

Saskatchewan Environmental Code

Quick Reference Guide

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Government
of
Saskatchewan

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How to use this guide

The structure of this guide mirrors the Saskatchewan Environmental Code (code) in that it is organized in the same chapter sequence. This document is a quick reference. It is not the actual code.

Each chapter is described according to its purpose, who the chapter applies to and under what legislative authority. A short description of requirements that remain the same and requirements that are new or changing is also provided. To provide context, the term new implies there were no existing requirements or requirements were previously handled by policy or adoption from other jurisdictions. For example, the reporting of a discovery of historical impacts is a new requirement, and some of the qualified person requirements were previously handled by policy. The code has now consolidated these requirements.

A detailed set of questions and answers pertaining to the specific regulated activities is also provided for each chapter.

The Saskatchewan Environmental Code in entirety is available on the Ministry of Environment's website. Background information on the results-based regulatory model and principles underlying the code, its structure, content and development is also available on the website at:

www.environment.gov.sk.ca.

Your feedback on working through this material is welcome.

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

Saskatchewan Environmental Code

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A.1.1 Adoption of Standards Chapter

Purpose: The purpose of this chapter is to adopt the standards referenced in the chapters of the code to make them legally enforceable.

Applies to: This chapter is an administrative chapter and applies to all persons who utilize the standards referenced in the chapters of the Saskatchewan Environmental Code (code).

Legislative Authority: *The Environmental Management and Protection Act, 2010 and The Forest Resources and Management Act.*

Previously regulated by:

Prior to the code, standards were adopted in regulations. The acts listed above provide the ability for standards to be adopted in the code which streamlines requirements in one document for improved clarity and efficiency especially in updating the standards.

Context: In general, standards are a set of rules for ensuring quality. Standards are published documents established by consensus and approved by a recognized body that provides for common and repeated use, rules, guidelines or characteristics for activities or their results, aimed at the achievement of the optimum degree of order given the context.

The ministry adopts standards developed by other standard setting organizations (ie: Canadian Standards Association) or develops its own standards (ie: Forest Scaling Standard). Currently there are close to 30 standards adopted in the Saskatchewan Environmental Code (seven of which are external to the ministry). Many of the standards are referenced in more than one chapter.

Implications: By adopting the standards in a single chapter the ministry would be required to only put one chapter through the regulatory approval process, lessening the workload for ministry and regulatory approval staff. As standards evolve with science and technology the ability to update them efficiently provide the ministry and proponents the ability to stay current with the latest science and technology.

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B.1.1 Discharge and Discovery Reporting Chapter

Purpose: to ensure the safety of the public and protection of the environment from the discharge of environmentally dangerous substances. In addition, the ministry will make sure that whoever is responsible for the discharge contains it, cleans up the site and notifies any impacted third parties.

Applies to: the person who discharges, allows the discharge, or has control of the substance discharged as well as police officers and employees of municipalities or government agencies. This chapter also applies to persons who discover a historical discharge of a substance while doing work.

Legislative Authority: *The Environmental Management and Protection Act, 2010*

Previously regulated by: *The Environmental Spill Control Regulations under The Environmental Management and Protection Act, 2002*

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> • Discharges and discoveries must still be reported at the first available opportunity by phoning the ministry’s toll-free, 24-hours spill line or in person during regular office hours at any Ministry of Environment office. • The provision in <i>The Environmental Spill Control Regulations</i>, requiring the person responsible to remediate an impacted site and properly dispose of any impacted materials remains in place, and is found in the Corrective Action Plan Chapter. • Discharges causing an adverse effect are reportable regardless of quantity. 	<ul style="list-style-type: none"> • When <i>The Environmental Management and Protection Act, 2010</i> was proclaimed, <i>The Environmental Spill Control Regulations</i> were repealed, and all reporting requirements were amalgamated into one chapter. • The discovery of historical impacts is now required to be reported to the Minister. Discovery of historical impacts was not previously required to be reported. • The list of discharged substances required to be reported in the previous regulations is replaced with Table 1 in the Discharge and Discovery Reporting Standard to align with federal Transportation of Dangerous Goods legislation, as well as the addition of substances common in Saskatchewan. • The written report form has also been developed that will meet the needs of both federal and Saskatchewan regulatory reporting requirements. • The timing for submission of this report has been increased to 30 days to be harmonized with the federal requirement.

Standards Referenced in this Chapter:

- Discharge and Discovery Reporting Standard
- Qualified Person Certification Standard

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

B.1.1 Discharge and Discovery Reporting Chapter

1. What is the purpose of this code chapter?

The purpose of the code chapter is to ensure the safety of the public and protection of the environment from the discharge of environmentally dangerous substances. In addition, the ministry will make sure that whoever is responsible for the discharge contains it, cleans up the site and notifies any impacted third parties.

2. Who is affected by it?

This code chapter applies to the person who discharges, allows the discharge, or has control of the substance discharged as well as police officers and employees of municipalities or government agencies. This chapter also applies to persons who discover a historical discharge of a substance while doing work.

3. Why is the ministry codifying the regulation of this particular activity?

Discharges and discovery of historical discharges is being codified so that there are clear rules around reporting triggers and to bring together the reporting of discharges and discovery under one umbrella.

4. How was this activity regulated previously?

The activity was previously regulated under *The Environmental Management and Protection Act, 2002* and *The Environmental Spill Control Regulations*.

5. Does this code chapter change what the ministry requires of the regulated party?

Responsible parties must report discharges at the first opportunity and must remediate and properly dispose of impacted materials. The discovery of historical impacts is now required to be reported to the Minister. Discovery of historical impacts was not previously required to be reported. The reportable substance list and the spill report form have also been updated to align with federal legislation and requirements.

6. When do the changes come into effect? Is immediate compliance expected or will there be a phase-in period?

This code chapter is effective the day *The Environmental Management and Protection Act, 2010* comes into force. All discharges and discoveries from this date must meet the chapter requirements which include the newly adopted 30 day written report. Reporting of discoveries will be on a go forward basis as impacted sites are identified.

7. Are there additional fees associated with the new code chapter?

No, there currently are no fees with the discharge and discovery reporting code chapter.

8. Who is considered a qualified person (QP) for activities regulated by this code chapter?

There are no qualified person requirements for this chapter.

9. What is the difference between a discharge and a discovery?

A discharge means a discharge, drainage, deposit, release or emission into the environment whereas a discovery is considered to be a previously unreported discharge or historical discharge.

10. What discharges and discoveries need to be reported?

- Any discharge that may cause an adverse effect needs to be reported.
- Discharges need to be reported when the substance discharged exceeds the values in Table 1 in the Discharge and Discovery Reporting Standard.
- Discoveries need to be reported when they exceed the values in Table 2 in the Discharge and Discovery Reporting Standard.

11. How soon do discharges and discoveries need to be reported?

- Discharges shall be reported immediately to the Spill Center at 1-800-667-7525.
- Discovery of historical discharges shall be reported within 30 days using the Written Discharge Report Form which is available on the ministry's website. The responsible party is required to ensure they report their discharge or discovery.

12. If I have previously reported a discovery am I required to report again with the requirements under the new legislation?

No.

13. How do I know if the ministry is already aware of the discharge or discovery?

You can confirm the status of your site through the search mechanism at SaskSpills.ca or call the ministry's Client Service Office at 1-800-567-4224.

14. What is the process to obtain approval for an environmental protection plan (EPP)?

An EPP is a plan that details the methods to be employed to prevent, minimize, monitor, mitigate, remedy or reclaim an adverse effect before, during or after an activity. The proponent prepares the plan, has it certified by a qualified person and submits it to the Ministry for acceptance.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

Saskatchewan Environmental Code Quick Reference Guide

B.1.2 Site Assessment Chapter

Purpose: to ensure that the information gathered will provide a scientifically defensible framework for the development of a corrective action plan and the execution of the plan to remediate an impacted site to an appropriate future land use or endpoint.

Applies to: persons who are required by the Minister to conduct a site assessment on a site that the Minister reasonably believes is an environmentally impacted site.

Legislative Authority: *The Environmental Management and Protection Act, 2010*

Previously regulated by: *The Environmental Management and Protection Act, 2002*

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements
<ul style="list-style-type: none"> Although the site assessment process was previously handled informally through policy and guideline, the methods and reporting remain basically the same and are now formalized under EMPA and the chapter. 	<ul style="list-style-type: none"> The Minister now has the ability to require a site assessment under <i>The Environmental Management and Protection Act, 2010</i>. Site assessments will now be required to follow a legal format, previously handled by policy. Site assessments will be required to be signed off by a qualified person, previously handled by policy. It is now a legal requirement to complete and provide the ministry with the National Classification System for Contaminated Sites Summary Score Sheet, previously handled voluntarily. The ministry will file all acceptable site assessments received in the electronic registry; in the future, the site assessments will, with some restrictions, be publicly accessible.

