



PUBLIC INTEREST BONDING STRATEGY  
INTENTIONS PAPER

# WHAT WE HEARD: PUBLIC ENGAGEMENT FINAL REPORT

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PREPARED FOR THE MINISTRY OF ENVIRONMENT  
AND CLIMATE CHANGE STRATEGY BY R.A.  
MALATEST & ASSOCIATES LTD.



Ministry of  
Environment and  
Climate Change Strategy

## EXECUTIVE SUMMARY

The Ministry of Environment and Climate Change Strategy (the Ministry) is developing a new regulatory framework for decommissioning and closure of industrial projects in British Columbia. The Public Interest Bonding Strategy aims to put effective and efficient policies in place to ensure industry funds are available for decommissioning and closure, while supporting responsible industry production and investment.

The Public Interest Bonding Strategy involves a comprehensive two-phased review:

- Phase 1 – Review of financial assurance mechanisms under the *Environmental Management Act* and the *Mines Act*, focusing on foreseen cleanup costs for existing active and new projects that pose high environmental and financial risk.
  - Phase 1A – Enabling powers under the *Environmental Management Act*
  - Phase 1B – Developing and implementing regulatory framework
- Phase 2 – Review of financial assurance mechanisms for foreseen and unforeseen cleanup costs under a broader range of statutes, with the aim of improving co-ordination of financial assurance across B.C. ministries.

The Ministry released an [intentions paper](#) on B.C.'s proposed regulatory framework for decommissioning and closure (D&C) requirements. Broad engagement on the Public Interest Bonding Strategy intentions paper took place from April 9 to June 9, 2024, and utilized the GovTogetherBC platform to collect feedback from First Nations, Indigenous organizations, industry representatives, local governments, members of the public, non-governmental organizations and other interested parties. Additionally, five engagement sessions, three with the general public and two with industry representatives, were held in April 2024. This report reflects the findings from the public engagement process (online feedback form, written submissions and engagement sessions). Overall, 10 responses to the feedback form and 12 written submissions were obtained. Feedback received during the engagement will inform government policy and help develop an effective regulatory framework for the Public Interest Bonding Strategy. A separate What We Heard Report for Indigenous engagement on the intentions paper will be publicly released. Key findings from the public engagement are summarized below.

- Engagement participants generally support the Public Interest Bonding Strategy and emphasize the importance of transparency;
- Industry expresses concern about the burdens of preparing D&C plans, while the general public feels more projects should prepare D&C plans;
- The general public recommends strict D&C guidelines, while industry emphasizes the need for support with D&C plans;
- Industry and the general public feel financial security requirements should be relaxed to reduce burdens on industry;
- A range of concerns about pausing operations were raised; and
- Concerns exist about Ministry capacity to support industries with D&C plans and enforce those plans.

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[Appendix A: Feedback Form](#)

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## 1 BACKGROUND & RATIONALE

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### 1.1 Background

The Ministry of Environment and Climate Change Strategy (the Ministry) is developing a new regulatory framework for decommissioning and closure of industrial projects in British Columbia.

Under the *Environmental Management Act*, the new regulatory framework is intended to ensure owners of high-risk industrial projects pay for decommissioning and closure of their sites 100% of the time. This initiative was created to address the minister's 2020 bonding mandate commitment:

*"With support from the Minister of Energy, Mines and Low Carbon Innovation, take steps to ensure owners of large industrial projects are bonded moving forward so that they – not taxpayers – pay the full costs of environmental cleanup if their projects are abandoned."*

In December 2022, the mandate was updated to:

*"Deliver the first phase of B.C.'s new bonding policy toward ensuring owners of large industrial projects are bonded moving forward so that they – not British Columbians – pay the full costs of environmental cleanup if their projects are abandoned."*

The Public Interest Bonding Strategy aims to put effective and efficient policies in place to ensure industry funds are available for decommissioning and closure, while supporting responsible industry production and investment.

The Public Interest Bonding Strategy involves a comprehensive two-phased review:

- Phase 1 – Review of financial assurance mechanisms under the *Environmental Management Act* and the *Mines Act*, focusing on foreseen cleanup costs for existing active and new projects that pose high environmental and financial risk.
  - Phase 1A – Enabling powers under the *Environmental Management Act*
  - Phase 1B – Developing and implementing regulatory framework
- Phase 2 – Review of financial assurance mechanisms for foreseen and unforeseen cleanup costs under a broader range of statutes, with the aim of improving co-ordination of financial assurance across B.C. ministries.

While the Ministry is leading project delivery under the *Environmental Management Act*, the Ministry of Energy, Mines and Low Carbon Innovation is focused on the *Mines Act* and is responsible for assurance requirements for major mines in British Columbia.

### 1.2 Purpose of Public Engagement

The Ministry recognizes that meaningful engagement and consultation is essential to developing a robust regulatory framework for the Public Interest Bonding Strategy.

On April 13, 2022, the Ministry released a [discussion paper](#) on the Public Interest Bonding Strategy's preliminary considerations with respect to strengthening the financial assurance strategy in British



Columbia. Feedback was analyzed and published in two What We Heard Reports in summer 2022. The What We Heard Reports informed amendments to the *Environmental Management Act* in 2023.

In November 2023, Bill 29 – *Environmental Management Amendment Act*, was passed to require industry owners to prepare decommissioning and closure (D&C) plans and provide financial security for high-risk industrial projects. These powers will come into force by regulation. A new regulatory framework is currently under development.

Building on the discussion paper and the amendments to the *Environmental Management Act*, the Ministry released an [intentions paper](#) on B.C.'s new regulatory framework for D&C requirements. Comments were sought on seven policy topics:

- Risk-based approach to determine if an industrial project requires a D&C plan;
- Requirements for D&C plans including content, engagement with Indigenous peoples, local governments, and implementation once operations cease;
- Clear expectations for estimating the cost of decommissioning and closure;
- Risk-based approach to determining if an industrial project requires assurance to ensure D&C plan obligations are funded;
- Methods to determine assurance amount and form;
- Alignment with existing Ministry compliance and enforcement framework to ensure new closure and security requirements are fulfilled; and,
- Cost recovery provisions to strengthen the B.C. government's ability to recover public funds spent on environmental cleanup if owners fail to meet their obligations.

Broad engagement on the Public Interest Bonding Strategy intentions paper took place from April 9 to June 9, 2024 and utilized a feedback form hosted on the [GovTogetherBC](#) website to collect feedback from First Nations, Indigenous organizations, industry representatives, local governments, members of the public, non-governmental organizations and other interested parties. Additionally, five public engagement sessions, three with the general public and two with industry representatives, were held in April 2024. This report reflects the findings from the public engagement process (online feedback form, written submissions and engagement sessions). Feedback received during the engagement will inform government policy and help develop an effective regulatory framework for the province.

The Ministry retained Mahihkan Management to organize, host, and facilitate three webinars and three workshops for First Nations and Indigenous organizations. A separate What We Heard Report for Indigenous engagement on the intentions paper will be publicly released.

## 2 METHODOLOGY

### 2.1 Engagement Approach

This public engagement was designed and hosted by the Ministry, which is responsible for the Public Interest Bonding Strategy, in collaboration with the Government Digital Experience Division of the B.C. Ministry of Citizens' Services. Analysis of engagement data and reporting was conducted by R.A. Malatest & Associates Ltd. (Malatest).

The public engagement process consisted of three elements, a feedback form hosted on the GovTogetherBC website, formal written submissions via email or mail and virtual engagement sessions.

