

*The  
Environmental  
Management  
and Protection  
(Saskatchewan  
Environmental  
Code Adoption)  
Regulations*

*being*

Chapter E-10.22 Reg 2 (effective June 1, 2015) as amended  
by Saskatchewan Regulations [124/2020](#), [97/2021](#), [18/2023](#)  
and [36/2025](#).

**NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER E-10.22 REG 2

### *The Environmental Management and Protection Act, 2010*

#### **Title**

**1** These regulations may be cited as *The Environmental Management and Protection (Saskatchewan Environmental Code Adoption) Regulations*.

#### **Interpretation**

**2** In these regulations:

- (a) “**Act**” means *The Environmental Management and Protection Act, 2010*;
- (b) “**code**” means the Saskatchewan Environmental Code.

7 Nov 2014 cE-10.22 Reg 2 s2.

#### **Saskatchewan Environmental Code adopted**

**3** The chapters of the Saskatchewan Environmental Code, as set out in the Appendix, are adopted.

7 Nov 2014 cE-10.22 Reg 2 s3.

#### **Information notes**

**4** Any information note that appears in the code is not part of the code, but is inserted for convenience of reference only.

7 Nov 2014 cE-10.22 Reg 2 s4.

#### **Definitions**

**5** Definitions in the Act apply to the chapters of the code set out in the Appendix, except to the extent that a contrary intention appears in a chapter of the code.

7 Nov 2014 cE-10.22 Reg 2 s5.

#### ***The Legislation Act***

**6** *The Legislation Act* applies to the code.

17 Sep 2021 SR 97/2021 s3.

#### **Review of notices**

**7(1)** In this section, “**notice**” means a notice required by the code to be given to the minister in order to receive a notification number before commencing, carrying out or conducting an activity governed by the code.

**(2)** Any person who is required by the code to provide a notice shall provide the minister with:

- (a) a notice in the form provided by the minister; and
- (b) any other information and documents that the minister may reasonably require.

- (3) Subject to subsection (4), on or before 45 days after receiving a notice, the minister shall:
- (a) if the minister is satisfied that the notice complies with the code and that the information and documents are complete, issue a notification number to the person who submitted the notice;
  - (b) require the person who submitted the notice to provide the minister with further information or documents, or corrections to the notice, that the minister considers necessary; or
  - (c) refuse to issue a notification number.
- (4) If a notice states that an environmental protection plan will be provided for acceptance by the minister, the 45-day period mentioned in subsection (3) commences on the day that the environmental protection plan is provided.
- (5) If the person who submitted a notice provides the further information and documents or corrections to the notice as required by clause (3)(b), the minister shall:
- (a) if the minister is satisfied that the notice has been corrected and that the further information and documents are complete, issue a notification number to the person who submitted the notice; or
  - (b) refuse to issue a notification number.
- (6) Before the minister acts pursuant to clause (3)(c) or (5)(b), the minister shall provide the person submitting the application with:
- (a) written notice of the minister's intended action and the reasons for that intended action; and
  - (b) an opportunity to make written representations to the minister, within a period set by the minister, as to why the intended action should not be taken.
- (7) The minister is not required to give an oral hearing to any person to whom a notice has been provided pursuant to subsection (6).
- (8) After considering the representations mentioned in subsection (6), the minister shall issue a written decision and shall serve a copy of the decision on the person submitting the application.

7 Nov 2014 cE-10.22 Reg 2 s7.

**R.R.S. c.C-12.1 Reg 1 repealed**

**8** *The Clean Air Regulations* are repealed.

7 Nov 2014 cE-10.22 Reg 2 s8.

**R.R.S. c.D-14 Reg 1 repealed**

**9** *The Environmental Spill Control Regulations* are repealed.

7 Nov 2014 cE-10.22 Reg 2 s9.

**R.R.S. c.E-10.21 Reg 2 repealed**

**10** *The Halocarbon Control Regulations* are repealed.

7 Nov 2014 cE-10.22 Reg 2 s10.

**R.R.S. c.L-22 Reg 5 repealed**

**11** *The Litter Control Designation Regulations* are repealed.

7 Nov 2014 cE-10.22 Reg 2 s11.

**R.R.S. c.A-17 Reg 1 repealed**

**12** *The Potash Refining Air Emissions Regulations* are repealed.

7 Nov 2014 cE-10.22 Reg 2 s12.

**Coming into force**

**13(1)** Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Environmental Management and Protection Act, 2010* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the coming into force of section 1 of *The Environmental Management and Protection Act, 2010*, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

7 Nov 2014 cE-10.22 Reg 2 s13.

**Appendix**

**CHAPTER A.1.1**

**Adoption of Standards Chapter**

Adopted pursuant to *The Environmental Management and Protection Act, 2010* and *The Forest Resources Management Act*

**Adoption of standards**

**1-1(1)** The following standards are adopted, as amended from time to time:

- (a) the Administrative Control Standard, as established by the minister on November 15, 2012;
- (b) the Bacteriological Follow-up Standard, EPB 505, as established by the minister on November 15, 2012;
- (b.1) the Compost Facilities Acceptable Feedstock and Amendment Standard, as established by the minister on April 15, 2024.
- (c) the Discharge and Discovery Reporting Standard, as established by the minister on November 15, 2012;
- (d) the Endpoint Selection Standard, as established by the minister on November 15, 2012;
- (e) the Environmental Code of Practice for Elimination of Fluorocarbon Emissions from Refrigeration and Air Conditioning Systems, as established by Environment Canada in March 1996;
- (f) the Environmental Code of Practice on Halons, as established by Environment Canada in 1996;

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- (g) the Forest Data Submission Standard, as established by the minister on November 15, 2012;
- (g.1) the Forest Inventory Standard, as established by the minister on July 28, 2020;
- (h) the Forest Management Planning Standard, as established by the minister on November 15, 2012;
- (i) the Forest Operating Plan Standard, as established by the minister on November 15, 2012;
- (j) the Forest Regeneration Assessment Standard, as established by the minister on November 15, 2012;
- (k) NSF/ANSI Standard 60: Drinking Water Treatment Chemicals -- Health Effects, as established by NSF International, May 2, 2011;
- (l) the Qualified Person Certification Standard, as established by the minister on November 15, 2012;
- (m) the Quality Assurance and Quality Control for Water Treatment Utilities Standard - Drinking Water Quality Management, EPB 542, as established by the minister on November 15, 2012;
- (n) the Reclamation Technology Standard, as established by the minister on November 15, 2012;
- (o) the Saskatchewan Environmental Quality Standard, as established by the minister on November 15, 2012;
- (p) the Saskatchewan Water and Wastewater Works Operator Certification Standards, EPB 539, as established by the minister on November 15, 2012;
- (q) the Scaling Standard, as established by the minister on November 15, 2012;
- (r) the Sewage Works Design Standard, EPB 503, as established by the minister on November 15, 2012;
- (s) the Visual Site Assessment Standard, as established by the minister on November 15, 2012;
- (t) the Water Quality Contingency Planning Standard, EPB 540B, as established by the minister on November 15, 2012;
- (u) the Water Quality Emergency Planning Standard - An Overview, EPB 541A, as established by the minister on November 15, 2012;
- (v) the Waterwork Start-Up Standard, EPB 560A, as established by the minister on November 15, 2012;
- (w) the Waterworks Design Standard, EPB 501, as established by the minister on November 15, 2012;
- (x) the Waterworks Emergency Response Planning Standard, EPB 540, as established by the minister on November 15, 2012.

- (2) The following standards are adopted:
- (a) the ASTM Standard E2516-11, "Standard Classification for Cost Estimate Classification System" DOI: 10.1520/E2516-11, as established by ASTM International;
  - (b) the CAN/CSA-Z769-00 (R2018) - Phase II Environmental Site Assessment, as established by the Canadian Standards Association;
  - (c) the Guidelines for Canadian Drinking Water Quality--Summary Table, Health Canada (August, 2012);
  - (d) the Standard Methods for the Examination of Water and Wastewater, 22nd Edition, 2012, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

4 Dec 2020 SR 124/2020 s2; 17 Sep 2021 SR  
97/2021 s4.

**Minister to make public**

**1-2(1)** The minister shall cause the standards that are adopted pursuant to this chapter and that are established by the minister:

- (a) to be posted on the Internet website of the ministry; and
- (b) to be made public in any other manner that the minister considers appropriate.

(2) With respect to the standards that are adopted pursuant to this chapter other than those mentioned in subsection (1), the minister shall cause information respecting where those standards may be accessed:

- (a) to be posted on the Internet website of the ministry; and
- (b) to be made public in any other manner that the minister considers appropriate.

## **CHAPTER B.1.1**

### **Discharge and Discovery Reporting Chapter**

Adopted pursuant to *The Environmental Management and Protection Act, 2010*

**Purpose**

**1-1** This chapter sets out the requirements pursuant to section 9 of the Act for reporting a discharge of a substance that may cause or is causing an adverse effect or for reporting a discovery of such a substance.

**When to report a discharge**

**1-2** The discharge of a substance must be reported if:

- (a) the substance may cause or is causing an adverse effect; or
- (b) the substance meets the criteria set out in Table 1 of the Discharge and Discovery Reporting Standard for that substance.

**When to report a discovery**

**1-3** The discovery of a substance must be reported if:

- (a) the substance may cause or is causing an adverse effect;
- (b) the substance discovered is in a quantity or concentration that could pose a serious risk to the environment or public health or safety; or

(c) the substance meets the criteria set out in Table 2 of the Discharge and Discovery Reporting Standard for the applicable media with respect to that substance.

**Immediate report to minister in certain circumstances**

**1-4(1)** Subject to subsection (2), every person required to report a discharge pursuant to section 1-2, or a discovery pursuant to clause 1-3(b), shall:

- (a) immediately report the discharge or discovery to the minister;
- (b) include the following information in the report, if the information is known or can be readily obtained by that person:
  - (i) the location and time of the discharge or discovery;
  - (ii) in the case of a discharge, whether the discharge was the result of a transportation incident or an incident at a facility;
  - (iii) the type and quantity of the substance discharged or discovered;
  - (iv) if a fire is associated with the discharge or discovery;
  - (v) if an accountability system has been established for all responders on the scene to ensure that persons responding to an incident are accounted for when entering and leaving the incident;
  - (vi) if an incident command has been established and a recognized hierarchy of command is in place to manage the incident;
  - (vii) if an emergency response assistance plan required by the *Transportation of Dangerous Goods Act, 1992 (Canada)* has been implemented;
  - (viii) if fish-bearing waters may be or are affected;
  - (ix) if potable water may be or is affected;
  - (x) the distance to the nearest body of water or storm drain;
  - (xi) the distance to the nearest occupied building;
  - (xii) the details of any action taken or proposed to be taken on the area affected by the discharge or discovery;
  - (xiii) a physical description of the area, and the surrounding area, in which the discharge occurred or discovery was made; and
- (c) provide the minister with any other information or material respecting the discharge or discovery that the minister may reasonably require.

(2) Subsection (1) does not apply to a person who reports a discharge in accordance with:

- (a) any approval, permit, licence or order issued or made pursuant to the Act or any regulations made pursuant to the Act; and
- (b) an accepted environmental protection plan.

**Follow-up written report required when immediate report made pursuant to section 1-4**

**1-5(1)** Subject to subsection (2), every person required to immediately report a discharge or discovery to the minister pursuant to subsection 1-4(1) shall, within 30 days after providing that report, provide the minister with:

- (a) a completed Saskatchewan Discharge or Discovery Report Form; and
  - (b) any other information or material respecting the discharge or discovery that the minister may reasonably require.
- (2) Subsection (1) does not apply to:
- (a) a police officer or an employee of a municipality or government agency who is informed of or who investigates a discharge or discovery; or
  - (b) a person who provides a report of the discharge pursuant to *The Oil and Gas Conservation Act* or *The Pipelines Act, 1998*.

**Report of discovery to minister within 30 days in certain circumstances**

**1-6(1)** Subject to subsection (2), every person required to report a discovery pursuant to clause 1-3(a) or (c) shall:

- (a) report the discovery to the minister within 30 days by providing the minister with a completed Saskatchewan Discharge or Discovery Report Form; and
  - (b) provide the minister with any other information or material respecting the discovery that the minister may reasonably require.
- (2) Subsection (1) does not apply to a person who reports a discharge in accordance with:
- (a) any approval, permit, licence or order issued or made pursuant to the Act or any regulations made pursuant to the Act; and
  - (b) an accepted environmental protection plan.

**Obligation to report to others in certain circumstances**

**1-7(1)** Every person required to report a discharge pursuant to section 1-2 shall, as soon as is reasonably practicable, report the discharge:

- (a) subject to subsection (3), to any owner of land that is affected by the discharge; and
  - (b) in consultation with the minister, to any person who may be affected by the discharge.
- (2) Every person who owns land on which a substance is discovered and who is required to report a discovery pursuant to section 1-3 shall, as soon as is reasonably practicable, report the discovery:
- (a) subject to subsection (3), to any owner of adjacent land that is affected by the discharge; and
  - (b) in consultation with the minister, to any person who may be affected by the discharge.
- (3) A report mentioned in clause (1)(a) or (2)(a) is not required to be made to any owner who is a person responsible.

**Joint report**

**1-8** If more than one person is required to submit a report, a joint report may be prepared and submitted.

**Glossary of Terms****Act**

*The Environmental Management and Protection Act, 2010.*

**Discharge and Discovery Reporting Standard**

The Discharge and Discovery Reporting Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Standards Referenced in this Chapter**

The following standard, adopted pursuant to the Adoption of Standards Chapter, is referenced in this chapter:

Discharge and Discovery Reporting Standard

**CHAPTER B.1.2  
Site Assessment Chapter**

Adopted pursuant to *The Environmental Management and Protection Act, 2010*

**PART 1****General****Purpose**

**1-1** This chapter sets out the requirements for site assessments required by the minister pursuant to section 13 of the Act.

**Compliance**

**1-2** Every person required to conduct a site assessment shall comply with all the requirements established pursuant to:

- (a) Part 1; and
- (b) either:
  - (i) Part 2; or
  - (ii) Part 3.

**Qualified persons and certificates**

**1-3(1)** For the purposes of clause 2(1)(bb) of the Act, in this chapter “qualified person” means:

- (a) for the purposes of certifying an environmental protection plan and CAN/CSA Z769-00 (R2018) - Phase II Environmental Site Assessment report:
  - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*;

(ii) a person who is a practising member as defined in *The Agrologists Act, 1994*;

(iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* and who has 8 years of experience in site assessment that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or

(iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake that activity;

(b) for the purposes of completing a visual site assessment:

(i) a person who holds a bachelor's degree in science or a diploma in applied science or engineering technology from a post-secondary institution; or

(ii) any person mentioned in clause (c);

(c) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures:

(i) a person who is an applied science technologist or certified technician pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act*; or

(ii) any person mentioned in subclause (a)(i), (ii) or (iv).

(2) Every person required to conduct a site assessment shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

**Environmental samples and laboratory analysis**

**1-4(1)** Subject to subsection (2), every person required to conduct a site assessment shall ensure that environmental samples are:

(a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and

(b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.

(2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every person required to conduct a site assessment shall ensure that a qualified person provides a certificate stating that, in his or her opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

**General records**

**1-5(1)** Every person required to conduct a site assessment shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:

(a) all field notes related to the site assessment;

(b) all raw data used to prepare the site assessment;

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- (c) all correspondence and records respecting the site assessment, including any reports sent to a person pursuant to section 1-8 and any access agreements that are entered into with any person;
  - (d) all information used to complete the National Classification System for Contaminated Sites Spreadsheet;
  - (e) records of any environmental sampling, analysis or monitoring that has been conducted, including:
    - (i) the results of any environmental analysis;
    - (ii) the date, location and time of environmental sampling or monitoring;
    - (iii) the name of the person collecting the environmental sample;
    - (iv) an identification of the environmental sample type;
    - (v) the date of analysis of the environmental sample;
    - (vi) the sampling method used;
    - (vii) the name of the laboratory that performed the analysis of the environmental sample;
    - (viii) the name of the person responsible for performing the analysis of the environmental sample; and
    - (ix) the quality assurance and quality control records of any environmental samples;
  - (f) any certificate received from a qualified person;
  - (g) any other records mentioned in Part 2 or Part 3.
- (2) Every person required to conduct a site assessment shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

**National classification system for contaminated sites spreadsheet**

**1-6** Every person required to conduct a site assessment shall, within 30 days after completing the site assessment:

- (a) complete a National Classification System for Contaminated Sites Spreadsheet in the form provided by the minister; and
- (b) submit the form mentioned in clause (a) to the minister.

**Identification of substances of potential concern at an environmentally impacted site**

**1-7** Every person required to conduct a site assessment at an environmentally impacted site shall identify the vertical and horizontal limits of the substances of potential concern to the point where the concentration of those substances is at or below:

- (a) the concentration for the particular substance set out in Table 2 of the Discharge and Discovery Reporting Standard; or
- (b) any concentration acceptable to the minister, which will only be set by the minister after consultation with the person required to conduct the site assessment.

**Reporting obligations**

**1-8(1)** The site assessment report required pursuant to Part 2 or 3 must:

- (a) clearly identify any substance mentioned in section 1-7 whose concentration meets or exceeds the limits set out in Table 2 of the Discharge and Discovery Reporting Standard;
- (b) if a concentration acceptable to the minister pursuant to clause 1-7(b) was used, include an explanation as to why the concentration was used; and
- (c) if the site is an environmentally impacted site, include a statement to that effect.

(2) Every person required to conduct a site assessment shall, as soon as is reasonably practicable after the site assessment is complete, send a report to the following persons advising that he or she is affected by one or more substances of potential concern:

- (a) any owner of land that is being affected by one or more substances of potential concern;
- (b) in consultation with the minister, any other person.

PART 2  
**Alternative Solutions**

**Results-based objective**

**2-1(1)** The results-based objective of this chapter is to limit the probability of unacceptable adverse effects resulting from the activity addressed by this chapter.

(2) The results-based objective mentioned in subsection (1) must be satisfied by:

(a) confirming the presence, characterization, location and extent of any substance that may cause or is causing an adverse effect in an area of land or water by taking reasonable and prudent measures to:

(i) assess information at the site, including identifying:

(A) the sources of the substances that may cause or are causing an adverse effect;

(B) the geological and hydrogeological conditions;

(C) any transport pathway for substances that may cause or are causing an adverse effect; and

(D) any potential receptors;

(ii) develop a plan to sample for any substance that may cause or is causing an adverse effect;

(iii) plan a site investigation appropriate to the level of complexity and severity of the adverse effect; and

(iv) conduct the site assessment;

- (b) ensuring that the site assessment is conducted in a safe and acceptable manner by taking reasonable and prudent measures to:
  - (i) minimize any additional adverse effects; and
  - (ii) minimize human contact with any substance that may cause or is causing an adverse effect;
- (c) taking reasonable and prudent measures to:
  - (i) interpret, evaluate and document the data gathered during site assessments;
  - (ii) provide a scientifically defensible framework for the preparation of a corrective action plan; and
  - (iii) ensure that the written site assessment report mentioned in section 2-2 includes the information mentioned in subclauses (i) and (ii); and
- (d) taking reasonable and prudent measures to include components on monitoring, recording and reporting.

**Alternative solution**

**2-2** Every person required to conduct a site assessment shall:

- (a) have an environmental protection plan prepared that sets out the methods that will be employed to satisfy the results-based objective described in section 2-1;
- (b) ensure that a qualified person provides a certificate stating that, in his or her opinion, the methods and components in the environmental protection plan, if carried out in accordance with that plan, will satisfy the results-based objective described in section 2-1; and
- (c) submit the following documents to the minister:
  - (i) the environmental protection plan for acceptance pursuant to section 27 of the Act;
  - (ii) the certificate from a qualified person obtained pursuant to clause (b).

**PART 3  
Acceptable Solution**

**Acceptable solution**

**3-1(1)** Subject to subsection (2), every person required to conduct a site assessment shall ensure that:

- (a) a qualified person completes the Visual Site Assessment Checklist in accordance with the Visual Site Assessment Standard;
  - (b) the Visual Site Assessment Checklist is submitted to the minister immediately after it is completed; and
  - (c) if the Visual Site Assessment Checklist identifies a need for further assessment, a site assessment is conducted in accordance with subsection (3) or Part 2.
- (2) A person is not required to comply with subsection (1) if the person conducts a site assessment in accordance with subsection (3) or Part 2.

(3) If a person has elected to conduct a site assessment in accordance with this subsection, or if a site assessment is required pursuant to clause (1)(c), the person conducting the site assessment shall ensure that:

- (a) the site assessment is conducted in a manner that satisfies the requirements set out in the CAN/CSA-Z769-00 (R2018) - Phase II Environmental Site Assessment standard;
- (b) a site assessment report is prepared that satisfies the requirements set out in the CAN/CSA-Z769-00 (R2018) - Phase II Environmental Site Assessment standard;
- (c) a qualified person provides a certificate stating that, in his or her opinion, the report satisfies the requirements set out in the CAN/CSA-Z769-00 (R2018) - Phase II Environmental Site Assessment standard; and
- (d) the following documents are submitted to the minister:
  - (i) the site assessment report mentioned in clause (b);
  - (ii) the certificate from a qualified person:
    - (A) obtained pursuant to subsection 1-4(2), if any; and
    - (B) obtained pursuant to clause (c).

