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Deputy Minister Sous-ministre

Place de Ville
Ottawa ON K1A 0N5

April 29, 2022

Mr. John Williamson, M.P.
Chair
Standing Committee on Public Accounts
House of Commons
Ottawa ON K1A 0A6

Dear Mr. Williamson:

I would like to thank you for your correspondence regarding the responses stemming from reports adopted in the 43rd Parliament on *Follow-Up Audit on the Transportation of Dangerous Goods*. I appreciate the Committee's ongoing interest in the transportation of dangerous goods. I would also like to reiterate Transport Canada's commitment to pursuing a safe, secure, efficient, and environmentally responsible transportation system.

The Committee received a government response in April 2021, which stated that regional directors had been made aware that the compliance status of dangerous goods sites must be documented in all cases following a dangerous goods violation. However, it was noted that the report did not explain how the department verifies the actions taken are actually documented and that the information is accurate.

The Transportation of Dangerous Goods Program's new Regulatory Oversight Management application, which provides a fully online and accessible platform to record inspection and enforcement data in real-time, has fully addressed Recommendation 2 by providing a means to verify and document the compliance status of dangerous goods sites.

My department has produced the attached document in response, which provides additional details on how the department is taking steps to verify the compliance of sites that handle, offer for transport, transport, or import dangerous goods. I trust that the attached document addresses the Committee's question.

Yours sincerely,



for:
Michael Keenan

Canada

Enclosure

The Transportation of Dangerous Goods Program’s new Regulatory Oversight Management (ROM) application, which provides a fully online and accessible platform to record inspection and enforcement data in real-time, has fully addressed Recommendation 2 by providing a means to verify and document the compliance status of dangerous goods sites.

Transport Canada confirms that after an inspector has logged all observed violations following an inspection and generates an inspection report, the Regulatory Oversight Management application will create a record for each violation, which we call a “confirmation of compliance record”. The inspector is not able to delete these records in the application and must close them individually by recording how the violation was resolved. There are various statuses that the inspector can select (e.g., resolved on time, resolved late, escalated, etc.) which allows the inspector to provide a description of how the company has returned to compliance. In addition, the Regulatory Oversight Management application allows inspectors to attach documentation (e.g., photos, documents, etc.) in relation to the violation to document exactly what the violation was and how it was resolved.

The guidance for inspectors is found in the Regulatory Oversight Management User Guide.

15.2 Manage Confirmation of Compliance Records

- (1) When the inspection report is generated, the system automatically creates a confirmation of compliance record for each of the violations.
- (2) When an inspector receives the confirmation of compliance for a cited violation, they can close the record on the Confirmation of Compliance tab.

Confirmation of Compliance Status	Definition
Confirmation On-Site	During an inspection, the company provided the inspector with confirmation that the noted violation had been rectified.
Confirmation Received – On-Time	The company provided confirmation of compliance to the inspector within the requested time frame.
Confirmation Received – Late	The company provided confirmation of compliance to the inspector after the requested time frame.
Closed – Unresolved	The company has never provided the inspector with confirmation of compliance. This status could be used if an extended period has passed and the company has yet to provide the confirmation of compliance, and another inspection is scheduled at this site.

Confirmation of Compliance Status	Definition
Closed – Escalated	The company has not cooperated in providing confirmation of compliance and the inspector has chosen to escalate their enforcement approach to achieve compliance.
Closed – Confirmation Not Requested	While entering their inspection findings (i.e., violations tab), the inspector indicates that confirmation of compliance is not required.

In addition to the mechanisms in the Regulatory Oversight Management application mentioned above which ensure that follow-ups to non-compliances are conducted, managers supervising inspectors are also responsible for ensuring all targets and follow-up activities are being met as part of program quality assurance measures.