



**Atlantic Partnership in Risk-Based  
Corrective Action Implementation**  
(Atlantic PIRI)

**TERMS OF REFERENCE**

as of December 2017

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## Purpose of Atlantic PIRI

The Atlantic Partnership in Risk-Based Corrective Action Implementation (PIRI) was established in 1997 through a Memorandum of Understanding (MOU) signed by the deputy ministers of the four Atlantic provincial government departments responsible for environmental regulation. The current partnership is comprised of regional petroleum industry representatives, regional professional environmental consultants, and provincial environmental regulators.

The purpose of PIRI is to facilitate the adoption of a harmonized, risk-based approach for managing petroleum contaminated sites in the Atlantic region using an ASTM tool known as Risk Based Corrective Action (RBCA). Atlantic RBCA is specific to Atlantic Canada's needs and is equal to, or better than, Canada-wide Standards (CWS) developed by the Canadian Council of Ministers of the Environment (CCME).

PIRI continues to serve this purpose as a regional stakeholder partnership that maintains Atlantic RBCA and creates a forum for identification and discussion of issues, develops standards and processes, and provides recommendations for continued technical and regulatory harmonization across all four Atlantic provinces.

The MOU has been periodically renewed to establish PIRI's continuing mandate in further supporting regional brownfield and contaminated site management harmonization efforts and in maintaining the Atlantic RBCA technical and scientific tools. PIRI delivers upon the objectives set out by the MOU to the greatest extent possible and in accordance with its core strengths and areas of expertise, principally related to scientific, technical and related regulatory issues.

## Core Values

PIRI functions with core values of:

- Respect
- Cooperation
- Collaboration
- Consensus-based decision making
- Transparency
- Continuous improvement
- Technical excellence

## Core Functions

PIRI has identified three core functions in support of the mandate and objectives set out by the MOU:

1. Ongoing maintenance of the Atlantic RBCA model so it can continue to provide a sound scientific basis for contaminated site management in the Atlantic region (for the contaminants that it has been designed for) and for the enhancement of the model to accommodate additional contaminants where appropriate.
2. Establishing an organizational structure and process to facilitate dialogue and discussion between all members that will contribute to the improvement and harmonization of contaminated sites regulation and brownfield re-development policy in the Atlantic region.
3. Providing an ongoing forum for PIRI members to discuss technical issues affecting contaminated sites management in the Atlantic region with an established technical capacity to analyze these issues and develop potential solutions.

## Partnership Representation

PIRI is comprised of representatives from three primary groups:

1. **Atlantic Provincial Environment Regulators**  
This group is comprised of individuals from all four Atlantic provincial government departments responsible for environmental regulation. These are referred to as 'regulator' members. For PIRI to function, all four Atlantic provincial environmental regulators must participate.
2. **Industry**  
This group currently includes petroleum industry representatives from member companies of the Canadian Fuels Association. These are referred to as 'industry' members. The organizations (and the industries they represent) within this group may change at the discretion of PIRI and the partner organizations, however representation in all Atlantic jurisdictions will be preferred.
3. **Regional Professional Consultants**  
This group is comprised of individual representatives from environmental consulting companies. These are referred to as 'consultant' members. The individuals within the consultant group must have exposure and a working knowledge of each provincial regulatory process in all four Atlantic provinces. Membership within this group may change at the discretion of PIRI and the member organizations.

Each of the partner organizations is represented by at least one individual. Additional representation from any partner organization is at the discretion of PIRI.

PIRI can also include members who serve as liaisons with other levels of government or with stakeholders that may have an interest, expertise, or can contribute to the work of PIRI.

Additional individuals or organizations may be invited to participate on an ongoing or short-term basis, at the discretion of PIRI, as individual contributors, task group, or project group members as described in this document.

## Atlantic PIRI Structure

The work of PIRI will be facilitated through an organized committee of the whole structure.

### Committee of the Whole

The term 'committee of the whole' refers to a committee comprised of representatives from the four groups described below. PIRI is responsible for fulfilling the mandate and objectives set out in the MOU. The committee of the whole will be administered through co-chairs and will strive to be no larger than 16 individuals comprised of the following:

#### Regulator Members

A maximum of eight regulators (minimum of one regulator per province and no more than two per province), one of who will serve in the role of committee co-chair.

#### Industry Members

A maximum of four industry representatives, one of who will serve in the role of committee co-chair.

