



# COMPLIANCE ASSESSMENT & ENFORCEMENT INITIATIVES

ANNUAL REPORT APRIL 1, 2002 – MARCH 31, 2003

#### **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 2002-2003 fiscal year and assembling projections for these activities for the coming year is gratefully acknowledged.

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## EXECUTIVE SUMMARY

**Alberta Environment is committed to measuring and reporting on the effectiveness of its compliance assurance programs and activities. This report presents the compliance assessment and enforcement activities of Alberta Environment for the 2002-2003 fiscal year.**

Some of the highlights include: Alberta Environment's toll-free, 24-hour emergency hotline handled 13,551 calls about possible environmental concerns or infractions, over 30 per cent of which came after hours.

The department also conducted three education and inspection programs focusing on a specific industry or geographic area. Operation HazVac educated and inspected businesses in Alberta's vacuum truck industry, Operation Northwind targeted businesses in northeast Edmonton, and Operation Chinook focused on businesses in the Pincher Creek/Crowsnest Pass area west of Lethbridge.

In addition, Alberta Environment provided assistance to the Orphan Well Association by identifying which well sites were orphans, expanded the upstream oil and gas reclamation and remediation process to include contamination, developed the framework for electronic reporting for compulsory incident reports and partnered with the City of Calgary Fire Department on a mobile air monitoring unit for major incidents, which already saw work during the forest fires in the Crowsnest Pass and southern British Columbia.

A total of 1,491 proactive compliance assessments were carried out by department staff, including 965 unannounced site or field inspections and 526 unannounced audits/sample events to verify that methods and procedures met 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, 129 charges were laid for offenses under the legislation administered by Alberta Environment during 2002-2003. Charges concluded during this period resulted in total fines of just over \$131,000. The department assessed an additional \$103,500 for 25 Administrative Penalties for less serious regulatory offenses. The department also issued 78 Orders and 94 Written Warnings to compel parties to meet regulatory standards.

The information included in this report reflects the mandate of Alberta Environment in its administration of the *Environmental Protection and Enhancement Act* and the *Water Act*.



# INTRODUCTION

**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 (EPEA) and the Water Act. This goal is pursued through education of both the regulated community, which holds authorizations under EPEA or the Water Act, and individuals or companies whose activities do not require a mandatory authorization from Alberta Environment.**

This is Alberta Environment's fifth 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 or exceeding 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 corrected voluntarily. The compliance of non-authorized facilities is described in the Compliance Initiatives section. These checks fall outside the scope of the "routine" compliance checks of approval holders.

Alberta Environment continues to annually plan proactive, unannounced inspections and audits/sample events 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, 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.**

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.

## 1.0 COMPLIANCE INITIATIVES

### 1.1 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 possible environmental infractions. Between April 1, 2002 and March 31, 2003 the hotline handled 13,551 calls, including 3,659 public complaints and 6,640 calls from Alberta industry. Over 30 per cent of calls were taken after routine working hours by on-call staff in both Edmonton and Calgary.

### 1.2 EDUCATION & INSPECTION PROGRAMS

In addition to routine unannounced inspections, Alberta Environment conducts several annual education and inspection programs, or sweeps, that focus on a 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 programs have 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 issues such 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 businesses 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 cooperatively if this is an appropriate option
- Overt acts of non-compliance can be addressed using a variety of enforcement tools

#### *Operation HazVac*

Inspectors from Alberta Environment conducted unannounced inspections of over 170 vacuum trucks to ensure that the businesses were complying with provincial legislation.

Feedback received from the vacuum truck industry since the sweep has indicated their willingness to shift business operations to ensure compliance with provincial legislation. Extensive follow-up will help ensure compliance in a number of areas.

### *Operation Northwind*

Operation Northwind was an inspection sweep of the businesses in the Mistatim Industrial Park in northwest Edmonton. The focus of the program was to identify facilities with air emission sources and hazardous wastes/recyclables storage, and correct environmental non-compliance where identified.

Alberta Environment inspected 117 facilities and issued 37 notices of non-compliance (31%). Of these 37 companies, two cases were passed on for further enforcement action. The referred files have subsequently been cleaned up and no remaining enforcement action will be taken.

Alberta Environment identified approximately 18 air sources in the area mainly emitting sawdust, paint fumes and combustion gases. Of these 18, two were found to be operating improperly. One of these facilities is still under investigation.