#### 2.1.1 Online Feedback Form

First Nations, Indigenous organizations, industry representatives, local governments, members of the public, non-governmental organizations and other interested parties were invited to complete the online feedback form between April 9 and June 9, 2024. The feedback form was developed by the Ministry and asked 14 questions about the proposed policy concepts discussed in the intentions paper.

Each question refers to a specific section in the intentions paper where respondents can read more about the policy approaches. Respondents were asked about Sections 6 through 11. When answering the questions, respondents were asked to ensure they had a copy of the [intentions paper](#) open for reference. A copy of the feedback form is included in **Appendix A**. The feedback form also asked four demographic questions: self-identification with interest groups, area of residence, self-identification as Indigenous, and self-identification with three Indigenous groups.

In total, 10 responses to the feedback form were obtained from the public. Indigenous responses were considered separately in the What We Heard Report for Indigenous engagement. Among the 10 individuals who provided feedback, 60% were from the Lower Mainland / Southwest region, and 40% were from the Vancouver Island / Coast region. A majority of the respondents (90%) were concerned citizens (general public), and one individual represented an industry and trade association. While reading the findings, it should be noted that the data obtained from the feedback form largely represents the perspectives of concerned citizens.

**Table 2.1: Feedback Form Respondents, by Region**

Region	Respondents	Respondent Proportion
Lower Mainland / Southwest	6	60%
Vancouver Island / Coast	4	40%
<b>Total</b>	<b>10</b>	<b>100%</b>

**Table 2.2: Feedback Form Respondents, by Interest Group**

Interest Group	Respondents	Respondent Proportion
Concerned citizen	9	90%
Industry and Trade Associations	1	10%
<b>Total</b>	<b>10</b>	<b>100%</b>

### 2.1.2 Written Submissions

Formal written submissions were accepted as part of this engagement. These documents were submitted by email or mail. Submissions were reviewed and analyzed for themes, and the qualitative feedback was incorporated into this report. A total of 12 written submissions were received from the public, while submissions received from First Nations and Indigenous individuals or organizations were considered separately in the What We Heard Report for Indigenous engagement. The highest proportion of submissions were received from companies and supporting companies, which included various natural resource sector companies and the companies that support and advocate for them (42%), followed by industry and trade associations (25%), the general public (17%), local government (8%), and non-governmental organizations (8%).

**Table 2.3: Written Submissions Received, by Interest Group**

Interest Group	Submissions Received	Proportion
Companies and Supporting Companies	5	42%
Industry and Trade Associations	3	25%
General Public	2	17%
Local Government	1	8%
Non-Governmental Organizations	1	8%
<b>Total submissions</b>	<b>12</b>	<b>100%</b>

### 2.1.3 Public Engagement Sessions

A total of five virtual public engagement sessions were held between April 10 and April 22, 2024. Three of these sessions were open to the general public, one session was held for the BC Council of Forest Industries, and another was held for the Business Council of British Columbia. The sessions provided an overview of the Public Interest Bonding Strategy intentions paper followed by an opportunity for participants to ask questions. Participants were encouraged to provide feedback via the online feedback form or through a written submission.

## 2.2 Analysis of Feedback

Malatest reviewed and analyzed written submissions and open-ended feedback form responses. A coding framework was developed to capture themes that emerged from these submissions and responses. Copies of the coding frameworks are available in [Appendix B](#). Written submissions and feedback form responses were analyzed quantitatively and Ministry notes from the public engagement sessions were reviewed and summarized for inclusion in this report.

## 2.3 Limitations and Caveats

There are some limitations and caveats to the research that should be considered while reading this report.

The format of the engagement (online feedback form and virtual public engagement sessions) requires engagement participants to be Internet users. While B.C. has high rates of access to the Internet among



its population, as of 2022 approximately 5% of British Columbians were not Internet users, most likely in the remote and northern regions of the province.<sup>1</sup>

The voluntary nature of the online feedback form, which required participants to be aware of the engagement and navigate to the website – rather than more respondent-passive approaches such as being reached by phone or email and asked to participate – may result in a self-selection bias where those who hold particularly strong views about the topic (whether for or against) were more likely to respond to the engagement than those with neutral or no opinion. Due to the anonymous nature of the feedback, and the inability to conduct follow-up with those who chose not to participate, it is not possible to assess to what extent this may have impacted the results.

Written submissions were received from several groups on behalf of their members. Depending on the organization, these submissions potentially represented dozens of firms or hundreds of people from across the province. The reader should consider that comments from such organizations reflect many voices as compared to the feedback forms that were submitted online by a single individual.

Due to the small number of written submissions and online feedback form responses received, key themes within the data did not often emerge. This report often discusses feedback that represents the perspectives of one or two respondents and should not be interpreted as representative of the perspectives of all interest groups. In general, the relatively small sample sizes for the online submissions suggests that the findings associated with these activities should be interpreted with caution as these opinions may or may not be reflective of the larger populations of interest.

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<sup>1</sup> CRTC Communications Market Report 2024 - [https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/services-policies-for-government/initiatives-plans-strategies/internet-in-bc/pdfs/2024\\_bc-connectivity-benchmarking-report\\_apr23\\_2024.pdf](https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/services-policies-for-government/initiatives-plans-strategies/internet-in-bc/pdfs/2024_bc-connectivity-benchmarking-report_apr23_2024.pdf)

### 3 FINDINGS – WHAT WE HEARD

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Through the online feedback form, written submission guidelines, and public engagement sessions, interested parties were asked to provide feedback on the policy concepts in the Public Interest Bonding Strategy intentions paper. This section provides an overview of the intentions paper and presents the analyzed feedback by written submissions, online feedback form responses, as well as public engagement session notes. In total, 12 written submissions and 10 online feedback form responses were obtained, and five public engagement sessions were held.

#### **3.1 General feedback on the Regulatory Framework for Decommissioning and Closure of Industrial Projects**

Section 5 of the intentions paper provides an overview of the Public Interest Bonding Strategy's proposed regulatory framework for new decommissioning and closure (D&C) requirements.

##### **3.1.1 General Feedback – Feedback Form**

While the feedback form asked respondents to provide comments about Sections 6 to 11 of the intentions paper, respondents had the opportunity to provide additional feedback at the end of the feedback form. Of the five respondents who provided general feedback on the Public Interest Bonding Strategy's proposed regulatory framework, three expressed general support. Two participants stated the need to enact the Public Interest Bonding Strategy as soon as possible. Changes to the proposed policies were recommended by two respondents, including adding reclamation of costs for closed sites, and requiring all industries, government, and the public to contribute to a D&C account to be used for clean ups. Lastly, a respondent expressed concerns that the Public Interest Bonding Strategy may burden industry with financial costs.

##### **3.1.2 General Feedback – Written Submissions**

Overall, five out of the twelve written submissions commented on Section 5. The importance of transparency of government processes and accountability of the government was emphasized by four written submissions, which represented industry associations, companies, and non-governmental organizations. Submissions suggested financial auditing, ensuring government is held accountable for decisions made related to the Public Interest Bonding Strategy, and transparency of internal government processes. The Ministry's intention to use a range of policy documents to support transparent, consistent, and accountable decision making was supported. Additionally, a submission from an industry association suggested clarifying whether a corporate entity could be considered a "responsible person", as the current language was perceived as unclear.

