

**IMPORTANT NOTICE ON THE QUALIFICATIONS OF SITE
PROFESSIONALS**

The Department of the Environment and Local Government is providing the following information on the qualifications of the site professional. This information supercedes that provided in Appendix B of the *Guideline for the Management of Contaminated Sites*, Version 1.0, and reflects regulatory changes in the practice of engineering and geoscience in the province of New Brunswick.

QUALIFICATIONS OF SITE PROFESSIONALS

In June 1999 the New Brunswick Department of the Environment and Local Government (NBDELG) published the "Guideline for the Management of Contaminated Sites, Version 1.0". The general qualifications of site professionals performing related work were stated in Appendix "B". The documentation stated that:

the Site Professional should be an active member in good standing of an applicable professional organization such as the Association of Professional Engineers of New Brunswick (APENB) and have an appropriate level of experience necessary to practice within the environmental sciences field as specified by such organization(s).

Concurrent with the development of the NBDELG guideline, the APENB was pursuing changes in its provincial legislation to include the practice of geoscience and the regulation of the applicable activities of persons considered geoscientists. The changes to the *Engineering Professions Act* were proclaimed in December of 1999. The Act was amended because in many instances engineers and geoscientists conduct similar work. The amended Act is known as the [*Engineering and Geoscience Professions Act*](#) and is administered through the [Association of Professional Engineers and Geoscientists of New Brunswick \(APEGNB\)](#)

Following the incorporation of geoscience and geoscientists into the provincial legislation, the NBDELG requested the APEGNB to examine the activities generally required in the management of a contaminated site as described in the June 1999 guideline to determine if this work was encompassed within the definition of engineering and/or geoscience. The response from the APEGNB stated that the work required to manage a contaminated site as stated within our Guideline constituted the practice of engineering and/or geoscience as defined in the Act.

On the basis of this information, the NBDELG will no longer accept any reports or documentation submitted in conjunction with the Guideline unless they are signed by a member in good standing of the APEGNB. *

The following points should be noted:

- 1. Any documents related to the management of a contaminated site as described in the June 1999 Guideline that are not signed by a member of this organization will be returned to the Responsible Party without review. ***
- 2. The NBDELG will respect the *Engineering and Geoscience Professions Act* and the By-Laws under this Act. The public should note that professional staff within the NBDELG who are members of the APEGNB are bound by this Act and the By-Laws. As such, they are ethically bound to report to the APEGNB any illegal or unethical decisions or practices by members or others.**
- 3. The Minister of NBDELG has no authority to determine the qualifications of an individual to practice engineering and/or geoscience. This determination is within the jurisdiction of the APEGNB. The Minister will therefore not entertain any inquiries related to the qualifications of such individuals.**

4. **It is recognized that not all aspects associated with the management of contaminated sites are physically conducted by engineers and/or geoscientists. The NBDELG recognizes the important role played by certified engineering technicians and technologists in the management of such sites. Furthermore, the *Engineering and Geoscience Professions Act* does not prohibit or preclude these individuals from performing work of an engineering or geoscientific nature, provided an engineer or geoscientist takes the responsibility for such work.**

* With respect to geoscientists seeking admission to the APEGNB, it is acknowledged that there will be a period of time before all the applications are processed. During this period, if the NBDELG receives work that is signed by a person who is not a registered professional with APEGNB, staff will make an inquiry to APEGNB. If the application status of the person signing the work is satisfactory to APEGNB and limited only by their scheduling, NBDELG will accept the work. This interim procedure will be limited to April 1, 2001 but may be extended upon recommendation from the APEGNB.

Applications for membership/registration in APEGNB are now available to geoscientists and are being processed by the Association as they are received. All geoscientists practicing or planning to practice in New Brunswick are advised to contact the APEGNB through their web site at www.apegnb.com, by telephone at 506-458-8083, facsimile at 506-451-9629 or e-mail at info@apegnb.com for additional information.