



COMPLIANCE ASSESSMENT & ENFORCEMENT INITIATIVES

ANNUAL REPORT APRIL 1, 2001 – MARCH 31, 2002

EXECUTIVE SUMMARY

Alberta Environment is committed to measuring and reporting on the effectiveness of its Compliance Assurance programs and activities. This report represents the Compliance Assessment and Enforcement activities of Alberta Environment for the 2001-2002 fiscal year.

A total of 2,856 Proactive Compliance Assessments were carried out by department staff, including 2,662 unannounced site or field inspections and 194 unannounced audits to verify that methods and procedures meet Alberta Environment's quality control and quality assurance standards. The Proactive Compliance Initiatives undertaken by Alberta Environment identified a uniformly high rate of compliance across all regulatory areas administered by the department.

In total, 64 charges were laid for offences under the legislation administered by Alberta Environment during 2001-2002. Charges that were concluded during this period resulted in total fines exceeding \$545,000. The department assessed an additional \$180,500 for 35 Administrative Penalties for less serious regulatory offences. The department also issued 16 Orders and 115 Written Warnings to compel parties to meet regulatory standards.

The information included in this report reflects the new mandate of Alberta Environment in its administration of the *Environmental Protection and Enhancement Act* and the *Water Act*, and the total number of compliance activities reflects this new focus.

ACKNOWLEDGEMENTS

This report documents the continued efforts of Alberta Environment's compliance assurance staff and their pursuit of consistent, fair and effective enforcement of Alberta's environmental legislation.

The contributions of Alberta Environment's regional compliance staff in carrying out the proactive, ground-level verification of compliance, assembling the information about compliance assurance activities for the 2001-2002 fiscal year and assembling projections for these activities for the coming year is gratefully acknowledged.

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INTRODUCTION

COMPLIANCE ASSURANCE

The overall objective of Alberta Environment's Compliance Assurance Program is to maintain a high level of compliance with the *Environmental Protection and Enhancement Act* and the *Water Act*. This goal is pursued through education of both the regulated community, which hold authorizations under *Environmental Protection and Enhancement Act* and the *Water Act*, and individuals or companies whose activities fall outside the mandatory requirement for an authorization from Alberta Environment.

This is Alberta Environment's fourth year of tracking and reporting the results of the department's Proactive Compliance Assessments of companies operating under authorization from Alberta Environment. Over that period, the trend shows that the vast majority of facilities whose activities are authorized by Alberta Environment are meeting the requirements of their authorizations. Non-compliance that was identified tended to be minor in nature, had little or no potential for adverse environmental effect, and was generally rectified voluntarily.

Alberta Environment continues to annually plan proactive, unannounced inspections and audits to verify compliance by the department's regulated clients and ensure regulated parties clearly understand their statutory obligations.

By raising the level of awareness about Alberta Environment's compliance objectives, and by fostering a spirit of stewardship for the environment by all Albertans, the department seeks to prevent non-compliance through a heightened awareness of environmental responsibilities.





1.0 COMPLIANCE INITIATIVES

Alberta Environment is committed to working with Albertans to develop new and innovative ways to meet our compliance assurance objectives in order to sustain our healthy environment.

Specific initiatives undertaken in the 2001-2002 fiscal year to expand educational efforts with the corporate and public communities include:

1.1 CRIME STOPPERS PARTNERSHIP

In 2002, Alberta Environment teamed with Crime Stoppers to develop an initiative that encourages Albertans to report any environmental infractions on the Crime Stoppers Hotline. Segments will be aired on television to aid in the solving of any current investigations. Tips given to Crime Stoppers will be eligible for rewards.

This partnership, offering a combination of educational and deterrent activities, allows for the re-enactments of an offence, and the offer of anonymity or monetary reward in exchange for information. The public appeals will serve to raise awareness that the department is working in the best interest of Albertans by involving the public in solving environmental crimes.