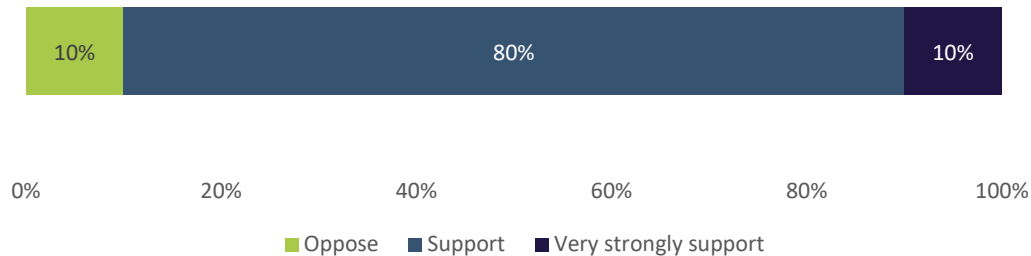
#### **3.2 Risk-based Determination Approach and Step One: which projects will require decommissioning and closure plans**

Section 6 of the intentions paper introduces the two-step risk-determination approach and covers the first step of the risk determination process to assess which new and existing active *Environmental Management Act* authorizations are prioritized to develop a D&C plan.

### 3.2.1 Risk-based Determination Approach and Step One – Feedback Form

The feedback form asked respondents to rate their level of support for the policy concepts in Section 6 of the intentions paper. Most feedback form respondents (90%) either supported or very strongly supported the concepts in Section 6, while 10% opposed (see **Figure 3.1**).

**Figure 3.1: Level of Support for Risk-Based Determination and Step One, Among Feedback Form Respondents**



Total Responses=10.

Of the four respondents who provided recommendations on Section 6 of the intentions paper (all of which expressed support for the policy concepts in Section 6), two felt that all industrial projects should be required to prepare D&C plans, and one respondent felt that government owned projects, projects located on federal land, and projects with similar requirements for preparing plans under the *Mines Act*, *Energy Resources Activities Act*, and *Environmental Management Act* should be required to prepare D&C plans under the Public Interest Bonding Strategy. Additionally, one respondent raised concerns that small scale operations may be more sensitive to administrative burdens of preparing D&C plans and suggested that small scale operations be exempt from preparing D&C plans.

### 3.2.2 Risk-based Determination Approach and Step One – Written Submissions

#### Projects Required to Submit D&C Plans

Seven written submissions discussed the policy concepts presented in Section 6 of the intentions paper and three of these submissions (43%), described the regulatory, financial and administrative burdens that preparing D&C plans may have on industry and suggested that fewer projects be required to provide D&C plans. These seven submissions came from companies, an industry association, and the general public. Projects recommended for exemption included those owned and operated by companies with strong reputations for being socially and ethically responsible that are extremely likely to meet their D&C obligations and those with operations that pose low risk of environmental harm. It was also suggested that projects that support future development, such as rail lines, warehouses, and offices be excluded due to their contributions to BC's economy.

On the other hand, one written submission explicitly supported the proposed criteria for projects required to provide D&C plans. Two submissions stated that public sector projects should be included in the regulatory framework. Retroactive application of the Public Interest Bonding Strategy framework to existing active projects was raised as an area of concern by two written submissions representing companies and industry associations. Three out of the seven submissions that provided comments on

Section 6 raised concerns that the possibility of having to provide assurance may cause projects to shut down due to financial burdens.

### Step One Screening Tool – How to Determine Which Projects Require D&C Plans

The Ministry intends to apply a screening tool to all projects with operations that include any activities listed in Schedule 1 of the Waste Discharge Regulation. The proposed screening tool considers facility ownership, location, and the types of activities taking place on a site to assess whether a project is required to prepare a D&C plan. Greater transparency on the Ministry’s use of the screening tool was requested by three out of twelve written submissions, as well as industry engagement to develop the proposed tool. Through their written submissions, a few industries requested clarification on the Section 6 policy concepts. The intentions paper notes that some projects not captured by the screening tool may have exceptional circumstances that warrant the need for a D&C plan. A submission requested clarity on who is responsible for determining exceptional circumstances, and the process through which exceptional circumstances will be identified. This submission felt engagement with industry would be helpful in developing criteria for exceptional circumstances. Another written submission from Local Government inquired whether Local Government owned projects would be exempt from D&C plans.

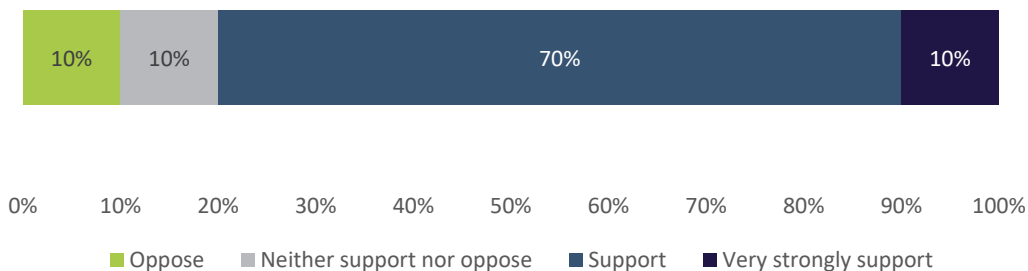
### 3.3 Decommissioning and Closure Plan Requirements

The Ministry intends to develop regulatory requirements for the preparation and submission of D&C plans, as outlined in Section 7 of the intentions paper. This section discusses D&C plan requirements, updating D&C plans, safeguarding activities, and cost estimates.

#### 3.3.1 Decommissioning and Closure Plan Requirements – Feedback Form

A majority of online feedback form respondents (80%) supported or very strongly supported the concepts in Section 7, while 10% neither supported nor opposed, and 10% opposed (see **Figure 3.2**).

**Figure 3.2: Level of Support for D&C Plan Requirements, Among Feedback Form Respondents**



Total Responses=10.

### D&C Plans

Three respondents provided feedback on Section 7.1 to 7.4 of the intentions paper. A respondent who supported the concepts in Section 7.1 to 7.4 suggested that restoration of natural components to the site be included as part of the content requirements for D&C plans. In terms of estimating the cost of D&C activities, the same respondent suggested that cost estimates be developed by people with expertise in project costing, that project management costs associated with the implementation of D&C

activities should be mandatory when producing cost estimates, and that responsible persons be held personally liable for cost estimates. To ensure the quality of D&C plans, a respondent who supported the policy concepts noted that it is important that plans are thoroughly reviewed either by the Ministry or by an independent third party retained by responsible persons. Citing potential burdens of preparing D&C plans on industry, a respondent who opposed the policy concepts felt that the Ministry should hire qualified professionals to develop a template or workbook for decommissioning that responsible persons can customize and fill out for different sized operations. To ensure qualified professionals are acting in accordance with their professional organization's code of ethics, a respondent in support of the policy concepts felt professional associations should administer greater penalties for malpractice and an online portal for reporting qualified professionals should be made available.

### **Safeguarding**

Citing concerns that sites may continuously pause operations to avoid enacting their D&C plans, a respondent who supported the concepts suggested imposing limitations on the total number of times an operation can pause. As part of the D&C plan, "safeguarding" activities can be planned to reduce risks during a pause in operations. The intentions paper states safeguarding activities may include ensuring all reasonable precautions and actions are taken to reduce risks from substances causing pollution. It was suggested that the term "reasonable precautions and actions" be more clearly specified by an individual who supported the policy concepts.

