

A COMMITMENT TO OPENNESS AND ACCOUNTABILITY

A change in how Alberta Environment discloses information

Alberta Environment, through a recent regulatory change, is making a wide range of information and records available on a routine basis, without the need for a formal request under the *Freedom of Information and Protection of Privacy Act*.

Current requirements

Currently, the *Environmental Protection and Enhancement Act* identifies types of information and records that **must** be disclosed to the public. These include:

- Environmental Impact Assessment reports;
- Information submitted as part of an application;
- Environmental and emissions monitoring data (and processing information needed to interpret the data) provided by an approval holder;
- Any reports or studies provided under the terms and conditions of an approval;
- Statements of concern;
- Notices of appeal;
- Approvals, licenses and certificates;
- Enforcement orders and
- Environmental protection orders.

In addition, Alberta Environment routinely makes available other types of information and records (such as compiled statistical information and documents concerning enforcement responses against individuals or companies).

What is changing

Effective April 1, 2005, Alberta Environment will routinely make available the following **additional** types of information and records that relate to the *Environmental Protection and Enhancement Act*:

- written Warnings;
- a Notice of an Administrative Penalty;
- specified penalty violation Tickets issued under the Provincial Procedures and Offences Act, for an offence of the Environmental Protection and Enhancement Act;
- Inquiry Reports prepared under the Conservation and Reclamation Regulation [AR 115/93];
- records intended as Statements of Concern;
- directions of an Inspector or a Director;
- Notice of Decision of a Director;
- decisions of a Director provided to an applicant, approval holder, registration holder, licensee, preliminary certificate holder or Statement of Concerns filers;
- any information or records submitted to the Department pursuant to Part 5 (Release of Substances) of the Environmental Protection and Enhancement Act,
- reports and records required under a Code of Practice that are to be prepared or maintained and that are to be submitted to the Department or to be made available to the Department for inspection upon the request of the Department;
- scientific and/or technical information, studies, reports, records submitted to the Department pursuant to Part 5 of the Environmental Protection and Enhancement Act relating to the environmental condition of a site, including tests and assessments, relating to the delineation or remediation of such sites, or any correspondence between the submitter and the Department pertaining to such information or records;
- names and addresses of persons consigning, transporting or accepting hazardous waste, the total quantity, or quantity per class, of hazardous waste consigned, transported or received by the facility or person, but not including information linking generators to carriers or receivers of hazardous waste, or information on individual waste stream names, composition and quantity;
- information or records submitted to the Department that relate to an application under the Environmental Protection and Enhancement Act, or its regulations, excluding an application for a reclamation certificate;
- any correspondence from the Department to the applicant relating to the submitted information or records, excluding correspondence relating to an application for a reclamation certificate;

- information or records submitted to the Department in accordance with a regulation under the Environmental Protection and Enhancement Act, an approval, authorization, notice or direction, and any correspondence from the Department to the submitter relating to the submitted information or records, excluding information or records submitted to the Department and correspondence from the Department relating to the submitted information or records that relate to an application for a reclamation certificate.

How can this information be accessed?

1. Scientific/technical type information relating to the environmental condition of a site can be requested from the FRIM Branch, (FOIP, Records & Information Management Branch) ([Request Form available to download](#)).
2. Regional offices of Alberta Environment will continue to give out all other routinely available information.
3. If information is available for purchase elsewhere, you may be directed to that source.
4. A person requesting information or records pertaining to records submitted as an application or as required through an approval must *first* ask the appropriate person responsible for the information or record (usually the individual or company who submitted the information to Alberta Environment).
 - If the requestor cannot obtain the information from the appropriate person within 30 days, the information can be requested from Alberta Environment.
5. Alberta Environment may recover costs associated with providing the information for the requestor.

Although some of these categories of information or records were released in the past, this was done without any formal designation as public records. Other information or records needed a formal request under the *Freedom of Information and Protection of Privacy Act* to secure their release.

The new regulation will apply regardless of when the information or records were submitted to the department.

By stating through regulation that this information is now publicly available, Alberta Environment is increasing the openness and transparency of its work in protecting and managing Alberta's environment.