1.2 ENVIRONMENTAL HOTLINE

Alberta Environment operates a toll-free, 24-hour environmental emergency hotline that allows Albertans to contact the department whenever they have concerns about environmental infractions. Between April 1, 2001 and March 31, 2002 the hotline handled 12,085 calls, including 2,937 public complaints and 5,995 calls from Alberta Industry. Over 35 per cent of calls were taken during non-working hours.

1.3 PARTNERING WITH SCHOOLS

Alberta Environment initiated an information-gathering program to determine what hazardous waste management practices are in effect in Alberta school

districts and verify compliance with the regulatory requirements for storage and disposal of hazardous wastes.

In order to bring local school boards up-to-date with current regulatory requirements, Alberta Environment undertook to educate the 23 school boards about their obligations under EPEA. Department staff sent an information letter outlining the requirements for handling hazardous wastes according to the Waste Control Regulation. Additionally, two publications, the *Guidelines for Management of Chemicals and Hazardous Wastes* and the *Waste Minimization Manual for Analytical Laboratories*, were provided to each school board. Alberta Environment has requested each board to respond with a report on the hazardous waste management practices employed in each school division.

The information submitted by the respective school divisions will be evaluated by Alberta Environment to determine if improvements are required to achieve compliance with the legislation. Where it is appropriate to do so, Alberta Environment and Alberta Learning will meet with schools that are identified as requiring guidance in order to assist them to properly manage their hazardous wastes.

1.4 EDUCATION & INSPECTION PROGRAMS

In addition to standard unannounced inspections, Alberta Environment conducts several annual education and inspection programs that focus on one geographic area or industry. These focused programs give Alberta Environment an opportunity to work together with businesses and ensure they understand the role they play in protecting our environment.

The program involves two parts, an educational component where specific, detailed information about

regulations and requirements are provided to companies and businesses that have the potential to harm the environment, followed by unannounced inspections to ensure that the businesses made any necessary upgrades that were required.

All operators within a specific industry sector or within a target geographic area get an identical message from Alberta Environment staff about such issues as hazardous waste and hazardous recyclable storage and disposal, and other activities where non-compliance has been encountered in the past. This effort produces several important results:

- All business within a target sector or geographic area receive the same information from Alberta Environment about their environmental responsibilities
- Non-compliance can be identified and corrected on a cooperative basis if this is an appropriate option
- Overt acts of non-compliance can be addressed using one of a variety of enforcement tools

Operation Cygnet, Grande Prairie

A comprehensive environmental education and inspection program designed to educate businesses in the Bear Creek area of Grande Prairie about proper waste management practices found most businesses needed a refresher, but identified few major environmental concerns.

Inspectors from Alberta Environment, Alberta Transportation and the City of Grande Prairie visited 298 businesses during Operation Cygnet, issuing Written Warnings to 39 companies for infractions ranging from no secondary containment for hazardous wastes to inadequate records.

Operation Oil Slick, Fort McMurray

Operation Oil Slick, designed to educate businesses in the Mackenzie Industrial Park of Fort McMurray about hazardous waste storage requirements, found none of the 184 facilities that were inspected, including auto shops, construction yards, fabrication shops,

paint/fibreglass shops, and a variety of other light industries were improperly or illegally disposing of their waste.

Alberta Environment Inspectors issued Written Warnings to 41 facilities found to be storing more than 205 litres (one drum) of a hazardous waste without proper secondary containment. Each of these facilities was re-inspected approximately one month after the initial inspection, and while there were signs of small amounts of spillage or staining at a number of the sites, no facility was found to be causing a serious adverse effect and no active releases to the environment were discovered.

1.5 SUPPORT FOR VOLUNTARY STEWARDSHIP INITIATIVES

There is a growing trend among Alberta's industry and municipalities to adopt voluntary stewardship initiatives aimed at providing greater assurance for regulatory compliance, and in many cases advancing facility operational performance beyond regulatory requirements.

