

ronmental site assessments (ESAs). "The bottom line is that someone other than a QP could be doing the actual work, providing that at the end of the day, QPs are the ones who say they've supervised it and state that those assessments were done to standards," he said.

Nixon indicated the ministry is expecting to transfer the existing remediation standards from guidelines into the regulations for Phase I and II ESAs; site-specific risk assessments will be dealt with in separate legislation. For the moment, he said, MOE "will be reflecting the process we have in place" for the requirements for those assessments and how they are filed. However, "there is work underway to look at current standards and a process is in place in the longer time frame to review and potentially revise them," he said.

While there is no credible data, The National Round Table on the Environment and the Economy estimates that there are about 30,000 to 50,000 brownfield sites across Canada with a potential for redevelopment. In Ontario, the remediation sector is booming, according to Wendy Meininger-Dyk, an academic coordinator at Toronto-based Seneca College.

In determining the curriculum for its new Bachelor of Applied Technology degree in integrated environmental site remediation, Seneca met with industry stakeholders to determine the sector's current and future human resources needs. It heard that employees hired by the environmental cleanup industry must undergo lengthy on-the-job training, so that there's a big desire for people who are job ready on day one. Stakeholders reported that the ideal employee should be a knowledgeable, analytical problem-solver who is innovative and has hands-on skills. The industry's challenge is that there is only a small pool of experienced workers and the need for them is expected to increase, Meininger-Dyk said.

Seneca's four-year co-op program will offer specific courses in Phase I and II ESAs, along with soil and hydrogeologic sampling. Work placement is available after the student's second and third years. "It is our hope that graduates with this degree will be recognized as qualified remediation specialists.

Turning red tape into "smart tape"

by Gayle Aitken

Protection of the public is the primary purpose of government regulation and, with today's technology, countries around the world are reforming regulatory processes to be innovative, outcome-based and "smart." That's the message of the "Red Tape to Smart Tape" conference, held in Toronto, September 25-27, which presented over 50 speakers to 300 attendees. The event was sponsored by the Ontario government and the Institute of Public Administration of Canada.

According to Ontario Enterprise, Opportunity and Innovation Minister Jim Flaherty, red tape reduction is not

against regulation, or about eliminating legislative protection of the public.

Steven Gilchrist, co-chair, Ontario Red Tape Commission, told the conference: "If you can do the process so that the regulator and regulatee do not have to do anything twice, then you have eliminated red tape." Susan Hearn, of the Global Chemicals Management and Animal Welfare Office, Dow Chemical Company, defines "smart" regulation as: "specific, measurable, affordable, relevant and trackable."

Malcolm Sparrow, professor of practice at Harvard University's John F. Kennedy School of Government, says regulatory agencies and their establishing legislation are invented by governments to respond to an uncontrolled problem

by obligating individuals to subvert their own economic interests to the needs of society. Regulatory legislation, he added, has traditionally maintained a credible deterrent by using tools that solve problems, manage risk and enforce compliance. Increasingly, he said, regulatory agencies and governments are faced with new threats that do not fit into the established processes and new risk areas that need to be identified and controlled.

A few years ago, according to Rolf Alter, the trend in most countries was to have numerous individual regulators. Today's technology, however, requires a different answer than traditional regulatory measures. Alter heads the Regulatory Reform Division of the Organization for Economic Cooperation and Development (OECD) in Paris, and has looked at regulatory reform in OECD countries around the world. Because regulatory participation and transparency are important, he said, regulations need to be developed in consultation with regulators and regulatees or obligators and obligatees.

Cross-border mobility

In terms of regulating personnel and professions in global markets, several speakers identified the trend toward enabling cross-border mobility, while needing to maintain practitioners' responsibilities under local

licensing and practice standards and regulators' enforcement and discipline capabilities.

Practitioners are increasingly looking for certification that is recognized all over the world, said Sharon Goldsmith, PhD, who serves on the American National Standards Institute committee looking at implementing International Organization for Standardization (ISO) Standards for Accreditation of Personnel Certifying Bodies. Goldsmith said it is very difficult to develop certification standards between countries, since there is a tendency for the standards of jurisdictions with lesser requirements to form the basis of the agreement, instead of basing it on those with higher ones. Mutual recognition agreements are most effective where there is "reasonable comparability" between the licensing requirements in the jurisdictions under negotiation, she said; however, such comparability is difficult when there are varying academic, experience and practice standards among a country's provinces or states.

Goldsmith said regulators also have an obligation to respond to consumer complaints about certificate or licence holders, and cross-border supervision of regulated individuals is difficult. She noted in particular the prevalence of cross-border medical practice in the United States via "telepractice" over the Internet. Regulators can increase their public protection by

sharing information across borders and with the public, she said. She cited interstate compacts that enable licensing bodies to share discipline information and a national practitioner database for doctors and dentists as examples of initiatives in the United States to address cross-border surveillance of professionals.

According to Jan Robinson, CEO, College of Physiotherapists of Ontario, those who are entering the professions today are not looking at provincial policies, but at national and cross-border opportunities. Canadian regulators already readily provide the public with the type of information about their practitioners that will be publicly available in the U.S. through the national practitioners database. Through partnerships between regulators and governments and increasing the dialogue between the provinces, accountability within the professions can be increased, she said.

Accrediting regulators

In September 2002, the International Organization for Standardization published a new competence standard defining the requirements for bodies certifying personnel, to achieve and promote a globally accepted benchmark for these organizations. The ISO/International Electrotechnical Commission (IEC) 17024 standard contains requirements for certification bodies and for the development and maintenance of certification schemes. Provisions are included for requirements that practitioners adhere to a code of conduct, for improvements within the profession, and for meeting such specific government requirements as protection of the public. A certification body could seek accreditation for its operations under the ISO/IEC 17024 standard and then have its certificates recognized under a Mutual Recognition Agreement (MRA).