Standards Referenced in this Chapter:

- CAN/CSA-Z769-00 (R2013) - Phase II Environmental Site Assessment
- Discharge and Discovery Reporting Standard
- Qualified Person Certification
- Visual Site Assessment Checklist Standard

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

B.1.2 Site Assessment Chapter

1. What is the purpose of this code chapter?

This code chapter is developed to ensure the information gathered during a site assessment will provide a scientifically defensible framework for the development of a corrective action plan and sets out the results-based objectives and the accepted solution to conduct site assessments at known or potentially environmentally impacted sites in Saskatchewan.

2. Who is affected by this chapter?

Persons who are required by the Minister to conduct a site assessment on a site that the Minister reasonably believes is an environmentally impacted site.

3. Why is the ministry codifying the regulation of this particular activity?

By providing clear direction in the accepted solution the ministry will ensure environmental site assessments (ESA) on environmentally impacted sites are being carried out in a scientifically defensible manner that will be a sound basis for the corrective action plan for the site.

4. How was this activity regulated previously?

The Environmental Management and Protection Act, 2002 and *The Hazardous Substances and Waste Dangerous Goods Regulations* both have requirements to assess the nature and extent of impacts prior to undertaking corrective actions; however, the form and format of environmental site assessments were handled by guidelines and policy.

5. Does this code chapter change what the ministry requires of the regulated party?

The essence and spirit of the previous requirements are carried forward. The scientific rigor required to undertake an environmental site assessment will require more detail. The site assessment chapter introduces a legal format previously handled by guidelines and policy. This will provide regulated parties with greater clarity regarding what is expected within an environmental site assessment.

6. When do the changes come into effect? Is immediate compliance expected or will there be a phase-in period?

Once the code is in place the requirements for performing an environmental site assessments apply immediately. Informal assessments will not be accepted by the ministry once *The Environmental Management and Protection Act, 2010* comes into force.

For any environmental site assessment that hasn't met all of the requirements set out in the site assessment code chapter, but the work is essentially complete, the ministry will review files on a case by case basis to ensure acceptability.

7. Are there additional fees associated with the new code chapter?

There are no new or additional fees, license or permit costs as part of the code chapter. Additional operational costs may be incurred in complying with the requirements of this code chapter and may vary depending on the proponent's current structure and business model.

8. Who is considered a qualified person (QP) for activities regulated by this code chapter?

Qualified persons are those persons who possess the required core skills and competencies to carry out the work. The chapter currently lists engineers, geoscientists, technologists, and agrologists as classes of qualified persons. Those persons that are not members of the class of person listed in the code chapter and possess the required core skills and competencies may apply to be designated as a qualified person by the Minister.

There are three different activities within the site assessment code chapter that require review or sign-off by a qualified person. These activities are:

- certifying an environmental protection plan;
- certifying a CAN/CSA Z769-00 – Phase II Environmental Site Assessment report;
- completing a visual site assessment; and
- certifying quality assurance and quality control sampling and analytical procedures.

9. How is an environmentally impacted site determined?

Once the field investigations are complete and any chemical analyses of samples are finalized, a site will be classed as impacted if any of the substances of potential concern (SOPC) are at concentrations at or above those listed in the reportable concentration tables of the Discharge and Discovery Standard, or regardless of a resultant sample concentration the assessment indicates an adverse effect.

10. When are site assessments required?

The Minister may require a site assessment when it is believed the property or area may be environmentally impacted. A site assessment can also be done voluntarily.

11. Does a voluntary site assessment need to follow the code chapter?

To ensure the proper information is collected, it is recommended that the site assessment chapter be followed when voluntarily doing a site assessments. Where a notice of site condition is required, the code chapter should be followed.

12. What is required in a site assessment?

Detailed expectations of the requirements for an environmental site assessment is set out within the chapter. This includes details around determining sources, pathways and receptors, development of sampling plan, concepts such as how representative samples are acquired, analyzed, and interpreted, to how long records are to be kept and retained and what type of general records and reporting are required in order to provide a scientifically defensible framework for a corrective action plan.

13. Who can certify a site assessment?

A site assessment must be certified by a qualified person as defined in the code chapter. These professionals include engineers, geoscientists, technologists, agrologists and other professionals

as designated by the Minister. Different types of qualified professionals are specified for the four distinct activities outlined within the site assessment code chapter.

14. What are alternative solutions?

For site assessments there may be times where a different approach is required to adequately identify risk and meet the results-based objective. Such instances may include cases where corrective action plans (CAP) and an environmental site assessment may need to occur simultaneously. An example of this scenario is when a regulated party conducts delineation while excavating in order to mitigate a discharge to lands owned by the regulated party.

15. What are acceptable solutions?

The CSA Standard Z769-00(R2013) is the standard that is used to conduct site assessments that will be compliant with the acceptable solution. A visual site assessment may be conducted and submitted for minor discharges where corrective action will be initiated immediately and completed within 30 days.

16. Do I require approval from the ministry to undertake a site assessment?

If you are using the acceptable solution you do not need approval. If your site assessment is an alternative solution then the scope of the assessment shall be provided to the Minister for acceptance prior to the work being undertaken.

17. What are the requirements for reporting the findings of a site assessment?

In accordance with section 13 of *The Environmental Management and Protection Act, 2010* all site assessments shall be submitted immediately upon completion. Site assessments shall report the results in a manner that meet the results-based objective, or consistent with the manner described in the CSA Standard. In addition, all site assessments shall be accompanied by the National Classification System for Contaminated Sites (NCSCS) score sheet.

18. If I had a site assessment performed for this site in the past am I required to conduct another one now?

No. If new information is available or if land use changes this may trigger the need for further site investigation.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

Saskatchewan Environmental Code

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B.1.3 Corrective Action Plan Chapter

Purpose: to set out requirements to ensure adverse effects are managed in an appropriate manner to facilitate future use of environmentally impacted sites.

Applies to: persons who have been required to conduct a site assessment and where the site assessment discloses that the site is an environmentally impacted site.

Legislative Authority: *The Environmental Management and Protection Act, 2010*

Previously regulated by: *The Environmental Management and Protection Act, 2002*

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> • Although previously managed through policy and guidelines, the steps for developing, carrying out and reporting on corrective action plans are still largely the same and based on the results of an environmental site assessment. • The corrective action plan will detail the methods employed to prevent, minimize, mitigate, remedy or reclaim adverse effects. 	<ul style="list-style-type: none"> • Minister now has the ability to require a corrective action plan. • Corrective action plans will now be required to follow a legal format. • Corrective action plans will be required to be signed off by a qualified person as will all chemical analysis conducted to support a Closure Report. • It is now a legal requirement to complete and provide the ministry with the National Classification System for Contaminated Sites Summary Score Sheet, previously handled voluntarily. • The ministry will file all acceptable corrective action plans in its electronic registry; in the future, these will, with some restrictions, be publicly accessible. • This chapter allows for both acceptable and alternative solutions. • For routine acceptable solutions, qualified person sign-off will replace detailed review and approval by the

Requirements remaining the same:	New or Changing Requirements:
	ministry. <ul style="list-style-type: none"> Regardless of whether an acceptable or alternative solution is employed for a corrective action plan, every person shall ensure the Minister has been notified and they have received a notification number from the Minister prior to carrying out the corrective actions.

Standards Referenced in this Chapter:

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

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

B.1.3 Corrective Action Plan Chapter

1. What is the purpose of this code chapter?

This chapter sets out the requirements to develop and execute corrective actions at environmentally impacted sites in order to ensure that environment and human health are protected to facilitate future use of these sites.

2. Who does this chapter apply to?

This chapter applies to persons who have been required to conduct a site assessment and where the site assessment discloses that the site is an environmentally impacted site.

3. Why is the ministry codifying the regulation of this particular activity?

The ministry has codified corrective action plans to be able to formally require the process for developing and carrying out corrective actions which are currently handled by policy. The code chapter provides opportunity to carry out acceptable or alternative solutions which will facilitate innovation, and redevelopment of environmentally impacted sites.