### **Glossary of Terms**

#### **Act**

*The Environmental Management and Protection Act, 2010.*

#### **CAN/CSA-Z769-00 (R2018) - Phase II Environmental Site Assessment standard**

The CAN/CSA-Z769-00 (R2018) - Phase II Environmental Site Assessment standard, as established by the Canadian Standards Association, and adopted pursuant to the Adoption of Standards Chapter.

#### **Discharge and Discovery Reporting Standard**

The Discharge and Discovery Reporting Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

#### **National Classification System for Contaminated Sites Spreadsheet**

Appendices 1 to 6 of the CCME. 2008. National Classification System for Contaminated Sites: Guidance Document. Canadian Council of Ministers of the Environment, Winnipeg.

#### **Qualified Person Certification Standard**

The Qualified Person Certification Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

#### **Substances of potential concern**

Any anthropogenic substance found in soil, sediments ground water or surface water that is present in a concentration that meets or exceeds the limits for a particular substance set out in Table 2 of the Discharge and Discovery Reporting Standard.

#### **Visual Site Assessment Checklist**

The Visual Site Assessment Checklist included in section B of the Visual Site Assessment Standard.

**Visual Site Assessment Standard**

The Visual Site Assessment Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Standards Referenced in this Chapter**

The following standards, adopted pursuant to the Adoption of Standards Chapter, are referenced in this chapter:

CAN/CSA-Z769-00 (R2018) - Phase II Environmental Site Assessment  
Discharge and Discovery Reporting Standard  
Qualified Person Certification Standard  
Visual Site Assessment Standard

**CHAPTER B.1.3  
Corrective Action Plan Chapter**

Adopted pursuant to *The Environmental Management and Protection Act, 2010*

**PART 1  
General****Purpose**

**1-1** This chapter sets out the requirements for corrective action plans required pursuant to section 14 of the Act.

**Compliance**

**1-2(1)** Subject to subsection (2), every person required to prepare a corrective action plan shall comply with all the requirements established pursuant to:

- (a) Part 1; and
- (b) either:
  - (i) Part 2; or
  - (ii) Part 3.

(2) Every person required to prepare a corrective action plan shall comply with all the requirements established pursuant to Parts 1 and 2 if the corrective action plan:

- (a) includes risk management with future reclamation; or
- (b) selects a tier 3 endpoint.

**Notification required**

**1-3(1)** Every person who has submitted a corrective action plan to the minister for review shall, before carrying out the corrective action plan, ensure that:

- (a) the minister has been notified in the form provided by the minister and provided with any other information or material that the minister may reasonably require; and
- (b) a notification number has been received from the minister.

(2) Every person who has received a notification number pursuant to clause (1)(b) shall ensure that the notification number is included on all documents required by this chapter to be kept and retained.

**Qualified person and certificates**

**1-4(1)** For the purposes of clause 2(1)(bb) of the Act, in this chapter “qualified person” means:

- (a) for the purposes of certifying a tier 1 endpoint corrective action plan:
  - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*;
  - (ii) a person who is a practising member as defined in *The Agrologists Act, 1994*;
  - (iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* and who has 8 years of experience in developing tier 1 endpoint corrective action plans that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
  - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (b) for the purposes of certifying a tier 2 endpoint corrective action plan:
  - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*;
  - (ii) a person who is a practising member as defined in *The Agrologists Act, 1994*;
  - (iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* and who has 8 years of experience in developing tier 2 endpoint corrective action plans that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
  - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (c) for the purposes of certifying a tier 3 endpoint corrective action plan or a risk management with future reclamation corrective action plan, an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (d) for the purposes of certifying a laboratory analysis, an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity; and
- (e) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures:
  - (i) a person who is an applied science technologist or certified technician pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act*; or
  - (ii) any person mentioned in subclause (a)(i), (ii) or (iv).

(2) Every person required to prepare a corrective action plan shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

**Environmental samples and laboratory analysis**

**1-5(1)** Subject to subsection (2), every person required to prepare a corrective action plan shall ensure that environmental samples are:

- (a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and
- (b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.

(2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every person required to prepare a corrective action plan shall ensure that a qualified person provides a certificate stating that, in his or her opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

**General records**

**1-6(1)** Every person required to prepare a corrective action plan shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:

- (a) all field notes related to the corrective action plan;
- (b) all raw data used to prepare the corrective action plan;
- (c) all correspondence and records respecting the corrective action plan, including any written consents obtained in accordance with subsection 1-9(1);
- (d) all information used to complete the National Classification System for Contaminated Sites Spreadsheet;
- (e) records of any environmental sampling, analysis or monitoring that has been conducted, including:
  - (i) the results of any environmental analysis;
  - (ii) the date, location and time of environmental sampling or monitoring;
  - (iii) the name of the person collecting the environmental sample;
  - (iv) an identification of the environmental sample type;
  - (v) the date of analysis of the environmental sample;
  - (vi) the sampling method used;
  - (vii) the name of the laboratory that performed the analysis of the environmental sample;
  - (viii) the name of the person responsible for performing the analysis of the environmental sample; and
  - (ix) the quality assurance and quality control records of any environmental samples;

- (f) any certificate received from a qualified person;
  - (g) any other records mentioned in Part 2 or Part 3.
- (2) Every person required to prepare a corrective action plan shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

**Status and closure reports**

**1-7** Every person required to prepare a corrective action plan shall:

- (a) if the endpoint selected in the corrective action plan is not achieved within the time set out in the corrective action plan, provide a status report to the minister, in the form provided by the minister:
  - (i) within 120 days after the expiry of the time set out in the corrective action plan for the endpoint selected to be achieved;
  - (ii) that details the progress that has been made with respect to the actions required by the corrective action plan; and
  - (iii) that includes a description of the current status of the site that is the subject of the corrective action plan; or
- (b) if the endpoint selected in the corrective action plan is achieved within the time set out in the corrective action plan:
  - (i) within 120 days after achieving the endpoint, provide the minister with a closure report that includes all laboratory analysis results;
  - (ii) ensure that a qualified person provides a certificate stating that, in his or her opinion, the laboratory analysis procedures produce accurate, precise and reliable results; and
  - (iii) provide the minister with the certificate mentioned in subclause (ii) along with the closure report mentioned in subclause (i).

**National classification system for contaminated sites spreadsheet**

**1-8** Every person required to prepare a corrective action plan shall, within 30 days after completing the corrective action plan:

- (a) complete a National Classification System for Contaminated Sites Spreadsheet in the form provided by the minister; and
- (b) submit the form mentioned in clause (a) to the minister.

**Additional obligations**

**1-9(1)** Every person required to prepare a corrective action plan shall attach to the corrective action plan the written consent of any person who:

- (a) owns any portion of an environmentally impacted site with respect to which the corrective action plan is being prepared; and
- (b) is not a person responsible.

(2) Every person required to prepare a corrective action plan shall ensure that the following substances, if removed from the site, are disposed of in a lawful manner:

- (a) any substance that may cause or is causing an adverse effect;
- (b) any substance that is a substance of potential concern;
- (c) any substance mentioned in the Substance Characterization Chapter.

PART 2  
**Alternative Solutions**

**Results-based objective**

**2-1(1)** The results-based objective of this chapter is to limit the probability of unacceptable adverse effects resulting from the activity addressed by this chapter.

(2) The results-based objective mentioned in subsection (1) must be satisfied by:

(a) taking reasonable and prudent measures to ensure that the corrective action plan prepared pursuant to section 14 of the Act:

(i) is scientifically defensible;

(ii) is appropriate to the level of complexity and severity of impact on the environmentally impacted site;

(iii) establishes a preliminary conceptual design of the corrective actions proposed to be taken and includes a description of the tasks necessary to implement those actions; and

(iv) establishes endpoints with respect to the environmentally impacted site that:

(A) comply with the Endpoint Selection Standard, including any physical or engineering controls that are required;

(B) comply with the administrative controls set out in the Administrative Control Standard; and

(C) if appropriate, provide for the reduction in the concentration of substances of potential concern to a level at or below the levels set out in the Saskatchewan Environmental Quality Standard for the endpoint selected;

(v) establishes methods to remediate, manage or monitor the sources, pathways and receptors that may be or are affected by any substance that may cause or is causing an adverse effect; and

(vi) establishes methods of performance evaluation that describe the corrective action goals and monitor the effectiveness of the corrective actions;

(b) when an accepted corrective action plan is carried out, taking reasonable and prudent measures to ensure that:

(i) the endpoints established in the accepted corrective action plan are achieved and, if appropriate, the concentration of substances of potential concern are reduced to a level at or below the level set out in the Saskatchewan Environmental Quality Standard;

(ii) the performance of the corrective actions are monitored and recorded in the closure report or status report provided to the minister pursuant to section 1-7; and

- (iii) corrective actions are carried out in a safe and acceptable manner that:
  - (A) minimizes additional adverse effects; and
  - (B) minimizes human contact with substances that may cause or are causing an adverse effect; and
- (c) taking reasonable and prudent measures to include components on monitoring, recording and reporting.

**Corrective action plan**

**2-2** Every person required to prepare a corrective action plan shall:

- (a) have an environmental protection plan prepared that sets out the methods that will be employed to satisfy the results-based objective described in section 2-1;
- (b) ensure that a qualified person provides a certificate stating that, in his or her opinion, the methods and components in the environmental protection plan, if carried out in accordance with that plan, will satisfy the results-based objective described in section 2-1; and
- (c) submit the following documents to the minister:
  - (i) the environmental protection plan for acceptance pursuant to section 27 of the Act;
  - (ii) the certificate from a qualified person obtained pursuant to clause (b).

PART 3  
**Acceptable Solution**

**Corrective action plan**

**3-1(1)** Every person required to prepare a corrective action plan shall:

- (a) either:
  - (i) use accepted technologies as set out in the Reclamation Technology Standard; or
  - (ii) use a reclamation technology not listed in the Reclamation Technology Standard if:
    - (A) all substances of potential concern are completely contained within the property boundary of the person responsible;
    - (B) all substances of potential concern have been delineated both horizontally and vertically; and
    - (C) the delineation has established, by mathematical modelling, that all substances of potential concern will not migrate off the property referenced in paragraph (A) within the time frame set out in the accepted corrective action plan;

- (b) select a tier 1 or tier 2 endpoint for the environmentally impacted site that:
  - (i) complies with the Endpoint Selection Standard, including any physical or engineering controls that are required;
  - (ii) complies with the administrative controls set out in the Administrative Control Standard; and
  - (iii) if appropriate, provides for the reduction in the concentration of substances of potential concern to a level at or below the levels set out in the Saskatchewan Environmental Quality Standard for the endpoint selected;
- (c) ensure that a qualified person provides a certificate stating that, in his or her opinion:
  - (i) any endpoint selected in the corrective action plan properly addresses the substances of potential concern; and
  - (ii) any endpoint selected in the corrective action plan is appropriate for the use, proposed use or exposure scenarios with respect to the environmentally impacted site; and
- (d) submit the following documents to the minister:
  - (i) the corrective action plan pursuant to section 16 of the Act; and
  - (ii) the certificate from a qualified person:
    - (A) obtained pursuant to subsection 1-5(2), if any; and
    - (B) obtained pursuant to clause (c).

### **Glossary of Terms**

#### **Act**

*The Environmental Management and Protection Act, 2010.*

#### **Accepted corrective action plan**

A corrective action plan submitted to the minister pursuant to subsection 16(1) of the Act and that includes any changes directed by the minister pursuant to subsection 16(2) of the Act.

#### **Administrative control**

A legal or administrative tool, as set out in the Administrative Control Standard, to safeguard against unacceptable exposure to substances of potential concern for specific pathways.

#### **Administrative Control Standard**

The Administrative Control Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

#### **Endpoint**

A tier 1, 2 or 3 endpoint selected in accordance with the Endpoint Selection Standard.

#### **Endpoint Selection Standard**

The Endpoint Selection Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

#### **National Classification System for Contaminated Sites Spreadsheet**

Appendices 1 to 6 of the CCME. 2008. National Classification System for Contaminated Sites: Guidance Document. Canadian Council of Ministers of the Environment, Winnipeg.

**Qualified Person Certification Standard**

The Qualified Person Certification Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Reclamation Technology Standard**

The Reclamation Technology Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Saskatchewan Environmental Quality Standard**

The Saskatchewan Environmental Quality Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Substance of potential concern**

Any anthropogenic substance found in soil, ground water or surface water that is present in a concentration that meets or exceeds the level set out in the Saskatchewan Environmental Quality Standard for a given land use.

**Standards Referenced in this Chapter**

The following standards, adopted pursuant to the Adoption of Standards Chapter, are referenced in this chapter:

Administrative Control Standard  
Endpoint Selection Standard  
Qualified Person Certification Standard  
Reclamation Technology Standard  
Saskatchewan Environmental Quality Standard

**CHAPTER B.1.4**

**Transfer of Responsibility for an Environmentally  
Impacted Site Chapter**

Adopted pursuant to *The Environmental Management and Protection Act, 2010*

**Purpose**

**1-1** The purpose of this chapter is to set out additional rules respecting the transfer of responsibility for an environmentally impacted site from a person responsible to another person pursuant to section 19 of the Act.

**Agreement**

**1-2(1)** An agreement to accept responsibility for an environmentally impacted site pursuant to clause 19(1)(a) of the Act must:

- (a) be in writing;
- (b) be signed and dated;
- (c) include a provision stating that the person accepting responsibility accepts full and complete responsibility for any environmental issues identified in the site assessment and the corrective action plan; and
- (d) include an acknowledgement that the person accepting responsibility is aware of the requirements set out in Division 4 of Part III of the Act and this chapter.

(2) The person accepting responsibility for the environmentally impacted site shall forward a copy of the agreement mentioned in subsection (1) to the minister within 30 days after entering into the agreement.

**Financial assurance - contingency amount**

**1-3** For the purposes of subclause 19(1)(f)(ii) of the Act, the additional contingency amount is the amount calculated in accordance with the Standard Classification for Cost Estimate Classification System.

### Glossary of Terms

**Act**

*The Environmental Management and Protection Act, 2010.*

**Standard Classification for Cost Estimate Classification System**

The ASTM Standard E2516-11, "Standard Classification for Cost Estimate Classification System" DOI: 10.1520/E2516-11, as established by ASTM International, and adopted pursuant to the Adoption of Standards Chapter.

### Standards Referenced in this Chapter

The following standard, adopted pursuant to the Adoption of Standards Chapter, is referenced in this chapter:

Standard Classification for Cost Estimate Classification System

## CHAPTER B.1.5 Substance Characterization Chapter

Adopted pursuant to *The Environmental Management and Protection Act, 2010*

**Purpose**

**1-1** This chapter further describes what is a hazardous substance, hazardous waste and industrial waste for the purposes of the Act.

**Hazardous substance**

**1-2** A hazardous substance, for the purposes of clause 2(1)(p) of the Act, means a hazardous substance as defined in *The Hazardous Substances and Waste Dangerous Goods Regulations*.

**Hazardous waste**

**1-3** A hazardous waste, for the purposes of clause 2(1)(q) of the Act, means a waste dangerous good as defined in *The Hazardous Substances and Waste Dangerous Goods Regulations*.

**Industrial waste**

**1-4(1)** Subject to subsection (2), waste generated by any of the following sectors or activities is industrial waste for the purposes of clause 2(1)(r) of the Act, even if the waste is intended for, or is being stored before, reuse, recovery, recycling, treatment or disposal:

- (a) aircraft manufacturing or maintenance;
- (b) a laboratory;
- (c) an auto dealership or automobile repair shop;

- (d) a farm equipment repair facility;
  - (e) a chemical plant;
  - (f) a mining or milling operation;
  - (g) a construction site;
  - (h) a construction products plant;
  - (i) dry cleaning;
  - (j) electroplating;
  - (k) a fertilizer plant;
  - (l) a foundry facility;
  - (m) oil sands recovery;
  - (n) paint removal;
  - (o) a petroleum products marketing facility;
  - (p) photo processing;
  - (q) a power plant;
  - (r) a pulp or paper mill;
  - (s) radiator repair;
  - (t) railcar repair;
  - (u) a refinery;
  - (v) a wood processing plant;
  - (w) a vehicle washing facility;
  - (x) an upstream oil and gas development activity or processing facility;
  - (y) a biomedical waste processing facility;
  - (z) agricultural operations;
  - (aa) a metal or automobile salvage facility;
  - (bb) a truck and heavy equipment repair facility;
  - (cc) an ethanol or biofuels processing facility;
  - (dd) an agricultural product processing facility;
  - (ee) manufacturing processes;
  - (ff) a dangerous goods remediation or treatment facility.
- (2) The designation of a waste mentioned in subsection (1) as an industrial waste does not apply to normal office or domestic waste.

### **Glossary of Terms**

#### **Act**

*The Environmental Management and Protection Act, 2010.*

**CHAPTER B.2.1**  
**Transfer Station Chapter**

Adopted pursuant to *The Environmental Management and Protection Act, 2010*

**PART 1**  
**General****Application**

**1-1(1)** This chapter applies to every person who owns, or intends to establish, a transfer station.

(2) This chapter does not apply to the following things or activities:

- (a) any, or any combination, of the following:
  - (i) the exclusive temporary storage of solid waste in a receptacle, bin or container that prevents waste, or any liquid in the waste from leaving the container;
  - (ii) the exclusive temporary storage of clean concrete waste without metals or other materials;
  - (iii) the exclusive storage of clean wood waste;
- (b) containers or bins or waste processing facilities that are used for the purpose of:
  - (i) recycling or processing of any material for which a stewardship program has been established in accordance with section 46 of the Act;
  - (ii) the operation of the beverage container program within the meaning of Part VI, Division I of *The Environmental Management and Protection Act, 2010*;
- (c) the storage of more than 50,000 kilograms of industrial wastes; or
- (d) the storage of materials that are regulated by any other Act, regulation or chapter of this code.

**Compliance**

**1-2** Subject to sections 1-1 and 1-4, every person who owns, or intends to establish, a transfer station shall comply with all the requirements established pursuant to:

- (a) Part 1; and
- (b) either:
  - (i) Part 2; or
  - (ii) Part 3.

**Notification required**

**1-3(1)** Every owner of a transfer station shall provide:

- (a) notice to the minister in a form and manner determined by the minister, if the owner intends to establish a transfer station or is operating a transfer station pursuant to a permit mentioned in subsection 1-4(2); and
- (b) the minister with any other information or material that the minister may reasonably require before establishing a transfer station unless a transfer station is established pursuant to section 1-4.

(2) The minister shall provide a notification number to the owner of the transfer station.

(3) Every owner of a transfer station shall include the notification number on all documents required to be prepared and retained pursuant to this chapter.

**Transitional - permits**

**1-4(1)** This section applies to every owner of a transfer station that is operating a transfer station on the day on which this chapter comes into force.

(2) In accordance with section 103 of the Act, every permit for a transfer station that was in force on the day before this chapter comes into force is continued in force until September 1, 2023 unless the permit is otherwise surrendered or cancelled before that date.

(3) On or before September 1, 2023, an owner of a transfer station who holds a valid permit for a transfer station mentioned in subsection (1) shall comply with all provisions of this chapter, including providing notification as required pursuant to section 1-3.

(4) Every owner of a transfer station that is operating a transfer station on the day on which this chapter comes into force, but who does not hold a valid permit for that transfer station shall, on or before September 1, 2023, comply with all provisions of this chapter, including providing notification as required pursuant to section 1-3.

(5) Notwithstanding subsections (3) and (4), an owner of a transfer station that is operating a transfer station on the day on which this chapter comes into force is not required to comply with the siting, design and construction requirements set out in this Chapter, unless the owner of the transfer station is expanding the transfer station, but all other requirements apply.

**Qualified person and certificates**

**1-5(1)** For the purposes of clause 2(1)(bb) of the Act, in this chapter “qualified person” means:

- (a) for the purposes of certifying an environmental protection plan:
  - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*; or
  - (ii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;

- (b) for the purposes of certifying a site suitability report and design:
    - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*;
    - (ii) a person who is a practising member as defined in *The Agrologists Act, 1994*;
    - (iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* who has 8 years of experience in the area of work to be performed that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
    - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
  - (c) for the purposes of certifying and amending either or both an environmental monitoring plan and report, and certifying quality assurance and quality control sampling and analytical procedures:
    - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*;
    - (ii) a person who is a practising member as defined in *The Agrologist Act, 1994*;
    - (iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* who has 8 years of experience in the area of work to be performed that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
    - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity.
- (2) Every owner of a transfer station shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

**Transfer stations re waste management works**

**1-6** For the purposes of clause 47(b) of the Act, transfers stations within the meaning of this Chapter are a prescribed category of transfer stations.

**Environmental samples and laboratory analysis**

**1-7(1)** If environmental monitoring is required, every owner of a transfer station shall ensure that environmental samples are:

- (a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and
- (b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of an active accrediting body including, Canadian Association for Laboratory Accreditation or Standards Council of Canada Accreditation, in accordance with the parameters for which the laboratory has been accredited.

(2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every owner of a transfer station shall ensure that a qualified person provides a certificate stating that, in the qualified person's opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

(3) Reports from environmental sampling and laboratory analysis, including data interpretation and trend analysis, as required by the minister shall be submitted on a frequency as determined by the minister.

