



# Contaminated Sites – Department of Environment and Local Government

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## Why Is This Important?

- Contaminated sites represent a significant risk to human health and the environment
- Ineffective administration of the contaminated sites management process risks contamination spreading and increased remediation costs to the public and government
- The Province of New Brunswick recorded a liability of \$50.8 million in fiscal 2021-2022 for contaminated sites

## Overall Conclusions

- The Department does not ensure timely remediation of contaminated sites;
- The Department's lack of performance monitoring hinders its ability to identify deficiencies and improve their processes; and
- The Department has a backlog of over 1,000 contaminated site files spanning over 35 years

## What We Found

### Legislative Authority Not Clearly Defined

- Contaminated sites management process is not referenced in the *Clean Environment Act* or its regulations
- New Brunswick is the only jurisdiction in Atlantic Canada with no reference to its contaminated sites remediation program in legislation or regulation
- No contaminated sites information is available to the public on the Department's website

### Program Execution Gaps

- Department does not establish and enforce remediation timelines
- Department does not ensure all steps required in the remediation standard operating procedures are followed
- Department does not follow up on contaminated site files if the Site Professional does not submit a report
- Over 75% of currently open contaminated site files have remained open 10 years or longer

### Other Findings

- Department lacks program to address orphan contaminated sites
- Province may have a potential liability for orphan sites that will increase the longer remediation is delayed
- No government entity is responsible for coordinating the remediation of government-owned contaminated sites

### Lack of Performance Monitoring and Reporting

- Department is non-compliant with *Accountability and Continuous Improvement Act* for aspects of annual planning and annual reporting
- Department does not set performance targets for the contaminated sites management process nor the occurrence process
- Lack of public reporting on the performance of the contaminated sites management process