### **Engagement on D&C Plans**

Respondents to the feedback form were asked to provide recommendations on the policy concepts in Section 7.5, engagement on D&C plans. Of the four respondents who responded to the question, the following recommendations were provided:

- Consult with local government when projects occur on public land (mentioned by two individuals who supported the concepts in Section 7);
- Require Indigenous engagement for all D&C plans (mentioned by an individual who supported the concepts);
- Engage interest groups in the early process of developing D&C plans (mentioned by an individual who supported the concepts);
- Advertise engagement opportunities on social media (mentioned by an individual who supported the concepts);
- The Ministry, rather than responsible persons, should be responsible for consulting Indigenous peoples (mentioned by an individual who opposed the concepts); and
- The end state of the land after decommissioning and closure should be a key topic of engagement (mentioned by an individual who supported the concepts).

### **3.3.2 Decommissioning and Closure Plan Requirements – Written Submissions**

#### **D&C Plan Requirements**

The concepts in Section 7 of the intentions paper were discussed in seven of the twelve written submissions. Over one-half (57%) noted that the Ministry should consider further supporting industries with retaining qualified professionals to develop D&C plans. It was recommended that the Ministry maintain a list of qualified professionals that can be engaged, that the government of BC work towards

developing a professional designation of a D&C plan expert, and that the Public Interest Bonding Strategy clarify if projects are allowed to hire qualified professionals within Canada but outside of BC, as well as qualified professionals internal to their company. Similarly, four submissions provided recommendations on the D&C plan template to simplify the process of developing plans. A company submission noted that some D&C activities may be common across many plans, such as emptying, disposing of, and cleaning fuel tanks. It was suggested that the Ministry collaborate with industry to develop a list of standard costs for such activities, to be provided to qualified professionals and used to develop D&C plans.

Regarding the proposed content requirements for D&C plans, submissions and public engagement session attendees recommended that the level of detail of the plan be reduced, citing the burden of preparing plans on industry, that such high levels of detail may be unknown or subject to change, and privacy concerns of publicly disclosing detailed financial information. Three out of seven written submissions (43%) that commented on Section 7 elaborated on their privacy concerns about publicly available D&C plans and recommended that the regulatory framework clarify what information and level of detail must be disclosed for D&C plans, and that sensitive financial information not be provided in public-facing D&C plans.

### **Timelines and Updating D&C Plans**

Developing sector specific timelines for preparing D&C plans once a site is required to do so was recommended by three submissions. The Ministry intends to require D&C plans to be reviewed, and if required, updated every five years or when there are significant changes in the operations at the facility. Citing concerns about the administrative and financial burdens of reviews, three written submissions recommended less frequent reviews, with one submission recommending that plans be reviewed every 10 years. Additionally, two written submissions and a company that participated in a public engagement session raised the importance of maintaining the value of sites that are being sold. It was recommended that the regulatory framework allow for the retention of infrastructure that has potentially significant value to a future owner, as well as allowing flexibility in decommissioning and closure timelines for sites being sold, so that sites do not have to enact D&C plans while being sold. Lastly, a submission recommended clarifying that the term 'closure' should not mean full reclamation to the natural state of a site.

### **Cost Estimates**

Over one-half of submissions that provided comments on Section 7 discussed cost estimates of D&C plan activities (57%). Submissions from companies and industry associations recommended developing a standard methodology for cost estimation to promote consistency across the province and allowing proponents to provide an estimated range of costs of D&C activities with supporting assumptions. Additionally, a submission noted that some projects may have documented potential contaminants of concern in their financial reporting, which should be utilized when developing cost estimates. A submission from an environmental company felt that historically, environmental reclamation costs are underestimated by industry, and expressed their support for a qualified professional developing cost estimates. To improve transparency of the process which qualified professionals use to develop cost estimates in D&C plans, the environmental company felt that cost estimate calculations should be made publicly available.



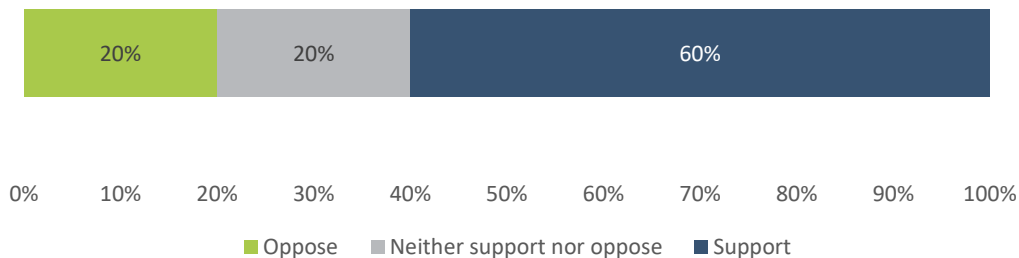
### 3.4 Security Form and Amount Determination

Section 8 outlines the second step of the risk determination process to determine which projects are required to provide assurance. It also provides an overview of preferred types of security and the ministry’s intentions regarding managing financial assurance, including returning securities.

#### 3.4.1 Security Form and Amount Determination – Feedback Form

Most online feedback form respondents (60%) supported the policy concepts in Section 8, while 20% neither supported nor opposed the policy, and 20% opposed.

**Figure 3.3: Level of Support for Security Form and Amount Determination, Among Feedback Form Respondents**



Total Responses=10.

Five respondents provided feedback on Section 8 of the intentions paper. Respondents who indicated that they opposed the concepts in Section 8 tended to express concerns about the burden that providing financial assurance may have on industry, and provided the following recommendations:

- To help mitigate financial burdens, it was suggested that assurance be collected after project start-up (mentioned by one individual who supported the Section 8 concepts and one individual who opposed them); and
- Projects that produce goods that are high in public need or essential to the public, such as paper or sewage, should not have to provide assurance. Assurance should be provided by taxpayers (mentioned by an individual who opposed Section 8).

Respondents who expressed support or neither supported nor opposed the concepts in Section 8 recommended the following:

- Projects that have low financial risk and/or are small-scale operations should be exempt from providing financial assurance (mentioned by one individual);
- Compliance history should be highly weighted when assessing financial risk. Companies and projects with poor compliance history should be required to provide 100% of D&C costs (mentioned by one individual);
- Securities should be pooled, and the interest should be used to pay for clean-up of sites that have previously been abandoned (mentioned by one individual);

- Index securities based on inflation and changes in site conditions (mentioned by one individual); and
- Consider allowing responsible persons to take out an insurance policy on their site with the government as a beneficiary, as a form of assurance (mentioned by one individual).

### **3.4.2 Security Form and Amount Determination – Written Submissions**

#### **Financial Risk Analysis**

Of the written submissions, eleven out of twelve discussed the policy concepts in Section 8 of the intentions paper. Among the most frequently discussed themes was revising the financial risk factors intended to be used to determine a company/project's financial risk level, mentioned by 36% of those who provided a comment related to Section 8. The proposed risk factors include: company background, compliance history, corporate policies, financial performance, project specific factors and industry performance. A couple of submissions recommended removing financial performance, citing that this information is not necessary to determine financial risk. Alternatively, another submission suggested that the Ministry seek less detailed financial information by beginning with audited financial statements, then acquiring more information as needed.

Reducing the level of detail of financial risk assessment through revisions, like those noted above, may also help reduce administrative burdens on industry, as noted by a couple of submissions. With respect to compliance history, a submission recommended that the Ministry focus on reports related to pollution control, rather than administrative items. Another recommendation by a single submission was that companies that operate and invest in multiple industrial sites in BC should be considered low financial risk by default, as they would very likely be able to pay for the cost of D&C activities due to the revenue they generate.