**General records**

**1-8(1)** Every owner of a transfer station shall ensure that the following records are kept and retained for the lifetime of the transfer station:

- (a) a description and characterization for each of the waste types received and transferred for disposal or recycling from the transfer station, including the estimated monthly and annual cumulative volumes or weights for each of those types and the waste source and either or both the final disposal contracts and locations;
- (b) an up-to-date site plan showing all major features of the transfer station;
- (c) documents pertaining to transfer station operations, including:
  - (i) either or both the inspection records and compliance audits;
  - (ii) records of any spill, fire, or accident that has occurred at the transfer station;
  - (iii) records pertaining to controlled burning pursuant to section 1-11, including dates, inspections, supervision, notifications;
  - (iv) public complaints received about the transfer station;
  - (v) any regulatory documents for the transfer station;
  - (vi) a copy of any registration, application, or proposal submitted to the minister along with related correspondence;
- (d) environmental monitoring plan, if applicable, including:
  - (i) records of any environmental sampling, analysis or monitoring that has been conducted;
  - (ii) the results of any environmental analysis showing trend analyses, assessment and interpretation;
  - (iii) the date, location and time of environmental sampling or monitoring;
  - (iv) the name of the person collecting the environmental sample;
  - (v) an identification of the environmental sample type;
  - (vi) the date of analysis of the environmental sample;
  - (vii) the sampling method used;
  - (viii) the name of the laboratory that performed the analysis of the environmental sample;

- (ix) the chain of custody form;
  - (x) the name of the person responsible for performing the analysis of the environmental sample; and
  - (xi) the quality assurance and quality control records of any environmental samples;
- (e) any certificate received from a qualified person;
  - (f) any other records mentioned in Part 2 or Part 3.
- (2) Every owner of a transfer station shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.
- (3) Every owner of a transfer station shall ensure that, on transfer of ownership of the transfer station, the records required to be kept pursuant to this chapter are transferred to the new owner.

**Reporting obligations**

**1-9** Every owner of a transfer station shall:

- (a) immediately report an incident involving burning of waste or materials, other than clean wood waste, or spills or discharges of substances that may cause or is causing an adverse effect or meets the criteria set out in the Discharge and Discovery Reporting Standard including unforeseen or unintended fire of waste;
- (b) ensure the report mentioned in clause (a) includes a description of the cause of the incident and any steps taken to mitigate the incident and prevent reoccurrence;
- (c) comply with any additional reporting requirements respecting discharges that are set out in the Discharge and Discovery Reporting Standard and ensure the report is completed in accordance with the Discharge and Discovery Reporting Chapter;
- (d) provide the following to the minister, as required:
  - (i) for each year, an environmental monitoring report including data interpretation and trend analysis to be submitted annually by February 28th of the following year or within the period approved by the minister;
  - (ii) a request to amend the environmental monitoring plan for the transfer station for approval by the minister, including:
    - (A) justification for amendment to environmental monitoring plan before implementing changes; and
    - (B) report following the abandonment or decommissioning of a ground water monitoring well within 60 days of completion of work approved by the minister; and
- (e) make available any and all records maintained as required pursuant to section 1-8.

**Prohibited wastes**

**1-10** No owner of a transfer station shall accept the following types of waste at a transfer station unless otherwise approved by the minister:

- (a) liquid waste that contains free liquids, other than liquid that is normally contained in household wastes;
- (b) hazardous waste, unless the hazardous waste is regulated by any other Act, regulation or chapter in this code;
- (c) asbestos;
- (d) impacted soil and soil-like material;
- (e) sewage, slurry, or sludge;
- (f) waste containing radioactive materials;
- (g) waste that may spontaneously combust;
- (h) biomedical waste not rendered inert.

**Controlled burning**

**1-11** Clean wood waste shall not be burned at a transfer station unless the following conditions are met:

- (a) the wood pile is segregated from other types of refuse at the transfer station;
- (b) before burning, the clean wood pile is inspected to ensure that it only contains clean wood waste and a record of the inspection is kept by the owner of the transfer station;
- (c) only clean dry, well aerated wood is burned;
- (d) the wood pile is not burned during Air Quality Advisories or Burn Restrictions;
- (e) burning occurs in open areas away from overhead wires and branches and at least 15 metres away from any structure;
- (f) a fire break is prepared on the ground at least two metres around the outside diameter of piles;
- (g) burning is conducted when meteorological conditions are favourable;
- (h) burning material does not cause a fire hazard or nuisance to neighbouring properties;
- (i) any fire that has caused or is causing an air contaminant or adverse effect as defined in the Act is immediately suppressed or extinguished;
- (j) fires are supervised and controlled at all times, and are not left unattended, and records of the persons supervising burns are created and retained;
- (k) the fire is completely extinguished to ensure smoldering of material does not occur and ashes must be cold before ceasing supervision;

- (l) the fire suppression equipment is available at all times during any type of open-air burning;
- (m) fires are burned in compliance with *The Wildfire Act* where applicable, local by-laws, codes or regulations, including required notification for open fires in a provincial forest, in park land, or any quarter section wholly or partly within 4.5 kilometres of a provincial forest;
- (n) wood burned is handled in compliance with *The Dutch Elm Disease Regulations, 2005*;
- (o) notice is provided to the following persons at least one week before the proposed burning:
  - (i) any property owner or resident in the area likely to be affected by the fire; and
  - (ii) the local fire department.

**Closure of a transfer station**

**1-12(1)** Every owner of a transfer station shall close the transfer station in accordance with this section if:

- (a) the owner of the transfer station no longer intends to accept waste at the transfer station; or
  - (b) waste has not been accepted at the transfer station for at least 12 consecutive months.
- (2) If an owner of a transfer station intends to close a transfer station, the owner shall do the following at least 90 days before the closure:
- (a) provide written notice to the minister that the transfer station will be closing;
  - (b) provide notice of the closure to the public by:
    - (i) posting a notice at the entrance to the transfer station that sets out the date of the closure; and
    - (ii) providing notice in a format that will reach anyone affected by closure setting out the date of closure and providing information about alternative disposal sites.
- (3) On closure of a transfer station, the owner of the transfer station shall:
- (a) post a notice at the entrance to the transfer station that provides a warning against trespassing, illegal dumping and vandalism;
  - (b) ensure the transfer station site is clean of any litter, unused containers, unused tanks, or waste in temporary storage areas, including recyclable materials, by hauling the items to a recycling or processing facility or to a landfill site for further handling;
  - (c) if the site may be an environmentally impacted site, conduct a site assessment in accordance with the Site Assessment Chapter;
  - (d) if the site assessment mentioned in clause (c) discloses the site to be an environmentally impacted site, conduct a corrective action plan in accordance with the Corrective Action Plan Chapter; and

- (e) if the transfer station is being closed:
  - (i) pursuant to Part 2, provide the minister with a closure report in accordance with the accepted environmental protection plan; or
  - (ii) pursuant to Part 3, provide the minister with a closure report in accordance with section 3-9.

## PART 2 Alternative Solution

### Results-based objective

**2-1(1)** The results-based objective of this chapter is to limit the probability of unacceptable adverse effects resulting from the activity addressed by this chapter.

(2) The results-based objective mentioned in subsection (1) must be satisfied by managing the temporary storage of waste in a safe and effective manner by taking reasonable and prudent measures to:

- (a) site the transfer station in an acceptable location with respect to:
  - (i) environmental and human receptors and places of concern, including, but not limited to, cemeteries and heritage sites; and
  - (ii) topography, surface water hydrology, subsurface geologic and hydrogeologic conditions;
- (b) prevent litter, dust and nuisance to adjacent land;
- (c) prevent disease vector attraction;
- (d) prevent attraction of animals;
- (e) prevent direct or indirect exposure of persons to transfer station operations for the safety of staff and public using the transfer station;
- (f) employ environmental control systems to minimize the release of any substance that may cause or is causing an adverse effect;
- (g) divert or control surface water run-on and run-off discharge from the transfer station site;
- (h) conduct environmental monitoring, as necessary, to provide timely detection of any substance that may cause or is causing an adverse effect; and
- (i) conduct post-closure care until completion of the contaminating lifespan.

### Environmental protection plan

**2-2** Every owner of a transfer station, and every person who intends to establish a transfer station, shall:

- (a) have an environmental protection plan prepared that sets out the siting, design, construction, operation and closure methods and any other aspect of transfer station establishment and operation that will be employed to satisfy the results-based objective described in section 2-1;

- (b) ensure that a qualified person provides a certificate stating that, in the qualified person's opinion, the methods and components in the environmental protection plan, if carried out in accordance with that plan, will satisfy the results-based objective described in section 2-1; and
- (c) submit the following documents to the minister:
  - (i) the environmental protection plan for acceptance pursuant to section 27 of the Act, before establishing a transfer station;
  - (ii) the certificate from a qualified person obtained pursuant to clause (b).

PART 3  
**Acceptable Solution**

DIVISION 1  
**General**

**Transfer stations to be established at a closed permitted landfill site**

**3-1** An owner of a transfer station that is converting a closed permitted landfill into a transfer station is not required to comply with the siting requirements in sections 3-3 to 3-6, unless:

- (a) that person is expanding the transfer station; or
- (b) the operation of the transfer station on this site may cause an adverse environmental effect.

**Transfer stations to be established on a new site**

**3-2** An owner of a transfer station that is establishing a transfer station at a site that has not been previously used as a landfill shall comply with the siting, design, construction, operational and closure requirements set out in this Part.

DIVISION 2  
**Transfer Station Siting**

**Site of transfer station**

**3-3** Every owner of a transfer station shall site the transfer station at a location:

- (a) that is not a flood plain for a flood having a 500-year return period or a flood which has a 0.2% probability of occurrence in any one year based on available historical data;
- (b) where the seasonal high water table, if present, is 2.0 metres or more below the lowest grade proposed for the transfer station;
- (c) that is not a ravine, gully or coulee;
- (d) where the property boundary as planned is at least 300 metres from any river, stream, lake, creek, wetland or other watercourse or water body that directly or indirectly flows overland to another watercourse or water body;

- (e) where the property boundary as planned is at least 300 metres from any area designated as an ecological reserve pursuant to *The Provincial Lands Act, 2016* and any areas designated as wildlife habitat land pursuant to *The Wildlife Habitat Protection Act*;
- (f) where the property boundary as planned is at least 300 metres from the following developments or features:
  - (i) a restaurant, canteen, cafeteria, or any other place where food is cooked or prepared for human consumption or is consumed;
  - (ii) any motel, hotel, domestic residence or any other permanent or temporary building or residence that is occupied or may be occupied as a residence;
  - (iii) any school, church or other place of worship, cemetery, community centre, recreation facility or similar public building; and
- (g) where the property boundary as planned is at least 100 metres from any highway.

**Site suitability report**

**3-4(1)** Before constructing a transfer station or expanding an existing transfer station, every owner of a transfer station shall:

- (a) ensure a site suitability report is prepared that satisfies the requirements set out in subsection (2);
  - (b) provide a copy of the site suitability report to the minister; and
  - (c) provide a certificate from a qualified person stating that, in the qualified person's opinion, the site suitability report meets the requirements set out in section 3-3 and subsection (2).
- (2) The site suitability report includes:
- (a) a site plan that presents the topography and surface water hydrology of the area within one kilometre of the proposed site, including:
    - (i) the ground elevations and locations of all natural and artificial features;
    - (ii) the natural drainage patterns and run-off characteristics of the site;
    - (iii) the surface water features of the area;
    - (iv) the adjacent property boundaries and the land usage of those properties;
    - (v) the location of drinking water wells;
    - (vi) the municipal drains, drainage paths and boundaries, including road ditches that may hold or convey surface water;
  - (b) waste management facilities within 30 kilometres; and
  - (c) geographic area and communities intended to be served.

DIVISION 3  
**Transfer Station Design****Transfer station design plan**

**3-5(1)** Before constructing a transfer station or expanding an existing transfer station, every owner of a transfer station shall:

- (a) ensure that a transfer station design plan is prepared that satisfies the requirements set out in subsection (2);
  - (b) provide a copy of the design plan to the minister; and
  - (c) provide a certificate from a qualified person stating that, in the qualified person's opinion, the design plan meets the requirements in this section.
- (2) The transfer station design plan must:
- (a) include details respecting the waste types and quantities intended for temporary storage at the transfer station;
  - (b) provide for a suitable fence or a means to prevent unauthorized access, including animals, around the transfer station to allow controlled access to the site;
  - (c) provide a means to minimize any windblown litter leaving the transfer station site;
  - (d) describe waste storage areas that include any or all of the following:
    - (i) areas separated by walls constructed either of concrete, metal or any other suitable material;
    - (ii) maximum dimensions of all waste storage areas, including heights;
    - (iii) bins or containers made of materials compatible with the temporarily stored waste and equipped with lid, tarp or screen to contain wastes and prevent animal access;
    - (iv) barriers, curbs, guard rails or other structures to safeguard site users during unloading of wastes from vehicles, and stop barriers or bars to prevent vehicle accidents;
  - (e) include details respecting a design for a surface water management system that prevents surface water on site to pool, specifically around waste piles, including a system that prevents the flow of water through the active waste areas; and
  - (f) include details respecting an all-weather access road to the transfer station, including space for vehicles waiting to unload.

DIVISION 4  
**Transfer Station Construction**

**Construction**

**3-6** Every owner of a transfer station shall, with respect to a transfer station or the expansion of an existing transfer station:

- (a) ensure that the transfer station is constructed in accordance with the transfer station design plan prepared in accordance with section 3-5;
- (b) provide a copy of the construction verification report to the minister; and
- (c) provide a certificate from a qualified person stating that, in the qualified person's opinion, the design plan meets the requirements set out in section 3-5.

DIVISION 5  
**Transfer Station Operation**

**Operations plan and emergency response plan**

**3-7(1)** Before beginning operation of a transfer station, every owner of a transfer station shall:

- (a) ensure that an operations plan is prepared that satisfies the requirements set out in subsection (2);
  - (b) ensure an emergency response plan is prepared that satisfies the requirements set out in subsection (3);
  - (c) provide an original copy of the operations plan and emergency response plan to the minister upon notification; and
  - (d) maintain a copy of each plan at the transfer station site, review the operations and emergency response plans annually and make available the original or amended operations plan and emergency response plans upon request of the minister.
- (2) The operations plan mentioned in clause (1)(a) must include:
- (a) procedures for storing and managing household waste, if applicable, in bins or containers;
  - (b) procedures for preventing nuisance such as litter and debris, vermin, dust and odour;
  - (c) protocols and procedures for preventing unauthorized or uncontrolled removal of waste materials from the disposal areas at the transfer station site;
  - (d) if controlled salvaging opportunities will be provided, the protocols and procedures for managing controlled, safe salvaging of goods and materials within separate designated areas from the main household waste storage area;
  - (e) procedures for preventing disease vectors that might pose a public health concern;
  - (f) protocols and procedures for waste inspection to identify and handle any waste mentioned in section 1-10;

- (g) the process for record keeping;
  - (h) procedures for handling, storage and disposal/recycling/reuse of waste received at the transfer station;
  - (i) if managed on site, the procedures for handling hazardous substances and waste dangerous goods, which must be consistent with the requirements set out in *The Hazardous Substances and Waste Dangerous Goods Regulations*, including obtaining approval to store hazardous materials when applicable;
  - (j) a plan for the management of surface water;
  - (k) procedures for weekly environmental inspection and maintenance at the transfer station; including:
    - (i) access control;
    - (ii) road maintenance;
    - (iii) litter and debris on and off-site;
    - (iv) illegal dumping;
    - (v) dust control;
    - (vi) excessive noise;
    - (vii) odours;
    - (viii) vegetation; and
    - (ix) evidence of any unauthorized discharges;
  - (l) an animal management plan to prevent the attraction of animals to the transfer station site;
  - (m) procedures for the training and education of staff related to the transfer station site operations, the operation of the equipment, safe work practices, first-aid procedures, and public safety; and
  - (n) procedures for resolving and mitigating public complaints.
- (3) The emergency response plan mentioned in clause (1)(b) must include:
- (a) the site plan, showing relevant site features, hazardous substances and waste dangerous goods storage locations, if applicable, fire extinguishers, spill kits, first aid kits, and muster points;
  - (b) an emergency phone list;
  - (c) security measures to be implemented at the transfer station site; and
  - (d) procedures for resolving and mitigating immediate emergencies related to health and safety, inclement weather, accidents, spills, fires or explosions.
- (4) Every owner of a transfer station may amend the plans prepared in accordance with subsection (1), if the owner of the transfer station:
- (a) ensures that an amended operations plan is prepared that satisfies the requirements set out in subsection (2);
  - (b) ensures that an amended emergency response plan is prepared that satisfies the requirements set out in subsection (3);

- (c) provides details explaining why the amendments were made;
- (d) provides a copy of either the up-to-date operations plan or the emergency response plan, or both, on request by the minister.

**Operating duties**

**3-8** Every owner of a transfer station shall ensure that:

- (a) the transfer station is operated in accordance with the operations plan prepared in accordance with subsection 3-7(1);
- (b) a conspicuous sign board is posted at the public entrance to the transfer station, detailing the following information:
  - (i) the name and contact information of the owner of the transfer station;
  - (ii) the telephone number of any persons that may be contacted during emergency;
  - (iii) the hours of operation of the transfer station;
  - (iv) a list of the prohibited waste types that cannot be received at the transfer station; and
  - (v) warning against trespassing and illegal dumping;
- (c) the quantity of waste accepted does not exceed the capacity of each storage area within the transfer station, as set out in the transfer station design plan prepared in accordance with section 3-5;
- (d) suitable measures are in place to prevent the attraction of animals to the transfer station site;
- (e) subject to section 1-11, waste is not burned;
- (f) every possible and reasonable action is immediately taken to extinguish any unforeseen or unintended fire;
- (g) discharge or discovery of a substance that may cause or is causing an adverse effect or meets the criteria set out in the Discharge and Discovery Reporting Standard, including unforeseen or unintended fire of either waste or spills, or both, shall be reported to the Spill Report Centre - 1-800-667-7525;
- (h) waste is removed from the transfer station:
  - (i) at a frequency that precludes:
    - (A) the generation of odours;
    - (B) breeding or the harboring of disease vectors; and
    - (C) the leaching of any substance that may cause an adverse effect; and
  - (ii) when the area designated for a particular type of waste is at capacity; and
- (i) the operations plan is reviewed annually and updated whenever there is a change to procedures in waste acceptance, handling, storage or expansion in the operation in accordance with section 3-7 and record of review is kept on file.

DIVISION 6  
**Transfer Station Closure****Closure report**

**3-9(1)** Every owner of a transfer station that closes a transfer station in accordance with section 1-12 shall:

- (a) ensure that a closure report is prepared that satisfies the requirements set out in subsection (2); and
  - (b) provide a copy of the closure report to the minister within one year after closing the transfer station.
- (2) The closure report mentioned in subsection (1) must include:
- (a) a list of any permits, approvals or notification numbers issued with respect to the transfer station, including in the case of a permit the date on which it was issued and the date of expiry;
  - (b) contact information for the owner of the transfer station;
  - (c) a general description of communities and industries served during the operating phase of the transfer station, including the waste types temporarily stored;
  - (d) a plan of the transfer station site that identifies adjacent land uses, location of drinking water wells and any surface water bodies, wetlands or watercourses within one kilometre of the property boundary;
  - (e) the location and global position of the property boundary, waste storage areas, ground water monitoring wells, surface water control ponds, sedimentation ponds and detention ponds, if present;
  - (f) the period the transfer station was in operation;
  - (g) a summary of incidents of fires, reportable discharges pursuant to The Discharge and Discovery Reporting Chapter, abnormal occurrences, upset conditions, and operations or activities on site at any time during operations that resulted in potential risk to human health or safety or the environment;
  - (h) work completed to decommission the site, including:
    - (i) removal of infrastructure;
    - (ii) removal of temporary piles and bins;
    - (iii) general site clean-up;
    - (iv) final contours and returning site to the intended end use; and
    - (v) any post-closure work;
  - (i) any site investigation report, if applicable;
  - (j) any site assessment conducted in accordance with the Site Assessment Chapter, if applicable;
  - (k) any corrective action taken in accordance with the Corrective Action Plan Chapter, if applicable; and
  - (l) any recommendations for long-term monitoring or post-closure care and maintenance.

## Glossary of Terms

### **Act**

*The Environmental Management and Protection Act, 2010.*

### **Clean wood waste**

Trees, brush and limbs, and includes lumber and wood which has not been painted, stained, treated or preserved in any manner or fashion and has any associated hardware removed.

### **Contaminating lifespan**

The period during which substances of potential concern are present at concentrations above levels set out in the Saskatchewan Environmental Quality Standard for the endpoint selected or otherwise approved by the minister.

### **Expansion**

Expansion is:

- (a) where the transfer station expands beyond the property boundary; or
- (b) the addition of new or increased waste storage areas beyond the original design plan.

### **Household waste**

Waste generated from daily household activities.

### **Municipality**

A municipality as defined in section 2-29 of *The Legislation Act*, including the Saskatchewan portion of the City of Lloydminster.

### **Operating phase**

The period of operation during which waste is received for storage, consolidation, or processing at the transfer station.

### **Operations plan**

A written document that describes general instructions for the management and operations of a transfer station.