#### Consultant Members

A maximum of four regional consulting representatives, representing firms with exposure and a working knowledge of each provincial regulatory process in all four Atlantic provinces.

#### Liaison Members

At the request of the PIRI committee, members who serve as liaisons can come from other levels of government or with stakeholders that may have an interest, expertise, or can contribute to the work of PIRI.

## PIRI Co-Chairs

PIRI and the committee of the whole will be administered with two co-chair positions. One co-chair position will be occupied by a regulator, and one by a Canadian Fuels representative (industry).

### Roles and Responsibilities of the Co-Chairs

The PIRI co-chairs are responsible for the general administration of PIRI. This includes scheduling, developing agendas, arranging and facilitating meetings, overseeing the budget,

and related activities. A further description of the typical responsibilities of PIRI co-chairs is included in Appendix 1. PIRI co-chairs are expected to represent PIRI as the administrative head of the organization, including fulfilling public speaking engagements, correspondence, etc.

As representatives of PIRI, the co-chairs will informally contact each partner organization on a regular basis to update them on the group's progress and to create opportunities to support their representative member's participation in and continuing value to the group. This task is primarily accomplished through annual reporting updates sent to each partner organization and published on the Atlantic RBCA website.

Co-chairs are expected to contribute an additional level of effort to advance the work of the committee each year. Mutual support among the regulators is expected to build and support the strength of PIRI.

### **Length of Term**

Each PIRI regulator co-chair has a staggered term of a minimum of 3 years, with a one-year overlap between an incumbent co-chair and a new co-chair. Regulators are expected to rotate in this role; if circumstances such as a position vacancy, retirement or other issues affecting the regulator's representation as co-chair on PIRI should arise, it will be up to the industry co-chair and other regulators to determine a suitable replacement.

The industry co-chair for PIRI will be a representative from Canadian Fuels. This representative will serve as co-chair for a duration as determined by the association.

## **Committee Representation and Expectations**

### **Individuals Appointed to PIRI**

Provincial jurisdictions will propose to the co-chairs up to two staff members from each province to serve on the PIRI committee for a duration as determined necessary by each province.

Industry will propose up to four representatives from individual partner organizations to the co-chairs for a duration as determined necessary.

Regional professional consultant members may serve a four-year term, as mutually agreed upon by the member and the co-chairs. Term renewals can occur for an additional four-year period. When vacancies occur, expressions of interest will be issued by the co-chairs to ensure a maximum of four regional consulting representatives.

Other individuals may contribute to PIRI at the discretion of the co-chairs. Such individuals will represent a sector that is relevant to the core function and mandate of PIRI and will contribute to tasks or projects undertaken by PIRI.

## Expectations of PIRI Members

Individuals representing PIRI must:

- have advanced senior-level skills and experience in accordance with PIRI's core functions and be recognized as an authority in their field within the partner organization;
- have the support of their sponsoring organization and be willing and able to regularly allocate time to PIRI teleconference meetings, contribute to PIRI projects, and travel to attended meetings in the Atlantic provinces;
- make decisions related to PIRI's purpose and core functions on behalf of their partner organization;
- provide a meaningful conduit and liaison between their organization and PIRI;
- be willing and able to proactively participate in discussions and respond to requests for input and information from other members in a timely manner;
- be diligent in carrying out PIRI work and in providing updates at meetings; and
- be willing and able to mentor new members.

## Administrative Responsibility

Through agreement, some secretariat services, including general administration, accounting, and annual auditing for PIRI is provided by the Canadian Fuels Association. PIRI may contract additional services related to its operations such as IT support, communications, or administration/coordination, from members, partner organizations, or externally.

## Groups and Deliverables

PIRI will maintain three types of groups that focus on priorities and help to complete the objectives of PIRI's strategic plan. Each group will be overseen by a 'lead' who will manage the general administration of the group, including identifying priorities and required resources, scheduling and conducting meetings, overseeing any budget, developing scope of work documents and related activities, and reporting progress to PIRI at face-to-face meetings and conference calls.

PIRI's groups can be described as follows:

### Task Group

Individual members of the committee of whole with relevant expertise to a task will be considered as task group members. Task groups will be utilized to carry out more routine activities such as maintaining the RBCA model, seeking the input of individuals outside of PIRI to complete a task, attending meetings with stakeholders, and other general activities

that require minimal budgetary expenses. The task group can be an individual PIRI member or a larger group, depending on the task to be completed.

