



# Minutes

## **Enforcement/Role of Regulation Task Group, Meeting #2**

Date: September 11, 2014  
 Time: 10am – 3:30pm  
 Place: CASA office, 10035 108 Street, 10<sup>th</sup> floor, Edmonton

### **In attendance:**

<b>Name</b>	<b>Stakeholder group</b>
Debra Mooney (until 1:45pm)	Alberta Health
Tanya Moskal-Hébert	Alberta Agriculture and Rural Development
Imtiyaz Moulvi (at 10:45am)	CAPP (Devon Canada)
Richard Sharkey	Alberta Environment and Sustainable Resource Development
David Spink	Prairie Acid Rain Coalition
Celeste Dempster	CASA

### **Action Items:**

<b>Action Items</b>	<b>Who</b>	<b>Due</b>
1.2 Members will read the meeting #1 reading list.	All	Ongoing.
1.4: Richard and Kim will locate standard and unique language related to odour used in approvals and codes of practices for the last 5 years.	Richard, Kim	ASAP.
1.5: Richard will prepare a list of recent environmental protection orders issued under EPEA related to odour.	Richard	ASAP.
2.1: Debra will investigate wording used in Executive Officer Orders related to odours.	Debra	ASAP.
2.2: Celeste will email the OMT with the successful RFP bid candidate and provide one week for the OMT to comment on the selection.	Celeste	ASAP.
2.3: Once the OMT has had the opportunity to comment on the successful candidate, Celeste will notify the consultant on September 19, 2014.	Celeste	September 19, 2014.
2.4: Celeste will arrange a 2 hour kick-off meeting in Calgary with the consultant.	Celeste	Post-Action Item 2.3.

## **1. Administrative Items**

Richard chaired the meeting which began at 10:10am. Participants introduced themselves and were welcomed to the meeting. Quorum was achieved.

The agenda and meeting objectives were approved.

The minutes from meeting #1 were reviewed and approved. The action items from meeting #1 were updated as follows:

<b>Action Items</b>	<b>Who</b>	<b>Status</b>
1.1: Celeste will post the meeting #1 reading list to the login page.	Celeste	Complete.
1.2 Members will read the meeting #1 reading list.	All	Ongoing.
1.3: Celeste will follow up with ESRD regarding their request for the task group to assist with the implementation of the AER Peace River Panel recommendation.	Celeste	Complete.
1.4: Richard and Kim will locate standard and unique language related to odour used in approvals and codes of practices for the last 5 years.	Richard, Kim	Carry forward.
1.5: Richard will prepare a list of recent environmental protection orders issued under EPEA related to odour.	Richard	Carry forward.
1.6: Celeste will send out the OMT's brainstorm regarding odour sources in Alberta.	Celeste	Complete.
1.7: Celeste will prepare an updated RFP and send to the group for review.	Celeste, all	Complete.
1.8: Celeste will poll for meeting #2 in late August/early September.	Celeste	Complete.

**Additional Information:**

Action Item 1.3: Celeste updated ESRD on the task group's discussion regarding ESRD's request for assistance. ESRD felt that most of the information that they have requested will be fulfilled through the work of the task group. They also suggested that the task group include BC and international jurisdictions in the cross-jurisdictional review. The task group will continue to provide updates to ESRD on their work.

Action Item 1.4/1.5: These items are almost complete and the wording will be provided to the consultant to be included in the initial review. The ask group also noted that the NRCB may have some wording in their approvals, although this is unlikely.

***Action Item 2.1: Debra will investigate wording used in Executive Officer Orders related to odours.***

## **2. CASA Update**

Celeste provided an update on the Odour Management Team (OMT):

- The team met on August 28<sup>th</sup> where they heard an update on the odour assessment report being developed. They also continued discussions on Education/Communication/Awareness work as well as the steps required to assemble the Good Practice Guide.
- The OMT noted that task groups should continue to aim to complete their work by the end of 2014 but thought it likely that the Prevention/Mitigation and Enforcement/Role of Regulation Task Groups would not be ready to submit their final reports until early 2015.