### **Owner of a transfer station**

Owner of a transfer station includes:

- (a) a government agency or municipality that owns a transfer station; and
- (b) a private owner of a transfer station.

### **Private owner of a transfer station**

A person, other than a government agency or municipality, that owns a transfer station.

### **Property boundary**

The property boundary of a transfer station is:

- (a) the extent of the transfer station as marked on the site plan for that transfer station, often fenced; or
- (b) if a site plan does not exist, the extent of the existing transfer station operation.

**Qualified Person Certification Standard**

The Qualified Person Certification Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Salvaging**

The segregation and diversion of materials from disposal areas to be reused or repurposed.

**Saskatchewan Environmental Quality Standard**

The Saskatchewan Environmental Quality Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Sludge**

A mixture of liquid and solid waste components that typically contains more solid than liquid content creating a thick, soft material and is a term often used when referring to biosolids also known as treated sewage.

**Slurry**

A semiliquid mixture or suspension of liquid and fine solid waste components that is typically more liquid than solid creating a thin, loose material.

**Substances of potential concern**

Any anthropogenic substance found in soil, ground water or surface water that is present in a concentration that meets or exceeds the level set out in the Saskatchewan Environmental Quality Standard for a given land use.

**Transfer station**

A facility that:

- (a) is used to temporarily store solid waste before its transport to a treatment, recycling, recovery or disposal facility or a landfill; and
- (b) may be used to burn clean, non-painted and non-treated wood;  
but does not include a facility that is used only for any, or any combination, of the following things or activities:
  - (c) the temporary storage of solid waste in a receptacle, bin or container that prevents that waste, or any liquid in that waste, from leaving the container;
  - (d) the temporary storage of clean concrete waste without metals or other materials;
  - (e) the storage of clean wood waste.

**Waste storage area**

The area within the property boundary of a transfer station that is designated or designed for the temporary storage of waste either in bins or on the ground.

**Standards Referenced in this Chapter**

The following standards, adopted pursuant to the Adoption of Standards Chapter, are referenced in this chapter:

- Discharge and Discovery Reporting Standard
- Qualified Person Certification Standard
- Saskatchewan Environmental Quality Standard

## CHAPTER B.2.2 Compost Facility Chapter

Adopted pursuant to *The Environmental Management and Protection Act, 2010*

### PART 1 General

#### Application

- 1-1(1)** This chapter applies to every person who owns, or intends to establish, a compost facility.
- (2) This chapter does not apply to the following activities:
- (a) backyard composting;
  - (b) composting at community gardens of materials that are generated on site;
  - (c) the composting of materials resulting from agricultural operations that are composted on the same property where they are generated;
  - (d) the composting of materials where all steps of the composting process are completed inside of closed vessels surrounded by secondary containment storage;
  - (e) the composting of materials that are regulated by any other Act, regulation or chapter of this code;
  - (f) any other activity as directed by the minister.

#### Compliance

- 1-2** Subject to sections 1-1 and 1-4, every person who owns, or intends to establish, a compost facility:
- (a) that composts 15,000 tonnes or more of either or both feedstock and amendment annually shall comply with all the requirements established pursuant to:
    - (i) Part 1; and
    - (ii) Part 2;
  - (b) that composts less than 15,000 tonnes of either or both feedstock and amendment annually shall comply with all the requirements established pursuant to:
    - (i) Part 1; and
    - (ii) either:
      - (A) Part 2; or
      - (B) Part 3.

**Notification required**

**1-3(1)** Every owner of a compost facility shall provide:

- (a) notice to the minister in a form and manner determined by the minister, if the owner intends to establish a compost facility or is operating a compost facility pursuant to a permit mentioned in subsection 1-4(2); and
  - (b) the minister with any other information or material that the minister may reasonably require before establishing a compost facility.
- (2) The minister shall provide a notification number to the owner of the compost facility.
- (3) Every owner of a compost facility shall include the notification number on all documents required to be prepared and retained pursuant to this chapter.

**Transitional - permits**

**1-4(1)** This section applies to every owner of a compost facility that is operating a compost facility on the day on which this chapter comes into force.

(2) In accordance with section 103 of the Act, every permit for a compost facility that was in force on the day before this chapter comes into force is continued in force until October 1, 2025 unless the permit is otherwise surrendered or cancelled before that date.

(3) On or before October 1, 2025, an owner of a compost facility who holds a valid permit for a compost facility mentioned in subsection (1) shall comply with all provisions of this chapter, including providing notification as required pursuant to section 1-3.

(4) Every owner of a compost facility that is operating a compost facility on the day on which this chapter comes into force, but who does not hold a valid permit for that compost facility shall, on or before October 1, 2025, comply with all provisions of this chapter, including providing notification as required pursuant to section 1-3.

(5) Notwithstanding subsections (3) and (4), an owner of a compost facility that is operating a compost facility on the day on which this chapter comes into force is not required to comply with the siting, design and construction requirements set out in this chapter, unless the owner of the compost facility is expanding the compost facility or the operation of the compost facility on this site may cause an adverse environmental effect, but all other requirements apply.

(6) Notwithstanding subsections (3) to (5), an owner of a compost facility that is operating a compost facility accepting less than 100 m<sup>3</sup> of only leaf and yard waste annually on the day this chapter comes into force shall comply with the following:

- (a) subject to subsection 3-1(1), Part 1;
- (b) section 3-1 except for subsection 3-1(2).

**Qualified person and certificates**

**1-5(1)** For the purposes of clause 2(1)(bb) of the Act, in this chapter “**qualified person**” means:

- (a) for the purposes of certifying an environmental protection plan:
  - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*;
  - (ii) a person who is a practising member as defined in *The Agrologists Act, 1994*;

(iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* who has 8 years of experience in the area of work to be performed that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or

(iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;

(b) for the purposes of certifying a site suitability report and design, any person mentioned in subclause (a)(i), (ii), (iii) or (iv);

(c) for the purposes of certifying a construction verification report, any person mentioned in subclause (a)(i), (ii), (iii) or (iv);

(d) for the purposes of certifying an environmental monitoring plan, any person mentioned in subclause (a)(i), (ii), (iii) or (iv);

(e) for the purposes of certifying an environmental monitoring report, any person mentioned in subclause (a)(i), (ii), (iii) or (iv);

(f) for the purpose of certifying a closure report, any person mentioned in subclause (a)(i), (ii), (iii) or (iv);

(g) for the purposes of certifying a laboratory analysis, an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity; and

(h) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures:

(i) a person who is an applied science technologist or certified technician pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act*; or

(ii) any person mentioned in subclause (a)(i), (ii) or (iv).

(2) Every owner of a compost facility shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

#### **Designation**

**1-6** For the purposes of clause 47(c) of the Act, compost facilities within the meaning of this chapter are prescribed as other facilities that are designated as waste management works.

#### **Environmental samples and laboratory analysis**

**1-7(1)** Subject to subsection (2), every owner of a compost facility required to perform environmental monitoring shall ensure that environmental samples are:

(a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and

(b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of an active accrediting body such as the Canadian Association for Laboratory Accreditation or Standards Council of Canada Accreditation, in accordance with the parameters for which the laboratory has been accredited.

(2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every owner of a compost facility shall ensure that a qualified person provides a certificate stating that, in the qualified person's opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

**General records**

**1-8(1)** Every owner of a compost facility shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:

- (a) a description and characterization for each of the feedstock and amendment types received and processed, including:
  - (i) the annual mass or volume and types of feedstock accepted at the facility; and
  - (ii) the annual mass or volume and types of amendments accepted at the facility;
- (b) the annual mass or volume of compost produced by the facility;
- (c) the annual mass or volume of compost that is used, sold, or given away by the facility;
- (d) the annual mass or volume of residuals and overs removed from the site;
- (e) volumes and chemical analysis results of process water removed from site, if applicable;
- (f) environmental monitoring plan, including:
  - (i) records of any environmental sampling, analysis or monitoring that has been conducted;
  - (ii) the results of any environmental analysis showing trend analyses, assessment and interpretation;
  - (iii) the date, location and time of environmental sampling or monitoring;
  - (iv) the name of the person collecting the environmental sample;
  - (v) an identification of the environmental sample type;
  - (vi) the date of analysis of the environmental sample;
  - (vii) the sampling method used;
  - (viii) the name of the laboratory that performed the analysis of the environmental sample;
  - (ix) the chain of custody form;
  - (x) the name of the person responsible for performing the analysis of the environmental sample;
  - (xi) the quality assurance and quality control records of any environmental samples; and
  - (xii) additional records and documents as detailed in the environmental monitoring plan;

- (g) any certificate received from a qualified person;
  - (h) any other records mentioned in Part 2 or Part 3.
- (2) Every owner of a compost facility shall ensure that the following records are kept and retained for the lifetime of the compost facility:
- (a) an up-to-date site plan showing all major features of the compost facility;
  - (b) documents pertaining to compost facility operations, including:
    - (i) inspection records;
    - (ii) compliance audits;
    - (iii) records of events that have occurred at the compost facility including:
      - (A) any discharges or discoveries as described in the Discharge and Discovery Reporting Standard;
      - (B) any releases not captured under the Discharge and Discovery Reporting Chapter, as applicable; and
      - (C) any environmental risk that threatens or threatened the safety of workers, the environment or infrastructures;
    - (iv) a verified monitoring plan that indicates that the quantity or concentration of a substance is outside of the expected and acceptable range, after consideration of the historical range of variability for that monitoring well;
    - (v) public complaints received about the compost facility and the resolutions;
    - (vi) any regulatory documents for the compost facility;
    - (vii) a copy of any notification, environmental protection plan, application, or proposal submitted to the minister along with related correspondence; and
    - (viii) a copy of the construction documents.
- (3) Every owner of a compost facility shall ensure that the records required to be kept pursuant to this chapter are made available to the minister on request.
- (4) Every owner of a compost facility shall ensure that, on transfer of ownership of the compost facility, the records required to be kept pursuant to this chapter are transferred to the new owner.
- (5) Every owner of a compost facility shall ensure that, after closure of the compost facility, the records required to be kept pursuant to this chapter, including the closure report, are kept and retained for 7 years.

**Reporting obligations**

**1-9** Every owner of a compost facility shall:

- (a) immediately report an incident involving spills or discharges of substances that may cause or is causing an adverse effect or meets the criteria set out in the Discharge and Discovery Reporting Standard, including unforeseen or unintended fire;
- (b) ensure the report mentioned in clause (a) includes a description of the cause of the incident and any steps taken to mitigate the incident and prevent reoccurrence;

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- (c) comply with any additional reporting requirements respecting discharges that are set out in the Discharge and Discovery Reporting Standard and ensure the report mentioned in clause (a) is completed in accordance with the Discharge and Discovery Reporting Chapter;
- (d) if the owner intends to expand the compost facility, provide the minister with written notice that the compost facility will be expanding at least 90 days before expansion of the compost facility;
- (e) provide the following to the minister, if applicable:
  - (i) for each year, an environmental monitoring report based on the data from the previous calendar year, including data interpretation, trend analysis, and a qualified person certificate to be submitted annually by April 1 of the following year;
  - (ii) an amended environmental monitoring plan for the compost facility 60 days before implementing changes;
  - (iii) a report following the replacement, abandonment or decommissioning of a groundwater monitoring well within 60 days after completion of work;
  - (iv) for each year, a general annual operations report based on the data from the previous calendar year to be submitted by April 1 of the following year describing:
    - (A) the annual mass or volume and types of feedstock accepted at the facility;
    - (B) the annual mass or volume and types of amendment accepted at the facility;
    - (C) the annual mass or volume of compost produced by the facility;
    - (D) the annual mass or volume of compost that is used, sold, or given away by the facility;
    - (E) the annual mass or volume of residuals and overs removed from the site;
    - (F) the volume and chemical analysis results of process water removed from the site; and
    - (G) a summary of public complaints received at the compost facility and the resolutions; and
- (f) make available records kept and retained as required pursuant to section 1-8 or subsections 3-1(3) and (8), as the case may be.

**Acceptable feedstock and amendments**

**1-10** No owner of a compost facility shall use any material in composting other than a feedstock or an amendment listed in the Compost Facilities Acceptable Feedstock and Amendment Standard, unless otherwise approved by the minister.

**Closure of a compost facility**

**1-11(1)** Every owner of a compost facility shall close the compost facility in accordance with this section if:

- (a) the owner no longer intends to accept feedstock or amendment at the compost facility;
  - (b) feedstock or amendment have not been accepted at the compost facility for at least 12 consecutive months; or
  - (c) required to do so by the minister in writing.
- (2) If an owner of a compost facility intends to close a compost facility, the owner shall provide to the minister written notice that the compost facility will be closing, at least 90 days before the closure.
- (3) On closure of a compost facility, the owner of the compost facility shall:
- (a) take appropriate steps to prevent trespassing, illegal dumping and vandalism; and
  - (b) ensure the site is clean and remove items not needed for the function of the site at an appropriate facility within 30 days.
- (4) Every owner of a compost facility that closes a compost facility in accordance with this section shall:
- (a) ensure that a closure report is prepared that satisfies the requirements set out in subsection (5);
  - (b) provide a copy of the closure report to the minister within 90 days after closing the compost facility; and
  - (c) provide to the minister within 90 days after closing the compost facility a certificate from a qualified person stating that, in the qualified person's opinion, the report satisfies the requirements set out in subsection (5).
- (5) The closure report mentioned in subsection (4) must include:
- (a) a list of any permits, approvals or notification numbers issued with respect to the compost facility, including in the case of a permit the date on which it was issued and the date of expiry;
  - (b) contact information for the owner of the compost facility;
  - (c) a general description of communities and industries served during the operating phase of the compost facility, including the feedstock and amendment types accepted;
  - (d) a site plan of the compost facility that identifies adjacent land uses, location of water wells and any surface water bodies, wetlands or watercourses within one kilometre of the compost facility;
  - (e) the location and global position of the compliance boundary, material storage and composting areas, groundwater monitoring wells, surface water control ponds, sedimentation ponds and retention ponds and other areas where process water is stored, if present;

- (f) the period the compost facility was in operation;
- (g) a summary of incidents of fires, reportable discharges pursuant to The Discharge and Discovery Reporting Chapter, abnormal occurrences, upset conditions, and operations or activities on site at any time during operations that resulted in potential risk to human health or safety or the environment;
- (h) work completed to decommission the site, including:
  - (i) removal of infrastructure;
  - (ii) removal of materials;
  - (iii) general site clean-up;
  - (iv) final contours and returning site to the intended end use; and
  - (v) any post-closure work;
- (i) any site assessment conducted in accordance with the Site Assessment Chapter, if applicable;
- (j) any corrective action taken in accordance with the Corrective Action Plan Chapter, if applicable; and
- (k) any recommendations for long-term monitoring or post-closure care.

## Part 2 Alternative Solution

### Results-based objective

**2-1(1)** The results-based objective of this chapter is to limit the probability of unacceptable adverse effects resulting from the activity addressed by this chapter.

(2) The results-based objective mentioned in subsection (1) must be satisfied by designing, constructing, managing and operating the compost facility in a safe and effective manner by taking reasonable and prudent measures to:

- (a) site the compost facility in an acceptable location with respect to:
  - (i) environmental and human receptors and places of concern, including, but not limited to, protected and conserved areas, cemeteries and heritage sites; and
  - (ii) topography, surface water hydrology and subsurface geologic and hydrogeological conditions;
- (b) engage or consult with adjacent landowners, stakeholders and anyone that may be impacted by the operations of the facility;
- (c) prepare an operations plan, including an emergency response plan;
- (d) employ composting methods that:
  - (i) are appropriate for the feedstock and amendment types and quantities intended for acceptance at the compost facility;
  - (ii) include quality control of the finished compost product;
- (e) prevent litter, dust, odours and nuisance to adjacent land;
- (f) prevent disease vector attraction;

- (g) prevent attraction of animals;
- (h) employ environmental control systems to minimize the release of any substance that may cause or is causing an adverse effect;
- (i) prevent and control surface water run-on;
- (j) contain run-off and contact water;
- (k) conduct environmental monitoring, as necessary, to provide timely detection of any substance that may cause or is causing an adverse effect; and
- (l) conduct regular environmental inspections.

**Environmental protection plan**

**2-2** Every owner of a compost facility, and every person who intends to establish a compost facility, shall:

- (a) have an environmental protection plan prepared that sets out the methods that will be employed to satisfy the results-based objective described in section 2-1;
- (b) ensure that a qualified person provides a certificate stating that, in the qualified person's opinion, the methods and components in the environmental protection plan, if carried out in accordance with that plan, will satisfy the results-based objective described in section 2-1; and
- (c) submit the following documents to the minister:
  - (i) the environmental protection plan for acceptance pursuant to section 27 of the Act, before establishing a compost facility;
  - (ii) the certificate from a qualified person obtained pursuant to clause (b).

Part 3

**Acceptable Solution**

DIVISION 1

**Requirements re certain compost facilities**

**Compost facility accepting less than 100 m<sup>3</sup> of only leaf and yard waste annually**

**3-1(1)** Every owner of a compost facility accepting less than 100 m<sup>3</sup> of only leaf and yard waste annually is not required to comply with subsections 1-8(1) and (5), clause 1-11(4)(c), and sections 3-3 to 3-9.

(2) Every owner of a compost facility accepting less than 100 m<sup>3</sup> of only leaf and yard waste annually shall, before constructing the compost facility, provide to the minister, on notification pursuant to section 1-3, a report that includes:

- (a) details respecting the feedstock and amendment types and quantities intended for acceptance at the compost facility;
- (b) a description of composting methods that will be used to process the feedstocks;

- (c) a site plan that presents the topography and surface water hydrology of the area within one kilometre of the proposed site, including:
- (i) the ground elevations and locations of all natural and artificial features;
  - (ii) the natural drainage patterns and run-off characteristics of the site;
  - (iii) the surface water features of the area;
  - (iv) the adjacent property boundaries and the land usage of those properties; and
  - (v) the location of:
    - (A) water wells;
    - (B) the municipal drains, drainage paths and boundaries, including road ditches that may hold or convey surface water; and
    - (C) any other features identified in section 3-2; and
  - (d) a written representation that requirements set out in section 3-2 are satisfied.
- (3) Subject to subsection (8), every owner of a compost facility accepting less than 100 m<sup>3</sup> of only leaf and yard waste annually shall ensure that the following records are kept and retained for at least 3 years from the date the record was created:
- (a) a description and characterization for each of the feedstock and amendment types received and processed, including:
    - (i) the annual mass or volume and types of feedstock accepted at the facility; and
    - (ii) the annual mass or volume and types of amendments accepted at the facility;
  - (b) the annual mass or volume of compost produced by the facility;
  - (c) the annual mass or volume of compost that is used, sold, or given away by the facility;
  - (d) the annual mass or volume of residuals and overs removed from the site.
- (4) Every owner of a compost facility accepting less than 100 m<sup>3</sup> of only leaf and yard waste annually shall, before beginning operation of the compost facility:
- (a) ensure that an operations plan is prepared that satisfies the requirements set out in subsection (5);
  - (b) ensure that an emergency response plan is prepared that satisfies the requirements set out in subsection (6);
  - (c) provide an original copy of the operations plan and emergency response plan to the minister on notification pursuant to section 1-3;
  - (d) maintain a copy of the operations plan and emergency response plan at the compost facility site; and

- (e) make available the original or amended operations plan and emergency response plans on request by the minister.
- (5) The operations plan for a compost facility accepting less than 100 m<sup>3</sup> of only leaf and yard waste annually mentioned in clause (4)(a) must include:
- (a) a site plan identifying operational areas;
  - (b) a list of feedstocks and amendments accepted;
  - (c) a description of the intended products to be produced and intended markets for those products;
  - (d) procedures for the receipt, inspection, screening and storage of feedstocks and other materials to avoid feedstock contamination;
  - (e) procedures for preventing acceptance of prohibited feedstock mentioned in section 1-10 and handling of feedstock and amendment that does not meet the acceptance criteria;
  - (f) a description of how by-products, including residuals and screenings, will be removed from the site in a timely manner and disposed of in accordance with the law;
  - (g) procedures for the incorporation of feedstocks into an active composting pile within 96 hours after arriving at the compost facility;
  - (h) procedures describing a contingency plan to manage the feedstocks should the requirement described in clause (g) not be met;
  - (i) a composting process plan, including:
    - (i) a description of the composting method or technology used;
    - (ii) procedures for maintaining appropriate aerobic conditions;
    - (iii) procedures for curing;
    - (iv) procedures for compost temperature control and management;
    - (v) quality control of the finished compost product; and
    - (vi) procedures for storage and management of compost;
  - (j) procedures for preventing nuisance such as litter and debris, vermin, dust or any type of fugitive emissions, noise, and insects;
  - (k) an animal management plan to prevent attraction of animals to the site;
  - (l) procedures to prevent unauthorized access around the compost facility to allow controlled access to the site;
  - (m) procedures to prevent fire;
  - (n) an odour management plan, including an odour contingency response plan to remedy offensive odours originating from the compost facility;
  - (o) regular site inspections;

- (p) procedures for the training and education of staff related to the compost facility site operations, the operation of the equipment, safe work practices, and first-aid procedures;
  - (q) procedures to track, document and resolve or mitigate public complaints; and
  - (r) the process for record keeping.
- (6) The emergency response plan for a compost facility accepting less than 100 m<sup>3</sup> of only leaf and yard waste annually mentioned in clause (4)(b) must include:
- (a) a site plan, showing relevant site features, hazardous substances and waste dangerous goods storage locations, if applicable, fire extinguishers, spill kits, first aid kits, and muster points;
  - (b) if managed on site, the procedures for handling of hazardous substances and waste dangerous goods, which shall align with *The Hazardous Substances and Waste Dangerous Goods Regulations*, including obtaining approval to store hazardous materials when applicable;
  - (c) an emergency phone list;
  - (d) security measures to be implemented at the compost facility site; and
  - (e) procedures for resolving and mitigating immediate emergencies related to health and safety, inclement weather, accidents, unauthorized discharges, abnormal occurrences or upset conditions, fires or explosions.
- (7) Every owner of a compost facility accepting less than 100 m<sup>3</sup> of only leaf and yard waste annually shall ensure that:
- (a) the compost facility is operated in accordance with the operations plan prepared in accordance with subsection (4);
  - (b) the operations plan and emergency response plan are reviewed annually;
  - (c) a conspicuous sign board is posted at the public entrance to the compost facility, detailing the following information:
    - (i) the name and contact information of the owner of the compost facility;
    - (ii) the telephone number of any persons that may be contacted during emergency;
    - (iii) the hours of operation of the compost facility;
    - (iv) warning against trespassing and illegal dumping;
  - (d) the quantity of feedstock accepted does not exceed the capacity of each processing area within the compost facility, as set out in the report prepared in accordance with subsection (2);
  - (e) feedstock, waste, screenings, or any other materials are not burned;
  - (f) every possible and reasonable action is immediately taken to extinguish any unforeseen or unintended fire and dispose of debris at an approved facility; and
  - (g) every discharge or discovery of a substance that may cause or is causing an adverse effect or meets the criteria set out in the Discharge and Discovery Reporting Standard, including unforeseen or unintended fire or spills, is reported to the Spill Report Centre – 1-800-667-7525.