### **Project Group**

Project groups may operate within a specific scope of work and terms of reference developed and approved by the committee of the whole. Projects can be conducted directly by the project group utilizing the expertise of the membership, or be a larger project with expertise outside of PIRI and greater budgetary requirements. Expertise outside of the group will be obtained through a request for proposal (RFP) process or through sole-sourcing where specific expertise and experience warrants.

### **Individual Contributors**

The use of ad hoc individual contributors, on a volunteer basis, will allow PIRI to acquire additional input and expertise to address clearly defined issues.

*Requests for expressions of interest to participate in specific task groups, project groups or recruitment for an individual contributor(s) can be published on the public website; volunteer participation can be recruited directly by PIRI.*

## **Meetings and Committee Work**

PIRI will meet face-to-face at least twice annually, rotating between locations in each of the partner provinces; teleconference meetings (at a minimum) will be held on a quarterly basis, as deemed appropriate by the co-chairs. Project or task groups will arrange face-to-face meetings and teleconferences on an as-needed basis and at the discretion of the leads of each group who must report progress to the committee of the whole on a quarterly basis.

PIRI and project or task groups will also conduct work through electronic distribution of documents. Decisions may be reached through a written commenting process in the absence of a real-time face-to-face or teleconference discussion at the discretion of the group leads.

### **Planning and Priorities**

A significant portion of the fourth quarter face-to-face meeting will be a planning session. Committee members will identify priority issues anticipated for the coming year, the deliverables for the year, and the resources required (e.g., expertise, budget, and timeframe). The priorities for PIRI and project or task groups will be identified prior to the coming year's work plan being finalized.

### **Harmonization with CWS**

PIRI is committed to harmonizing the level of protection of human health and the environment with that provided by the Canada-wide Standards (CWS) developed by the Canadian Council of Ministers of the Environment (CCME). Every 5 years, following the release of CCME revisions or updates to the CWS for substances assessed by the Atlantic RBCA software, PIRI will review its software model to determine if updates or revisions are required to ensure continuing



harmonization.

### **Quorum and Participation**

Participation in meetings is at the core of PIRI responding to its mandate and meeting its objectives. Because PIRI largely delivers its work through the participating provinces, a minimum of three regulators, from three different provinces, is required to open a meeting of PIRI, whether by teleconference or face-to-face.

In extraordinary circumstances, where a decision must be taken and a regulator is unable to participate in the meeting, that regulator may ask one of the other regulators to act as proxy in the consensus process. Regulators will chair meetings, prepare agendas and report on meetings held in their respective provinces.

### **Reporting**

Designated leads in either the task group or project group will verbally report on their progress on initiatives or projects at each PIRI meeting and are accountable to PIRI.

Progress in the implementation of their initiatives or projects, intermediate timeframes, and decisions taken will be documented in the priority matrix for each quarterly meeting.

### **Accountability**

Accountability within PIRI is conducted through the use of a RASCI model<sup>1</sup>, described as follows:

- **Responsible** – PIRI is responsible, through its co-chairs, for fulfilling its mandate and objectives.
- **Accountable** – PIRI is accountable, through its groups, to the signatories of the MOU and to its partner organizations.
- **Supportive** – each member is expected to support the PIRI mandate and objectives through participation in plenary meetings and working groups. The secretariat provides administrative support and Canadian Fuels Association provides support in the form of financial management and reporting.
- **Consulted** - PIRI is a consultative forum for its partners and consultation occurs through the discussion forum of its meetings. Members may consult with experts within their partner organizations, and PIRI may consult with external stakeholders on specific issues.

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<sup>1</sup> The RASCI model is a responsibility assignment methodology for identifying roles and responsibilities during the project implementation or the change management. **RASCI** is an abbreviation for: **R** = **Responsible** - owns the problem/project; **A** = to whom "R" is **Accountable** - who must sign off (**Approve**) on work before it is effective; **S** = can be **Supportive** - can provide resources or can play a supporting role in implementation; **C** = to be **Consulted** - has information and/or capability necessary to complete the work; **I** = to be **Informed** - must be notified of results, but need not be consulted.

- Informed – the people whom PIRI needs to inform about its work and Atlantic RBCA are the signatories of the MOU, its partner organizations, and the public.

## Decisions

PIRI recognizes three distinct types of decisions:

1. Decisions that set standards for the technical tools and affect the application of the Atlantic RBCA software tool.
2. Decisions related to implementation of policies and/or programs that are communicated as recommendations for consideration by each of the participating provinces.
3. Decisions related to the management of PIRI.