4. How was this activity regulated previously?

The requirements to undertake corrective actions or remedy adverse effects were regulated through *The Environmental Management and Protection Act, 2002*, *The Hazardous Substances and Waste Dangerous Goods Regulations* (HSWDG) and *The Environmental Spill Control Regulations*, however there were no provisions to specify the method and format for how a corrective action plan should be carried out. This was done through policy and guidelines including the Risk-Based Corrective Actions for Petroleum Contaminated Sites.

5. Does this code chapter change what the ministry requires of the regulated party?

Most requirements of the regulated party remain the same as the former policy including submitting a Corrective Action Plan (CAP) for the Minister to accept, carrying out the CAP and submitting information that the suitable endpoints have been achieved. Some changes include the requirements for qualified persons to sign off certain components and the opportunity to undertake acceptable or an alternative solution.

6. When do the changes come into effect? Is immediate compliance expected or will there be a phase-in period?

Although proclaimed in October, the Corrective Action Plan chapter will not come into force until June 1, 2015. Corrective Action Plans (CAPs) previously approved are still valid and may be carried out as planned. CAPs proposed after this date will need to comply with the chapter requirements.

7. Are there additional fees associated with the new code chapter?

No, there are no fees for licenses or permits associated with Corrective Action Plans. Some additional operational costs may be incurred to comply with requirements of the code but will vary depending on the proponent's current business practice.

8. Who is considered a qualified person (QP) for activities regulated by this code chapter?

Qualified persons are those persons who possess the required core skills and competencies to carry out the work. The chapter currently lists engineers, geoscientists, technologists, and agronomists as classes of qualified persons. Those persons that are not members of the class of person listed in the code chapter and possess the required core skills and competencies may apply to be designated as a qualified person by the Minister.

There are five different activities within the Corrective Action Plan code chapter that require review or sign-off by a qualified person. These activities are:

- certifying a tier 1 endpoint corrective action plan;
- certifying a tier 2 endpoint corrective action plan;
- certifying a tier 3 endpoint corrective action plan or a risk management with future reclamation corrective action plan;
- certifying a laboratory analysis; and
- certifying quality assurance and quality control sampling and analytical procedures.

9. When are corrective action plans required?

Corrective Action Plans are required whenever the site assessment indicates the property in question meets the definition of an environmentally impacted site in *The Environmental Management and Protection Act, 2010*.

10. What is required in a corrective action plan?

All Corrective Action Plans (CAPs) shall include mention of how the proponent intends to address the results-based objectives in the code chapter. In essence, the ministry requires that the proponent select an endpoint which identifies the level of cleanup to be achieved once the CAP is carried out for the specific site conditions. There are three tiers for CAPs which are referenced in the Endpoint Selection Standard.

Tier one values are based on the Saskatchewan Environmental Quality Standards (SEQS) that are the most protective based on land use. Tier two endpoints are values based on exposure/pathway scenario evaluations in the SEQS where non-applicable exposures scenarios may be eliminated and higher values may be chosen for the substances of potential concerns (SOPCs). Tier three endpoints

are based on developing site specific environmental quality values or conducting human health or environmental risk assessments.

The proponent shall also provide information on how the endpoints will be achieved by identifying which reclamation technologies will be utilized, ensure qualified person sign-off is achieved for the relevant activities and documents are submitted to the Minister upon completion.

An online form is available through the ministry's website which is to be used when submitting a CAP.

11. Who can carry out a corrective action plan?

The chapter identifies a number of areas where qualified persons are required including for developing, executing and reporting corrective actions. These are described in more detail in section 1-4 of the chapter. A host of professions are included as qualified persons depending on the specific activity being carried out. Practitioners should consult the code chapter to determine what activities are allowed for their given set of qualifications. There is also the ability in certain situations to be designated by the Minister as a qualified person.

12. What are alternative solutions?

Alternative solutions are provided as an option for proponents to develop and carry out corrective actions that are different than the standard "cookie cutter" acceptable solution. This provides the proponent with an opportunity to be innovative in their approach to achieving the desired outcomes provided the alternative solution meets the risk-based objectives outlined in the chapter. Corrective Action Plans that are submitted as alternative solution require approval by the ministry prior to implementation.

13. What are acceptable solutions?

In certain situations where the endpoints are well understood and the reclamation technology is recognized the proponent may choose to execute a Corrective Action Plan in this fashion as outlined in the acceptable solution section of the chapter. Corrective Action Plans done in this manner are acceptable to the ministry because the endpoints and reclamation technology have been pre-approved, the activities are more of a routine nature and provisions for qualified person sign-off are in place.

14. Do I require approval from the ministry to undertake a corrective action plan?

All Corrective Action Plans (CAPs) must be accepted by the ministry, only those CAPs proposed as alternative solutions require pre-submission for approval. Every person must receive a notification number from the ministry prior to undertaking the CAP.

15. What are the requirements for reporting once a corrective action plan is carried out?

Once the Corrective Action Plan endpoints have been achieved a closure report shall be submitted within 120 days along with a notice of site condition and any other documentation required to ensure the use for the site remains compatible with the selected endpoints.

The report shall include a description of the work undertaken, evidence that shows that the endpoints have been achieved as well as a number of other items included in the closure report form provided by the Minister.

16. Are there any requirements stating how soon a corrective action plan must be carried out?

All Corrective Action Plans (CAPs) that are submitted to the ministry must state when corrective actions shall start and when the chosen endpoints will be achieved. *The Environmental Management and Protection Act, 2010* requires that CAPs are prepared within six months after completing the site assessment or any other period set out by the Minister.

17. What happens if the corrective action plan isn't completed within the approved or expected timeframe?

The proponent shall advise the ministry by providing a status report to the Minister in a form provided by the Minister.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

B.1.4 Transfer of Responsibility for an Environmentally Impacted Site Chapter

Purpose: to set out the requirements for one person to transfer responsibility for an environmentally impacted site to another person. The chapter also sets out the requirements for additional contingency amounts for costs of reclaiming the site.

Applies to: a person transferring responsibility for an environmentally impacted site to another person.

Legislative Authority: *The Environmental Management and Protection Act, 2010*

Previously regulated by: *Not regulated*

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> In the absence of a legal transfer of responsibility via the authorized transfer process, the Minister retains his previous authority to take action against the person responsible. 	<ul style="list-style-type: none"> The Minister can now take action against the new responsible party having assumed responsibility through the authorized transfer process laid out in section 19 of <i>The Environmental Management and Protection Act, 2010</i>; previously the Minister could only take action against the person who caused the adverse effect, regardless of any agreements between the original person responsible and any future landowners.

Standards Referenced in this Chapter:

- ASTM Standard E2516-11 Standard Classification for Cost Estimate Classification System

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

B.1.4 Transfer of Responsibility for an Environmentally Impacted Site Chapter

1. What is the purpose of this code chapter?

The purpose of the code chapter is to set out the requirements for one person to transfer statutory responsibility for an environmentally impacted site to another person. The chapter also sets out the requirements for additional contingency amounts for costs of reclaiming the site. Transfer of responsibility as enabled in *The Environmental Management and Protection Act, 2010* allows a person who is legally liable for environmental impacts on a site to transfer that liability to another person and thereby get an “exit ticket” that will absolve them of future legal liability for the site.

2. Who is affected by this code chapter?

The code chapter applies to a person transferring statutory responsibility for an environmentally impacted site to another person.

3. Why is the ministry codifying the regulation of this particular activity?

The statutory requirement enables a code to provide clarity and process for the public.

4. How was this activity regulated previously?

This activity is a new concept in the impacted site program and was not mentioned in *The Environmental Management and Protection Act, 2002*.

5. How do I transfer responsibility for an environmentally impacted site to someone else?

Anyone wanting to transfer responsibility for an impacted site is required to supply the following information to the ministry:

- An agreement between the individual that are releasing and assuming responsibility;
- A Corrective Action Plan (CAP);
- An estimate of the cost of that CAP with a suitable contingency as referenced in the ASTM Standard E2516-11; and
- A financial assurance in the amount of the estimate plus the contingency in a form acceptable to the Minister.

6. When do the changes come into effect? Is immediate compliance expected or will there be a phase-in period?

This provision will be available when *The Environmental Management and Protection Act, 2010* comes into force.

7. Are there additional fees associated with the new code chapter?

There are no fees to submit the transfer to the ministry but there may be operational fees associated with providing a financial assurance.

8. Who is considered a qualified person (QP) for activities regulated by this code chapter?

There are no qualified person requirements for this chapter.