Alberta Environment recognises both the value and opportunity of this emerging stewardship ethic, and in support is developing an online information exchange, creating an opportunity for corporate Albertans to enter into mentoring partnerships with other companies and to lead by example. This project is intended to facilitate awareness and promote the adoption of stewardship practices across all regulated corporate sectors in Alberta. The Web site will feature:

- A searchable database reflecting the scope of voluntary initiatives currently in practice by Alberta companies and municipalities including:
 - EMS systems such as ISO 14001, Responsible Care, Forest Care
 - Pollution prevention and/or continuous improvement practices

- Water and/or energy conservation
- Waste minimization
- Public outreach and mentoring
- Recognition to regulated parties and associations with exemplary practices and initiatives
- Key definitions, general/technical information and links to related Web sites that provide current information about the variety and benefits of stewardship practices

1.6 LEADERS ENVIRONMENTAL APPROVAL DOCUMENT (LEAD) PROGRAM

Alberta Environment is piloting an alternative regulatory approval for facilities regulated under EPEA to encourage and reward excellence in environmental performance. Through the LEAD program, facilities that have a sound track record in compliance and emissions performance and who have adopted, or are in the process of adopting, a credible Environmental Management System will be offered a streamlined approval, which may include reduced administrative clauses and increased operational flexibility.

In exchange for these regulatory incentives, facilities must propose and commit to environmental performance goals that are directly linked to reducing the environmental effects from their operations and are a result of meaningful participation by local public and environmental organizations.

1.7 ONLINE ENVIRONMENTAL MONITORING INFORMATION

Continuing education and transparency through access to information expands the level of public awareness of environmental compliance issues, which, in itself is a further incentive to maintaining a high level of compliance by Alberta Environment's approval holders.

Alberta Environment is developing a program to electronically receive information from EPEA approval holders and improve efficiencies within the department in tracking compliance with specific approval conditions or limits. This initiative will also provide self-serve access to environmental quality information by the public through the department's Internet Web site.

Albertans will also soon have access through Alberta Environment's external Web site to water treatment facility inspection information, as well as information about enforcement responses undertaken in connection with non-compliance by an approved water treatment facility. Internet access to current water quality data for water treatment facilities that hold EPEA approvals will help reassure Albertans that the quality of drinking water is under constant scrutiny and is a safe, reliable source of water for domestic use.

In addition, Alberta Environment is in the pilot phase of a project that will allow the electronic transfer and publication of Continuous Emissions Monitoring (C.E.M.) data. The electronic publication of ambient air quality information and Manual Stack Survey reporting are planned for future development. Publication of industrial notifications that are filed in accordance with authorizations issued under EPEA is also being contemplated for future development.

Continuing and expanding educational efforts within both the corporate and the public communities is the primary tool available to the department in achieving its compliance assurance goals. By achieving a high level of understanding about their statutory responsibilities, Alberta Environment's corporate clients are better prepared to undertake initiatives of their own to meet and even exceed the regulatory standards required of them and to foster environmental stewardship within the regulated community.

2.0 PROACTIVE ASSESSMENTS

Alberta Environment establishes targets for the number of proactive, unannounced inspections and audits performed each year. The contact and dialogue achieved through the proactive compliance assessment program fulfills an educational and preventive role by ensuring that regulated parties clearly understand their statutory obligations.

Most non-compliance identified through the proactive assessments are minor in nature, are rectified voluntarily or in co-operation with the department, and have little or no potential for environmental impact. Alberta Environment is confident high rates of compliance will continue to be achieved through clarity and consistency of authorizations and approvals, continued education and continued growth of the department's proactive Compliance Assessment Program.

Compliance assessments focus on specific industry sectors and are selected based on several criteria, including:

- A broad range of regulated activities and operations will be assessed for compliance
- Over the long term, a sample of each regulated community will be assessed
- Targets set for particular activities/operations will be based on environmental and resource management priorities as determined by:
 - a. Risk to the resource or environment associated with a particular activity/operation
 - b. The history of compliance of the regulated parties associated with the activity/operation
 - c. Information on trends and emerging issues determined from strategic analysis
 - d. Established goals for the number and types of assessments to be conducted annually

2.1 ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

During the 2001-2002 fiscal year, Alberta Environment conducted a total of 2,662 inspections and 194 audits of activities regulated under EPEA, including:

Industrial Facilities with Approvals

- 239 compliance assessments (150 inspections and 89 audits) of industrial facilities with approvals. In 2002-2003, 222 inspections, and 179 audits are planned.