Decisions and recommendations of PIRI are made on a consensus agreement approach, which respects the multi-sector membership of the group. There is no quorum for decisions, apart from the quorum required to hold a meeting.

Members who have concern with a decision can choose to:

- declare their reservations, which may trigger
  - further discussion,
  - modification of the decision, or
  - documentation of the concern to be addressed in the future;
- stand aside and not participate in the decision (usually due to lack of information or expertise); or
- if a member feels the decision is contrary to the purpose or mandate of PIRI, he or she can block the consensus and require further discussion and/or information.

In keeping with the MOU, members are responsible for ensuring that the positions of their respective organizations are accurately represented.<sup>2</sup>

Task groups or project groups will have no decision-making authority, except as delegated under the terms of reference for a task by PIRI, and will bring recommendations to the full committee for decisions.

Following discussion, a group lead who has brought an issue to the table will ensure that any decision taken on the issue is clearly and accurately stated. PIRI co-chairs (or a delegate) will be responsible for ensuring that all decisions made at each meeting are accurately recorded in the priority matrix (see below) and in a record of decision.

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<sup>2</sup> Member organizations have not wholly delegated Atlantic PIRI to act on their behalf. Although it is the intent that each member organization will act in good faith within a consensus agreement approach, each member organization nevertheless retains the ability to act unilaterally on matters within its authority. Failure to achieve consensus does not prevent a member from taking any such action.

## Documentation

### Priority Matrix

There are no official minutes for PIRI. A 'priority matrix' is an internal tool used to track progress with the priority issues each group is addressing, to record decisions, and to maintain a list of issues that are not currently priorities. The priority matrix will be made available to all PIRI members within a reasonable period following each face-to-face meeting. All members will be requested to indicate their agreement with, or comments on, the records of decisions in the priority matrix at the start of the subsequent meeting of PIRI.

### Other Documents

A secure, web-based data management and scheduling system will be maintained as a repository of PIRI documents, relevant references, provincial documents, meeting and member information, and notices. Password access will be provided to all members.

PIRI will also maintain a web presence, [www.atlanticrbca.com](http://www.atlanticrbca.com), in support of the adoption and implementation of Atlantic Risk-Based Corrective Action in the Atlantic region and abroad; the website will also communicate the existence of PIRI, its purpose, and achievements to stakeholders and the public. The website also serves as a library of public documentation relating to PIRI, Atlantic RBCA, provincial policies and programs, and related issues.

### Communications

PIRI will produce an annual update for the ministers of participating provinces and other partner organizations. The annual update will outline the progress of the partnership and identify appropriate actions for the coming year in keeping with the Communication Plan and PIRI's goals and objectives.

## Finances

The financial requirements of PIRI are met by annual contributions from the regulator and industry partner organizations. Individual consultant members provide in-kind services to achieve the mandate of PIRI. Travel and other associated expenses that enable members to participate in regular meetings of PIRI and project or task groups will be the responsibility of the individual partners. Any additional costs will be by agreement of the partners.

In accordance with this direction, PIRI has implemented the following practices:

1. Regulators provide annual financial contributions toward the overall administration and work of PIRI. Amounts may vary in any given year, but overall contributions from each jurisdiction should be approximately equal.
2. The Canadian Fuels Association, on behalf of its industry members, provides an annual financial contribution.

3. Consultant partner organizations group contribute to PIRI through the in-kind contribution agreement of their representative members. This is principally through the provision of technical expertise and professional staff time.
4. All partner organizations contribute sufficient in-kind resources to cover travel and related expenses for their representative members to attend regular meetings and otherwise fully participate in PIRI. At the discretion of PIRI co-chairs, additional time or efforts by consultants may be considered 'above and beyond' regular participation and reimbursement from PIRI funds may be arranged. This may include participation in conferences, seminars, or public forums to make presentations on PIRI's work.
5. PIRI may elect to cover travel and other expenses related to the conduct of PIRI business by members, at the discretion of the co-chairs. Compensation will be in accordance with the expenditures incurred and with the partner organizations' policies and procedures; compensation is subject to prior approval of the co-chairs.
6. PIRI is not incorporated as a legal entity. The Canadian Fuels Association will provide accounting financial management services and an annual audit.
7. PIRI will create an annual budget based on administrative requirements and resource information brought forward from project or task groups at the annual planning session (fourth quarter face-to-face meeting).
8. From time to time, at the discretion of PIRI, the committee may procure services necessary to complete or assist in the completion of work by the committee under the various working groups. PIRI may determine the most appropriate way to obtain such services, including seeking of expressions of interest internal and external to the committee, or the selection of a vendor where deemed appropriate by the committee.
9. PIRI co-chairs are responsible for signing off on all budget expenditures.
10. Surplus funds are rolled over to the next fiscal year on a pro-rated basis.
11. The fiscal and operating year for PIRI is a calendar year.