9. If I buy an environmentally impacted site do I have to accept the responsibility?

The decision to purchase an environmentally impacted site is a business decision. There is no requirement to accept responsibility. However, the purchaser needs to be aware that work or neglect at these sites may be such that responsibility at the site may be shifted to you as the owner.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

B.1.5 Substance Characterization Chapter

Purpose: to provide a process for classifying hazardous substances, hazardous waste and industrial waste, either by their characteristics or by being designated or listed.

Applies to: persons characterizing these substances.

Legislative Authority: *The Environmental Management and Protection Act, 2010*

Previously regulated by: *The Hazardous Substances and Waste Dangerous Goods Regulations* under *The Environmental Management and Protection Act, 2002*

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> Currently, <i>The Hazardous Substances and Waste Dangerous Goods Regulations</i> will not be repealed and, for the time being, will still apply. 	<ul style="list-style-type: none"> Industrial wastes are further defined with the inclusion of a detailed list for easy reference. The chapter is designed with placeholders for future work anticipated for defining hazardous substances and hazardous wastes once <i>The Hazardous Substances and Waste Dangerous Goods Regulations</i> are converted into a chapter in a future version of the code The Substance Characterization Chapter will apply to all other legislation or code except for <i>The Hazardous Substances and Waste Dangerous Goods Regulations</i>.

Standards Referenced in this Chapter:

- None

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

B.1.5 Substance Characterization Chapter

1. What is the purpose of this code chapter and who is affected by it?

This chapter provides a process for classifying hazardous substances, hazardous waste and industrial waste, either by their characteristics or by being designated or listed.

2. Why is the ministry codifying the regulation of this particular activity?

This chapter is required to facilitate other code chapters where industrial wastes, hazardous substances and hazardous wastes are mentioned.

3. How was this activity regulated previously?

Industrial wastes, hazardous substances and hazardous wastes were previously defined in *The Environmental Management and Protection Act, 2002* and *The Hazardous Substances and Waste Dangerous Goods Regulations*.

4. Does this code chapter change what the ministry requires of the regulated party?

This chapter will not change requirements of regulated parties; rather it will provide clarity.

5. When do the changes come into effect?

Once the code is in force, the requirements under the Substance Characterization Chapter apply immediately.

6. Are there additional fees associated with the new code chapter?

There are no new or additional fees, license or permit costs as part of the Substance Characterization code chapter.

7. Who is considered a qualified person (QP) for activities regulated by this code chapter?

There are no qualified person requirements for this chapter.

8. What is a hazardous substance?

A hazardous substance is a substance designated in section 3 of *The Hazardous Substances and Waste Dangerous Goods Regulations*.

9. What is a hazardous waste?

A hazardous waste or waste dangerous good is a substance with the characteristics described in subsection 4(4) of *The Hazardous Substances and Waste Dangerous Goods Regulations*.

10. What is an industrial waste?

Industrial wastes are designated within section 1-4(1) of the Substance Characterization Chapter and is a defined term within *The Environmental Management and Protection Act, 2010* and is as follows:

Industrial waste means any waste that:

- is generated by any process of industry, manufacturing, trade or business or by the development of a natural resource; and
- is prescribed or is set out in the code; and includes seepage, rainwater or storm water that enters industrial waste works.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

Saskatchewan Environmental Code Quick Reference Guide

C.1.1 Water Main Chapter

Purpose: This chapter ensures that new water mains are built to convey water which is safe for human consumption.

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)*.

Legislative Authority: *The Environmental Management and Protection Act, 2010*

Previously regulated by: *The Water Regulations, 2002* under *The Environmental Management and Protection Act, 2002*

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> The requirements under the acceptable solution are similar to the current requirements set out by the ministry. 	<ul style="list-style-type: none"> The ministry no longer issues permits for the construction of water mains used or intended to be used by a municipality with a population of at least 5,000 persons. Regulated parties will be required to submit a notification and certificate from a qualified person to the ministry instead of applying for a permit. The code will allow regulated parties to develop innovative solutions under the alternative solution section of the chapter.

Standards Referenced in this Chapter:

- NSF/ANSI 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 Guide

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

C.1.1 Water Main Chapter

1. What is the purpose of this code chapter and who is affected by it?

The purpose of this code chapter is to reduce the time it takes for a large municipality to get approval to construct new water mains within their distribution system, while still ensuring that human health and the environment are not exposed to unacceptable adverse effects.

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)*.

This chapter does not apply:

- To water pipelines;
- To the operation of a water main;
- To water treatment systems, water plants, water reservoirs, water pump houses; or
- The following activities conducted on a water main:
 - Maintenance;
 - Line break repairs;
 - Construction of service connections; or
 - Replacement of a water main with a water main at the same location or within the same right-of-way.

2. Why is the ministry codifying the regulation of this particular activity?

The ministry is codifying the regulation of this particular activity in order to streamline the approvals process for constructing new water mains for large municipalities. The ministry wants to advance the strategic initiative of infrastructure planning to help assure that affected municipalities are prepared for and can accommodate growth.

3. How was this activity regulated previously?

Previously all municipalities were required to apply for a permit to construct waterworks prior to the installation of new water mains.

4. Does this code chapter change what the ministry requires of the regulated party?

Regulated parties will now be required to provide the ministry with a notification instead of applying for a permit to construct. The acceptable solution will be similar to the current requirements set out by the ministry; however, the regulated party will be able to develop innovative solutions that would not be allowed under the current regulations.

5. When do the changes come into effect? Is immediate compliance expected or will there be a phase-in period?

Once the code is in force, the requirements under the Water Main Chapter apply immediately.

6. Are there additional fees associated with the new code chapter?

There are no new or additional fees, license or permit costs as part of the Saskatchewan Environmental Code. Additional operational costs may be incurred in complying with the requirements of this code chapter and may vary depending on the proponent's current structure and business model.

7. Who is considered a qualified person (QP) for activities regulated by this code chapter?

Qualified persons are those persons who possess the required core skills and competencies to carry out the work. The chapter currently lists engineers, geoscientists, technologists, and operators who holds corresponding certificate for classification of waterworks as classes of qualified persons. Those persons that are not members of the class of person listed in the code chapter and possess the required core skills and competencies may apply to be designated as a qualified person by the Minister.

There are four different activities within the water main code chapter that require review or sign-off by a qualified person. These activities are:

- certifying an environmental protection plan;
- certifying a water main design plan;
- certifying the monitoring and commissioning requirements; and
- certifying quality assurance and quality control sampling and analytical procedures.

8. How does this chapter affect municipalities of less than 5,000 people?

This chapter does not apply to municipalities of less than 5,000 people. As such, there will be no change from the current system for these communities.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

Saskatchewan Environmental Code

Quick Reference Guide

C.2.1 Sewage Main Chapter

Purpose: This chapter ensures that new sewer mains are built to convey wastewater in a manner which protects the environment and human health.

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)*.

Legislative Authority: *The Environmental Management and Protection Act, 2010*

Previously regulated by: *The Water Regulations, 2002* under *The Environmental Management and Protection Act, 2002*

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> The requirements under the acceptable solution are similar to the current requirements set out by the ministry. 	<ul style="list-style-type: none"> The ministry no longer issues permits for the construction of sewage mains used or intended to be used by a municipality with a population of at least 5,000 persons. Regulated parties will be required to submit a notification and certification from a qualified person to the ministry instead of applying for a permit. The code will allow regulated parties to develop innovative solutions under the alternative solution section of the chapter.

Standards 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

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

C.2.1 Sewage Main Chapter

1. What is the purpose of this code chapter and who is affected by it?

The purpose of this code chapter is to reduce the time it takes for a large municipality to get approval to construct new sewage mains within their collection system, while still ensuring that human health and the environment are not exposed to unacceptable adverse effects.

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)*.

This chapter does not apply to:

- The operation of a sewage main;
- 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
- The following activities conducted on a sewage main:
 - Maintenance;
 - Line break repairs;
 - Construction of service connections; or
 - Replacement of a sewage main with a sewage main at the same location or within the same right-of-way.

2. Why is the ministry codifying the regulation of this particular activity?

The ministry is codifying the regulation of this particular activity in order to streamline the approvals process for constructing new sewage mains for large municipalities. The ministry wants to advance the strategic initiative of infrastructure planning to help assure that affected municipalities are prepared for and can accommodate growth.

3. How was this activity regulated previously?

Previously all municipalities were required to apply for a permit to construct sewage works prior to the installation of new sewage mains.

4. Does this code chapter change what the ministry requires of the regulated party?

Regulated parties will now be required to provide the ministry with a notification instead of applying for a permit to construct. The acceptable solution will be similar to the current requirements set out by the ministry. However, the regulated party will be able to develop innovative solutions that would not be allowed under the current regulations.