### *Operation Chinook*

In Operation Chinook, Alberta Environment provided information packages to assist small businesses with hazardous waste issues and promote better awareness about proper waste storage. This was followed up with unannounced inspections to ensure that the businesses made any necessary upgrades that were required.

Inspectors from Alberta Environment visited 67 businesses in the Pincher Creek and Crowsnest Pass area west of Lethbridge, and issued notices to 22 companies for infractions ranging from no secondary containment for hazardous wastes to improper security. No significant non-compliance was identified during Operation Chinook.

Additional follow up was done with all non-compliant businesses to ensure that recommended improvements were carried out and proper waste management practices were put in place.

## 1.0 COMPLIANCE INITIATIVES

### 1.3 OILFIELD WASTE SURVEY

One hundred and forty two landfills were inspected to determine if they were accepting oilfield wastes. Only an approved landfill may accept oilfield waste. Any liquid oilfield waste is prohibited for landfill disposal. Oilfield waste is normally disposed of at Alberta Energy and Utilities Board approved facilities.

Of the total volume of oilfield waste generated each year, only a small fraction is being disposed of in the 36 Class II landfills approved to accept oilfield wastes. Of 106 registered Class II landfills, none were found to be accepting oilfield wastes.

### 1.4 ORPHAN WELL ASSOCIATION

The Orphan Well Fund is a joint industry-government initiative funded by the oil and gas industry through an annual levy to remediate or reclaim orphaned well sites. The Orphan Well Association administers the Orphan Well Fund.

Alberta Environment provided assistance to the Orphan Well Association by confirming which sites were orphans. In 2002-2003, Alberta Environment issued 70 Environmental Protection Orders to these orphan wells and sites. Once these orders lapsed into non-compliance, it allowed the Orphan Well Association the legal ability to start doing reclamation and remediation work.

### 1.5 CHANGES TO THE UPSTREAM OIL AND GAS RECLAMATION AND REMEDIATION PROGRAM

Alberta Environment is changing the delivery of the reclamation and remediation program for upstream oil and gas facilities. The changes will streamline regulatory processes while maintaining environmental protection.

Stakeholders have been consulted throughout this process. The general thrust of the stakeholder input was that government should develop a clear, understandable process for industry to follow, and should have some role in ensuring that the process is being followed properly.

In consultation with regional offices, the fundamental aspects of the program – the administrative, audit, and complaint follow-up processes – were designed in anticipation of implementing the new land reclamation program during fiscal 2003-2004.

## **1.6 ELECTRONIC REPORTING FOR COMPULSORY INCIDENT REPORTS**

Electronic reporting of compulsory incident reports will streamline the processing and management of data records and the efficiency of communication between the regulated parties and Alberta Environment.

The electronic reporting will be for substance releases and any number of things required in an operating approval (e.g. groundwater monitoring, effluent sampling, etc.).

The reporting framework and internal IT modifications have been finalized this past year in anticipation of a limited roll-out to select partners for an initial trial phase.

## **1.7 AIR MONITORING VEHICLES**

Alberta Environment, in partnership with the City of Calgary Fire Department, put into service an Air Monitoring Vehicle to monitor air quality at major incidents and help protect the health and safety of emergency personnel, Calgarians and citizens in surrounding areas. The vehicle houses the latest in high-tech air monitoring equipment. Staff from Alberta Environment and the Fire Department will be able to provide southern Alberta with vital air quality information during major emergencies.

Similar vehicles are being designed by Alberta Environment in partnership with the City of Edmonton and the County of Strathcona.

Alberta Environment operates a Mobile Air Monitoring Laboratory to monitor and sample the air at any location around Alberta.



## 2.0 PROACTIVE ASSESSMENTS

**Alberta Environment establishes targets for the number of proactive, unannounced inspections and audits/sample events 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 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 the following:
  - 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

## 2.0 PROACTIVE ASSESSMENTS

### 2.1 ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

During the 2002-2003 fiscal year, Alberta Environment conducted a total of 965 inspections and 526 audits/sample events of activities regulated under EPEA, including:

#### Industrial Facilities with Approvals

- Environment completed 315 compliance assessments (147 inspections and 168 audits/sample events). In 2003-2004, 160 inspections and 68 audits/sample events are planned.