Regarding the weighting of risk factors, one submission recommended that weighting be developed in collaboration with subject matter experts and called for decisions about a company/project's financial risk to be supported by documentation and evidence. Over one-quarter (27%) of written submissions that commented on Section 8 felt that projects with a low to medium financial risk should be exempt from providing assurance. Two submissions felt that periodic review of financial risk analysis should be conducted. If a company/project's financial risk level changes, then assurance should be updated accordingly.

#### **Environmental Liability Threshold**

If a project's environmental liability is above a threshold, the Ministry may require assurance even if the project's financial risk score is low to medium. Over one-third of the written submissions that provided a comment related to Section 8 (36%) recommended that the environmental liability threshold be developed in collaboration with industry.

#### **Amount of Assurance**

While nine out of the eleven written submissions that commented on Section 8 generally supported collecting financial assurance from industrial projects, two companies opposed collecting assurance from sites that have no projected close date. Concerns were cited about money being held for decades, with no opportunity for companies to invest those funds in other sites they may own. Additionally, these companies noted that companies must pay a cost to the financial institutions that provide bond instruments, citing that costs are typically 1% of the bond. There was concern about the amount of

funds that financial institutions would receive from these bonds, with no benefit to British Columbians. One company felt that the Ministry should not move forward with collecting assurance but noted that if the policy is to move forward, recommended using formulas different from what was proposed in the intentions paper to calculate assurance. For example, these two submissions recommended using net present value calculations or a discount rate to determine the amount of assurance required. Another company felt that the cost of D&C activities is not a good indicator of risk and should not be used to calculate assurance. It was recommended that the Ministry collaborate with industry and risk assessment experts to develop sector specific formulas.

### **Risk Reduction Actions**

The Ministry intends to encourage reduction of environmental liability by promoting risk reduction actions. These actions are intended to reduce the cost of decommissioning and closure to British Columbians, if the site is abandoned, while providing an option for the responsible person to provide less security up front. Qualified professionals may propose actions in an optional risk reduction action plan in the D&C plan. A submission felt that risk reduction work that is underway or already completed before the development of a D&C plan should be considered as risk reduction actions.

### **Type of Security**

Preferred forms of security outlined in the intentions paper include irrevocable letters of credit, surety bonds, and cash/cash equivalents. The intentions paper notes that the Ministry will not accept parental guarantees, and at the moment, qualifying environmental trusts and pooled funds will also not be accepted as the Ministry continues research to inform policy options. Four submissions that commented on Section 8 (36%) and a company that participated in the public engagement session recommended that alternate forms of assurance be allowed, including valuable materials, inventories, and assets at sites, investment trusts, and future municipal tax payments. A couple submissions felt that qualifying environmental trusts and pooled funds should be accepted. Similarly, two submissions felt that responsible persons who own multiple projects or sites should be able to pool their securities (18%). Two submissions discussed that securities should be returned to responsible persons to be used to implement D&C plans (18%). Noting that the forestry industry sometimes runs on tight margins due to reliance on global commodity prices, an industry association expressed that having securities returned would prevent companies from struggling to gather funds for decommissioning and closure.

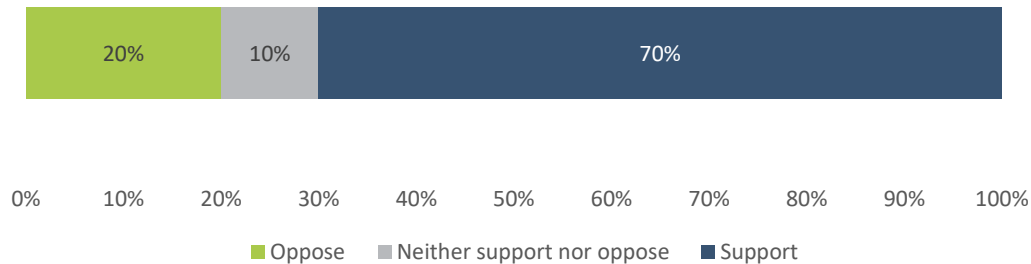
## **3.5 Ceasing Operations, Pausing Operations, and Closing a Site**

The regulatory framework will require D&C plans to be implemented when operations cease, or in some circumstances when operations pause, as specified in Section 9 of the intentions paper.

### **3.5.1 Ceasing Operations, Pausing Operations, and Closing a Site – Feedback Form**

Most online feedback form respondents (70%) supported the policy concepts in Section 9. The remainder of respondents neither supported nor opposed the concepts (10%) or opposed the concepts (20%).

**Figure 3.4: Level of Support for Ceasing Operations, Pausing Operations, and Closing a site, Among Feedback Form Respondents**



Total Responses=10.

Four respondents provided feedback on Section 9 of the intentions paper. One respondent who supported Section 9 suggested beginning safeguarding measures at 3 months after pausing operations, rather than 12 months. As safeguarding measures are likely to be less expensive and easier to implement than D&C activities, this respondent felt it would be reasonable for sites to begin safeguarding activities at 3 months. Two respondents, one who opposed the concepts in Section 9 and the other who supported the concepts, felt that the policies should be adapted to be more sector specific. It was suggested that sites that periodically pause operations for more than 30-day periods, such as for maintenance, upgrades, or seasonal operation, should not have to begin implementing safeguarding plans. On the other hand, a respondent who opposed the concepts in Section 9 expressed concern that a company may pause operations, engage in small activities, then pause again to delay the implementation of a D&C plan. It was suggested that projects be allowed to pause only once.

### 3.5.2 Ceasing Operations, Pausing Operations, and Closing a Site – Written Submissions

Three written submissions discussed the policy concepts in Section 9. A couple submissions and public engagement session attendees requested that the criteria used to determine whether operations have ceased be more specific. Concerns were expressed about having to implement a D&C plan in its entirety, when only a component of a site might need to be decommissioned and closed. A submission suggested that the government and product users (the general public) contribute to a fund that could be accessed on a prorated basis by operations that must close due to extenuating circumstances, such as closures due to government regulations.

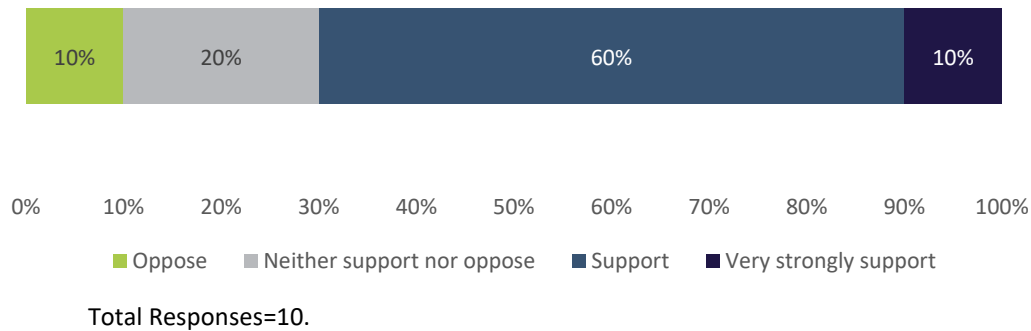
### 3.6 Compliance and Enforcement

Section 10 of the intentions paper states that Ministry compliance and enforcement personnel work to ensure responsible persons comply with regulatory requirements under the *Environmental Management Act* and its regulations. In the context of the proposed regulatory framework, compliance can be assessed against any of the orders issued by statutory decision makers (i.e., Information Order, D&C Plan Order, Security Order, Site Closure Order, Stop Work Order).