5. When do the changes come into effect? Is immediate compliance expected or will there be a phase-in period?

Once the code is in force, the requirements under the Sewage Main Chapter apply immediately.

6. Are there additional fees associated with the new code chapter?

There are no new or additional fees, license or permit costs as part of the Saskatchewan Environmental Code. Additional operational costs may be incurred in complying with the requirements of this code chapter and may vary depending on the proponent's current structure and business model.

7. Who is considered a qualified person (QP) for activities regulated by this code chapter?

Qualified persons are those persons who possess the required core skills and competencies to carry out the work. The chapter currently lists engineers, geoscientists, technologists, and operators who holds corresponding certificate for classification of sewage works as classes of qualified persons. Those persons that are not members of the class of person listed in the code chapter and possess the required core skills and competencies may apply to be designated as a qualified person by the Minister.

There are four different activities within the water main code chapter that require review or sign-off by a qualified person. These activities are:

- certifying an environmental protection plan;
- certifying a water main design plan;
- certifying the monitoring and commissioning requirements; and
- certifying quality assurance and quality control sampling and analytical procedures.

8. How does this chapter affect municipalities of less than 5,000 people?

This chapter does not apply to municipalities of less than 5,000 people. As such, there will be no change from the current system for these communities.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

C.3.1 Hydrostatic Testing Chapter

Purpose: This chapter ensures adverse effects to human health and the environment are minimized and appropriately managed in conducting hydrostatic testing. The concerns arise with respect to the source water being used and potential environmental and ecological impacts at both the source water location and the discharge location of the water once testing is complete.

Applies to: This chapter will apply to pressure testing an upstream oil and gas pipeline using water.

Legislative Authority: *The Environmental Management and Protection Act, 2010*

Previously regulated by: *The Environmental Management and Protections Act, 2002*

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> • All technical requirements that are currently in place. • Hydrostatic testing for pipelines greater than 12 inches in diameter, pipelines in previous use, the use of additives and discharges to water will be covered through an environmental protection plan. 	<ul style="list-style-type: none"> • The code is for new lines less than 12 inches in diameter. • Industry will be able to plan and carry out tests that are fully within acceptable solutions portion of the code on a timeline that is most convenient for their purposes, and stage equipment and construction without concern for trying to time those activities to ensure they have received an approval. • Where tests cannot be completed fully within the acceptable solutions portion of the code chapter, an environmental protection plan will be required.

Standards Referenced in this Chapter:

- Qualified Person Certification Standard

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

C.3.1 Hydrostatic Testing Chapter

1. What is the purpose of this code chapter and who is affected by it?

The purpose of this chapter is to eliminate the need for upstream oil and gas industry to formally apply for approval to complete hydrostatic testing where they will be using standard, accepted methods in low risk situations. It is specific to the upstream oil and gas industry and their pipeline/flowline construction contractors.

2. Why is the ministry codifying the regulation of this particular activity?

This activity is being codified so low risk projects using approved, standard methods do not require staff to complete reviews and provide approvals for a low risk activity, allowing them to provide enhanced environmental protection on those activities with higher risk.

3. How was this activity regulated previously?

Previously, proponents provided a full project overview or proposal to the Ministry of Environment's ecological protection specialists for review, and waited for a reply indicating they could proceed as proposed, or could proceed adhering to noted changes or additions to the proposal.

4. Does this code chapter change what the ministry requires of the regulated party?

This code chapter will require no changes to the technical requirements previously in place. Where the acceptable solution can be adhered to, it will require the proponent to simply provide notification in place of a detailed proposal.

5. When do the changes come into effect? Is immediate compliance expected or will there be a phase-in period?

Changes will come into effect as soon as the new legislation comes into force. Immediate compliance is expected as there will be no new requirements or standards put in place, altered or eliminated.

6. Are there additional fees associated with the new code chapter?

There are no new or additional fees, license or permit costs as part of this chapter in the Saskatchewan Environmental Code. In addition, it is anticipated there will be no new or additional operational costs for proponents, as the requirements of this code chapter are consistent with established, standard practices within the industry. In some cases, proponents may actually realize a saving, as they will not need to have staff or consultants draft project proposals in cases where all work can be completed as outlined within the acceptable solutions section of the code chapter.

7. Who is considered a qualified person (QP) for activities regulated by this code chapter?

Qualified persons are those persons who possess the required core skills and competencies to carry out the work. The chapter currently lists engineers, geoscientists, technologists, and agronomists as classes of qualified persons. Those persons that are not members of the class of person listed in the code chapter and possess the required core skills and competencies may apply to be designated as a qualified person by the Minister.

There are two different activities within the water main code chapter that require review or sign-off by a qualified person. These activities are:

- certifying an environmental protection plan; and
- certifying quality assurance and quality control sampling and analytical procedures.

8. Can I use the acceptable solution as outlined in the chapter but discharge test water to a watercourse or water body?

No. If you want to discharge test water to a watercourse or water body you must follow the alternative solution section of the chapter.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

D.1.1 Forest Regeneration Assessment Chapter

Purpose: To establish the methodology to measure the species, distribution and growth of trees that have either been planted or that are naturally regenerating on forest land following harvesting or disturbances by development activities.

Applies to: Persons having a licence obligation to renew lands that have been harvested and to conduct regeneration assessments. This chapter does not apply to land dispositions granted for developments such as pipelines, well sites, mineral extraction sites, utility corridors or research areas. Also, the chapter does not apply to holders of a licence where forest management fees are paid into a trust fund and renewal activities are conducted by another person.

Legislative Authority: *The Forest Resources Management Act*

Previously regulated by: The Regeneration Assessment Document, dated 2008

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> • <i>The Forest Resources Management Act</i> and <i>The Forest Resources Management Regulations</i> continue to require that all lands harvested are renewed, with a minimum goal of maintaining the long-term productive capacity of the forest and integrity of forest ecosystem processes. • This chapter continues to ensure renewal can be quantified to minimize the risk that unproductive forest land impacts future generations. • Adopts the existing Regeneration Assessment Document established and gazetted in 2008. 	<ul style="list-style-type: none"> • Allows for the sampling intensity to be reduced, as the previous methodology over-sampled on large harvest areas. • Reduces the amount of information required to be collected. • Proposed new regeneration assessment methods may be presented for review and approval as part of the operating plan.

Standards Referenced in this Chapter:

- Forest Regeneration Assessment Standard

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

D.1.1 Forest Regeneration Assessment Chapter

1. What is the purpose of this chapter?

The purpose is to establish the methodology to measure the species, distribution and growth of trees that have either been planted or that are naturally regenerating on forest land following harvesting or disturbances by development activities. Regeneration assessments measure the success of forest regeneration in order to determine the long term productive capacity of forest land and the integrity of associated ecosystem processes.

2. Who does this chapter apply to?

It applies to a person having a licence obligation to renew lands that have been harvested and to conduct regeneration assessments.

3. Must all persons who harvest trees on Crown land conduct assessments?

No. This chapter does not apply to land dispositions granted for developments such as pipelines, well sites, mineral extraction sites, utility corridors, or research areas. Also, the chapter does not apply to holders of a licence where forest management fees are paid into a trust fund and renewal activities are conducted by another person.

4. Why is the ministry codifying the regulation of regeneration assessments?

Forest practices are rapidly evolving and methods such as remote sensing and satellite imagery are advancing to the point where there may be practical alternatives in the near future. This chapter allows for the potential use of new methods to conduct the assessments. Proposed new methods may be presented for review and approval as part of the operating plan.

5. How were regeneration assessments regulated previously?

Assessments were conducted in accordance with the *The Regeneration Assessment Document*, established by the Minister in July 2008.

6. What is changing under this chapter?

This chapter:

- Allows for the sampling intensity to be reduced, as the previous methodology over sampled on large harvest areas;
- Reduces the amount of information required to be collected; and
- Allows for licensees to propose alternative solutions for assessing and reporting on regeneration status.

7. Does this chapter increase the administrative obligations of licensees?

No. The requirements for conducting assessments are unchanged.

8. Does this chapter require licensees to invest in new software and compile data in multiple formats?

No. Data is submitted in common GIS formats which licensees already maintain for their own mapping and records.

9. Will licensees need to comply with the chapter immediately?

Yes. A transition period is not necessary since the chapter imposes no new requirements for conducting regeneration assessments.

10. Will the ministry verify that the submitted information is correct?

The Minister periodically audits whether the information submitted by the licensee is correct. The audit procedure includes site visits and assessments by ministry staff.