#### Code of Practice Facilities

- 38 compliance assessments (inspections only) were conducted, and in 2003-2004, 64 inspections are projected for Code of Practice facilities.

#### Municipal Facilities

- 801 compliance assessments (443 inspections, 358 audits/sample events) were conducted. In 2003-2004, 541 compliance assessments (430 inspections, 111 audits/sample events) are planned.

#### Pesticides

- 104 inspections were completed for pesticide applicators, retail outlets, etc. (160 inspections are projected for 2003-2004).

#### Solid Waste Management Facilities

- 108 inspections were performed in 2002-2003 (39 inspections are projected for 2003-2004).

#### Conservation & Reclamation

- 125 proactive inspections were conducted for gravel pits and mines regulated under the Conservation and Reclamation Regulation of EPEA (100 inspections for gravel pits and mines are projected for 2003-2004)
- a sample/audit function for conservation and reclamation activities for wellsites is being designed.

### 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 being developed. An operational guide for *Water Act* inspections is being completed for use next year. Compliance assessments will continue to be conducted primarily on a reactive basis rather than by establishing targets for specific activities for the 2003-2004 fiscal year.

## 3.0 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. Every suspected violation that comes to the attention of Alberta Environment is assessed and responded to in an appropriate and timely manner.**

The majority of enforcement responses initiated under EPEA 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 offense.

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

## 3.0 ENFORCEMENT STATISTICS

### 3.1 PROSECUTIONS

#### *Summary of Charges Laid*

All legislation enforced by Alberta Environment includes provisions for prosecution.

During the 2002-2003 fiscal year, a total of 129 charges were laid under the legislation administered by Alberta Environment, or in connection with investigations led by Alberta Environment, including:

- 106 charges under EPEA (summons)
- 14 charges under EPEA by Summary Conviction (ticket)
- 8 charges under the *Criminal Code of Canada* (summons)
- 1 charge under the *Fisheries Act* (summons)

#### *Charges Concluded*

During the 2002-2003 fiscal year, a total of 104 charges for infractions of legislation administered by Alberta Environment were concluded, resulting in fines totalling \$131,995 including:

- 98 charges resulting in 20 convictions for offenses under EPEA, and \$130,500 in penalties
- A further \$1,495 in penalties from offenses for which tickets were issued

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.

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.

### 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 2002-2003, a total of 25 Administrative Penalties were issued under legislation administered by Alberta Environment, including:

- 24 Administrative Penalties issued under EPEA resulting in \$101,000 in penalty assessments
- 1 Administrative Penalty issued under the *Water Act* resulting in a penalty assessment of \$2,500

### 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 2002-2003, a total of 78 Orders were issued under legislation administered by Alberta Environment, including:

- 73 Orders issued under EPEA<sup>1</sup>
  - 2 Enforcement Orders
  - 71 Environmental Protection Orders (70 issued to Orphan Well Sites)
- 5 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 offense. 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 offense. 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 2002-2003, a total of 94 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. All prosecutions can be appealed to a higher court.

In 2002-2003, two appeals of Enforcement Orders were filed. One of the appeals is awaiting further direction from the Environmental Appeal Board regarding the actual hearing of the issues. A Ministerial Order was issued on the other appeal confirming the Order subject to provisions that incorporate some date changes.

No appeals of Administrative Penalties or Environmental Protection Orders were filed.

<sup>1</sup> Orders issued under EPEA are presented in Table 1 - Enforcement Summary.