### 3.6.1 Compliance and Enforcement – Feedback Form

The majority of feedback form respondents (70%) either supported or very strongly supported the policy concepts in Section 10 of the intentions paper, while 20% neither supported nor opposed, and 10% opposed.

**Figure 3.5: Level of Support for Compliance and Enforcement, Among Feedback Form Respondents**



Four respondents provided feedback on the policy concepts in Section 10. A respondent who opposed Section 10 recommended an assessment of the environmental compliance model to ensure the model is consistent and risk-based. Three respondents who supported or neither supported nor opposed Section 10 provided the following recommendations:

- A respondent expressed concern that qualified professionals might write lenient plans to continue to be hired. To counter this, oversight and approval of D&C plans should be strict;
- Stop Work Orders should be issued if responsible persons have not completed D&C plans and have not provided required assurance (mentioned by one individual); and
- Consider increasing Ministry resources to support industries with developing D&C plans (mentioned by one individual).

### 3.6.2 Compliance and Enforcement – Written Submissions

None of the written submissions commented on Section 10 of the intentions paper.

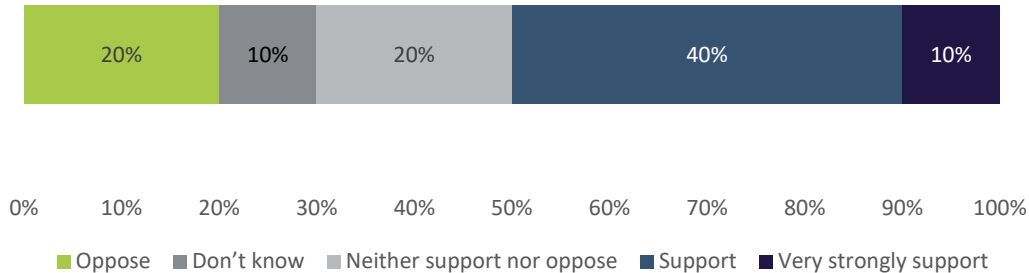
## 3.7 Cost Recovery

The Ministry intends to introduce cost recovery mechanisms to ensure industry pays for decommissioning and closure of abandoned project sites, as outlined in Section 11 of the intentions paper.

### 3.7.1 Cost Recovery – Feedback Form

A majority of feedback form respondents (50%) supported or very strongly supported the concepts in Section 11 of the intentions paper. Close to one-third (30%) neither supported nor opposed or did not know, while 20% opposed.

**Figure 3.6: Level of Support for Cost Recovery, Among Feedback Form Respondents**



Total Responses=10.

Feedback form respondents were asked to provide recommendations on the proposed policies in Section 11; a total of three respondents, who either did not support nor oppose, supported, or very strongly supported Section 11 made suggestions.

- If a site does not decommission and close according to their D&C plan, enact fines in addition to keeping security (mentioned by one individual);
- A respondent expressed concern about a lack of Ministry staff and resources to carry out cost recovery as outlined in the intentions paper, and suggested considering the ratio of workload to resources; and
- It was recommended that company board members, in addition to responsible persons, be held individually liable for cost recovery provisions (mentioned by one individual).

### 3.7.2 Cost Recovery – Written Submissions

None of the written submissions commented on Section 11 of the intentions paper.



## 4 SUMMARY

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The general public, companies, and industry associations were generally supportive of the policy concepts in the Public Interest Bonding Strategy intentions paper. Key findings by sections are summarized below.

### 4.1 Regulatory Framework for Decommissioning and Closure of Industrial Projects

Engagement participants emphasized the importance of transparency regarding the Public Interest Bonding Strategy. Transparent government processes were emphasized as important, and may be promoted through financial auditing, accountable decision-making, and transparent internal processes.

### 4.2 Risk-based Determination Approach and Step One: which projects will require decommissioning and closure plans

Feedback suggests there is a high level of support for Section 6, risk-based determination. The regulatory, financial, and administrative burdens of preparing decommissioning and closure (D&C) plans on industry was an area of concern among a few representatives of companies, industry associations, and the general public. Recommendations to mitigate burdens were to exclude small projects and projects that pose low environmental risk from providing D&C plans. However, the general public tended to feel that more industrial projects than currently proposed should be required to provide D&C plans. Suggestions ranged from requiring D&C plans for all industrial projects to government owned projects and projects with similar requirements for preparing plans under existing legislation. Regarding the step one screening tool, respondents felt the Ministry's use of the tool should be transparent, and that industry should be engaged to develop the proposed tool.

### 4.3 Decommissioning and Closure Plan Requirements

Engagement participants were in support of Section 7, decommissioning and closure plan requirements. The general public tended to recommend stricter guidelines for industry, such as thorough reviews of D&C plans and ensuring that professionals with expertise in project costing develop cost estimates for D&C activities. Similar to feedback regarding Section 6, companies and industry associations tended to feel that the Ministry could support industry with developing D&C plans. For example, by creating a workbook or template that could be customized and filled out for different sized operations and by maintaining a list of pre-approved qualified professionals.

### 4.4 Security Form and Amount Determination

The general public, companies, and industry associations tended to feel the policy concepts in Section 8, security form and amount determination, should be relaxed to reduce burdens on industry. Recommendations included collecting assurance after a project's initiation phase and excluding projects with low to medium financial risk, small projects, and projects that produce goods that are high in public need or essential to the public. Companies and industry associations recommended revising the financial risk factors proposed for the step two financial risk assessment. Privacy concerns were expressed about publicly disclosing financial performance; respondents felt that the level of detail of information should be reduced, or the factor should be omitted altogether. Companies and industry associations also felt projects assessed as low to medium financial risk should be exempt from providing assurance. Regarding the environmental liability threshold, industry welcomed the opportunity to collaborate with the Ministry to develop the threshold. A couple of companies expressed concerns

about holding financial assurance from projects with no foreseeable close date. It was recommended that net present value calculations or a discount rate be used to determine the amount of assurance required from such projects. Companies and industry associations felt alternate forms of assurance should be allowed, such as investment trusts and pooled funds.

#### **4.5 Ceasing Operations, Pausing Operations, and Closing a Site**

Feedback suggests there is a high level of support for the policy concepts in Section 9, ceasing operations, pausing operations, and closing a site. The general public expressed concerns about pausing operations. While some felt that sites that periodically pause operations for 30-day periods, such as for maintenance, should not have to begin implementing safeguarding plans, another felt a project should only be able to pause once. Companies and industry associations called for greater detail around determining whether operations have ceased, due to concerns about having to implement a D&C plan when only a component of a site may need to be decommissioned and closed.

#### **4.6 Compliance and Enforcement**

Engagement participants generally supported the policy concepts in Section 10, compliance and enforcement. The general public provided a series of recommendations, including strict oversight of D&C plans, issuing Stop Work Orders if responsible persons have not completed D&C plans or provided assurance, ensuring the Ministry has sufficient resources to support industries with D&C plans, and assessing the Ministry's existing environmental compliance model to ensure it is consistent and risk-based.

#### **4.7 Cost Recovery**

The general public tended to be divided on the concepts in Section 11, cost recovery, with one-half in support and one-half in opposition or neutral. Various recommendations were made by respondents. In the event that a site does not implement D&C activities according to its D&C plan, it was recommended that fines be enacted. Similarly, it was recommended that companies be held personally liable for cost recovery. Concern was also expressed about whether there are sufficient Ministry resources to carry out cost recovery as outlined in the intentions paper.

