



**PROVINCIAL UPDATE ON AUDITOR GENERAL RECOMMENDATIONS:  
Department of Environment**

**Introduction**

The **Department of Environment** has one Auditor General chapter from April 2009 to May 2013 with a total of 17 recommendations. With 18% of these recommendations complete, the Department has made the implementation of the remaining recommendations a priority for the Department. The Department recognizes the importance of the work of the Auditor General and values its policy advice as one more contributing factor to a more efficient and effective public sector.

**Recommendations by Chapter:**

Month & Year	Chapter	Chapter Title	Complete	Work In Progress	Action No Longer Required	Do Not Intend To Implement	Total Recommendations
Jun-10	Chapter 3	Environment: Management of Contaminated Sites	3	14	-	-	17
<b>Total</b>			<b>3</b>	<b>14</b>	<b>-</b>	<b>-</b>	<b>17</b>
<b>Percentage</b>			<b>18%</b>	<b>82%</b>			<b>100%</b>

**Brief Summary of Recommendations:**

Month & Year	Chapter & (Rec. #)	Status	Brief Summary of Status
Jun-10	Chapter 3 (1)	Work in Progress	Contaminated Sites Regulations have been approved and will be effective July 6, 2013. NS Environment is ensuring that an effective regulatory regime will be in place to require that sites that are known to be or likely to be contaminated are appropriately assessed and the risks appropriately addressed. Responsibility for taking action to clean up a site rests with site owners or responsible persons. NSE's role is to ensure the regulatory process is followed. Steps in the process include: notification to NSE; Assessment; remediation; closure.  The new regulations provide a clear process for cleaning up contaminated sites, and will act as a catalyst for more sites getting addressed. However, long standing industrial sites will continue to be a challenge due to the resources required to address the issue or the absence of a responsible person.
Jun-10	Chapter 3 (2)	Work in Progress	Effective July 6, 2013, the Contaminated Sites Regulations require persons responsible to notify NS Environment of contamination and identify the type and extent of the contaminants found, and remedial plan required for resolution.  We expect that most sites can be managed within the new regulations and program administered by NS Environment. If there are unacceptable risks that can't be managed by the program, the department will report this to Cabinet along with possible solutions.



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Jun-10	Chapter 3 (3)	Work in Progress	Time frames will be implemented to track and ensure site actions and reports meet regulatory timeframe requirements.
Jun-10	Chapter 3 (4)	Work in Progress	To ensure effective management of contaminated sites, the regulations and program will rely on newly established professional qualifications for those evaluating and managing contaminated sites. The department will not conduct reviews of all contaminated sites. To manage risk, NSE is currently developing a process that will determine what files are reviewed, the level of review, and the timeline for completion. The process will begin implementation in July 2013.
Jun-10	Chapter 3 (5)	Work in Progress	The new regulation requires that all sites be reported and addressed regardless of risk. Additionally, NSE is developing a process where the level of review will be aligned with risk, as well as departmental resources.
Jun-10	Chapter 3 (6)	Work in Progress	A review process is being developed. Periodic site visits may be a component of this review process. NSE will not visit all sites.
Jun-10	Chapter 3 (7)	Work in Progress	The Department is accomplishing this by specifically identifying qualifications for site professionals in the Contaminated Sites Regulations. The regulations require that a site professional be a Professional Engineer or a Professional Geoscientist. Both of these professions are regulated by a licensing body (Engineers Nova Scotia and Geoscientists Nova Scotia) who have stringent membership standards in order to be licensed. NSE will not check credentials.
Jun-10	Chapter 3 (8)	Work in Progress	Standardized processes and forms are being developed to support the Contaminated Sites Regulations.
Jun-10	Chapter 3 (9)	Complete	Divisional Operating Procedures on Compliance Promotion and Enforcement were developed which include consultation with the Compliance and Inspection Coordinator and District Manager. In addition, the Activities Tracking System sends notification through the compliance process. This includes all directives, warnings, summary offence tickets, Ministerial Orders and long form processes. This allows for the CIC to monitor key stages of compliance activities.
Jun-10	Chapter 3 (10)	Work in Progress	NSE is developing a process that will determine which files are reviewed and in what timeframe. It will also identify the appropriate level of documentation and level of review. Reviews will be carried out by staff with technical knowledge. Management's role will be to ensure the review process is followed.
Jun-10	Chapter 3 (11)	Work in Progress	NSE is developing a process that will determine which files are reviewed and in what timeframe. It will also identify the appropriate level of documentation and level of review. Reviews will be carried out by staff with technical knowledge. Management's role will be to ensure the review process is followed.
Jun-10	Chapter 3(12)	Work in Progress	Information related to complaints and notification files will be tracked in the file management process.

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Jun-10	Chapter 3 (13)	Work in Progress	NSE is currently developing a plan for evaluating the program.
Jun-10	Chapter 3 (14)	Complete	The Department has developed and implemented the Development and Accountability Model and associated training programs, including training and supervision for new inspectors. Training specific to contaminated sites has been provided to staff. Additionally, an updated training program will be delivered as part of the launch of the new program. As part of the program, NSE's role is to ensure that site owners are taking the appropriate steps to follow the regulations, and manage the risk associated with their site. NSE staff do not directly monitor sites but instead make sure there is an acceptable plan in place.
Jun-10	Chapter 3 (15)	Complete	The Department had developed and implemented the Development and Accountability Model and associated training programs. Training specific to contaminated sites has been provided to staff. Additionally, an updated training program will be delivered as part of the launch of the new program.
Jun-10	Chapter 3 (16)	Work in Progress	The objectives of the program were outlined with the release of the regulations in 2012, and communicated directly to key stakeholders. Additionally, supporting documentation for the Contaminated Sites Regulations is being developed which will include objectives of the program as well as a performance measurement and evaluation component with established outcome measures and reporting.
Jun-10	Chapter 3 (17)	Work in Progress	A contaminated sites inventory system (CSIS) will be developed as a component of the contaminated sites management system. Starting July 6, sites that are reported to NSE will be added to an inventory. Due to resource considerations, there are not currently plans to review files to add old sites to the inventory.