11. Who may be considered a qualified person for the activities regulated by this chapter?

There are no qualified person requirements for this chapter.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

Saskatchewan Environmental Code

Quick Reference Guide

D.1.2 Forest Data Submission Chapter

Purpose: To establish the form and format respecting a licensee’s submission of information related to their forest management activities including harvesting, scaling, renewal and roads.

Applies to: Persons who: operate a facility that accepts and processes timber, wood residue or woodchips that originate from Crown land; conduct forest management activities on Crown land; are party to a forest management fund; hold a forest management agreement; or hold an area-based term supply licence.

The chapter does not apply to licensees with an annual cumulative harvest volume of less than 50,000 m³; or to individuals who only harvest or process wood from private land.

Legislative Authority: *The Forest Resources Management Act*

Previously regulated by: Reporting requirements set out in a variety of instruments including terms of a licence or planning requirements.

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> • The majority of information to be collected is spatial data and includes information on harvesting, roads, watercourse crossing, and renewal activities. • Information regarding scaling (measurement of harvested wood), fibre sources and transfers, processing and employment are to be provided. • The data will be used as the basis for annual and long-term planning, payment of dues and fees, assessing regeneration success and liabilities, reporting on forest management fund expenditures and certification audits. • The data will enable the ministry to evaluate whether the licensee is meeting the management objectives set for their licence areas. 	<ul style="list-style-type: none"> • Submission of data will now only be once per year. Currently, there may be multiple submissions required throughout the year. • Data will now be submitted in a standard electronic format. Currently, data is currently submitted in a variety of formats. • Data will be submitted in its raw form. • The chapter includes a set of provisions that allows licensees to apply to have the Minister accept their regeneration assessment data as confirmation that harvested areas have been sufficiently regenerated.

Standards Referenced in this Chapter:

- Forest Data Submission Standard

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

D.1.2 Forest Data Submission

1. What is the purpose of this chapter?

It establishes the format of digital information reported to the ministry related to forest management activities conducted pursuant to a licence held under *The Forest Resources Management Act* (FRMA), including harvesting, scaling, renewal and roads.

The chapter also introduces provisions that allow licensees to apply to have their regeneration assessment data accepted. Industry has requested that the ministry establish a means of acknowledging they have met their renewal obligations. The submitted data must demonstrate to the satisfaction of the Minister that harvested areas have been sufficiently regenerated.

2. Who does this chapter apply to?

It applies to persons who operate a facility that accepts and processes timber, wood residue or woodchips that originate from Crown land; who conduct forest management activities on Crown land, who are party to a forest management fund; or who hold a forest management agreement or area-based term supply licence.

The chapter does not apply to licensees with an annual cumulative harvest volume of less than 50,000 m³ or to individuals who only harvest or process wood from private land.

3. Why is the ministry codifying the regulation data submission respecting forest management activities?

Receiving data in an electronic format from all licensees will enable the ministry to prepare summaries of activities and accomplishments that can be incorporated into public documents such as the provincial State of the Forest Report and the National Forestry Data Bases. It will also enable the ministry to evaluate whether the licensee is meeting the management objectives set for their license areas.

4. How was data submission regulated previously?

Data is currently submitted in a variety of electronic and hard copy formats, making it difficult for the ministry to create data bases for the entire provincial forest land base.

5. What is changing under this chapter?

Submission of data will now only be once per year. Currently, there may be multiple submissions required throughout the year. Data will now be submitted in a standard electronic format. Licensees will be able to apply to have their regeneration assessment data accepted. Industry has requested that the ministry establish a means of acknowledging they have met their renewal obligations. The submitted data must demonstrate to the satisfaction of the Minister that harvested areas have been sufficiently regenerated.

6. Does this chapter increase the administrative obligations of licensees?

Once established, the electronic transfer of data will be more efficient, less time consuming, and less expensive.

7. Does this chapter require licensees to invest in new software and compile data in multiple formats?

Data is submitted in common GIS formats which licensees already maintain for their own mapping and records. Licensees can choose from among several commonly used data formats.

8. Will licensees need to comply with the chapter immediately?

Yes. The licensees currently store their data digitally enabling the licensees to submit it electronically to the ministry. The ministry has collaborated with the licensees in developing a process for the submission of the data, and the creation of a “digital home” for the data in an enterprise geographic information system.

9. Will the ministry verify that the submitted information is correct?

The licensee is responsible for submitting complete and accurate data. The ministry will verify that they have done so.

10. Who may be considered a qualified person for the data submission regulated by this chapter?

There are no qualified person requirements for this chapter.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

D.1.3 Forestry Operating Plan Chapter

Purpose: This chapter consolidates the current set of requirements governing the annual submission of information respecting a licensee’s proposed forest activities including harvesting, renewal and roads. Preparing this plan is the process by which the licensee proposes how they will achieve the longer term landscape level objectives and targets set out in their multi-year forest management plan.

Applies to: Licensees granted the authority to harvest forest products pursuant to *The Forest Resources Management Act*. Licensees include the holders of forest management agreements, term supply licenses, forest product permits and parties to a forest management fund who are proposing to conduct forest management activities. The chapter does not apply to persons, who as a term of their licence, are not required to complete an operating plan.

Legislative Authority: *The Forest Resources Management Act*

Previously regulated by: N/A

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> • The information will be submitted in text, tabular, and spatial formats describing harvesting, roads, watercourse crossings and renewal activities. • The information will be submitted in common digital formats which licensees already maintain for their own mapping and records. 	<ul style="list-style-type: none"> • Provides clarity and expands on the requirements set out in the regulations. • Standardizes the data submission requirements for all licensees. • Allows for the operating plan to be submitted in an electronic format. • Eliminates additional permitting requirement for construction activities within approved road rights-of-way. • The operational activities undertaken are reported in accordance with the requirements of the Forest Data Submission Chapter. • Licensees have the option of extending the term of this plan to up to five years if they involve the services of a registered professional

Standards Referenced in this Chapter:

- Forest Operating Plan Standard

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

D.1.3 Forest Operating Plan

1. What is the purpose of this chapter?

It consolidates the current set of requirements governing the submission of information respecting a licensee's proposed forest activities including harvesting, renewal and roads. The planning of forest activities is the process by which the licensee proposes how they will achieve the longer term landscape level objectives and targets set out in their forest management plan.

2. Who does this chapter apply to?

This chapter applies to the holders of licenses granted the authority to harvest forest products pursuant to the *Forest Resources Management Act*. Licensees include the holders of forest management agreements, term supply licenses, and forest product permits. The chapter also applies to parties to a forest management fund who are proposing to conduct forest management activities.

3. Must all persons licensed to conduct forest management activities submit an operating plan?

No. The chapter does not apply to persons, who as a term of their license, are not required to complete an operating plan.

4. Why is the ministry codifying the regulation of operating plan submissions?

Receiving data in a uniform format from all licensees will enable the ministry to prepare summaries of activities and accomplishments that can be incorporated into public documents such as the provincial State of the Forest Report and the National Forestry Data Bases. The chapter consolidates current planning requirements that are set out in a number of administrative documents. This change enables the comparison of planned activities to reported activities as reported pursuant to the Forest Data Submission chapter.

5. How were planning requirements regulated previously?

Licensees designed their own plan formats in consultation with ministry area foresters. These plans were submitted in a hard copy format.

6. What is changing under this chapter?

The chapter will:

- provide clarity and expand on the requirements set out in the regulations;
- standardize the plan submission requirements for all licensees;
- allow licensees to include up to five years of proposed operations in the plan;
- allow for the operating plan to be submitted in an electronic format; and
- eliminate additional permitting requirement for construction activities within approved road right-of-ways.

7. Does this chapter increase the administrative obligations of licensees?

Previously, licensees had to distribute several hard copies of the plan. The electronic format will be more efficient and cost effective.

8. Will licensees need to comply with the chapter immediately?

The implementation of chapter requirements will be coordinated with licensees respective planning cycles.

9. Who may be considered a qualified person for the activities regulated by this chapter?

Qualified persons are those persons who possess the required core skills and competencies to carry out the work. *The Forest Resources Management Regulations* establish a qualified person as a registered professional forester or registered professional forest technologist pursuant to *The Forestry Professions Act*. The role of the qualified person as it relates to the operating plans is set out in *The Forest Resources Management Act*.