## APPENDIX A: FEEDBACK FORM

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## Public Interest Bonding Strategy – Regulations Feedback Form Questions

As part of the engagement process on the Public Interest Bonding Strategy, the Ministry is looking for feedback and input on the intentions paper. The questionnaire covers the overarching regulatory framework discussed in the intentions paper, which includes the following policy topics:

- Risk-based approach to determine if an industrial project requires a decommissioning and closure (D&C) plan;
- D&C requirements including content, engagement with Indigenous Peoples and local government, and implementation once operations cease;
- Clear expectations for estimating the cost of decommissioning and closure;
- Risk-based approach to determining if an industrial project requires financial assurance;
- Methods that determine financial assurance amount and form;
- Alignment with existing Ministry compliance and enforcement framework to ensure new closure and security requirements are fulfilled; and,
- Cost recovery provisions to strengthen the B.C. government’s ability to recover public funds spent on decommissioning and closure activities if owners fail to meet their obligations.

Each question refers to a specific section in the intentions paper where you can read more about the policy approaches. When answering the questions, please ensure you have a copy of the intentions paper open for reference.

### Risk-based determination approach

1. Do you support the policy concepts presented in **Section 6, Risk-Based Determination**?
  - Very strongly support, Support, Neither support nor oppose, Oppose, Strongly oppose, Don’t know
2. OPEN-ENDED: Thinking about the specific policy concepts in Sections 6, do you have any specific recommendations on the proposed policies (e.g., risk-based determination approach, which projects will require a D&C plan, definition of responsible and accountable persons)?

### D&C plan requirements

3. Do you support the policy concepts presented in **Section 7, Decommissioning and closure (D&C) plan requirements**?
  - Very strongly support, Support, Neither support nor oppose, Oppose, Strongly oppose, Don’t know
4. OPEN-ENDED: Thinking about the specific policy concepts in Sections 7.1 to 7.4, do you have any specific recommendations for any of the policy topics presented? E.g., content of the D&C plans, timelines for updating plans, safeguarding, and cost estimates.

5. OPEN-ENDED: Thinking about the ministry intentions for engagement on D&C plans (section 7.5), do you have any recommendations specific to the process for engagement and how to incorporate engagement into a plan?

#### **Cost of Decommissioning and Closure and Security requirements**

6. Do you support the policy concepts presented in **Section 8, Security form and amount determination**?
  - Very strongly support, Support, Neither support nor oppose, Oppose, Strongly oppose, Don't know
7. OPEN-ENDED: Thinking about the specific policy concepts presented in Section 8, do you have any specific recommendations on the proposed policies (e.g., process for determining financial assurance amount, risk reduction actions, forms of security, etc.)?

#### **Ceasing operations, pausing operations, and closing a site**

8. Do you support the policy concepts presented in **Section 9, ceasing operations, pausing operations, and closing a site**?
  - Very strongly support, Support, Neither support nor oppose, Oppose, Strongly oppose, Don't know
9. OPEN-ENDED: Thinking about the specific policy concepts presented in Sections 9, do you have any specific recommendations on the proposed policies?

#### **Compliance and enforcement**

10. Do you support the policy concepts presented in **Section 10, Compliance and Enforcement**?
  - Very strongly support, Support, Neither support nor oppose, Oppose, Strongly oppose, Don't know
11. OPEN-ENDED: Thinking about the specific policy concepts in Sections 10, do you have any specific recommendations on the proposed policies?

#### **Cost recovery**

12. Do you support the policy concepts presented in **Section 11, Cost Recovery**?
  - Very strongly support, Support, Neither support nor oppose, Oppose, Strongly oppose, Don't know
13. OPEN-ENDED: Thinking about the specific policy concepts in Sections 11 Cost Recovery, do you have any specific recommendations on the proposed policies?

#### **Final Question**

14. OPEN-ENDED: Do you have any additional feedback on the new regulatory framework?

#### **Demographics**

The following information will help us understand who is responding to the feedback form. Please help us by answering the following questions:

15. What best describes your connection to/interest in the Public Interest Bonding Strategy? (Select one)

- Represent an Indigenous community
- Represent an Indigenous Organization
- Industry
  - Please specify industry: (Optional)
- NGO
- Local Government
- Concerned citizen
- Other: please specify

16. What region of B.C. do you live in?

- Vancouver Island / Coast
- Lower Mainland / Southwest
- Kootenay
- Thompson-Okanagan
- Caribou
- North Coast
- Nechako
- Northeast
- Elsewhere in Canada
- Another Country
- Prefer not to answer

17. Do you identify yourself as Indigenous?

- Yes
- No
- Not Sure

18. If you self-identify as Indigenous, would you please select which of the following best represents your identity?

- First Nation
- Métis
- Inuk/Inuit
- Other: please specify



## APPENDIX B: CODING FRAMEWORKS

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## Coding Framework

The following table presents code groupings for the open response questions from the online feedback form for the Public Interest Bonding Strategy (PIBS).

Code	Theme	Description
<b>Question 2</b>	<b>Thinking about the specific policy concepts in Sections 6, do you have any specific recommendations on the proposed policies?</b>	
1	Fewer industries/projects should require a decommissioning and closure (D&C) plan	Includes mention of excluding smaller scale operations and operations with high public need
2	More projects should require a D&C plan	Includes mentions of projects owned by government, located on Crown land, and under the <i>Mines Act</i> , <i>Energy Resources Activities Act</i> or the <i>Environmental Management Act</i>
3	All projects should require a D&C plan	All projects should require a D&C plan
<b>4</b>	<b>Thinking about the specific policy concepts in Sections 7.1 to 7.4, do you have any specific recommendations for any of the policy topics presented?</b>	
1	Review of D&C plans	D&C plans are thoroughly reviewed by the government of British Columbia (the Province) or an independent third-party retained by responsible persons
2	Monitoring of qualified professionals (QPs)	Includes suggestion that professional associations administer greater penalties for malpractice and developing an online portal to report QPs
3	Support industry with developing D&C plans	The Province should hire QPs to develop a template or workbook for decommissioning
4	Revise D&C plan content requirements	Include restoration of natural components to the site where appropriate, mandatory project management costs
5	Detailed language for safeguarding	Ensure “reasonable precautions and actions” are specified
6	Limit the number of times an operation can pause	Limitations on the total number of pauses should be imposed
7	Revisions to cost estimates section	Response suggests people with project costing expertise should develop cost estimates, and responsible persons should be personally liable for cost estimates
<b>5</b>	<b>Thinking about the Ministry intentions for engagement on D&amp;C plans (section 7.5), do you have any recommendations specific to the process for engagement and how to incorporate engagement into a plan?</b>	
1	Indigenous engagement for all D&C plans	Require Indigenous engagement on all D&C plans

