

## Chapter 23

### Environment—Regulating Air Emissions

#### 1.0 MAIN POINTS

This chapter reports the results of our fifth follow-up of the three outstanding recommendations we made to the Ministry of Environment (Ministry) related to regulating air emissions. By November 15, 2015, the Ministry had addressed all three recommendations.

*The Environmental Management and Protection Act, 2010*, which came into effect on June 1, 2015, created a new regulatory framework (Environmental Code) for air emissions in Saskatchewan. After December 31, 2019, the Ministry will not use permits to regulate air emissions of industrial sites; rather, the Environmental Code requires industrial sites to submit environmental protection plans and obtain the Ministry's approval. The Ministry plans to continue conducting environmental compliance monitoring.

#### 2.0 INTRODUCTION

Our *2004 Report – Volume 1*, Chapter 10 concluded that the Ministry did not have adequate processes to regulate air emissions. We made seven recommendations. Since 2004, we have completed four follow-ups to assess the Ministry's progress towards addressing those recommendations. As reported in our *2013 Report – Volume 1*, Chapter 21 (our last follow-up), by September 30, 2012, the Ministry had implemented five of the seven recommendations. In that Report, we also noted the Ministry had moved forward with new permitting processes prior to new legislation being in effect. As a result, we recommended the Ministry issue permits in compliance with current legislation.

To conduct this review engagement, we followed the standards for assurance engagements published in the *CPA Canada Handbook – Assurance*. To evaluate the Ministry's progress towards meeting our recommendations, we used the relevant criteria from the 2004 audit. The Ministry's management agreed with the criteria in the 2004 audit. To do our follow-up, we discussed progress with management and reviewed supporting documentation.

#### 3.0 STATUS OF RECOMMENDATIONS

This section sets out each recommendation, including the date on which the Standing Committee on Public Accounts agreed to the recommendation, the status of each recommendation, and the Ministry's actions up to November 15, 2015. We found that the Ministry had implemented all three outstanding recommendations.



### 3.1 Permits in Compliance with Legislation

We recommended that the Ministry of Environment issue permits [to asphalt plant operators] in compliance with current legislation (*The Clean Air Act*) until such a time as the legislation is amended. (2013 Report – Volume 1; Public Accounts Committee agreement April 30, 2014)

**Status** – Implemented

A Minister Order was issued under *The Clean Air Act* June 4, 2014; the Ministry no longer issues permits to asphalt plants.

### 3.2 Permits Properly Approved and Current

We recommended that the Ministry of Environment establish processes to ensure permits to regulate air emissions are properly approved and expired permits are followed up on promptly. (2004 Report – Volume 1; Public Accounts Committee agreement December 1, 2004)

**Status** – Implemented

*The Clean Air Act* was repealed when *The Environmental Management and Protection Act, 2010* (Act) came into effect on June 1, 2015. The Act created a new regulatory framework referred to as the *Saskatchewan Environmental Code* (Environmental Code). The Environmental Code contained 16 chapters, including chapters on Industrial Source (Air Quality) and Halocarbon Control.

The chapters related to air quality outline regulatory requirements for air emissions in Saskatchewan. For example, industrial operators are required to submit environmental protection plans and obtain the Ministry's approval by December 31, 2019; the Ministry will not require permits after December 31, 2019.

The Act extended the term of all existing permits for regulated industrial operators to January 1, 2020.<sup>1</sup> As of November 15, 2015, the Ministry continued to permit approximately 110 industrial sites for air quality under the Environmental Code. The Ministry used a computerized spreadsheet to track industrial sites permitted.

<sup>1</sup> Section 103(2) of *The Environmental Management and Protection Act, 2010*.

### 3.3 Guidance Established for Monitoring Compliance

We recommended that the Ministry of Environment set sound and consistent processes for monitoring compliance with permits to regulate air emissions and for handling air emission complaints. (2004 Report – Volume 1; Public Accounts Committee agreement December 1, 2004)

**Status** – Implemented

The Ministry finalized the *Environmental Protection Branch Field Inspection Process Manual*; management approved it in February 2014. The Manual adequately outlined environmental compliance inspections processes (e.g., the inspection process, required arrangements for inspections, facilities to inspect) Environmental Protection Officers are to follow.