(8) Every owner of a compost facility accepting less than 100 m<sup>3</sup> of only leaf and yard waste annually shall ensure that, after closure of the compost facility:

- (a) the records required to be kept pursuant to subsection (3) are kept and retained for 3 years; and
- (b) all other records required to be kept pursuant to this chapter, including the closure report, are kept and retained for 7 years.

DIVISION 2  
**Compost Facility Siting**

**Site of compost facility**

**3-2** Every owner of a compost facility shall site the compost facility at a location:

- (a) that is not a flood plain for a flood having a 500-year return period or a flood that has a 0.2% probability of occurrence in any one year based on available historical data;
- (b) where the seasonal high groundwater table, if present, is 1.0 metre or more below the lowest grade proposed for the compost facility;
- (c) that is not a ravine, gully or coulee;
- (d) where the active composting areas and curing areas as planned are at least 300 metres from any river, stream, lake, creek, wetland or other watercourse or water body that directly or indirectly flows overland to another watercourse or water body;
- (e) where the active composting areas and curing areas as planned are at least 300 metres from any area designated as an ecological reserve pursuant to *The Provincial Lands Act, 2016* and any areas designated as wildlife habitat land pursuant to *The Wildlife Habitat Protection Act*;
- (f) where the active composting areas and curing areas as planned are:
  - (i) for facilities accepting less than 100 m<sup>3</sup> of only leaf and yard waste annually, at least 300 metres from the following:
    - (A) a restaurant, canteen, cafeteria, or any other place where food is cooked or prepared for human consumption or is consumed;
    - (B) any motel, hotel, domestic residence or any other permanent or temporary building or residence that is or may be occupied as a residence; and
    - (C) any school, church or other place of worship, cemetery, heritage site, community centre, recreation facility or similar public building; or
  - (ii) for all other composting facilities, at least 500 metres from the following:
    - (A) a restaurant, canteen, cafeteria, or any other place where food is cooked or prepared for human consumption or is consumed;
    - (B) any motel, hotel, domestic residence or any other permanent or temporary building or residence that is or may be occupied as a residence; and

- (C) any school, church or other place of worship, cemetery, heritage site, community centre, recreation facility or similar public building;
- (g) where the active composting areas and curing areas as planned are at least 15 metres from the compliance boundary of the compost facility;
- (h) where the active composting areas and curing areas as planned are at least 10 metres from a groundwater monitoring well; and
- (i) where the active composting areas and curing areas as planned are at least 100 metres from any highway.

**Site suitability report**

**3-3(1)** Every owner of a compost facility shall, before constructing a compost facility or expanding an existing compost facility:

- (a) ensure a site suitability report is prepared that satisfies the requirements set out in subsection (2);
  - (b) provide a copy of the site suitability report to the minister on notification pursuant to section 1-3; and
  - (c) provide a certificate from a qualified person stating that, in the qualified person's opinion:
    - (i) the report meets the requirements set out in subsection (2); and
    - (ii) the location of the site as described in the report meets the siting requirements set out in section 3-2.
- (2) The site suitability report must include:
- (a) a site plan that presents the topography and surface water hydrology of the area within one kilometre of the proposed site, including:
    - (i) the ground elevations and locations of all natural and artificial features, including flood plains;
    - (ii) the natural drainage patterns and run-off characteristics of the site;
    - (iii) the surface water features of the area;
    - (iv) the adjacent property boundaries and the land usage of those properties; and
    - (v) the location of:
      - (A) residential properties;
      - (B) water wells;
      - (C) the municipal drains, drainage paths and boundaries, including road ditches that may hold or convey surface water; and
      - (D) any other features identified in section 3-2;
  - (b) a written representation of the relationship between the site operations, hydrogeologic setting, and the potential contaminant pathways to receptors;
  - (c) geographic area and communities intended to be served; and
  - (d) engagement or consultation with adjacent landowners, stakeholders and anyone that may be impacted by the operations of the facility.

DIVISION 3  
**Compost Facility Design**

**Compost facility design plan**

**3-4(1)** Before constructing or expanding an existing compost facility, every owner of a compost facility shall:

- (a) ensure that a compost facility design plan is prepared that satisfies the requirements set out in subsection (2);
  - (b) provide a copy of the design plan to the minister on notification pursuant to section 1-3; and
  - (c) provide a certificate from a qualified person stating that, in the qualified person's opinion, the design plan satisfies the requirements set out in subsection (2).
- (2) The compost facility design plan must:
- (a) include details respecting the feedstock and amendment types and quantities intended for acceptance at the compost facility;
  - (b) describe composting methods that will be used to process the feedstocks;
  - (c) describe and provides maximum capacities in cubic metres of all:
    - (i) receiving and preparation areas;
    - (ii) amendment storage areas;
    - (iii) active composting areas;
    - (iv) curing areas;
    - (v) final product storage areas;
    - (vi) residuals storage areas;
    - (vii) process water retention pond or containment, if applicable; and
    - (viii) storm water pond, if applicable;
  - (d) provide the total number, describe the maximum lengths, widths, heights, volumes, orientation and physical locations of windrows or piles of feedstocks, amendments, compost and other materials that will be located in each of the active areas and in each of the storage areas described in clause (c);
  - (e) provide the minimum setbacks from the compost facility's property line for each of the windrows or piles of feedstocks, amendments, compost and other materials that will be located within the compost facility;
  - (f) provide maps, drawings and specifications that, at a minimum, include:
    - (i) site maps that illustrate all the descriptions from clauses (c) to (e) and other main site features, including liner and internal road location;
    - (ii) design drawings of liners in clauses (j) and (p), showing the relation to the seasonal high groundwater elevation;

- (iii) design drawings showing run-on and run-off control systems in clauses (k) and (l);
  - (iv) a site plan or aerial photograph showing the geographic location of the compost facility relative to adjacent developments, residences, potable water sources, domestic water wells, public roadways, and natural water bodies located within one kilometre of the proposed site;
  - (v) a map showing the location of all proposed and existing groundwater monitoring wells;
  - (vi) topographic site plans showing the overall site development and setbacks from property lines;
  - (vii) cross-sections showing grades and elevations of each working surface; and
  - (viii) cross-sections showing grades and elevations of each retention pond or containment;
- (g) provide a means to prevent nuisance such as litter and debris, vermin, dust or any type of fugitive emissions, noise, and insects;
- (h) provide for a suitable fence or a means to prevent unauthorized access around the compost facility to allow controlled access to the site;
- (i) include details respecting an all-weather access road to the compost facility, including space for vehicles waiting to unload, emergency access, barriers, curbs, guard rails or other structures to safeguard site users, and stop barriers or bars to prevent vehicle accidents;
- (j) describe a liner system that:
- (i) is placed under all active areas of the facility, including the receiving, feedstock preparation, active composting and curing areas;
  - (ii) has a separation of at least 1.0 metre between the seasonally high groundwater table and the bottom of the liner;
  - (iii) has a positive slope to avoid ponding; and
  - (iv) is constructed of one of the following:
    - (A) a clay material with:
      - (I) a thickness of at least 0.5 metres measured perpendicular to the liner surface; and
      - (II) a hydraulic conductivity of  $1 \times 10^{-9}$  m/sec or less;
    - (B) an alternative material that has a hydraulic conductivity equivalent to the value set out in subparagraph (A)(II); or
    - (C) a natural protective layer, but only if:
      - (I) the natural protective layer prevents the lateral movement and downward migration of process water;
      - (II) the natural protective layer consists of at least 2.0 metres or more of undisturbed, unfractured fine-grained material that has a bulk hydraulic conductivity of  $1 \times 10^{-9}$  m/sec or less;

- (III) there is at least 1.0 metre of a material between the bottom of the natural protective layer and the seasonally high groundwater table; and
- (IV) the natural protective layer has a positive slope to avoid ponding;
- (k) describe a run-on control system, with, at a minimum, the capability of preventing the surface flow of water onto areas listed in clause (c) during the peak discharge from a one-in-25-year storm event that is 24 hours in duration;
- (l) describe a run-off control system, with, at a minimum, the capability of collecting and controlling the volume of run-off expected from a one-in-25-year storm event that is 24 hours in duration;
- (m) include details respecting erosion, sedimentation, siltation and flooding control;
- (n) include details respecting a design for a groundwater monitoring system that provides for:
  - (i) monitoring wells that are of suitable configuration, installed at appropriate locations and to appropriate depths below ground surface; and
  - (ii) a minimum of 3 monitoring wells downstream and one upstream of process areas based on the apparent groundwater flow direction at the site;
- (o) include details respecting a design to collect, monitor, and control or treat process water;
- (p) if applicable, describe a retention pond with a liner that:
  - (i) has a separation of at least 1.0 metre between the seasonally high groundwater table and the bottom of the liner; and
  - (ii) is constructed of one of the following:
    - (A) a clay material with:
      - (I) a thickness of at least 1.0 metre measured perpendicular to the liner surface; and
      - (II) a hydraulic conductivity of  $1 \times 10^{-9}$  m/sec or less;
    - (B) an alternative material that has a hydraulic conductivity equivalent to the value set out in subparagraph (A)(II);
    - (C) a natural protective layer, but only if:
      - (I) the natural protective layer prevents the lateral movement and downward migration of process water;
      - (II) the natural protective layer consists of 5.0 metres or more undisturbed, unfractured fine-grained material with a bulk hydraulic conductivity that is less than or equal to  $1 \times 10^{-8}$  m/sec; and

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- (III) there is at least 1.0 metre of material between the bottom of the natural protective layer and the seasonally high groundwater table;
- (q) describe a design to prevent odour generation that includes the following:
    - (i) a scaled map showing the locations and distances to receptor sites within minimum of 500 metres of the compost facility;
    - (ii) a description of all odour control technologies and odour management practices that will be used to prevent and mitigate offensive odours; and
    - (iii) a method to monitor and detect odours;
  - (r) include construction quality assurance and quality control; and
  - (s) include a decommissioning and reclamation plan.

DIVISION 4  
**Compost Facility Construction**

**Construction**

**3-5** Every owner of a compost facility shall, with respect to a compost facility or the expansion of an existing compost facility:

- (a) ensure that the compost facility is constructed in accordance with the compost facility design plan prepared in accordance with section 3-4;
- (b) provide to the minister, within 90 days after construction completion, a copy of a construction verification report, which contains the following:
  - (i) final drawings duly signed and sealed by a qualified person;
  - (ii) a description of the quality assurance and quality control testing conducted on construction materials and during construction activities with results, analysis, and interpretation;
  - (iii) an up-to-date site plan;
  - (iv) any other information the minister considers appropriate; and
- (c) provide a certificate from a qualified person stating that, in the qualified person's opinion, the design plan meets the requirements set out in section 3-4.

DIVISION 5  
**Compost Facility Operation**

**Operations plan and emergency response plan**

**3-6(1)** Every owner of a compost facility shall, before beginning operation of any type of compost facility:

- (a) ensure that an operations plan is prepared that satisfies the requirements set out in subsection (2);
- (b) ensure an emergency response plan is prepared that satisfies the requirements set out in subsection (3);

- (c) provide an original copy of the operations plan and emergency response plan to the ministry on notification pursuant to section 1-3; and
  - (d) make available the original or amended operations plan and emergency response plan on request by the minister.
- (2) The operations plan mentioned in clause (1)(a) shall at least include:
- (a) a site plan identifying operational areas;
  - (b) a list of compost feedstocks and amendments accepted;
  - (c) a description of the intended products to be produced and intended markets for those products;
  - (d) procedures for the receipt, inspection, screening and storage of feedstocks and other materials to avoid feedstock contamination;
  - (e) procedures for preventing acceptance of prohibited feedstock mentioned in section 1-10 and handling of feedstock and amendment that does not meet the acceptance criteria;
  - (f) a description of how by-products, including residuals and screenings, will be removed from the site in a timely manner and disposed of in accordance with the law;
  - (g) procedures for the incorporation of feedstocks into an active composting pile within 48 hours after arriving at the compost facility;
  - (h) procedures describing a contingency plan to manage the feedstocks should the requirement described in clause (g) not be met;
  - (i) a composting process plan, including:
    - (i) a description of the composting method or technology used;
    - (ii) procedures for maintaining appropriate aerobic conditions and moisture content;
    - (iii) a pathogens reduction plan;
    - (iv) a composting process monitoring plan for the temperature, moisture and free air space;
    - (v) procedures for curing;
    - (vi) density ranges of feedstocks and amendments in kilograms per cubic metres;
    - (vii) procedures for compost temperature control and management;
    - (viii) quality control of the finished compost product;
    - (ix) a description of compost sampling procedures and standards used to evaluate the final compost quality; and
    - (x) procedures for storage and management of compost;
  - (j) procedures for preventing nuisance such as litter and debris, vermin, dust or any type of fugitive emissions, noise, and insects;

- (k) procedures for preventing disease vectors that might pose a public health concern;
  - (l) an animal management plan to prevent attraction of animals to the site;
  - (m) procedures to prevent fire;
  - (n) an odour management plan, including:
    - (i) a description of how feedstock that has a high moisture content or has a high potential for creating an offensive odour will be managed on arrival at the compost facility;
    - (ii) a description of all odour control technologies and odour management practices that will be used to prevent and mitigate offensive odours;
    - (iii) a method to detect and monitor odours;
    - (iv) a scaled map showing the locations and distances to receptor sites within minimum of 500 metres of the compost facility;
    - (v) an odour contingency response plan to remedy offensive odours originating from the compost facility;
    - (vi) a procedure to track and document public complaints regarding odours; and
    - (vii) a procedure to respond to public complaints regarding odours;
  - (o) regular site inspections;
  - (p) containment and liner inspection and maintenance program, if applicable;
  - (q) procedures for the training and education of staff related to the compost facility site operations, the operation of the equipment, safe work practices, and first-aid procedures;
  - (r) procedures to track, document and resolve or mitigate public complaints and stakeholder concerns; and
  - (s) the process for record keeping.
- (3) The emergency response plan mentioned in clause (1)(b) shall include:
- (a) a site plan, showing relevant site features, hazardous substances and waste dangerous goods storage locations, if applicable, fire extinguishers, spill kits, first aid kits, and muster points;
  - (b) if managed on site, the procedures for handling of hazardous substances and waste dangerous goods, which shall align with *The Hazardous Substances and Waste Dangerous Goods Regulations*, including obtaining approval to store hazardous materials when applicable;
  - (c) an emergency phone list;
  - (d) security measures to be implemented at the compost facility site; and
  - (e) procedures for resolving or mitigating immediate emergencies related to health and safety, inclement weather, accidents, unauthorized discharges, abnormal occurrences or upset conditions, fires or explosions.

- (4) Every owner of a compost facility may amend the plans prepared in accordance with subsection (1), if the owner of the compost facility:
- (a) ensures that an amended operations plan is prepared that satisfies the requirements set out in subsection (2);
  - (b) ensures that an amended emergency response plan is prepared that satisfies the requirements set out in subsection (3);
  - (c) provides details explaining why the amendments were made;
  - (d) maintains a copy of the up-to-date operations plan or the emergency response plans, or both, on request by the minister; and
  - (e) provides a copy of either the up-to-date operations plan or the emergency response plan, or both, on request by the minister.

**Operating duties**

**3-7** Every owner of a compost facility shall ensure that:

- (a) the compost facility is operated in accordance with the operations plan prepared in accordance with section 3-6;
- (b) the operations plan and emergency response plans are reviewed and updated annually;
- (c) a conspicuous sign board is posted at the public entrance to the compost facility, detailing the following information:
  - (i) the name and contact information of the owner of the compost facility;
  - (ii) the telephone number of any persons that may be contacted during emergency;
  - (iii) the hours of operation of the compost facility; and
  - (iv) warning against trespassing and illegal dumping;
- (d) the quantity of feedstock accepted does not exceed the capacity of each processing area within the compost facility, as set out in the compost facility design plan prepared in accordance with section 3-4;
- (e) feedstock, waste, screenings, or any other materials are not burned;
- (f) every possible and reasonable action is immediately taken to extinguish any unforeseen or unintended fire and dispose of debris at an approved facility; and
- (g) discharge or discovery of a substance that may cause or is causing an adverse effect or meets the criteria set out in the Discharge and Discovery Reporting Standard, including unforeseen or unintended fire or spills is reported to the Spill Report Centre – 1-800-667-7525.

DIVISION 6  
**Environmental Monitoring****Environmental monitoring plan**

- 3-8(1)** An environmental monitoring plan is required for:
- (a) existing composting facilities pursuant to subsection 1-4(5); and
  - (b) composting facilities constructed in accordance with the compost facility design plan prepared in accordance with section 3-4.
- (2) Every owner of a compost facility shall, before beginning operation of any type of compost facility, provide a copy of the environmental monitoring plan to the minister on notification pursuant to section 1-3.
- (3) The environmental monitoring plan shall include a groundwater monitoring program that includes, at a minimum, the following:
- (a) for facilities described in clause (1)(b), a program to establish background groundwater quality prior to the start of composting operations;
  - (b) a detailed program for groundwater sample collection and analysis, that includes, at a minimum, the following:
    - (i) retrieval of representative samples from each groundwater monitoring well at least once per year;
    - (ii) laboratory analysis of the samples for parameters as set out in Table 1 of the Appendix;
    - (iii) laboratory analysis of any additional parameters identified by qualified persons;
    - (iv) monitoring the depth to water at each monitoring well at time of sampling.
- (4) The environmental monitoring plan shall include a surface water and process water monitoring program that includes, at a minimum, the following:
- (a) weekly monitoring of water levels in each retention pond and containment, if applicable;
  - (b) retrieval of representative samples from each pond and containment at least once per year or before transport or release off site;
  - (c) laboratory analysis of the samples described in clause (b) for parameters as set out in Table 1 of the Appendix;
  - (d) laboratory analysis of the samples described in clause (b) of any additional parameters identified by qualified persons;
- (5) For the purposes of subsection (4), samples from each retention pond and containment must meet the applicable water quality guidelines before transporting or releasing off site.
- (6) Every owner of a compost facility shall ensure that changes to the environmental monitoring plan are certified by a qualified person.

**Environmental monitoring plan duties**

**3-9** Every owner of a compost facility shall ensure that:

- (a) environmental monitoring is conducted in accordance with the environmental monitoring plan prepared in accordance with section 3-8;
- (b) any test results obtained from environmental monitoring conducted at the compost facility are interpreted and assessed against the Saskatchewan Environmental Quality Standard;
- (c) an environmental monitoring report, including the test results and interpretation of those results mentioned in clause (b) is provided to the minister pursuant to subclause 1-9(e)(i); and
- (d) a certificate from a qualified person is provided stating that, in the qualified person's opinion, the environmental monitoring report satisfies the requirements set out in section 3-8.

**Appendix**

(Subclause 3-8(3)(b)(ii) and clause 3-8(4)(c))

**Table 1  
Parameters for Routine Monitoring**

<b>Metals</b>	<b>Other Parameters</b>
Arsenic	Ammonia
Barium	Calcium
Boron	Chemical oxygen demand
Cadmium	Chloride
Chromium	Electrical conductivity
Copper	Magnesium
Iron	Nitrate-Nitrogen
Lead	pH
Manganese	Potassium
Mercury	Sodium
Vanadium	Sulphate
	Total coliform
	Total dissolved solids
	Total Kjeldahl Nitrogen
	Total organic carbon
	Total phosphorus

## Glossary of Terms

### Act

*The Environmental Management and Protection Act, 2010.*

### Active composting areas

The physical location where feedstock is processed during the active phase of composting, but does not include the curing areas.