Code	Theme	Description
2	Consult with local governments where projects are located on public land	Consult with local government for projects occurring on public land within their jurisdictions
3	Engagement at the concept stage	Engage stakeholders at the beginning of the project, rather than later
4	Social media advertisements	Advertise engagement opportunities on social media
5	Responsibility to consult	The Province should be responsible for consulting Indigenous peoples
6	End state as a key topic	The end state of the land after decommissioning and closure should be a key topic of engagement
<b>7</b>	<b>Thinking about the specific policy concepts presented in Section 8, do you have any specific recommendations on the proposed policies?</b>	
1	Compliance history should be highly weighted	Companies and projects with poor compliance history should be required to provide 100% of costs
2	Compliance history as a risk factor	Concern that compliance history will be difficult to determine
3	Pooled securities	Securities should be pooled, and interest should pay for past sites where securities had not been collected
4	Index securities	Index security based on inflation and changes in site conditions
5	Concerns about disincentivizing business	Concerns that providing financial assurance will restrict markets and cause sites to shut down. Suggests collecting assurance after project start-up
6	The public should pay for operations based on public need	Feels operations based on public need or demand, such as paper, oil, or sewage, "user pay" is more equitable
7	Low risk projects should be exempt from providing assurance	Low risk and/or extremely small projects should be exempt from assurance
8	Alternate forms of assurance	Consider allowing responsible persons to take out an insurance policy with the government as a beneficiary
<b>9</b>	<b>Thinking about the specific policy concepts presented in Sections 9, do you have any specific recommendations on the proposed policies?</b>	
1	Limit pauses	Allow only one pause, not a series
2	Begin safeguarding earlier than proposed	Safeguarding measures should begin at 3 months after a pause
3	No limit on pauses	Allow flexibility for sites that periodically pause operations for 30 day periods, such as for maintenance, upgrades, seasonal operation

Code	Theme	Description
4	Policy concepts are too general	Response expresses concern that the concepts are too general
<b>11</b>	<b>Thinking about the specific policy concepts in Sections 10, do you have any specific recommendations on the proposed policies?</b>	
1	Strict oversight and approval of D&C plans	Concern that QPs may write lenient plans to continue to be hired. Oversight and approval of D&C plans should be strict to counter this
2	Implement Stop Work Orders earlier	Issue stop work orders if responsible persons have not completed D&C plans and have not provided required assurance
3	Increase Ministry resources	Response suggests the Ministry increase staff to support industries with developing plans
4	Assess the environmental compliance model	Ensure the model is consistent and risk-based
<b>13</b>	<b>Thinking about the specific policy concepts in Sections 11 Cost Recovery, do you have any specific recommendations on the proposed policies?</b>	
1	Fines	If industry abdicates responsibility, enact fines in addition to keeping security
2	Ministry staff and resources	Concerns about a lack of Ministry staff and resources to carry out cost recovery
3	Individual liability	Company board members should be held individually liable for cost recovery provisions
98	Off topic	
<b>14</b>	<b>Do you have any additional feedback on the new regulatory framework?</b>	
1	General support	Response expresses general support for the PIBS
2	Enact as soon as possible	Calls to enact the PIBS framework as soon as possible
3	Reclaim costs for closed sites	Suggests that the framework include reclamation of costs for closed sites
4	Pooled D&C account	Require all industries, government and the public to contribute to a D&C account to be used for clean ups
5	Financial burden on industry	Concerns that PIBS will burden industry with financial costs

## Written Submission Coding Framework

The following table presents code groupings for the written submissions for the Public Interest Bonding Strategy (PIBS).

Code	Theme	Description
<b>General (does not refer to a specific Section of the intentions paper)</b>		
1	Emphasizes the burdens already faced by industry	Includes mentions of financial, administrative, or regulatory burden
2	Generally supports PIBS	Demonstrates general support for PIBS guiding principles
3	Generally does not support PIBS	Does not demonstrate general support for PIBS guiding principles
<b>Section 5: Regulatory framework for Decommissioning and Closure (D&amp;C) of industrial projects</b>		
1	Transparency and accountability	Response emphasizes the importance of transparency and accountability of the Province. Includes support of use of range of policy documents
2	Request for clarity on policy concepts	Response asks for clarity on the policy concepts in Section 5
<b>Section 6: Risk-based determination</b>		
1	Does not support application of PIBS to existing projects	Response suggests being flexible towards the needs of existing operations to ensure ongoing viability
2	Fewer projects should require a D&C plan	Includes mentions of excluding low risk projects, projects owned/operated by “good actor” companies, projects that “support future development”
3	Include public sector projects in the PIBS framework	Includes comment that public projects have similar risk to private sector projects
4	Supports excluding public sector projects from the PIBS framework	Includes comment that public projects have different risk drivers than private sector projects
5	Screening tool	Greater transparency on the screening tool. Engage key stakeholders to develop the tool
6	Request for clarity on policy concepts	Response asks for clarity on the policy concepts in Section 6
<b>Section 7: D&amp;C plan requirements</b>		
1	Support with qualified professionals (QPs)	The Province should maintain a list of QPs that can be engaged, allow QPs outside BC and QPs internal to company, develop professional designation of D&C plan expert.
2	Definition of ‘closure’ and ‘end state’	Response suggests that ‘closure’ should not mean full reclamation to natural state

Code	Theme	Description
3	Maintain value of site for sale	Allow for retention of infrastructure that has potentially significant value to a future owner. Allow flexible D&C timelines for sites being sold
4	Timelines for developing D&C plans	Develop sector specific guidelines in consultation with industry
5	Less frequent review and updating of D&C plans	Aim is to reduce administrative and financial burden on industry. Recommendations include updating plans every 10 years
6	Privacy concerns about publicly available D&C	Mentions privacy concerns. Clarify what information and level of detail must be disclosed for D&C plans
7	Cost estimates	Suggest utilizing existing reporting per environmental approval requirements, standardization of costs, and allow for a range of estimated costs
8	D&C plan template	Responses include suggestions for revisions. Includes a standard scope and rate sheet and reducing the level of detail.
9	Request for clarity on policy concepts	Response asks for clarity on the policy concepts in Section 7
<b>Section 8: Security form and amount determination</b>		
1	Engage industry to develop financial risk score weighting	Suggestion to create a formal process or working group with project owners, industry, and sector specific subject matter experts with experience in risk management
2	Engage industry to develop environmental liability thresholds	Environmental liability thresholds should be developed with stakeholders
3	Revise financial risk factors	Includes recommendation to remove financial performance, consider financial strength of parent companies, assess industries that pay high taxes as low risk, weigh certain factors higher than others
4	Relax financial assurance requirements	Exclude low or medium financial risk projects from providing assurance
5	Reduce administrative burdens of financial risk assessment	When assessing compliance history, focus on reports relevant to pollution control
6	Periodic review of financial risk analysis	If risk profile changes, update assurance
7	Revise assurance formulas	Revise formulas used to determine how much assurance must be provided
8	Risk Reduction Action Plan (RRAP) inclusions	Include risk reduction work underway or completed

Code	Theme	Description
9	Pooled securities for multiple operations under common ownership	Allow industrial owners with multiple facilities or projects to pool their securities
11	Alternate forms of assurance	Includes mentions of pooled funds, investment trusts, Qualifying Environmental Trusts, parental guarantees, valuable materials/ inventories/ assets at sites, future municipal tax payments
12	Return securities to implement D&C plan	Return securities to responsible persons so that securities can be used to implement D&C plan
13	Request for clarity on policy concepts	Response asks for clarity on the policy concepts in Section 8
14	Public access to cost estimate calculations	Publicly release calculations used to develop cost estimates in D&C plans
<b>Section 9: Ceasing operations, pausing operations, and closing a site</b>		
1	Remediation fund	The Province and product users should contribute to a fund that could be accessed on a prorated basis by operations that have complied but must close due to extenuating circumstances
2	Ceasing operations	Specify criteria used to determine if operations have ceased