### **Budget**

A budget will be developed each year at the fourth quarter planning meeting. Project or task groups will develop their own budgets for financial resources, expertise, and timeframes and present them at the fourth-quarter planning session. Co-chairs and group leads will report on the budget at each quarterly meeting.

## **Authority**

The PIRI partnership is established in accordance with the current MOU between the environmental regulatory agencies of the Atlantic provinces. Each partner organization is responsible for ensuring that its respective activities on, through, and on behalf of PIRI are undertaken in accordance with governing policy and legislation.

### Appendix 1: PIRI Co Chair/ Provincial Representative Responsibilities

	Task	Necessary actions	Timing	Responsibility	Support
1	Preparation of monthly teleconference agendas	Prepare and distribute draft agenda to members one week in advance	Monthly except July and August and where F2F overlaps	Regulator co-chair	PIRI Administrator
2	Chairing monthly teleconferences and preparing short summaries for distribution	Attend and chair meetings, take notes and prepare summary documents and upload	Monthly following teleconferences	Regulator co-chair	PIRI Administrator
3	Preparation of face to face meetings	Prepare and distribute draft agenda. Special guest coordination Project/time planning Requires planning, and input from members	One month before face to face dates, 2 times per year	Host provincial regulator for each province where meeting occurs	PIRI Administrator
4	Chairing face to face meetings and preparing short summaries for distribution	Attend and chair meetings, take notes and prepare summary documents and upload	Once/ year for each regulatory jurisdiction for 2 days	Host provincial regulator for each province where meeting occurs	PIRI Administrator
5	Liaison with senior officials within jurisdictions	Actively seek and make time to meet or engage with partner officials from each province, normally at face to face meetings	2 times a year or as available	Regulator and industry co-chair	

	Task	Necessary actions	Timing	Responsibility	Support
6	Leading annual work planning	Involves leading the PIRI committee in a discussion of current project and emerging issues that may lead to projects for the purposes of a work plan for the following year. Requires knowledge and tracking of issues identified throughout the year, based on the priority matrix, and analysis against the strategic plan for projects that align with PIRI mandate	Fourth quarter face to face	Regulator co-chair	
7	Annual budget preparation	Meeting each year in January, following work planning at fourth quarter face to face in conjunction with industry co-chair	A 2-hour meeting in January each year to establish budget	Regulator and industry co-chair	
8	Budget monitoring/management	Receive, monitor and ensure expenditures are reflective of budget	Quarterly monitoring of reports produced by Canadian Fuels	Regulator and industry co-chair	
9	Approval of PIRI expenses related to budget	Receive, review and approve invoices	Throughout the year	Regulator and industry co-chair	
10	Priority Matrix Updating and management	Maintain and update the priority matrix and decision making records	Update following each face to face meeting	Host provincial regulator for each province where meeting occurs	

	<b>Task</b>	<b>Necessary actions</b>	<b>Timing</b>	<b>Responsibility</b>	<b>Support</b>
11	Annual reporting preparation and finalization	Prepare a 2-page summary of previous year's work	Issue by March 31 each calendar year	Regulatory and industry co-chair	PIRI Administrator
12	Terms of Reference management and administration	Ensure familiarity with TOR, administer PIRI work accordingly	Refresh every 5 years, adjust as necessary	Regulatory and industry co-chair	
13	Liaison with members, membership management and stakeholder liaison, including attending meetings, etc			Regulatory and industry co-chair	
14	Conference attendance and public liaison on behalf of PIRI	Solicit and attend local, regional and national conferences and networking opportunities to represent PIRI	Normally a local and national event each year	Any committee member	
15	Identification and management of governance issues, including operational templates (project management, requests for proposals etc.)			Regulatory and industry co-chair	
16	Monitoring and management of PIRI project work related to strategic plan and key performance indicators			Project or task group leads	