update</li> <li>Soil Monitoring Report</li> <li>Surveillance Monitoring Report</li> <li>Phase 2 Environmental Site Assessment Report</li> <li>Decommissioning Report</li> <li>Environmental Summary Report</li> <li>Soil Management Report</li> <li>Remediation Report</li> <li>Ongoing reporting of an accepted Remedial Action Plan or Risk Management Plan<sup>1</sup></li> <li>Oilfield Waste Management (WM) Undergone Closure Contamination Review</li> <li>Notice of Contamination</li> </ul> |
| <b>Yes</b>                   | <ul style="list-style-type: none"> <li>Submission accepted in OneStop and review for regulatory acceptance provided.</li> <li>Written acceptance or evaluation comments attached with decision (except for reclamation certificate application submissions).</li> <li>Decision may be accompanied by additional requirements for the site.</li> </ul> | <ul style="list-style-type: none"> <li>RoSC administratively incomplete and requires resubmission.</li> <li>Identified deficiencies attached with decision.</li> </ul> <p><b>or</b></p> <ul style="list-style-type: none"> <li>Regulatory acceptance cannot be provided and revisions to the professional report(s) are required before resubmission.</li> <li>Identified deficiencies attached with decision.</li> <li>Decision may be accompanied by additional requirements for the site.</li> </ul> | <ul style="list-style-type: none"> <li>Remedial Action Plan</li> <li>RoSC and Professional Report serving as a Remedial Action Plan</li> <li>Risk Management Plan</li> <li>Site-Specific Risk Assessment (Consultation Requested)<sup>2</sup></li> <li>Contamination Review for Reclamation<sup>2</sup></li> <li>Application for Tier 2 Compliance Letter</li> <li>Remediation Certificate Application</li> </ul>   |

<sup>1</sup> Regulatory acceptance will be required if “Yes” is selected for the question, “Does the submission contain a request to modify the previously accepted program or plan?”

<sup>2</sup> Formal acceptance is not provided; however, an evaluation of the submission is undertaken.



**Table 2 Summary of Record of Site Condition Submission Types and Examples of Applicable Scenarios**

| Intent of Submission                                  | Submission Type  | Unreported discovery of lower-risk contamination not related to an ongoing incident | Routine Monitoring | Incident response | Facility monitoring | EPEA Approval compliance | Proposing remediation and/or remedial measures | Proposing risk management | May contain risk management elements | Reporting on contamination management | Detailing remediation results (S. 2.2(1)(b) Remediation Regulation) | Seeking regulatory acceptance/evaluation of contamination endpoints | Infrastructure removal | Contamination closure | Regulatory decision |     |
|---|--|---|--------------------|-------------------|---------------------|--------------------------|--|---------------------------|--------------------------------------|---------------------------------------|---|---|------------------------|-----------------------|---------------------|-----|
| Notice of Contamination                               | Notice of Contamination  | Yes   | No                 | No                | No                  | No                       | No   | No                        | No                                   | No                                    | No  | No  | No                     | No                    | No                  |     |
| Contamination Identification and Characterization     | Groundwater Monitoring Report  | No  | Yes                | No                | Yes                 | Yes                      | No   | No                        | No                                   | No                                    | No  | No  | No                     | No                    | No                  |     |
|   | Groundwater Monitoring Update  | No  | Yes                | No                | Yes                 | Yes                      | No   | No                        | No                                   | No                                    | No  | No  | No                     | No                    | No                  |     |
|   | Soil Monitoring Report   | No  | Yes                | No                | Yes                 | Yes                      | No   | No                        | No                                   | No                                    | No  | No  | No                     | No                    | No                  |     |
|   | Surveillance Monitoring Report   |   | No                 | Yes               | No                  | Yes                      | Yes  | No                        | No                                   | No                                    | No  | No  | No                     | No                    | No                  | No  |
|   | Phase 2 Environmental Site Assessment Report   |   | No                 | Yes               | Yes                 | Yes                      | No   | No                        | No                                   | No                                    | No  | No  | No                     | No                    | No                  | No  |
| Contamination Management                              | Decommissioning Report   | No  | Yes                | No                | Yes                 | Yes                      | No   | No                        | No                                   | No                                    | No  | No  | Yes                    | No                    | No                  |     |
|   | Environmental Summary Report   | No  | No                 | No                | Yes                 | Yes                      | No   | No                        | No                                   | Yes                                   | No  | No  | No                     | No                    | No                  |     |
|   | Soil Management Report   | No  | No                 | No                | Yes                 | Yes                      | No   | No                        | No                                   | Yes                                   | No  | No  | No                     | No                    | No                  |     |
|   | Remediation Report   | No  | No                 | Yes               | No                  | No                       | No   | No                        | Yes                                  | Yes                                   | No  | No  | No                     | No                    | No                  |     |
|   | Remedial Action Plan   |   | No                 | No                | No                  | No                       | Yes  | Yes                       | No                                   | Yes                                   | No  | No  | No                     | No                    | Yes                 | No  |
|   | RoSC and Professional Report serving as a Remedial Action Plan                             |   | No                 | No                | No                  | No                       | No   | Yes                       | No                                   | Yes                                   | No  | No  | No                     | No                    | No                  | Yes |
|   | Ongoing reporting of an accepted Remedial Action Plan or Risk Management Plan <sup>1</sup> |   | No                 | No                | No                  | No                       | Yes  | No                        | No                                   | Yes                                   | Yes   | No  | No                     | No                    | No                  | No  |
|   | Risk Management Plan   |   | No                 | Yes               | No                  | No                       | No   | No                        | Yes                                  | Yes                                   | No  | No  | No                     | No                    | No                  | Yes |
| Regulatory or Administrative Closure of Contamination | Oilfield Waste Management (WM) Undergone Closure Contamination Review                      | No  | No                 | No                | No                  | No                       | No   | No                        | No                                   | No                                    | No  | No  | No                     | No                    | No                  |     |
|   | Application for Tier 2 Compliance Letter   | No  | No                 | No                | No                  | No                       | No   | No                        | No                                   | No                                    | No  | Yes   | No                     | Yes                   | No                  |     |
|   | Remediation Certificate Application  | No  | No                 | No                | No                  | No                       | No   | No                        | No                                   | No                                    | No  | Yes   | No                     | Yes                   | No                  |     |
|   | Contamination Review for Reclamation   |   | No                 | No                | No                  | No                       | No   | No                        | No                                   | No                                    | No  | No  | Yes                    | No                    | Yes                 | No  |

<sup>1</sup>Regulatory acceptance will be required if “Yes” is selected for the question, “Does the submission contain a request to modify the previously accepted program or plan?”

**Note:** The scenarios shown above are not exhaustive. This table is intended to be used as a general reference to aid in selecting the intent of submission.