Code of Practice Facilities

- 44 compliance assessments (inspections only) were conducted on Code of Practice facilities. In 2002-2003, 59 inspections are projected for Code of Practice facilities.

Municipal Facilities

- 438 compliance assessments (333 inspections, 105 audits) were conducted on municipal facilities. In 2002-2003, 751 compliance assessments (427 inspections, 324 audits) are planned.

Pesticides

- 166 inspections were completed for pesticide applicators, retail outlets, etc. In 2002-2003, 145 inspections are projected.

Solid Waste Management Facilities

- 57 inspections were performed in 2001-2002 on solid waste management facilities. In 2002-2003, 49 inspections are projected.

Conservation & Reclamation

- 1912 compliance assessments were conducted for activities regulated under the Conservation and Reclamation Regulation of EPEA¹.

2.2 WATER ACT

Compliance was assessed where potential contraventions of the *Water Act* were encountered, not by establishing targets for compliance assessments to be performed annually.

The process for establishing the proactive compliance assessment program for this legislative area is under development. Compliance assessments will continue to be conducted primarily on a reactive basis rather than establishing targets for specific activities for the 2002-2003 fiscal year.

¹ Because this aspect of Alberta Environment's business is market-driven, it precludes forecasting. Therefore, the numbers of applications for reclamation certificates, and projections for inspections and reviews are not expressed.



30 ENFORCEMENT STATISTICS

Alberta Environment uses a balance of education, prevention and enforcement to achieve compliance with the legislation administered by the department. Those who do not comply with legislative requirements are held responsible and accountable for the effects of their actions on the environment and our natural resources. Every suspected violation that comes to the attention of Alberta Environment will be assessed and responded to in an appropriate and timely manner.

The majority of enforcement responses initiated under *Environmental Protection and Enhancement Act (EPEA)* and the *Water Act* reflect the reactive side of the department's compliance assurance business. Where non-compliance is encountered, either through mandatory reporting requirements or through some other source of information, all the circumstances of the contravention are evaluated to determine if the responsible party was duly diligent in their efforts to comply with the legislation. If a company or individual did not take reasonable measures to prevent the contravention a Warning Letter, Order, Administrative Penalty or prosecution may result, depending on the circumstances and severity of the offence.

Detailed information on specific enforcement activities undertaken by Alberta Environment can be accessed at www.gov.ab.ca/env/protenf. The legislation administered by Alberta Environment is listed in the appendices included at the end of this report.

3.1 PROSECUTIONS

All legislation enforced by Alberta Environment includes provisions for prosecution.

Summary of Charges Laid

During the 2001-2002 fiscal year, a total of 64 charges were laid under the legislation administered by Alberta Environment, including:

- 27 charges under EPEA (summons)
- 22 charges under EPEA by Summary Conviction (ticket)
- 2 charges under the *Water Act* (summons)
- 6 charges under the *Criminal Code of Canada* (summons)
- 7 charges under the *Dangerous Goods Handling and Transportation Act* (summons)

Charges Concluded

During the 2001-2002 fiscal year, a total of 85 charges for infractions of legislation administered by Alberta Environment were concluded, resulting in fines totalling \$545,070 including:

- 82 charges resulting in 26 convictions for offences under EPEA, and \$493,000 in penalties
- A further \$2,070 in penalties from offences for which tickets were issued
- 2 charges were concluded resulting in 1 conviction (1 count was dismissed) under the *Water Act*, resulting in a penalty of \$10,000
- 1 charge under the *Dangerous Goods Handling and Transportation Act*, resulting in a \$40,000 penalty on conviction

Creative sentencing penalty amounts are included in the monetary penalty totals and reflect the cash-value equivalent of the creative sentence. Alberta Environment supports and promotes the use of creative sentencing to make penalties more meaningful and result in clear benefits for the environment. Under the *Environmental Protection and Enhancement Act*, Creative Sentencing Orders have been an option in Alberta since 1993.