10. Does this chapter require licensees to invest in new software and compile data in multiple formats?

Data is submitted in common formats which licensees already maintain for their own mapping and records. This chapter speaks to the plan content and format.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

D.1.4 Forest Products Scaling Chapter

Purpose: To determine the correct amount of monies owing to the Crown, to update forest product inventories and to determine volume of harvested forest products.

Applies to: persons who are granted a licence authorizing them to harvest forest products on Crown forest lands and who, in accordance with that licence and *The Forest Resources Management Act (FRMA)*, are obligated to measure or scale the forest products. It also applies to those persons who have obtained and maintain a Saskatchewan scaler's licence in accordance with FRMA.

Legislative Authority: *The Forest Resources Management Act*

Previously regulated by: Saskatchewan Scaling Manual

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none">Requirements set out in the Saskatchewan Scaling Manual will continue including: the preparation of scaling plans; having forest products scaled by a licensed scaler; piling or placing the forest products in a manner that facilitates an accurate scale; maintenance of scaling records; and the submission of scaling returns.	<ul style="list-style-type: none">Licensees may propose alternative solutions for scaling forest products.

Standards Referenced in this Chapter:

- Forest Products Scaling Standard

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

D.1.4 Forest Products Scaling Chapter

1. What is the purpose of this chapter?

Its purpose is to determine the correct amount of monies owing to the Crown, to update forest product inventories and to determine the volume of harvested forest products. The chapter recognizes an existing set of requirements respecting a licensee's obligation to scale forest products harvested on Crown forest lands.

2. Who does this chapter apply to?

It applies to persons who are granted a licence authorizing them to harvest forest products on Crown forest lands and who, in accordance with that licence and *The Forest Resources Management Act* (FRMA), are obligated to measure or scale the forest products. It also applies to those persons who have obtained and maintain a Saskatchewan scalers licence in accordance with FRMA.

3. Why is the ministry codifying the regulation of scaling?

Those measuring wood for the payment of dues and fees now have the option of proposing more effective methods than those set out in a scaling standard pursuant to the Forest Products Scaling Chapter.

4. How was scaling regulated previously?

Scaling was conducted in accordance with the Scaling Manual established under FRMA.

5. What is changing under this chapter?

It allows licensees to propose alternative solutions for scaling forest products.

6. Does this chapter increase the administrative obligations of licensees?

No. This chapter reflects current practices and requirements. It adopts the Scaling Manual in its entirety as a standard under the code. It recognizes the existing set of requirements respecting a scaler's obligations including scaling in accordance with the accepted methods of scale, reporting requirements and the maintenance of scaling records.

7. Will licensees need to comply with the chapter immediately?

Yes. A transition period is not necessary since the chapter imposes no new requirements for scaling.

8. Who may be considered a qualified person for the activities regulated by this chapter?

There are no qualified person requirements for this chapter, however those scaling wood in accordance with the scaling standard pursuant to the chapter are still required to be licenced as set out in *The Forest Resources Management Act*.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

D.1.5 Forest Management Planning Chapter

Purpose: The chapter sets out the basic requirements that major forest licensees must follow in order to ensure that the long-term direction of their forest management activities protects the ecological values of the forest while providing for economic benefits.

Applies to: Persons granted a licence authorizing them to harvest Crown timber on provincial forest lands and who, in accordance with that licence and *The Forest Resources Management Act*, are obligated to submit a forest management plan.

Legislative Authority: *The Forest Resources Management Act*

Previously regulated by: Forest Management Planning Document, August 2007

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> This chapter reflects current practices and requirements. No changes are proposed as a result of this chapter or the adoption of the current <i>Forest Management Planning Document</i> as a standard. 	<ul style="list-style-type: none"> The adoption of the current requirements as a standard under the code chapter will enable the ministry to continue to collaborate with the forest industry and other interested parties to improve the standard to ensure it aligns with the objectives of results-based regulation and recognize new or enhanced strategic planning objectives and priorities based on both science and operational efficiencies.

Standards Referenced in this Chapter:

- Forest Management Planning Standard

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

D.1.5 Forest Management Planning Chapter

1. What is the purpose of this chapter?

The chapter recognizes the current forest management planning framework and associated planning requirements. Forest management planning provides long term strategic-level direction for the management of forest resources on the licence area. Planning for the management and use of the forest resources is essential to ensure the ecological sustainability of Saskatchewan's forests for future generations.

2. Who does this chapter apply to?

It applies to persons granted a licence authorizing them to harvest Crown timber on provincial forest lands and who, in accordance with that licence and *The Forest Resources Management Act* (FRMA), are obligated to submit a forest management plan.

3. Why is the ministry codifying the regulation of forest management planning?

These code requirements will continue to ensure that planning requirements can be changed to accommodate the evolving needs of industry and other forest users with regard to economic growth and the conservation of forest values.

4. How were the planning requirements regulated previously?

Forest management plans were prepared in accordance with *The Forest Management Planning Document*, established by the Minister in August 2007.

5. What is changing under this chapter?

The chapter sets out the subject areas that must be addressed in the plan. How the subjects are addressed and what kind of forest management objectives are to be set will be determined in a consultative process with the provincial government, stakeholders and aboriginal people. The requirements for conducting this work are set out in a standard pursuant to the chapter. Previously, all requirements were set out in the planning document.

6. Does this chapter increase the administrative obligations of licensees?

The requirements for preparing a forest management plan are unchanged.

7. Will licensees need to comply with the chapter immediately?

Yes, compliance will be required immediately. There is no transition period since the chapter imposes no new requirements for preparing a forest management plan.

8. Who may be considered a qualified person for the activities regulated by this chapter?

There are no qualified person requirements for this chapter.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

Saskatchewan Environmental Code

Quick Reference Guide

E.1.1 Halocarbon Control Chapter

Purpose: To protect the stratospheric ozone layer by eliminating halocarbon (ozone depleting substances) emissions originating from chillers, refrigeration, air-conditioning systems and other equipment.

Applies to: People who work with halocarbons, including the buying and selling of halocarbons, as well as those working on equipment containing halocarbons.

Legislative Authority: *The Environmental Management and Protection Act, 2010*

Previously regulated by: *The Halocarbon Control Regulations under The Environmental Management and Protection Act, 2002*

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> • A person working with halocarbons must have a certificate from a recognized institution. This certificate is required for buying and selling halocarbons as well as installing, servicing, repairing, charging or recharging equipment containing halocarbons. In Saskatchewan, it is the individual, not the company, who must be certified. • In Saskatchewan, no person shall knowingly release or cause to be released into the atmosphere any ozone-depleting substance from an air conditioning or refrigeration system. • A person working with halocarbons will continue to follow Environment Canada’s Environmental Code of Practice for Elimination of Fluorocarbon Emissions from Refrigeration and Air Conditioning Systems and Environment Canada’s Environmental Code of Practice for Halons. 	<ul style="list-style-type: none"> • The code replaces and allows for the repealing of <i>The Halocarbon Control Regulations</i>. • The ministry no longer issues individual wallet sized certification cards; both the cards and wall certificates are now issued by the Heating Refrigeration and Air Conditioning Institute of Canada. • Reporting of accidental releases of halocarbons greater than 100 kg is required in accordance with the Discharge Discovery and Reporting Chapter. • Qualified persons have been divided into two categories: <ol style="list-style-type: none"> 1. buyer and sellers; and 2. persons that install, service, repair, charge or recharge equipment. This was done to help clarify responsibilities and to reflect the different requirements of each.

Standards Referenced in this Chapter:

- Environmental Code of Practice for the Elimination of Fluorocarbon Emissions from Refrigeration and Air Conditioning Systems, March, 1996
- Environment Code of Practice on Halons

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

E.1.1 Halocarbon Control Chapter

1. What is the purpose of this code chapter?

The purpose of this chapter is to eliminate halocarbon emissions originating from chillers, refrigeration, air conditioning systems and other equipment in order to ensure the protection of the stratospheric ozone layer. By law, no person shall knowingly release or cause to be released into the atmosphere any ozone-depleting substance from an air conditioning or refrigeration system. This includes chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), hydrofluorocarbons (HFCs), perfluorocarbons and halons.

2. Who does this chapter apply to?

This chapter applies to people who work with halocarbons. This includes the buying and selling of halocarbons as well as those working on equipment containing halocarbons to perform installations, servicing, repairs, charging or recharging. Salvage operators are also affected as halocarbons must be removed from equipment prior to its final disposal.

Service personnel must have operational equipment for the recovery and containment of halocarbons or ozone-depleting substances at a job site. It is improper for service personnel to “top up” or only “add refrigerant” unless the unit has been repaired and been confirmed to be free of leaks.