# 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	Charges Laid	Charges Concluded	Convictions	Pending	Penalty Amount (value in \$)	Appeal of Sentence	Creative Sentencing Orders	Written Warnings	Administrative Penalties Assessed	Administrative Penalties Assessed Value (in \$)	Appeal of Administrative Penalties Orders	
<b>EPEA and Regulations</b>												
EPEA	32	23	5	23	54,500	0	2	46	22	99,000	0	73
Summary Conviction (EPEA)	14	14	13	2	1,495	0	n/a	0	0	0	0	0
Activities Designation Regulation	0	0	0	0	0	0	0	1	0	0	0	0
Beverage Container Recycling Regulation	0	0	0	0	0	0	0	1	0	0	0	0
Pesticides Sales, Handling, Use and Applications Regulation	6	3	1	6	1,000	0	0	0	1	1,000	0	0
Pesticide (Ministerial) Regulation	0	0	0	0	0	0	0	4	1	1,000	0	0
Potable Water Regulation	0	0	0	0	0	0	0	1	0	0	0	0
Waste Control Regulation	68	58	1	20	75,000	2	1	22	0	0	0	0
<b>Subtotal</b>	<b>120</b>	<b>98</b>	<b>20</b>	<b>51</b>	<b>131,995</b>	<b>2</b>	<b>3</b>	<b>75</b>	<b>24</b>	<b>101,000</b>	<b>0</b>	<b>73</b>
<b>Water Act and Regulations</b>												
Water Act	0	0	0	0	0	0	0	18	1	2,500	0	5
Water Ministerial Regulation	0	0	0	0	0	0	0	1	0	0	0	0
<b>Subtotal</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>19</b>	<b>1</b>	<b>2,500</b>	<b>0</b>	<b>5</b>
<b>Other Legislation</b>												
Dangerous Goods Transportation and Handling Act	0	6	0	0	0	0	0	n/a	n/a	n/a	n/a	n/a
Criminal Code of Canada	8	n/a	n/a	8	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Fisheries Act	1	n/a	n/a	1	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>Subtotal</b>	<b>9</b>	<b>6</b>	<b>0</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>
<b>Enforcement Actions Total</b>	<b>129</b>	<b>104</b>	<b>20</b>	<b>60</b>	<b>131,995</b>	<b>2</b>	<b>3</b>	<b>94</b>	<b>25</b>	<b>103,500</b>	<b>0</b>	<b>78</b>
<b>TOTAL MONETARY PENALTIES</b>	<b>\$235,495</b>											

**TABLE 2**

**COMPLIANCE ASSESSMENTS: PERFORMANCE MEASURES**

Legislation/ Regulated Activities	2002/2003 COMPLIANCE Assessment Targets		2002/2003 COMPLIANCE Assessment Conducted		2003/2004 COMPLIANCE Assessment Targets	
	<i>Inspections</i>	<i>Audits/ Sample Events</i>	<i>Inspections</i>	<i>Audits/ Sample Events</i>	<i>Inspections</i>	<i>Audits/ Sample Events</i>
<b>EPEA</b>						
Industrial Facilities	222	179	147	168	160	68
Code Facilities/Activities	59	-	38	-	64	-
Municipal Facilities (water/wastewater)	427	324	443	358	430	111
Pesticide Activities	145	-	104	-	160	-
Solid Waste Management Facilities	49	-	108	-	39	-
Conservation & Reclamation Activities	105*	**	125*	**	100*	**
<b>Totals</b>	<b>1007</b>	<b>503</b>	<b>965</b>	<b>526</b>	<b>853</b>	<b>179</b>

\* Gravel pits and mines.

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

***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 (Offenses 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 Offenses Procedures Act*  
*Dangerous Goods Transportation and Handling Act*  
*Fisheries 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/](http://www.gov.ab.ca/qp/)**

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

## GLOSSARY

### **Administrative Penalty**

An enforcement tool under *Environmental Protection and Enhancement Act* 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 of 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/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 the fiscal year and their outcomes (penalties, convictions), including charges withdrawn, stayed, dismissed or resulting in an acquittal.

### **Charges Laid**

All charges laid during the fiscal year, regardless of whether they were concluded.

### **Charges Pending**

All charges laid before and during the fiscal year that have not been concluded as of March 31 of the fiscal year.

### **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/sample events).

### **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/sample events) actually undertaken during the fiscal period.

### **Compliance**

The state of conformity with the law.

### **Creative Sentencing**

Creative sentencing orders are a form of penalty that may be issued by the sentencing court after a conviction. They are typically imposed along with a fine and do not diminish the total value of the overall penalty imposed. They are intended to secure the offender’s good conduct in a way that has a public benefit by having the offender undertake or direct money toward activities that are tied to the root cause or harm arising from the offense in question. Creative sentencing orders may direct the offender to fund specific research projects, undertake or fund identified education programs, or improve industry standards, among other things.

## GLOSSARY

**Enforcement Response**

An official or legislated reaction to non-compliance by a regulated party. Alberta Environment's enforcement responses are designed to either remedy, deter or 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**

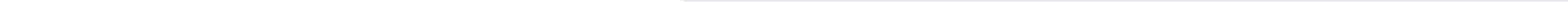
An individual entity regulated under legislation for which Alberta Environment is responsible.

**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:**

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