Celeste also provided an update on the work of the task groups:

Health Task Group:

- The task group is focused on two pieces of work:
  - Stream 1 - A backgrounder about odour and health:
    - The task group is currently reviewing the latest draft.
  - Stream 2 - Tool(s) for individuals to track the health-related impacts of odour
    - The task group has developed a prototype and it will be reviewed for ease of use.
- The task group will meet next on October 3rd.

#### Odour Assessment Task Group:

- The task group is working with a consultant to prepare an inventory and analysis of odour assessment tools. Consultants provided an overview of the draft report to the Odour Management Team on August 28<sup>th</sup> and the task group will meet to review the next draft of the report on October 1<sup>st</sup>.

#### Complaints Task Group:

- The task group has chosen a consultant to develop a decision tree designed to direct complainants to the appropriate agency as efficiently as possible. The task group will also be developing good practices around complaint management for inclusion in the Good Practice Guide. The task group will meet next on September 17<sup>th</sup>.

#### Prevention/Mitigation Task Group:

- The task group kicked off this work on June 23<sup>rd</sup> and prepared an RFP to collate and review regulatory approaches. The task group reviewed RFP responses on September 11<sup>th</sup> and choose a consultant to undertake the work. The recommended consultant is currently being reviewed by the OMT.

#### Celeste provided an update on CASA activities:

- The next Board meeting will be on September 18<sup>th</sup> in Edmonton. The Board will be provided with a written update on the Odour Management Team and task group activities.
- A working group has scope work under non-point source air emissions (NPS) and developed a project charter for the Board's consideration at their September 18<sup>th</sup> meeting.
- The Electricity Framework Review Team continues work on its 5-year review tasks.
- CASA has a new Acting Executive Director, Wendy Boje.

### **3. Review RFP Responses**

The task group reviewed the five responses received to the RFP for a consultant to collate information on odour regulation and enforcement in Alberta and in other jurisdictions, and to identify and analyze different “approach types”. Each proposal was evaluated against a set of criteria, developed by the task group, which focused on project management, relevant experience and the consultant's understanding of the work, schedule, and budget.

The task group noted that overall the quality of the proposals received was high.

Using the criteria as a guide, the task group discussed how each proposal met/did not meet the needs of the RFP and the group. In general the task group considered that all proposals met the RFP requirements and it was therefore a matter of assessing the relative strengths of each proposal using the established evaluation criteria. The proposal from RWDI (hereafter referred to as ‘the consultant’) was selected as the successful candidate to complete the work, because they:

- Have authored two of the foundational documents identified by the task group:
  - Review of Regulatory Framework in Alberta and Other Jurisdictions Related to Odourous Emissions (2013).
  - Final Report Odour Management in British Columbia: Review and Recommendations (2005).
- Have recent and relevant odour experience.
- Have a strong understanding of the Alberta regulatory context.
- Have assigned experienced, senior consultants to the project.

- Have a strong reputation for delivering a quality product on time and on budget.
- Have strong written communications skills.
- Received a strong referral from their reference.
- Proposed a reasonable budget.

The task group modified the consultant’s proposal as follows:

- The consultant will be charged with determining how best to assess which approaches are the most relevant to Alberta and subsequently providing a recommendation for which approaches should be researched further.
- The task group added about 3 days of work to the proposal:
  - Once the task group has reviewed and approved the consultant’s recommendation about which approaches are the most relevant to Alberta and should be researched further, the consultant will be asked to contact, by phone, jurisdictions that use or have tried to use these approaches to research lessons learned.
  - The task group added a review of the draft report with additional research before it is finalized.
  - The task group authorized Celeste to negotiate the extra work with the consultants, keeping within the overall budget.
- The consultant’s need to add the required meeting to review with the task group the draft report and recommendation for which approaches should be further researched.
- The task group liked that they will receive pieces of the draft report as they are completed.
- Ensure that ‘enforceability’ is included in the analysis of different approaches.

## 4. Workplan: Timelines and Budget

The task group was able to update budget and timelines based on the proposal selected. The task group remains on budget.