The total expressed for *charges* relates to charges concluded during this reporting period and may include charges laid in previous reporting periods. Some charges laid during this report period may be *pending* and awaiting resolution in the courts at a future point in time. The numbers expressed for *convictions* represents the outcome for charges laid in previous years as well as those charges concluded during the current report period.

3.2 ADMINISTRATIVE PENALTIES

An Administrative Penalty is a monetary penalty assessed in response to an incidence of non-compliance. One Administrative Penalty can address a number of violations by a regulated party.

In 2001-2002, a total of 35 Administrative Penalties were issued under legislation administered by Alberta Environment, including:

- 30 Administrative Penalties issued under EPEA resulting in \$164,500 in penalty assessments
- 5 Administrative Penalties issued under the *Water Act* resulting in penalty assessments of \$16,000

3.3 ORDERS

Orders are used to compel a regulated party to remedy a contravention and, where appropriate, to require actions to prevent future contraventions.

In 2001-2002, a total of 16 Orders were issued under legislation administered by Alberta Environment, including:

- 8 Orders issued under EPEA
 - 5 Enforcement Orders
 - 3 Environmental Protection Orders
- 8 Enforcement Orders under the *Water Act*

3.4 WRITTEN WARNINGS

Written Warnings are used as a deterrent and to create a formal record of an offence. This is an appropriate enforcement tool where the desired outcome is for the recipient of the warning to voluntarily come into compliance after having been made aware of the offence. By creating an opportunity for voluntary compliance, the Written Warning fulfills an educational role by advising the recipient about their statutory obligations. After a Written Warning has been issued and awareness of the requirements of the legislation is established, repeated non-compliance may lead to a more significant enforcement response if the circumstances warrant.

In 2001-2002, a total of 115 Written Warnings were issued under legislation administered by Alberta Environment.

3.5 APPEALS

The *Environmental Protection and Enhancement Act* and the *Water Act* both have provisions for companies or individuals to appeal an Order or Administrative Penalty to the Environmental Appeal Board, an independent body before which the appeals are brought. All prosecutions can be appealed to a higher court.

In 2001-2002, three Appeals of Administrative Penalties were filed. One Notice of Appeal was withdrawn and two appeals resulted in a reduced penalties.

4.0 APPENDICES

TABLE 1 – Enforcement Summary

**TABLE 2 – Compliance Assessments:
Performance Measures**

**ACTS, REGULATIONS AND CODES
OF PRACTICE ADMINISTERED BY
ALBERTA ENVIRONMENT**

GLOSSARY

TABLE 1

Enforcement Summary

LEGISLATION	<i>Charges Laid</i>	<i>Charges Concluded</i>	<i>Convictions</i>	<i>Pending</i>	<i>Penalty Amount</i>	<i>Appeal of Sentence (value in \$)</i>	<i>Creative Sentencing Orders</i>	<i>Written Warnings</i>	<i>Administrative Penalties Assessed</i>	<i>Administrative Penalties Assessed Value (in \$)</i>	<i>Appeal of Administrative Penalties</i>	<i>Orders</i>
EPEA and Regulations												
EPEA	24	30	4	18	350,000	0	2	62	30	164,500	3	8
Summary Conviction (EPEA)	22	22	18	0	2,070	0	n/a	0	0	0	0	0
Waste Control Regulation	3	30	4	3	143,000	0	2	11	0	0	0	0
Ozone Depleting Substances and Halocarbons Regulation	0	0	0	0	0	0	0	2	0	0	0	0
Pesticides Sales, Handling, Use and Applications Regulation	0	0	0	0	0	0	0	1	0	0	0	0
Pesticide (Ministerial) Regulation	0	0	0	0	0	0	0	2	0	0	0	0
Wastewater and Storm Drainage Regulation	0	0	0	0	0	0	0	1	0	0	0	0
Subtotal	49	82	26	21	495,070	0	4	79	30	164,500	3	8
Water Act and Regulations												
<i>Water Act</i>	2	2	1	0	10,000	0	1	36	5	16,000	0	8
Subtotal	2	2	1	0	10,000	0	1	36	5	16,000	0	8
Other Legislation												
<i>Dangerous Goods Transportation and Handling Act</i>	7	1	1	7	40,000	0	1	n/a	n/a	n/a	n/a	n/a
<i>Criminal Code of Canada</i>	6	n/a	n/a	6	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Subtotal	13	1	1	13	40,000	0	1	n/a	n/a	n/a	n/a	n/a
Enforcement Actions Total	64	85	28	34	545,070	0	6	115	35	180,500	3	16
TOTAL MONETARY PENALTIES	\$725,570											