### Aerobic conditions

An environment that is conducive to the microbial degradation of solid heterogeneous organic substrate in the presence of adequate oxygen to maintain those conditions until the material is considered compost.

### Amendment

A material that is:

- (a) used as a bulking agent during composting; and
- (b) listed in the Compost Facilities Acceptable Feedstock and Amendment Standard as an acceptable material for use as an amendment.

### Amendment storage areas

The physical location at a compost facility that is used to store amendments.

### Backyard composting

Composting of organic material at a residential dwelling site, including grass clippings, leaves or food waste, if:

- (a) the organic material is generated by the residents of the dwelling unit or neighbouring dwelling units or both, and
- (b) the amount of organic material does not exceed 3 cubic metres at any one time.

### Bulking agent

An amendment added to a mixture of feedstock to improve the structure of and aerate the mixture during composting.

### Community garden

A designated area that is set aside for use by individuals for the purposes of growing plants, including fruits, vegetables and flowers for personal use and includes an area operated by a community organization for use by residents and people in surrounding areas for those purposes.

### Compliance boundary

The property boundary of the compost facility as marked on the site plan for that compost facility.

### Compost

Solid mature product resulting from the process of composting.

### Compost facility

A waste management works as defined by clause 47(c) of the Act that performs composting.

### Compost Facilities Acceptable Feedstock and Amendment Standard

The Compost Facilities Acceptable Feedstock and Amendment Standard, as established by the minister on April 15, 2024, and adopted pursuant to the Adoption of Standards Chapter.

### Composting

Managed process of bio-oxidation of a solid heterogeneous organic substrate, including a thermophilic phase.

**Curing areas**

The physical locations at a compost facility that are used for the final stage of composting in which stabilization of compost continues but the rate of decomposition is slowed to a point where turned or forced aeration of material is no longer necessary.

**Discharge and Discovery Reporting Standard**

The Discharge and Discovery Reporting Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter;

**Expansion**

Expansion of a compost facility is:

- (a) the circumstance in which the property boundary of the facility is extended or enlarged;
- (b) the addition of new or increased active composting areas beyond the original design plan.

**Feedstock**

Feedstock is the raw material:

- (a) used as input into the process of composting; and
- (b) that is listed in the Compost Facilities Acceptable Feedstock and Amendment Standard as an acceptable material for use as feedstock.

**Final product storage areas**

The physical location at the compost facility used to store the final product that has gone through both the active composting and curing phases.

**Foreign matter**

Any matter over 2 millimetres in dimension that:

- (a) results from human intervention;
- (b) has organic and inorganic components such as metal, glass, synthetic polymers, including plastic and rubber; and
- (c) is present in the compost;

but does not include mineral soil, woody material and pieces of rock.

**Mature**

Designates a compost that, when used as an organic soil conditioner, does not have phytotoxic effects arising from, for example, the nitrogen immobilization or anaerobioses.

**Municipality**

A municipality as defined in section 2-29 of *The Legislation Act*, including the Saskatchewan portion of the City of Lloydminster.

**Natural protective layer**

A continuous layer of natural materials, beneath or on the sides of a structure or facility, that restricts the downward or lateral migration of the contents of the structure or facility.

**Operating phase**

The period during which feedstocks and amendments are received for storage, consolidation, and processing at the compost facility.

**Operations plan**

A written document that describes general instructions for the management and operations of a compost facility.

**Overs**

Oversized materials that have not completely decomposed and are removed or screened during the composting process.

**Owner of a compost facility**

Owner of a compost facility includes:

- (a) a government agency or municipality that owns a compost facility; and
- (b) a private owner of a compost facility.

**Private owner of a compost facility**

A person, other than a government agency or municipality, that owns a compost facility.

**Process water**

Any water, including run-on and run-off, that has been in contact with feedstocks, amendments or the active composting materials.

**Qualified Person Certification Standard**

The Qualified Person Certification Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Receiving and preparation areas**

The physical location at a compost facility where feedstocks and amendments are received and temporarily placed for processing prior to active composting.

**Residuals**

Unwanted inorganic materials that are removed from feedstocks, amendments, actively composting material, or compost, but does not include overs.

**Residuals storage areas**

The physical locations at a compost facility used to store residuals.

**Saskatchewan Environmental Quality Standard**

The Saskatchewan Environmental Quality Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Screenings**

Materials, including foreign matter, sharp foreign matter, and residuals that are removed from finished compost by a screen.

**Secondary containment**

An impermeable barrier, synthetic membrane liner or any other similar material or structure used for the purposes of preventing a primary containment system from leaking.

**Thermophilic phase**

Biological phase in the composting process characterized by the presence of micro-organisms which grow optimally in a temperature range of 45°C to 75°C.

**Standards Referenced in this Chapter**

The following standards, adopted pursuant to the Adoption of Standards Chapter, are referenced in this chapter:

Compost Facilities Acceptable Feedstock and Amendment Standard

Discharge and Discovery Reporting Standard

Qualified Person Certification Standard

Saskatchewan Environmental Quality Standard.

**CHAPTER C.1.1**  
**Water Main Chapter**

Adopted pursuant to *The Environmental Management and Protection Act, 2010*

**PART 1**  
**General**

**Application**

**1-1** This chapter applies to every owner of a water main that is used or intended to be used to supply water for human consumptive use in a municipality with a population of at least 5,000 persons as determined by the most recent census conducted pursuant to the *Statistics Act* (Canada), but does not apply:

- (a) to water pipelines;
- (b) to the operation of a water main;
- (c) to water treatment systems, water plants, water reservoirs, water pump houses; or
- (d) to the following activities conducted on a water main:
  - (i) maintenance;
  - (ii) line break repairs;
  - (iii) construction of service connections;
  - (iv) replacement of a water main with another water main at the same location or within the same right of way.

**Compliance**

**1-2** Every owner of a water main shall comply with all the requirements established pursuant to:

- (a) Part 1; and
- (b) either:
  - (i) Part 2; or
  - (ii) Part 3.

**Notification required**

**1-3(1)** No person shall commence work on the construction of a water main unless that person has:

- (a) notified the minister in the form provided by the minister and provided the minister with any other information or material that the minister may reasonably require; and
- (b) received a notification number from the minister.

(2) Every person who has received a notification number pursuant to clause (1)(b) shall ensure that the notification number is included on all documents required by this chapter to be kept and retained.

**Qualified person and certificates**

**1-4(1)** For the purposes of clause 2(1)(bb) of the Act, in this chapter “qualified person” means:

- (a) for the purposes of certifying an environmental protection plan:
  - (i) a person licensed to practise professional engineering pursuant to *The Engineering and Geoscience Professions Act*; or
  - (ii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (b) for the purposes of certifying a water main design plan:
  - (i) a person licensed to practise professional engineering pursuant to *The Engineering and Geoscience Professions Act*;
  - (ii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* and who has 8 years of experience in the area of work to be performed that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
  - (iii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (c) for the purposes of certifying the monitoring and commissioning requirements:
  - (i) a person licensed to practise professional engineering pursuant to *The Engineering and Geoscience Professions Act*;
  - (ii) a person who is an applied science technologist or certified technician pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act*;
  - (iii) an operator who holds at least the corresponding certificate for the classification of the waterworks that is set out in the Saskatchewan Water and Wastewater Works Operator Certification Standards; or
  - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (d) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures, any person mentioned in clause (c).

(2) Every owner of a water main shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

**Designation of water main as a waterworks**

**1-5** For the purposes of this chapter, every water main is designated as a waterworks for the purposes of subclause 2(1)(pp)(ii) of the Act.

**Environmental samples and laboratory analysis**

**1-6(1)** Subject to subsection (2), every owner of a water main shall ensure that environmental samples are:

- (a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and

- (b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.
- (2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every owner of a water main shall ensure that a qualified person provides a certificate stating that, in his or her opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

**General records**

**1-7(1)** Every owner of a water main shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:

- (a) records respecting cleaning and disinfection procedures, including the cleaners and disinfectants used, the disinfectant concentrations achieved and all microbial water quality analysis performed during commissioning of the water main;
  - (b) the results of all pressure integrity testing performed during commissioning of the water main;
  - (c) a record of the commissioning procedures used;
  - (d) a record of any action taken to correct failed test results respecting construction-related microbial or pressure integrity;
  - (e) a record of any departure from planned or accepted construction practices;
  - (f) records of any environmental sampling, analysis or monitoring that has been conducted, including:
    - (i) the results of any environmental analysis;
    - (ii) the date, location and time of environmental sampling or monitoring;
    - (iii) the name of the person collecting the environmental sample;
    - (iv) an identification of the environmental sample type;
    - (v) the date of analysis of the environmental sample;
    - (vi) the sampling method used;
    - (vii) the name of the laboratory that performed the analysis of the environmental sample;
    - (viii) the name of the person responsible for performing the analysis of the environmental sample; and
    - (ix) the quality assurance and quality control records of any environmental samples.
- (2) Every owner of a water main shall ensure that the following records are kept and retained for the operational life of the water main and for a period of 15 years after the operational life:
- (a) any water main operation or maintenance manual developed during the operational life;
  - (b) copies of all water-main-related notification information and correspondence;
  - (c) copies of all water-main-related design specifications, reports and as-constructed drawings;

- (d) copies of all records related to the construction and any inspection of the water main;
  - (e) copies of all analytical and testing procedures;
  - (f) any certificate received from a qualified person;
  - (g) any other records mentioned in Part 2 or Part 3.
- (3) Every owner of a water main shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.
- (4) An owner of a water main shall ensure that, on transfer of ownership of the water main, the records required to be kept pursuant to this section are transferred to the new owner.

**General reporting**

- 1-8(1)** Subject to subsection (2), every owner of a water main shall provide the minister with a copy of the results of any microbiological testing performed in accordance with this chapter within 7 days after receiving the results.
- (2) If the results of any microbiological testing mentioned in subsection (1) detect any coliform or *Escherichia coli* organisms, the owner of the water main shall provide the minister with a copy of those results immediately on receiving them.
- (3) Every owner of a water main shall:
- (a) provide the following documents, before beginning construction, to the designer, contractor and the person supervising the construction work:
    - (i) a copy of the notification provided to the minister pursuant to section 1-3;
    - (ii) a copy of this chapter; and
  - (b) provide the minister with the following:
    - (i) before beginning construction, verbal or written notice of the date when construction will begin;
    - (ii) after construction is 75% complete and before it is 95% complete, verbal or written notice that construction is significantly completed;
    - (iii) within one year after completing construction, as-constructed drawings of the water main or any changes to the water main.

## PART 2

**Alternative Solution****Results-based objective**

- 2-1(1)** The results-based objective of this chapter is to limit the probability of unacceptable adverse effects resulting from the activity addressed by this chapter.
- (2) The results-based objective mentioned in subsection (1) must be satisfied by:
- (a) providing a water main to convey water for human consumptive use by taking reasonable and prudent measures:
    - (i) to ensure that the water meets the concentration limits for the parameters set out in Table 3 in the Appendix of *The Waterworks and Sewage Works Regulations*, within the timelines set out in that Table, when the water main is commissioned;

- (ii) to ensure that the water meets the chemical treatment standards set out in clause 27(6)(b) of *The Waterworks and Sewage Works Regulations* when the water main is commissioned;
- (iii) to ensure that the water meets the microbial and bacteriological standards set out in subsection 29(3) of *The Waterworks and Sewage Works Regulations* when the water main is commissioned;
- (iv) to employ effective and safe products and materials that come into contact with water in the water main;
- (v) to design and construct the water main:
  - (A) to resist infiltration of foreign substances; and
  - (B) to facilitate cleaning and maintenance of the water main; and
- (vi) in advance of commissioning:
  - (A) to clean, disinfect and flush the water main; and
  - (B) to pressure test the water main;
- (b) providing longevity of the water main by taking reasonable and prudent measures to design and construct the water main:
  - (i) to facilitate seamless workings with the existing human consumptive use waterworks for a period of at least 10 years; and
  - (ii) to withstand normally encountered stresses; and
- (c) taking reasonable and prudent measures to include components on monitoring, recording and reporting.

**Environmental protection plan**

**2-2** Every person who intends to construct a water main shall:

- (a) have an environmental protection plan prepared that sets out the methods that will be employed to satisfy the results-based objective described in section 2-1;
- (b) ensure that a qualified person provides a certificate stating that, in his or her opinion, the methods and components in the environmental protection plan, if carried out in accordance with that plan, will satisfy the results-based objective described in section 2-1; and
- (c) submit the following documents to the minister:
  - (i) the environmental protection plan for acceptance pursuant to section 27 of the Act;
  - (ii) the certificate from a qualified person obtained pursuant to clause (b).

PART 3  
**Acceptable Solution**

**Water main design plan**

**3-1(1)** Before constructing, altering or expanding a water main, the owner of the water main shall:

- (a) ensure that a water main design plan is prepared that satisfies the requirements set out in subsection (2); and

(b) ensure that a qualified person provides a certificate stating that, in his or her opinion, the water main design plan, if carried out in accordance with that plan, will satisfy the requirements set out in subsection (2).

(2) The water main design plan mentioned in subsection (1) must satisfy the requirements set out in the following provisions of the Waterworks Design Standard:

- (a) section 1.2.5 (Distribution);
- (b) section 5.1 (Distribution - General);
- (c) section 5.3 (Distribution Systems).

**Commissioning of water main**

**3-2** Every owner of a water main shall:

- (a) ensure that the water main is constructed in accordance with the water main design plan prepared in accordance with section 3-1;
- (b) before commissioning a water main, ensure that a qualified person provides a certificate stating that, in his or her opinion:
  - (i) the requirements for commissioning a water main set out in the Waterwork Start-Up Standard have been met;
  - (ii) the water in the water main meets the concentration limits for the parameters set out in Table 3 in the Appendix of *The Waterworks and Sewage Works Regulations*, within the timelines set out in that Table;
  - (iii) the water will meet the chemical treatment standards set out in clause 27(6)(b) of *The Waterworks and Sewage Works Regulations* when the water main is commissioned;
  - (iv) the water will meet the microbial and bacteriological standards set out in subsection 29(3) of *The Waterworks and Sewage Works Regulations* when the water main is commissioned; and
  - (v) a pressure test of the water main has been conducted and the water main has passed that pressure test; and
- (c) ensure that only the chemicals listed in the NSF/ANSI Standard 60: Drinking Water Treatment Chemicals - Health Effects are used to clean the water main during construction, alteration, extension or commissioning of the water main.

**Environmental samples**

**3-3** Notwithstanding section 1-6, every owner of a water main shall ensure that environmental samples collected, preserved, stored, handled or analysed pursuant to this Part are collected, preserved, stored, handled or analysed in accordance with the Standard Methods for the Examination of Water and Wastewater.

**Reporting**

**3-4** Every owner of a water main shall submit the following documents to the minister:

- (a) before constructing, altering or expanding a water main:
  - (i) the water main design plan mentioned in clause 3-1(1)(a); and
  - (ii) the certificate from a qualified person obtained pursuant to clause 3-1(1)(b);
- (b) before commissioning a water main, the certificate from a qualified person obtained pursuant to clause 3-2(b).

## Glossary of Terms

### **Act**

*The Environmental Management and Protection Act, 2010.*

### **Human consumptive use**

The use of water for human consumption, including the following uses and applications:

- (a) drinking;
- (b) cooking and food preparation;
- (c) oral hygiene.

### **Hygienic use**

The use of water for hygienic purposes by humans, including the following uses and applications:

- (a) bathing and personal hygiene, but not including swimming;
- (b) showering;

but does not include human consumptive use.

### **Municipality**

A municipality as defined in *The Interpretation Act, 1995*, including the Saskatchewan portion of the City of Lloydminster.

### **NSF/ANSI Standard 60: Drinking Water Treatment Chemicals – Health Effects**

The NSF/ANSI Standard 60: Drinking Water Treatment Chemicals – Health Effects, as established by NSF International, May 2, 2011, and adopted pursuant to the Adoption of Standards Chapter.

### **Owner of a water main**

A person who owns a water main or intends to construct a water main.

### **Pipes**

Closed conduits and all appurtenances attached to those conduits.

### **Pump house**

A facility in a waterworks containing one or more pumps and any appurtenances to those pumps that are designed to pump water into a waterworks or a water main.

### **Qualified Person Certification Standard**

The Qualified Person Certification Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

### **Saskatchewan Water and Wastewater Works Operator Certification Standards**

The Saskatchewan Water and Wastewater Works Operator Certification Standards, EPB 539, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

### **Service connection**

A water pipe that connects a water main with a premises.

### **Standard Methods for the Examination of Water and Wastewater**

The Standard Methods for the Examination of Water and Wastewater, 22nd Edition, 2012, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation, and adopted pursuant to the Adoption of Standards Chapter.

**Water main**

That part of a water distribution works that includes water mains and related piping, control and monitoring systems and appurtenances.

**Water pipeline**

All or a portion of a waterworks, distribution system or extended network of pipes that:

- (a) is owned by a person or association, other than a municipality;
- (b) is used or intended to be used to provide water for human consumptive use or hygienic use; and
- (c) serves one or more of, or any combination of, the following:
  - (i) permanent residences;
  - (ii) seasonal residences;
  - (iii) acreages;
  - (iv) farmsteads;
  - (v) trailer courts;
  - (vi) commercial buildings;
  - (vii) industrial buildings;
  - (viii) any other similar facility.

**Waterwork Start-Up Standard**

The Waterwork Start-Up Standard, EPB 560A, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Waterworks Design Standard**

The Waterworks Design Standard, EPB 501, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Standards Referenced in this Chapter**

The following standards, adopted pursuant to the Adoption of Standards Chapter, are referenced in this chapter:

NSF/ANSI Standard 60: Drinking Water Treatment Chemicals -- Health Effects  
Qualified Person Certification Standard  
Saskatchewan Water and Wastewater Works Operator Certification Standards  
Standard Methods for the Examination of Water and Wastewater  
Waterwork Start-Up Standard  
Waterworks Design Standard

## CHAPTER C.2.1 Sewage Main Chapter

Adopted pursuant to *The Environmental Management and Protection Act, 2010*

### PART 1 General

#### Application

**1-1** This chapter applies to every owner of a sewage main that is used or intended to be used by a municipality with a population of at least 5,000 persons as determined by the most recent census conducted pursuant to the *Statistics Act* (Canada), but does not apply:

- (a) to the operation of a sewage main;
- (b) to sewage treatment systems, including treatment systems designed to function in sewage mains, sewage plants, sewage reservoirs, large pipe structures used as reservoirs, lift stations and sewage pump houses; or
- (c) to the following activities conducted on a sewage main:
  - (i) maintenance;
  - (ii) line break repairs;
  - (iii) construction of service connections;
  - (iv) replacement of a sewage main with another sewage main at the same location or within the same right of way.

#### Compliance

**1-2** Every owner of a sewage main shall comply with all the requirements established pursuant to:

- (a) Part 1; and
- (b) either:
  - (i) Part 2; or
  - (ii) Part 3.

#### Notification required

**1-3(1)** No person shall commence work on the construction of a sewage main unless that person has:

- (a) notified the minister in the form provided by the minister and provided the minister with any other information or material that the minister may reasonably require; and
- (b) received a notification number from the minister.

(2) Every owner of a sewage main who has received a notification number pursuant to clause (1)(b) shall ensure that the notification number is included on all documents required by this chapter to be kept and retained.

**Qualified person and certificates**

**1-4(1)** For the purposes of clause 2(1)(bb) of the Act, in this chapter “qualified person” means:

- (a) for the purposes of certifying an environmental protection plan:
  - (i) a person licensed to practise professional engineering pursuant to *The Engineering and Geoscience Professions Act*; or
  - (ii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (b) for the purposes of certifying a sewage main design plan:
  - (i) a person licensed to practise professional engineering pursuant to *The Engineering and Geoscience Professions Act*;
  - (ii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* and who has 8 years of experience in the area of work to be performed that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
  - (iii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (c) for the purposes of certifying the monitoring and commissioning requirements:
  - (i) a person licensed to practise professional engineering pursuant to *The Engineering and Geoscience Professions Act*;
  - (ii) a person who is an applied science technologist or certified technician pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act*;
  - (iii) an operator who holds at least the corresponding certificate for the classification of the sewage works that is set out in the Saskatchewan Water and Wastewater Works Operator Certification Standards; or
  - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (d) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures, any person mentioned in clause (c).

(2) Every owner of a sewage main shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

**Designation of sewage main as a sewage works**

**1-5** For the purposes of this chapter, every sewage main is designated as a sewage works for the purposes of subclause 2(1)(ee)(ii) of the Act.

**Environmental samples and laboratory analysis**

**1-6(1)** Subject to subsection (2), every owner of a sewage main shall ensure that environmental samples are:

- (a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and

(b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.

(2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every owner of a sewage main shall ensure that a qualified person provides a certificate stating that, in his or her opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

**General records**

**1-7(1)** Every owner of a sewage main shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:

- (a) the results of all pressure integrity testing performed during commissioning of the sewage main;
- (b) a record of any action taken to correct failed test results respecting pressure integrity;
- (c) a record of any departure from planned or accepted construction practices;
- (d) records of any environmental sampling, analysis or monitoring that has been conducted, including:
  - (i) the results of any environmental analysis;
  - (ii) the date, location and time of environmental sampling or monitoring;
  - (iii) the name of the person collecting the environmental sample;
  - (iv) an identification of the environmental sample type;
  - (v) the date of analysis of the environmental sample;
  - (vi) the sampling method used;
  - (vii) the name of the laboratory that performed the analysis of the environmental sample;
  - (viii) the name of the person responsible for performing the analysis of the environmental sample; and
  - (ix) the quality assurance and quality control records of any environmental samples.

