

[REDACTED] s.40(1)

Dear [REDACTED] s.40(1)

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our file #ENV/028/2017]

On March 23, 2017 the Department of Municipal Affairs and Environment received your request for access to the following records/information:

“Among the many environmental concerns I have with known as Harbour Grace Ocean Enterprises the boat vessel repair facility located in the Point of Beach. I wish to know under the waste management or industrial does this company have an actual certificate to do ship breaking in the middle of a residential area without proper safety in place. Other concerns is the sand blasting of vessels and containment of that debris.”

Please be advised that the Deputy Minister for the Department of Municipal Affairs and Environment has reviewed this request and has no records responsive to your request. The boat vessel repair facility does not currently require a Certificate of Approval from the Department to operate. This is consistent with the approach taken with other such facilities in the province, as no other fibreglassing or sandblasting company in Newfoundland and Labrador is subject to approval requirements.

With regards to ship breaking, our department does not provide approval to undertake this type of work. If any employer encounters hazardous materials while dismantling large vessels they are required to inform the Occupational Health and Safety (OHS) branch and abide by Occupational Health and Safety Regulations. For more information regarding the responsibilities of the OHS Branch of Service NL or to report an incident please go to this link <http://www.servicenl.gov.nl.ca/departement/branches/ohs.html>.

Section 15 of the *Act* requires us to provide an advisory response within 10 days of receiving a request. As this request has been completed by day 10, this letter also serves as our advisory response.

Section 42 of the *Act* provides that you may ask the Information and Privacy Commissioner to review the processing of your access request or you may appeal to the Supreme Court Trial Division. A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL
A1B 3V8
Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

In the event that you choose to appeal to the Trial Division, you must do so within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act*.

Please be advised that this response will be published following a 72 hour period after it is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the response posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, I can be reached by telephone at (709) 729-1589 or by e-mail at nicolerowsell@gov.nl.ca.

Sincerely,



NICOLE ROWSELL
Departmental ATIPP Coordinator