TABLE 2

Compliance Assessments: Performance Measures

Legislation/ Regulated Activities	2001/2002 COMPLIANCE Assessment Targets		2001/2002 COMPLIANCE Assessment Conducted		2002/2003 COMPLIANCE Assessment Targets	
	<i>Inspections</i>	<i>Sampling and Audits</i>	<i>Inspections</i>	<i>Sampling and Audits</i>	<i>Inspections</i>	<i>Sampling and Audits</i>
EPEA						
Industrial Facilities	188	234	150	89	222	179
Code Facilities/Activities	72	n/a	44	n/a	59	n/a
Municipal Facilities (water/wastewater)	316	312	333	105	427	324
Pesticide Activities	176	n/a	166	n/a	145	n/a
Solid Waste Management Facilities	98	n/a	57	n/a	49	n/a
Conservation & Reclamation Activities	*	n/a	1,912	n/a	n/a	**
Totals	850	546	2,662	194	902	503

* Conservation and Reclamation compliance assessments were conducted in response to the applications for a reclamation certificate, and were not targeted.

** An audit function for Conservation and Reclamation activities is under design.

ACTS, REGULATIONS AND CODES OF PRACTICE ADMINISTERED BY ALBERTA ENVIRONMENT

Alberta Environment is responsible for two comprehensive environmental Acts, the *Environmental Protection and Enhancement Act (EPEA)* and the *Water Act*.

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

- Activities Designation Regulation
- Administrative Penalty Regulation
- Approvals and Registrations Procedure Regulation
- Beverage Container Recycling Regulation
- Conservation Easement Registration Regulation
- Conservation and Reclamation Regulation
- Environmental Protection & Enhancement (Miscellaneous) Regulation
- Environmental Assessment (Mandatory and Exempted Activities) Regulation
- Environmental Assessment Regulation
- Lubricating Oil Material Recycling and Management Regulation
- Ozone-Depleting Substances Regulation
- Pesticide (Ministerial) Regulation
- Pesticide Sales, Handling, Use and Application Regulation
- Potable Water Regulation
- Release Reporting Regulation
- Substance Release Regulation
- Tire Recycling and Management Regulation
- Waste Control Regulation
- Wastewater and Storm Drainage Regulation
- Wastewater and Storm Drainage (Ministerial) Regulation
- Code of Practice for Landfills
- Code of Practice for Oil Production Sites
- Code of Practice for Compost Facilities
- Code of Practice for Pesticides
- Code of Practice for Exploration Operations
- Code of Practice for Small Vegetable Processing Plants
- Code of Practice for Small Fish Farms and Fish Processing Plants
- Code of Practice for Tanker Truck Washing Facilities
- Code of Practice for Discharge of Hydrostatic Test Water from Hydrostatic Testing of Petroleum Liquid and Natural Gas Pipelines
- Code of Practice for Asphalt Paving Plants
- Code of Practice for Small Meat Processing Plants
- Code of Practice for Foundries
- Code of Practice for Concrete Producing Plants
- Code of Practice for Compressor and Pumping Stations and Sweet Gas Processing Plants
- Code of Practice for Hydrologic Tracing Analysis Studies

WATER ACT

- Water (Ministerial) Regulation
- Water (Offences and Penalties) Regulation
- Code of Practice for the Temporary Diversion of Water for Hydrostatic Testing of Pipelines
- Code of Practice for Pipelines and Telecommunication Lines Crossing A Water Body
- Code of Practice for Watercourse Crossings

OTHER LEGISLATION

Criminal Code of Canada

Provincial Offences Procedures Act

Dangerous Goods Transportation and Handling Act

All of the Alberta Government Acts and Regulations, including environmental legislation, are available through the Alberta Government Home Page, Queen's Printer Web site at www.gov.ab.ca/qp/.