(2) Every owner of a sewage main shall ensure that the following records are kept and retained for the entire operational life of the sewage main and for a period of 15 years after the operational life:

- (a) any sewage main operation or maintenance manual developed during the operational life;
- (b) copies of all sewage-main-related notification information and correspondence;
- (c) copies of all sewage-main-related design specifications, reports and as-constructed drawings;
- (d) copies of all records related to the construction and any inspection of the sewer main;
- (e) copies of all analytical and testing procedures;
- (f) any certificate received from a qualified person;

- (g) any other records mentioned in Part 2 or Part 3.
- (3) Every owner of a sewage main shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.
- (4) An owner of a sewage main shall ensure that, on transfer of ownership of the sewage main, the records required to be kept pursuant to this section are transferred to the new owner.

**General reporting**

**1-8** Every owner of a sewage main shall:

- (a) provide the following documents, before beginning construction, to the designer, contractor and the person supervising the construction work:
  - (i) a copy of the notification provided to the minister pursuant to section 1-3;
  - (ii) a copy of this chapter; and
- (b) provide the minister with the following:
  - (i) before beginning construction, verbal or written notice of the date when construction will begin;
  - (ii) after construction is 75% complete and before it is 95% complete, verbal or written notice that construction is significantly completed;
  - (iii) within one year after completing construction, as-constructed drawings of the sewage main or any changes to the sewage main.

**PART 2  
Alternative Solution**

**Results-based objective**

- 2-1(1)** The results-based objective of this chapter is to limit the probability of unacceptable adverse effects resulting from the activity addressed by this chapter.
- (2) The results-based objective mentioned in subsection (1) must be satisfied by:
  - (a) providing a sewage main to convey wastewater by taking reasonable and prudent measures:
    - (i) to employ inert materials in the sewage main;
    - (ii) to design and construct the sewage main:
      - (A) to resist exfiltration or infiltration of foreign substances;
      - (B) to limit the release of wastewater during conveyance; and
      - (C) to facilitate the cleaning and maintenance of the sewage main; and
    - (iii) to pressure test the sewage main in advance of commissioning;
  - (b) providing longevity of the sewage main by taking reasonable and prudent measures to design and construct the sewage main:
    - (i) to facilitate seamless workings with the existing sewage works and waterworks for a period of at least 10 years;
    - (ii) to withstand normally encountered stresses; and
    - (iii) to facilitate cleaning and maintenance of the sewage main; and

- (c) taking reasonable and prudent measures to include components on monitoring, recording and reporting.

**Environmental protection plan**

**2-2** Every person who intends to construct a sewage main shall:

- (a) have an environmental protection plan prepared that sets out the methods that will be employed to satisfy the results-based objective described in section 2-1;
- (b) ensure that a qualified person provides a certificate stating that, in his or her opinion, the methods and components in the environmental protection plan, if carried out in accordance with that plan, will satisfy the results-based objective described in section 2-1; and
- (c) submit the following documents to the minister:
  - (i) the environmental protection plan for acceptance pursuant to section 27 of the Act;
  - (ii) the certificate from a qualified person:
    - (A) obtained pursuant to subsection 1-6(2), if any; and
    - (B) obtained pursuant to clause (b).

PART 3  
**Acceptable Solution**

**Sewage main design plan**

**3-1(1)** Before constructing, altering or expanding a sewage main, the owner of the sewage main shall:

- (a) ensure that a sewage main design plan is prepared that satisfies the requirements set out in subsection (2); and
  - (b) ensure that a qualified person provides a certificate stating that, in his or her opinion, the sewage main design plan, if carried out in accordance with that plan, will satisfy the requirements set out in subsection (2).
- (2) The sewage main design plan mentioned in subsection (1) must satisfy the requirements set out in the following provisions of the Sewage Works Design Standard:
- (a) section 1.2.1 (General);
  - (b) section 1.2.2 (Sanitary Sewage Collection/Pumping and Forcemains);
  - (c) section 2 (Sanitary Sewers).

**Commissioning of sewage main**

**3-2(1)** Every owner of a sewage main shall:

- (a) ensure the sewage main is constructed in accordance with the sewage main design plan prepared in accordance with section 3-1; and
- (b) before commissioning a sewage main, ensure that a qualified person provides a certificate stating that, in his or her opinion:
  - (i) there is no physical cross-connection between a sewage main and a water main that could permit the passage of any sewage or contaminated water into a supply of water that is intended for human consumption or a human consumptive use;

- (ii) there is no physical cross-connection between a sewage main and surface water or groundwater, unless otherwise approved by the minister;
  - (iii) there is no physical interconnection between a sewage main and a storm sewer in a manner that would allow sewage in the sewage main to be discharged through the storm sewer;
  - (iv) the sewage main is constructed to a sufficient depth to protect against freezing and to receive sewage from basements without flooding;
  - (v) the infiltration and exfiltration rate for pressure testing of polyvinyl chloride sewage mains and fittings does not exceed 4.6 litres per millimetre diameter of pipe per kilometre length per day; and
  - (vi) the sewage main is designed and constructed to create a local environment free of odour complaints.
- (2) Notwithstanding subclause (1)(b)(v), low-pressure air testing may be permitted to verify joint tightness when tested to a maximum rate of air loss of 0.0004572 metres cubed per square metre (0.0015 cubic feet per minute per square foot) of internal surface.

**Environmental samples**

**3-3** Notwithstanding section 1-6, every owner of a sewage main shall ensure that environmental samples collected, preserved, stored, handled or analysed pursuant to this Part are collected, preserved, stored, handled or analysed in accordance with the Standard Methods for the Examination of Water and Wastewater.

**Reporting**

- 3-4** Every owner of a sewage main shall submit the following documents to the minister:
- (a) before constructing, altering or expanding a sewage main:
    - (i) the sewage main design plan mentioned in clause 3-1(1)(a); and
    - (ii) the certificate from a qualified person obtained pursuant to clause 3-1(1)(b); and
  - (b) before commissioning a sewage main, the certificate from a qualified person obtained pursuant to clause 3-2(1)(b).

**Glossary of Terms**

**Act**

*The Environmental Management and Protection Act, 2010.*

**Human consumptive use**

A use of water for human consumption, including the following uses and applications:

- (a) drinking;
- (b) cooking and food preparation;
- (c) oral hygiene.

**Municipality**

A municipality as defined in *The Interpretation Act, 1995*, including the Saskatchewan portion of the City of Lloydminster.

**Owner of a sewage main**

A person who owns a sewage main or intends to construct a sewage main.

**Pipes**

Closed conduits and all appurtenances attached to those conduits.

**Qualified Person Certification Standard**

The Qualified Person Certification Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Saskatchewan Water and Wastewater Works Operator Certification Standards**

The Saskatchewan Water and Wastewater Works Operator Certification Standards, EPB 539, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Service connection**

A sewage pipe that connects a sewage main with a premises.

**Sewage main**

That part of a sewage collection works that includes sewage mains, force mains and related piping, control and monitoring systems and appurtenances.

**Sewage Works Design Standard**

The Sewage Works Design Standard, EPB 503, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Standard Methods for the Examination of Water and Wastewater**

The Standard Methods for the Examination of Water and Wastewater, 22nd Edition, 2012, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation, and adopted pursuant to the Adoption of Standards Chapter.

**Storm sewer**

A system of conduits, drains, mains, manholes, basins and pipes intended, exclusively or principally, to convey storm water.

**Standards Referenced in this Chapter**

The following standards, adopted pursuant to the Adoption of Standards Chapter, are referenced in this chapter:

Qualified Person Certification Standard

Saskatchewan Water and Wastewater Works Operator Certification Standards

Sewage Works Design Standard

Standard Methods for the Examination of Water and Wastewater

## CHAPTER C.3.1

### Hydrostatic Testing Chapter

Adopted pursuant to *The Environmental Management and Protection Act, 2010*

#### PART 1

##### General

##### Application

**1-1** This chapter applies to persons conducting hydrostatic testing on a pipeline or flowline, but does not apply to the hydrostatic testing of pipelines or flowlines:

- (a) regulated by the *Canadian Energy Regulator Act* (Canada); or
- (b) tested at the shop before pipe placement.

##### Compliance

**1-2(1)** Subject to subsection (2), every person who conducts hydrostatic testing shall comply with all the requirements established pursuant to:

- (a) Part 1; and
- (b) either:
  - (i) Part 2; or
  - (ii) Part 3.

(2) Every person who conducts hydrostatic testing shall comply with all the requirements established pursuant to Parts 1 and 2 if the person:

- (a) discharges 1000m<sup>3</sup> or more of hydrostatic test water other than to a treatment, recovery or disposal facility;
- (b) discharges hydrostatic test water to a watercourse or water body; or
- (c) discharges hydrostatic test water to land if:
  - (i) the discharge water exceeds any of the limits set out in Table 1 of the appendix;
  - (ii) hydrostatic testing was conducted on pipelines or flowlines that previously transported substance; or
  - (iii) hydrostatic testing was conducted with the use of additives.

##### Notification required

**1-3(1)** No person shall conduct hydrostatic testing unless that person has:

- (a) notified the minister in the form provided by the minister and provided the minister with any other information or material that the minister may reasonably require; and
- (b) received a notification number from the minister.

(2) Every person who has received a notification number pursuant to clause (1)(b) shall ensure that the notification number is included on all documents required by this chapter to be kept and retained.

**Qualified person and certificates**

**1-4(1)** For the purposes of clause 2(1)(bb) of the Act, in this chapter “qualified person” means:

- (a) for the purposes of certifying an environmental protection plan:
  - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*;
  - (ii) a person who is a practising member as defined in *The Agrologists Act, 1994*;
  - (iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* who has 8 years of experience in hydrostatic testing that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
  - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (b) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures:
  - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*;
  - (ii) a person who is a practising member as defined in *The Agrologists Act, 1994*;
  - (iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act*; or
  - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity.

(2) Every person who conducts hydrostatic testing shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

**Environmental samples and laboratory analysis**

**1-5(1)** Subject to subsection (2), every person who conducts hydrostatic testing shall ensure that environmental samples are:

- (a) collected, preserved, stored, handled or analysed in accordance with an environmental sampling or analytical method approved by a standards-setting organization; and
- (b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.

(2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every person conducting hydrostatic testing shall ensure that a qualified person provides a certificate stating that, in his or her opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

**General records**

**1-6(1)** Every person who conducts hydrostatic testing shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:

- (a) records of any environmental sampling, analysis or monitoring that has been conducted, including:
  - (i) the results of any environmental analysis;
  - (ii) the date, location and time of environmental sampling or monitoring;
  - (iii) the name of the person collecting the environmental sample;
  - (iv) an identification of the environmental sample type;
  - (v) the date of analysis of the environmental sample;
  - (vi) the sampling method used;
  - (vii) the name of the laboratory that performed the analysis of the environmental sample;
  - (viii) the name of the person responsible for performing the analysis of the environmental sample;
  - (ix) the quality assurance and quality control records of any environmental samples; and
  - (x) the dates and results of required calibration of field equipment;
- (b) any certificate received from a qualified person;
- (c) the type, name and location of source water;
- (d) the type, name and location of discharge locations;
- (e) any other records mentioned in Part 2 or Part 3; and
- (f) a written report describing any alteration or modification to the original notification.

(2) Every person who conducts hydrostatic testing shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

**PART 2**  
**Alternative Solution**

**Results-based objective**

**2-1(1)** The results-based objective of this chapter is to limit the probability of unacceptable adverse effects resulting from the activity addressed by this chapter.

(2) The results-based objective mentioned in subsection (1) must be satisfied by taking reasonable and prudent measures:

- (a) to conduct hydrostatic testing in a safe and effective manner;
- (b) when conducting hydrostatic testing:
  - (i) to minimize the transfer of a substance that may cause an adverse effect to ground water or surface water;
  - (ii) to minimize the transfer of biota;
  - (iii) to minimize erosion;

(iv) to minimize the transfer of a substance that directly or indirectly causes an adverse effect to the aquatic or terrestrial environment; and

(v) to minimize the direct or indirect disturbance of a bed, bank or boundary of a watercourse or water body; and

(c) to include components on monitoring, recording and reporting.

**Environmental protection plan**

**2-2** Every person who conducts hydrostatic testing shall:

(a) have an environmental protection plan prepared that sets out the methods that will be employed to satisfy the results-based objective described in section 2-1;

(b) ensure that a qualified person provides a certificate stating that, in his or her opinion, the methods and components in the environmental protection plan, if carried out in accordance with that plan, will satisfy the results-based objective described in section 2-1; and

(c) submit the following documents to the minister:

(i) the environmental protection plan for acceptance pursuant to section 27 of the Act;

(ii) the certificate from a qualified person obtained pursuant to clause (b).

PART 3  
**Acceptable Solution**

**Source water**

**3-1** Every person who conducts hydrostatic testing shall:

(a) if using source water that is fish bearing, screen the source water intake in a manner that prevents the passage of fish;

(b) ensure that, when removing source water:

(i) machinery arrives on site in a clean condition and is maintained free of fluid leaks, invasive species and prohibited, noxious and nuisance weeds;

(i.1) equipment has a backflow prevention device or other means of preventing the flow of water back into the source water;

(ii) any substance that may, directly or indirectly, cause an adverse effect to the aquatic or terrestrial environment is not transferred to the source water;

(iii) the bed, bank or boundary of any watercourse or water body is not altered;

(iv) any sand, gravel or other material is not removed, displaced or added to the bed, bank or boundary of any watercourse or water body; and

(v) vegetation is not removed from the bed, bank or boundary of any watercourse or water body; and

(c) except for existing water infrastructure systems, take photographs of each source water intake location before, during and after hydrostatic testing.

**Discharge to land**

**3-2** Every person who conducts hydrostatic testing and who discharges hydrostatic test water to land shall:

- (a) obtain the prior written consent of the landowner on whose land the hydrostatic test water is intended to be discharged or whose land may be affected by the discharge;
- (b) ensure that the hydrostatic test water discharged does not exceed the field test limits set out in Table 1 of the Appendix for each parameter present;
  - (b.1) ensure that all field water quality monitoring and testing equipment be maintained and calibrated on a frequency as recommended by the manufacturer;
- (c) ensure that all reasonable measures are taken to minimize soil erosion;
- (d) ensure that the hydrostatic test water is discharged through a filter suitable to catch pipe scale, rust and other foreign material; and
- (e) **Repealed.** 17 Sep 2021 SR 97/2021 s6.
- (f) take photographs of each discharge location before, during and after discharging.

**Records**

**3-3** In addition to the records required to be kept and retained pursuant to section 1-6, every person who conducts hydrostatic testing shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:

- (a) photographs of environmental sampling locations, the holding system and the conveyance system, if any, and any photographs taken pursuant to sections 3-1 and 3-2;
- (b) a copy of any written consents obtained from a landowner pursuant to section 3-2.

**3-4 Repealed.** 17 Sep 2021 SR 97/2021 s6.

**Appendix**

(Section 3-2)

**Table 1****Field testing parameter limits for hydrostatic test water discharged to land**

<b>Parameter</b>	<b>Limit</b>
Electrical conductivity	Less than or equal to 2 decisiemens per metre
Chloride (total)	Less than or equal to 700 milligrams per litre
Perceptible hydrocarbon	Shall not be present in concentrations that: <ul style="list-style-type: none"> <li>- can be detected as a visible film, sheen, or discoloration on the surface; or</li> <li>- can be detected by odour.</li> </ul>
Oil and grease	Shall not be present in concentrations that: <ul style="list-style-type: none"> <li>- can be detected as a visible film, sheen, or discoloration on the surface; or</li> <li>- can be detected by odour.</li> </ul>
pH	6 to 8

## Glossary of Terms

### **Act**

*The Environmental Management and Protection Act, 2010.*

### **Additives**

Any thing purposely added to hydrostatic test water to aid in the test, including, but not limited to, biocides, corrosion inhibitors, detergents, antifreeze, methanol, oxygen scavengers and leak detection tracers.

### **Existing Water Infrastructure System**

Any works designed to supply, store or distribute water (e.g. municipal waterworks system, well, storage tank)

### **Flowline**

A pipeline connecting a wellhead with an oil battery facility, a fluid injection facility or a gas compression or processing facility, and includes a pipe or system of pipes for the transportation of fluids within any of those facilities.

### **Hydrostatic testing**

The use of water for pressure testing a pipeline or flowline to determine its integrity.

### **Hydrostatic test water**

Source water that has been used in hydrostatic testing.

### **Pipeline**

A pipeline:

- (a) means a pipe or system of pipes for the transportation of:
  - (i) liquid hydrocarbons, including crude oil, multiphase fluids containing hydrocarbons, oil and water emulsions, condensate, liquid petroleum products, natural gas liquids and liquefied petroleum gas;
  - (ii) gaseous hydrocarbons, including natural gas, manufactured gas and synthetic gas;
  - (iii) water, steam or any other substance where the water, steam or other substance is incidental to or used in the production of crude oil or natural gas; or
  - (iv) carbon dioxide; and
- (b) includes any of the following that are incidental to or use in connection with the pipeline:
  - (i) tanks, tank batteries, pumps, compressors and racks;
  - (ii) storage facilities, loading facilities, terminal facilities and other facilities.

### **Qualified Person Certification Standard**

The Qualified Person Certification Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

### **Shop**

A facility where pipe is ordinarily manufactured, repaired or fitted

### **Source water**

Water intended to be used in hydrostatic testing (e.g. surface water, ground water or existing water infrastructure systems).

**Water body**

Any river, stream, watercourse, lake, creek, spring, ravine, canyon, lagoon, swamp, marsh or other water body

**Standards Referenced in this Chapter**

The following standard, adopted pursuant to the Adoption of Standards Chapter, is referenced in this chapter:

Qualified Person Certification Standard

## CHAPTER E.1.1 Halocarbon Control Chapter

Adopted pursuant to *The Environmental Management and Protection Act, 2010*

**Application**

**1-1** This chapter applies to any person who:

- (a) purchases halocarbons from another person or sells or transfers halocarbons to another person;
- (b) installs, maintains, services, alters, replaces, or repairs equipment containing halocarbons, including any person who charges or recharges any equipment containing halocarbons;
- (c) manufactures, transports or stores halocarbons;
- (d) owns equipment containing halocarbons; or
- (e) decommissions and discards equipment containing halocarbons.

**Qualified person**

**1-2** For the purposes of clause 2(1)(bb) of the Act, in this chapter “qualified person” means:

- (a) with respect to the sale or transfer of a halocarbon to another person:
  - (i) a person who is certified for the safe handling of halocarbons by the Heating, Refrigeration and Air Conditioning Institute of Canada; or
  - (ii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (b) with respect to installing, maintaining, servicing, altering, replacing or repairing equipment containing a halocarbon, including charging or recharging any air conditioning, refrigeration or fire extinguishing equipment:
  - (i) a person who has obtained training in refrigeration, air conditioning or fire extinguishing equipment as a service person, repair person, installation person, domestic appliance technician, refrigeration and air conditioning mechanic, automotive mechanic, heavy-duty vehicular mechanic/technician, industrial mechanic, technical representative or power engineer from a post-secondary institution;
  - (ii) a person who is certified for the safe handling of halocarbons by the Heating, Refrigeration and Air Conditioning Institute of Canada; or

(iii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity.

**Prescribed halocarbons**

**1-3** The halocarbons listed in the Appendix are the halocarbons prescribed for the purposes of Part VII of the Act.

**Prohibition re propellants**

**1-4** No person shall manufacture, offer for sale, sell, use or consume any product containing a halocarbon that acts as a propellant.

**Prohibition re packaging, etc.**

**1-5** No person shall manufacture, offer for sale or sell any packaging, wrapping or container that contains a halocarbon or is manufactured by a process that uses a halocarbon.

**Prohibition re installation, maintenance and service of equipment**

**1-6** No person shall install, maintain, service, alter, replace or repair any equipment, or a component of any equipment, that contains or may contain a halocarbon:

- (a) unless he or she is a qualified person; and
- (b) except in accordance with those provisions of the Code of Practice and Halon Code of Practice that apply to the installation, maintenance, service, alteration, replacement or repair of equipment that contains or may contain a halocarbon, including all recommendations set out within the Code of Practice and Halon Code of Practice.

**Obligations on qualified persons**

**1-7(1)** Every qualified person installing, maintaining, servicing, altering, replacing or repairing any equipment that contains or may contain a halocarbon, including those qualified persons charging or recharging that equipment, shall:

- (a) before recharging any equipment with a halocarbon, test the equipment for leaks and repair any leaks that are detected;
- (b) use appropriate halocarbon fittings; and
- (c) if removing a halocarbon from the equipment, collect, store, recycle, destroy or dispose of the halocarbon in accordance with those provisions of the Code of Practice and Halon Code of Practice that apply to the collection, storage, recycling, destruction or disposal of a halocarbon, as the case may be, including all recommendations set out within the Code of Practice or Halon Code of Practice.