The task group anticipates that the consultant work will be complete by early/mid-January 2015. It was noted that the task group’s work and final report will not be ready for submission to the OMT until early 2015. The task group will be mindful of opportunities to compress this schedule.

The task group outlined the following timelines:

Date	Task
September 12 - 18, 2014	<ul style="list-style-type: none"> <li>• In accordance with the protocol outlined at OMT meeting #4, the task group will provide the OMT with one week to provide comment on the successful candidate.</li> </ul>
September 19, 2014	<ul style="list-style-type: none"> <li>• Notify successful consultant.</li> <li>• Arrange kick-off meeting.</li> </ul>
September 29 (or 30) 2014	<ul style="list-style-type: none"> <li>• 2 hour in-person kick-off meeting in Calgary with Richard, Imtiyaz, and Celeste.</li> </ul>
Kick-off meeting – October 17, 2014	<ul style="list-style-type: none"> <li>• Consultants deliver the review and compilation of odour management approaches.</li> </ul>
Week of October 20, 2014	<ul style="list-style-type: none"> <li>• Task group reviews the review and compilation of odour management approaches.</li> </ul>
Week of October 27, 2014	<ul style="list-style-type: none"> <li>• Meeting #3: 2 hour teleconference to provide feedback to consultants on the review and compilation of odour management approaches.</li> </ul>
October 20 – November 7, 2014	<ul style="list-style-type: none"> <li>• Consultants deliver strengths and weaknesses assessment.</li> </ul>

November 10 – 21, 2014	<ul style="list-style-type: none"> <li>• Consultants deliver their recommendation with respect to which approaches are the most relevant to Alberta and should be researched further.</li> </ul>
December 1, 2014	<ul style="list-style-type: none"> <li>• Meeting #4: Review draft report with consultants as well as recommendation with respect to which approaches are the most relevant to Alberta and should be researched further. <ul style="list-style-type: none"> <li>○ 3 hours with consultants</li> <li>○ Remainder of meeting to discuss other task group business</li> </ul> </li> </ul>
December 2 – 19, 2014	<ul style="list-style-type: none"> <li>• Consultant conducts additional research on the most relevant approaches, including interviews with jurisdictions that use or have tried to use that approach.</li> <li>• Consultant delivers draft final report.</li> </ul>
January 5 – 16, 2015	<ul style="list-style-type: none"> <li>• Task group reviews and approves draft final report electronically.</li> </ul>
January 23, 2015	<ul style="list-style-type: none"> <li>• Consultants deliver finalized report.</li> </ul>

## 5. Next Steps

The task group outlined the following next steps:

***Action Item 2.2: Celeste will email the OMT with the successful RFP bid candidate and provide one week for the OMT to comment on the selection.***

***Action Item 2.3: Once the OMT has had the opportunity to comment on the successful candidate, Celeste will notify the consultant on September 19, 2014.***

***Action Item 2.4: Celeste will arrange a 2 hour kick-off meeting in Calgary with the consultant.***

The task group scheduled meeting #4 to review the draft report for December 1, 2014 in Calgary. The task group will spend about 3 hours with the consultants and use the remainder of the meeting to work on other task group business:

- Remaining deliverable from the workplan (ex. Definitions).
- Discussing continuous improvement of enforcement/role of regulation deliverables in terms of the continuous improvement of the Good Practice Guide.
- Discussing the task group's final report to the OMT, including developing a table of contents.

The task group hopes that by undertaking this work at meeting #4, the task group will be able to prepare their final report to the OMT by the end of January 2015.

If the consultants have questions between meetings, they should direct them to Celeste. If Celeste is unable to provide a response, the co-chairs will be brought in and then the task group, if required.

## 6. Meeting Wrap-up

The task group reviewed the action items from today's meeting.

The objectives for meeting #3 (week of October 27 2014) are:

- To review and provide feedback on the consultant's review and compilation of odour management approaches.

The objectives for meeting #4 (1 December 2014) are:

- Review draft report with consultants as well as recommendation with respect to which approaches are the most relevant to Alberta and should be researched further.
- Other task group business.

The meeting adjourned at 2:15pm.