Legislation regulating forestry, fisheries and wildlife, public lands and provincial parks, which was previously administered by Alberta Environment, now fall under the mandate of Alberta Sustainable Resource Development and Alberta Community Development.

ADMINISTRATIVE PENALTY

An enforcement tool under EPEA and the *Water Act* that is used to correct an inappropriate action, practice or behaviour. As such, Administrative Penalties may be considered an educational tool that is reinforced with a penalty.

APPEAL

Appeal of an administrative enforcement response (Order, Administrative Penalty, etc.) to an independent body or a prosecution to a higher-level court.

AUDIT

A site or field examination to verify that designated methods and procedures for data gathering and/or collection meet all quality assurance and quality control criteria.

CHARGE

“...an accusation of a crime by a formal complaint (includes violation ticket), information or indictment” (Black’s Law Dictionary).

CHARGES CONCLUDED

All charges concluded during 2001/2002 and their outcomes (penalties, convictions), including charges withdrawn, stayed, dismissed or resulting in an acquittal.

CHARGES LAID

All charges laid during 2001/2002, regardless of whether they were concluded.

CHARGES PENDING

All charges laid before and during 2001/2002 that have not been concluded as of March 31, 2002.

COMPLIANCE ASSESSMENT

An activity undertaken to determine whether a regulated party's activity or operation complies with a statute, regulation, authorization or Code of Practice (these include inspections, reviews and audits).

COMPLIANCE ASSESSMENT TARGET

The number of assessments planned for the fiscal year.

COMPLIANCE ASSESSMENTS CONDUCTED

The number of assessment activities (i.e., inspections, reviews or audits) actually undertaken during the fiscal period.

COMPLIANCE

The state of conformity with the law.

CREATIVE SENTENCING

Coupled with a standard fine, creative sentences are imposed in situations where a monetary penalty may be inappropriate because of limited financial resources of the accused. Typically, creative sentences regard the circumstances surrounding the offence and have the following effects:

- Direct the offender to remedy or prevent harm to environment
- Direct the offender to perform community service
- Direct the offender to follow other conditions imposed by the court, with the intent to obtain the offender's good conduct

ENFORCEMENT RESPONSE

An official or legislated reaction to non-compliance by a regulated party. Alberta Environment’s enforcement responses have one or more of the following purposes:

- **Remedy** – to correct non-compliance, to correct the cause of an environmental or natural resource management problem, and to mitigate any damage/losses.
- **Deter** – to generally discourage future violators and/or specifically discourage repeat violations by a specific violator.
- **Punish**

INSPECTION

A site or field evaluation of a regulated activity to verify that specific requirements are being met. A specific check of compliance.

INVESTIGATION

An evidence-gathering activity undertaken to substantiate or dismiss an alleged contravention, which may involve taking statements, securing physical evidence, and carrying out search warrants, arrests and seizures.

ORDER

Used to compel a person to remedy a contravention and, as appropriate, to require actions to prevent future contraventions.

REGULATED COMMUNITY

All persons and entities regulated under legislation for which Alberta Environment is responsible.

REGULATED SECTOR

A specific group or type of regulated party (e.g., the oil and gas sector).

REGULATED PARTY

An individual entity regulated under legislation for which Alberta Environment is responsible.

REVIEW

An assessment of compulsory monitoring reports, registrations, records and other required submissions for compliance with a statute, approval, Code of Practice or regulation.

WRITTEN WARNING

A document used to deter a specific recipient and to create a record of the contravention.



For copies of this report, contact:

Information Center, Alberta Environment, Main Floor
Great West Life Building, 9920 - 108 Street
Edmonton, Alberta, T5K 2M4

T. (780) 944-0313
F. (780) 427-4407
env.infocent@gov.ab.ca

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