(2) A qualified person shall not install a halocarbon fitting on any equipment that does not contain a halocarbon.

**General records**

**1-8(1)** Every qualified person mentioned in clause 1-2(b) shall maintain records in the following manner:

- (a) prepare a work invoice showing:
  - (i) the date on which he or she performed the work on the equipment containing a halocarbon;
  - (ii) the type of service performed on the equipment;
  - (iii) the type of halocarbon, and the quantity of the halocarbon, contained in the equipment;

- (iv) the type of halocarbon, and the quantity of the halocarbon, recovered from or added to the equipment; and
  - (v) the manner of recycling, destroying or disposing of any halocarbon recovered from the equipment;
  - (b) provide to the owner or operator of the equipment the work invoice prepared in accordance with clause (a);
  - (c) retain a copy of the work invoice prepared in accordance with clause (a) for at least 7 years after the date of the work.
- (2) Every person who discharges more than 10 kilograms, but less than 100 kilograms, of a halocarbon into the environment shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:
- (a) the name and contact information for the person who owns the equipment that contained the halocarbon that was discharged;
  - (b) the type and quantity of halocarbon that was discharged;
  - (c) the location from which the halocarbon was released and the type of system the halocarbon was released from;
  - (d) the circumstances leading up to the discharge of the halocarbon;
  - (e) any corrective actions or measures that were taken to control the discharge of the halocarbon;
  - (f) any actions that were taken to prevent any subsequent discharge of a halocarbon.
- (3) Every person mentioned in subsections (1) and (2) shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

**Prohibition re sale or transfer of halocarbons**

**1-9** No person, other than a qualified person, may offer for sale, sell or transfer a halocarbon to another person for the purpose of installing, servicing, repairing, charging or recharging any air conditioning, refrigeration or fire extinguishing equipment.

**Refillable pressurized containers**

**1-10** No person shall manufacture, offer for sale, sell, transport, store or use a container for halocarbons unless it:

- (a) is a refillable, pressurized container designed to contain halocarbons; and
- (b) weighs at least 10 kilograms.

**Reclamation equipment**

**1-11** No person shall use halocarbon reclamation equipment unless the equipment has been certified for use by the Air-Conditioning, Heating, and Refrigeration Institute (AHRI).

**Labelling**

**1-12(1)** No person shall sell or offer for sale new air conditioning, refrigeration or fire extinguishing equipment that uses a halocarbon unless the equipment has a prominent label:

- (a) identifying the halocarbon and the amount used in the equipment; and
- (b) advising that only qualified persons shall perform any servicing of, repair to or recharging of the equipment that could result in the release of the halocarbon.

(2) Every qualified person who changes the type of halocarbon refrigerant in any air conditioning, refrigeration or fire extinguishing equipment shall ensure that the equipment has a prominent label clearly identifying the new halocarbon refrigerant and the amount used in the equipment.

(3) No person shall store or transport a halocarbon unless the container in which it is stored or transported has a clear, legible and prominent label identifying the halocarbon and the amount in the container.

**Decommissioning or discarding**

**1-13** Every person shall, before decommissioning or discarding any equipment containing a halocarbon, ensure that the halocarbon has been removed by a qualified person and contained in accordance with the Code of Practice or Halon Code of Practice, including all recommendations set out within the Code of Practice or Halon Code of Practice.

**Seller take-back**

**1-14(1)** Subject to subsection (2), if a person takes a halocarbon to a seller's normal place of business, during normal business hours, in a container designed to contain the halocarbon, the seller must accept and store the halocarbon until the seller can deliver it to a person who manufactures, recycles, converts or destroys the halocarbon.

(2) Subsection (1) does not apply to a halocarbon that has been mixed or contaminated so that it is a hazardous substance.

(3) Sellers of halocarbons shall:

- (a) prepare and carry out a plan for accepting halocarbons returned for recycling, conversion or destruction; or
- (b) participate in a stewardship program respecting the proper recycling, conversion or destruction of halocarbons.

(4) A plan pursuant to clause (3)(a) or a stewardship program pursuant to clause (3)(b) must:

- (a) demonstrate how halocarbons will be effectively collected and stored;
- (b) demonstrate how the returned halocarbons will be recycled or disposed of; and
- (c) provide for proper record-keeping in relation to the returned halocarbons.

(5) Sellers of halocarbons shall retain the records required to be prepared in accordance with this section for at least 7 years from the date the record was created.

(6) Sellers of halocarbons shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

**Phase-out of certain halocarbons**

**1-15(1)** No person shall charge or recharge, or permit the charging or recharging of, a mobile air conditioning system, a mobile refrigeration system or fixed fire extinguishing equipment with a halocarbon listed in Class I of the Appendix.

(2) Subject to subsection (3), no person shall charge or recharge, or permit the charging or recharging of, refrigeration equipment with a halocarbon listed in Class I of the Appendix.

(3) Subsection (2) does not apply to chillers, household refrigerators, household freezers or water coolers.

- (4) No person shall charge or recharge, or permit the charging or recharging of, a chiller with a halocarbon listed in Class I of the Appendix if the chiller has undergone an overhaul that includes any of the following procedures or repairs:
- (a) the replacement or modification of an internal sealing device;
  - (b) the replacement or modification of an internal mechanical part other than:
    - (i) an oil heater;
    - (ii) an oil pump;
    - (iii) a float assembly; or
    - (iv) in the case of a chiller with a single-stage compressor, a valve assembly;
  - (c) any procedure or repair that results from the failure of an evaporator or a condenser heat-exchanger tube.
- (5) Notwithstanding subsection (4), at any time before December 31, 2014, a person may charge or recharge, or permit the charging or recharging of, a chiller with a halocarbon listed in Class I of the Appendix, but the chiller must not be operated with that halocarbon for more than one year after the charging.
- (6) Commencing on January 1, 2015, no person shall charge or recharge, or permit the charging or recharging of, any chiller with a halocarbon listed in Class I of the Appendix.

## Appendix

### Class I

#### Chlorofluorocarbons, Halon and Chlorocarbon Compounds

- 1 Chlorofluorocarbons (CFCs)
  - (a) current commercially used CFCs:
    - CFC-11, trichlorofluoromethane, R-11
    - CFC-12, dichlorodifluoromethane, R-12
    - CFC-13, chlorotrifluoromethane, R-13
    - CFC-111, pentachlorofluoroethane, R-111
    - CFC-112, tetrachlorodifluoroethane, R-112
    - CFC-113, trichlorotrifluoroethane, R-113
    - CFC-114, dichlorotetrafluoroethane, R-114
    - CFC-115, chloropentafluoroethane, R-115
  - (b) all other CFCs; and
  - (c) all isomers and mixtures containing any of the above.
- 2 Halons
  - (a) Halon-1211, also known as bromochlorodifluoromethane
  - Halon-1301, also known as bromotrifluoromethane
  - Halon-2402, also known as dibromotetrafluoroethane
  - (b) all other bromofluorocarbons and bromochlorofluorocarbons; and
  - (c) all isomers and mixtures containing any of the above.

**3 Chlorocarbons**

- (a) trichloroethane, also known as methylchloroform, R-140  
tetrachloromethane, also known as carbon tetrachloride, R-10; and
- (b) all isomers and mixtures containing any of the above.

**Class II  
Hydrochlorofluorocarbon**

**1 Hydrochlorofluorocarbon**

- HCFC-21, dichlorofluoromethane, R-21
- HCFC-22, chlorodifluoromethane, R-22
- HCFC-31, chlorofluoromethane, R-31
- HCFC-121, tetrachlorofluoroethane, R-121
- HCFC-122, trichlorodifluoroethane, R-122
- HCFC-123, dichlorotrifluoroethane, R-123
- HCFC-124, chlorotetrafluoroethane, R-124
- HCFC-131, trichlorofluoroethane, R-131
- HCFC-132, dichlorodifluoroethane, R-132
- HCFC-133, chlorotrifluoroethane, R-133
- HCFC-141, dichlorofluoroethane, R-141
- HCFC-142, chlorodifluoroethane, R-142
- HCFC-151, chlorofluoroethane, R-151
- HCFC-221, hexachlorofluoropropane, R-221
- HCFC-222, pentachlorodifluoropropane, R-222
- HCFC-223, tetrachlorotrifluoropropane, R-223
- HCFC-224, trichlorotetrafluoropropane, R-224
- HCFC-225, dichloropentafluoropropane, R-225
- HCFC-226, chlorohexafluoropropane, R-226
- HCFC-231, pentachlorofluoropropane, R-231
- HCFC-232, tetrachlorodifluoropropane, R-232
- HCFC-233, trichlorotrifluoropropane, R-233
- HCFC-234, dichlorotetrafluoropropane, R-234
- HCFC-235, chloropentafluoropropane, R-235
- HCFC-241, tetrachlorofluoropropane, R-241
- HCFC-242, trichlorodifluoropropane, R-242
- HCFC-243, dichlorotrifluoropropane, R-243
- HCFC-244, chlorotetrafluoropropane, R-244
- HCFC-251, trichlorofluoropropane, R-251
- HCFC-252, dichlorodifluoropropane, R-252
- HCFC-253, chlorotrifluoropropane, R-253
- HCFC-261, dichlorofluoropropane, R-261
- HCFC-262, chlorodifluoropropane, R-262
- HCFC-271, chlorofluoropropane, R-271

- 2 All other hydrochlorofluorocarbons not specifically listed.
- 3 All mixtures containing any of the above.

### Class III Other Halocarbons

- 1 Hydrofluorocarbons
  - HFC-23, trifluoromethane, R-23
  - HFC-32, difluoromethane, R-32
  - HFC-125, pentafluoroethane, R-125
  - HFC-134, tetrafluoroethane, R-134
  - HFC-143, trifluoroethane, R-143
  - HFC-152, difluoroethane, R-152
  - HFC-161, monofluoroethane, R-161
  - HFC-227, heptafluoropropane, R-227
  - HFC-236, hexafluoropropane, R-236
  - HFC-245, pentafluoropropane, R-245
  - HFC-254, tetrafluoropropane, R-254
  - HFC-263, trifluoropropane, R-263
  - HFC-272, difluoropropane, R-272
  - HFC-281, fluoropropane, R-281
- 2 Perfluorocarbons
  - FC-14, tetrafluoromethane
  - FC-116, hexafluoroethane
  - FC-218, octafluoropropane
  - FC-3-1-10, decafluorobutane
  - FC-4-1-12, dodecafluoropentane
  - FC-5-1-14, tetradecafluorohexane
- 3 All other hydrofluorocarbons and perfluorocarbons not specifically listed.
- 4 All mixtures containing any of the above.

### Glossary of Terms

#### **Act**

*The Environmental Management and Protection Act, 2010.*

#### **Chiller**

An air conditioning or refrigeration system that has a compressor, an evaporator and a secondary refrigerant.

#### **Code of Practice**

The Environmental Code of Practice for Elimination of Fluorocarbon Emissions from Refrigeration and Air Conditioning Systems, as established by Environment Canada in March 1996, and adopted pursuant to the Adoption of Standards Chapter.

**Halon Code of Practice**

The Environmental Code of Practice on Halons, as established by Environment Canada in 1996, and adopted pursuant to the Adoption of Standards Chapter.

**Install**

The attaching of two or more components by welding or by fittings in circumstances where the potential exists for the release of a halocarbon.

**Mobile air conditioning system**

An air conditioning system that is installed in, normally operates in or in conjunction with, or is attached to a means of transportation that contains or is designed to contain a halocarbon refrigerant.

**Mobile refrigeration system**

A refrigeration system that is installed in, normally operates in or in conjunction with, or is attached to a means of transportation that contains or is designed to contain a halocarbon refrigerant.

**Reclamation**

With respect to a halocarbon, means the recovery, reprocessing and upgrading through filtering, drying, distilling, chemical treatment and other similar processes in order to restore the halocarbon to industry-accepted reuse standards.

**Recycle**

The reuse or return of recovered halocarbons to air conditioning, refrigeration or fire extinguishing equipment.

**Seller**

A person who sells any halocarbon, and includes the retailer, the supplier and the manufacturer of the halocarbon.

**Standards Referenced in this Chapter**

The following standards, adopted pursuant to the Adoption of Standards Chapter, are referenced in this chapter:

Code of Practice  
Halon Code of Practice

**CHAPTER E.1.2  
Industrial Source (Air Quality) Chapter**

Adopted pursuant to *The Environmental Management and Protection Act, 2010*

**Application**

**1-1** This chapter applies to every person who intends to establish an industrial source facility and to every industrial source facility owner, but does not apply to:

- (a) oil and gas activities regulated pursuant to *The Oil and Gas Conservation Act* and *The Pipelines Act, 1998*;
- (b) equipment using natural gas, commercial fuel oil or other commercially available fuel solely for the purposes of domestic, commercial or institutional comfort heating, recreation or food preparation;
- (c) fuel-burning equipment used for the construction or maintenance of public roads, rail lines, pipelines or any other right of way;

- (d) equipment used for seeding, harvesting, fertilizing or controlling pests or weeds;
- (e) an intensive livestock operation;
- (f) an on-road or off-road motor vehicle, rail locomotive, boat or aircraft; or
- (g) an industrial source facility that has permanently ceased to operate.

**Notification required**

**1-2(1)** No person shall establish an industrial source facility unless that person has:

- (a) notified the minister in the form provided by the minister and provided the minister with any other information or material that the minister may reasonably require; and
- (b) received a notification number from the minister.

(2) Every person who has received a notification number pursuant to clause (1)(b) shall ensure that the notification number is included on all documents required by this chapter to be kept and retained.

**Transitional - permits**

**1-3(1)** Notwithstanding subsection (2), for the purposes of subsection 103(4) of the Act, every permit issued pursuant to *The Clean Air Act* to operate an industrial source, an incinerator or fuel-burning equipment remains in force until January 1, 2020, unless the permit is suspended or cancelled in accordance with the Act.

(2) Subject to subsection (1), for the purposes of subsection 103(3) of the Act, every permit issued pursuant to *The Clean Air Act* is cancelled on the day on which section 1 of *The Environmental Management and Protection (Saskatchewan Environmental Code Adoption) Regulations* comes into force.

(3) Every industrial source facility owner who holds a permit mentioned in subsection (1) shall:

- (a) on or before January 1, 2019, provide a report to the minister that sets out the progress that has been made with respect to the plans required pursuant to clause (c);
- (b) on or before October 1, 2019, provide the minister with the notification required pursuant to subsection 1-2(1); and
- (c) on or before December 31, 2019, have an environmental protection plan prepared and certified in accordance with section 1-9, and accepted by the minister pursuant to section 27 of the Act.

**Qualified person and certificates**

**1-4(1)** For the purposes of clause 2(1)(bb) of the Act, in this chapter, "qualified person" means:

- (a) for the purposes of certifying an environmental protection plan:
  - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*; or
  - (ii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake that activity;
- (b) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures, any person mentioned in clause (a).

(2) Every industrial source facility owner shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

**Environmental samples and laboratory analysis**

**1-5(1)** Subject to subsection (2), every industrial source facility owner shall ensure that environmental samples are:

- (a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and
- (b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.

(2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every industrial source facility owner shall ensure that a qualified person provides a certificate stating that, in his or her opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

**General records**

**1-6(1)** Every industrial source facility owner shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:

- (a) records of any environmental sampling, analysis or monitoring that has been conducted, including:
  - (i) the results of any environmental analysis;
  - (ii) the date, location and time of environmental sampling or monitoring;
  - (iii) the name of the person collecting the environmental sample;
  - (iv) an identification of the environmental sample type;
  - (v) the date of analysis of the environmental sample;
  - (vi) the sampling method used;
  - (vii) the name of the laboratory that performed the analysis of the environmental sample;
  - (viii) the name of the person responsible for performing the analysis of the environmental sample; and
  - (ix) the quality assurance and quality control records of any environmental samples;
- (b) any certificate received from a qualified person.

(2) Every industrial source facility owner shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

**Industrial sources**

**1-7** For the purposes of clause 51(e) of the Act, the following are prescribed categories of facilities, operations and equipment:

- (a) an incinerator;
- (b) a coal-fired power plant;
- (c) a mine or solution mine, and its associated facilities;

- (d) a manufacturing plant that produces steel, fertilizer, cement or chemicals;
- (e) a petroleum refinery;
- (f) a petroleum upgrader;
- (g) a pulp, or pulp and paper, facility;
- (h) an oriented strand board facility;
- (i) an asphalt refinery;
- (j) an ethanol plant;
- (k) an oil seed processing and dehydration facility;
- (l) an edible oil facility;
- (m) a facility that annually emits, or is expected to annually emit:
  - (i) more than 10 metric tonnes of one type of Class I air contaminant listed in the Appendix; or
  - (ii) more than 25 metric tonnes of any combination of three or more types of Class I air contaminants listed in the Appendix.

**Results-based objective**

**1-8(1)** The results-based objective of this chapter is to limit the probability of unacceptable adverse effects resulting from the activity addressed by this chapter.

(2) The results-based objective mentioned in subsection (1) must be satisfied by managing direct and passive contact with air emissions by taking reasonable and prudent measures to:

- (a) site an industrial source facility in an acceptable location with respect to:
  - (i) environmental and human receptors and places of concern, including, but not limited to, cemeteries and historical sites; and
  - (ii) topography and surface water hydrology;
- (b) ensure that the ambient air quality standards set out in Table 20 of the Saskatchewan Environmental Quality Standard are met;
- (c) ensure that the applicable sector-specific emission limit standards set out in Table 21 of the Saskatchewan Environmental Quality Standard are met;
- (d) calculate or measure annual air contaminants in a manner that:
  - (i) is scientifically defensible; and
  - (ii) accurately determines the level of air contaminants with sufficient detail to allow the determination to be verified;
- (e) minimize the effects of air contaminants on ground and surface water quality and on the aquatic and terrestrial ecology;
- (f) minimize the release of fugitive air contaminants from industrial source facilities;
- (g) prepare and maintain an emergency response contingency plan for industrial source facilities; and
- (h) include components on monitoring, recording and reporting.

**Environmental protection plan**

**1-9** Every person who intends to become an industrial source facility owner shall:

- (a) have an environmental protection plan prepared that sets out the methods that will be employed to satisfy the results-based objective described in section 1-8;
- (b) ensure that a qualified person provides a certificate stating that, in his or her opinion, the methods and components in the environmental protection plan, if carried out in accordance with that plan, will satisfy the results-based objective described in section 1-8; and
- (c) submit the following documents to the minister:
  - (i) the environmental protection plan for acceptance pursuant to section 27 of the Act;
  - (ii) the certificate from a qualified person obtained pursuant to clause (b).

**Appendix**  
(Section 1-7)

**Class I Air Contaminants**

sulphur dioxides (SO<sub>2</sub>)  
oxides of nitrogen (expressed as NO<sub>2</sub>)  
fine particulate matter (PM2.5)  
coarse particulate matter (PM10)  
carbon monoxide (CO)  
volatile organic compounds (VOCs)

**Glossary of Terms**

**Act**

*The Environmental Management and Protection Act, 2010.*

**Carbon monoxide (CO)**

A colourless, odourless, poisonous gas formed during the incomplete combustion of fossil fuels or the incomplete oxidation of carbon to carbon dioxide.

**Coarse particulate matter (PM10)**

Any particulate matter with a diameter less than or equal to 10 microns.

**Emergency response contingency plan**

A plan of action to address the measures that may be taken to deal with an unexpected event or emergency that may occur at an industrial source facility.

**Fine particulate matter (PM2.5)**

Any particulate matter with a diameter less than or equal to 2.5 microns.

**Fugitive air contaminant**

A fugitive air contaminant is any of the following:

- (a) a leak of an air contaminant from equipment, but does not include mobile sources;
- (b) dust from an unpaved road, an aggregate storage pile or any heavy construction operation.

**Incinerator**

Any equipment, apparatus, device, mechanism or structure that is designed to incinerate garbage, wood waste, refuse, liquid or gaseous waste, or any other waste materials and that is capable of controlling the combustion temperature, the degree of gaseous mixing and the length of time that combustion gases reside in the incinerator.

**Industrial source facility**

A facility, an operation or any equipment that falls within any of the categories prescribed in section 1-7.

**Industrial source facility owner**

A person who owns a facility, an operation or any equipment that falls within any of the categories prescribed in section 1-7.

**Intensive livestock operation**

An intensive livestock operation as defined in *The Agricultural Operations Act*.

**Oxides of nitrogen (expressed as NO<sub>2</sub>)**

Includes nitric oxide (NO) (CAS No. 10102-43-9) and nitrogen dioxide (NO<sub>2</sub>) (CAS No. 1012-44-0).

**Qualified Person Certification Standard**

The Qualified Person Certification Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Saskatchewan Environmental Quality Standard**

The Saskatchewan Environmental Quality Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

**Sulphur dioxide (SO<sub>2</sub>)**

A gas formed during oxidation reactions involving sulphur and oxygen.

**Volatile organic compounds (VOCs)**

Volatile organic compounds that participate in atmospheric photochemical reactions.

**Standards Referenced in this Chapter**

The following standards, adopted pursuant to the Adoption of Standards Chapter, are referenced in this chapter:

Qualified Person Certification Standard

Saskatchewan Environmental Quality Standard

17 Sep 2021 SR 97/2021 s6; 24 Mar 2023 SR  
18/2023 s3 and s4.