Proof of certification is required to purchase or sell halocarbons. It is individuals not the businesses that must be certified in Saskatchewan.

3. Why is this regulated activity?

The emission of ozone-depleting substances to the atmosphere adversely affects stratospheric ozone concentrations. Ultraviolet (UV) radiation reaching the earth’s surface caused by earlier emissions will affect humans, plants and animals, and some ozone depleting substances also have a global warming effect. Saskatchewan aims to enhance environmental protection by reducing and eventually eliminating these substances from being emitted into the atmosphere.

Saskatchewan is committed to the goal of total containment and ultimately the elimination of the use of ozone-depleting substances, in harmony with the rest of Canada.

4. How was this activity regulated previously?

Control of halocarbons was previously regulated through *The Halocarbon Control Regulations*, under authority of *The Environmental Management and Protection Act, 2002*.

5. How does the code chapter change what the ministry requires of the regulated party?

The ministry's regulatory program has changed little over the last 20 years. Requirements for this chapter are primarily the same as those under the current regulations. This chapter replaces *The Halocarbon Control Regulations* that was repealed.

The issuing of wallet cards for certified individuals is now done through the Heating Refrigeration and Air Condition Institute of Canada (HRAI), a national certification program. Proof of certification is required to purchase or sell halocarbons and in the past, the ministry issued the certification cards.

In addition, any accidental release of halocarbons greater than 100 kg must now be reported. This will be done in accordance with the Discharge Discovery and Reporting chapter. For discharges between 10 and 100 kg, records of the release must be retained.

6. When the code comes into force, is immediate compliance expected or is there a phase-in period?

No transition steps are required for this chapter. Immediate compliance will be expected.

7. Will the changes result in additional costs for the regulated party?

Requirements for this chapter are primarily the same as those under *The Halocarbon Control Regulations* so no additional costs are expected.

8. Who is considered a qualified person for activities regulated by this code chapter?

Qualified persons are those persons who possess the required core skills and competencies to carry out the work. The chapter currently lists someone who has a certificate from the Saskatchewan Apprenticeship and Trade Certification Commission in automotive service, refrigeration and air conditioning, or other related programs which can be obtained through a recognized institution such as the Saskatchewan Polytechnic offering the Ozone-depleting Substances Control Certification Program as classes of qualified persons. Those persons that are not members of the class of person listed in the code chapter and possess the required core skills and competencies may apply to be designated as a qualified person by the Minister.

9. What are halocarbons and ozone-depleting substances

Halocarbons are found in air conditioning, refrigeration or fire extinguishing equipment. Halocarbons and other similar chemical compounds are considered ozone depleting substances because they travel upward after they're released into the air and break down the ozone layer.

10. What is the ozone layer?

The ozone is a layer of gas in the upper atmosphere, about 15-40 km above the earth. This layer of gas is a natural protective shield that protects the earth's surface from ultraviolet rays (UVA and UVB).

11. What are the expected outcomes of the chapter?

The expected outcomes are:

- Saskatchewan's control of halocarbons is consistent with other jurisdictions at the provincial, territorial and national programs.
- No person shall knowingly release or cause to be released into the atmosphere any halocarbon or ozone-depleting substance from an air conditioning or refrigeration system.
- A person working with halocarbons must have a certificate from a recognized institution. This certificate is required for buying and selling halocarbons as well as installing, servicing, repairing, charging or recharging equipment containing halocarbons. In Saskatchewan, it is the individual, not the company that is required to be certified. Since 1990, more than 10,000 people have been certified to work with halocarbons in the province.

- A person working with halocarbons will also continue to follow Environment Canada's Environmental Code of Practice for Elimination of Fluorocarbon Emissions from Refrigeration and Air Conditioning Systems and Environment Canada's Environmental Code of Practice for Halons.
- When disposing of halocarbons, they are to be returned for recycling, conversion or destruction to a seller of halocarbons. Sellers are responsible for accepting halocarbons and ensuring proper records in relation to returned halocarbons are kept.

12. What are the implications to industry?

The issuing of wallet cards for certified individuals through the Heating, Refrigeration and Air Conditioning Institute (HRAI), does have some implications. Previously, HRAI issued the wall certificates while the ministry issues wallet sized cards. Saskatchewan was the only province still issuing wallet cards. Having both cards come from HRAI is more efficient.

Although HRAI is a national trade association for manufacturers, wholesalers and contractors in the Canadian heating, ventilation, air conditioning and refrigeration industries, HRAI does not do any level of enforcement; it is up to the federal, provincial and territorial jurisdictions to enforce compliance. Although Saskatchewan no longer has the authority to cancel the certification cards issued by HRAI, there are other mechanisms for ensuring compliance such as stronger penalties for violators including the introduction of incarceration.

13. Can the chapter be enforced by the ministry?

Yes, the ministry can enforce the requirements of this chapter under the authority of EMPA, 2010. The ministry can issue orders requesting a company to perform a variety of corrective actions to ensure protection of the ozone layer. The ministry can also issue penalties for a violation up to a maximum fine of \$1,000,000 for each day or part day during which the offense continues. Violations can also result in imprisonment not exceeding three years or both the fine and imprisonment.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)

Saskatchewan Environmental Code Quick Reference Guide

E.1.2 Industrial Source (Air Quality) Chapter

Purpose: To ensure Saskatchewan’s ambient air quality standards and emission standards are met so that air quality impacts to human and environmental health are minimized and to ensure industrial sources do not create adverse effects.

Applies to: People who intend on establishing a major air emission source facility and to every industrial source facility owner.

Legislative Authority: *The Environmental Management and Protection Act, 2010*

Previously regulated by: *The Clean Air Regulations and The Potash Refining Air Emissions Regulations under The Clean Air Act*

Key Provisions/Code Synopsis:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> • All persons and businesses are required to ensure that Saskatchewan’s Ambient Air Quality Standards are met. • Qualified Person (previously handled in Regulations). 	<ul style="list-style-type: none"> • <i>The Clean Air Act, The Clean Air Regulations and The Potash Refining Air Emissions Regulations</i> are repealed. • Now under the authority of <i>The Environmental Management and Protection Act, 2010</i>. • Industrial sources required to submit environmental protection plans instead of having to obtain a clean air permit. • Saskatchewan Ambient Air Quality Standards have been brought up to date, outdated standards have been removed and Canada-wide Standards for PM_{2.5} and ozone have been adopted. • Ability to develop sector specific emission standards. • Aligns with the Canada-wide Air Quality Management System (AQMS), that were implemented in 2013. • EMPA’s general regulations will outline provincial burning prohibitions for all Saskatchewan residents to abide by.

Standards Referenced in this Chapter:

- Qualified Person Certification Standard
- Saskatchewan Environmental Quality Standard (Tables 20 and 21)

Please Note: This Quick Reference Guide is intended as a summary only. Proponents are responsible to review the full code chapter and seek any needed clarification from the ministry.

Frequently Asked Questions

E.1.2 Industrial Source (Air Quality) Chapter

1. Who does the chapter apply to?

The chapter primarily applies to major air emission sources (as outlined in sections 1-8). Most, if not of all these impacted industrial sources, currently have clean air permits in place. If a source isn't specifically outlined, it may be captured by the annual amounts of air contaminant emissions specified in clause 1-8(m) of the chapter. Section 1-1 outlines industrial source facility owners not regulated by the chapter.

2. What is the purpose of this chapter?

The purpose of this chapter is to ensure Saskatchewan's Ambient Air Quality Standards and Emission Standards are met so that air quality impacts to human and environmental health are minimized and to ensure industrial sources do not create adverse effects.

3. Why is the ministry codifying the regulation of this particular activity?

- To become less prescriptive by removing the command and control approach to regulating industry;
- To improve the control industrial site owners have over the environmental management of their sites;
- To eliminate industry having to wait for government to issue operating and construction approvals for industrial sources that impact air quality;
- By lessening the administrative burden, the ministry can spend more time conducting investigations and audits at facilities that have the potential to create adverse effects;
- To have a more open and transparent regulatory process; and
- To enhance environmental protection while fostering innovation.

4. What changes have been made?

- Industrial sources are required to submit environmental protection plans instead of having to apply to the ministry to obtain a clean air permit.
- Upstream oil and gas activities will not be regulated by this chapter. Clean air permits and environmental protection plans will not be required by the ministry for upstream and midstream oil and gas activities in Saskatchewan.
- Upstream oil and gas activities are regulated by the Ministry of Economy under the authority of *The Oil and Gas Conservation Act* and *The Pipelines Act, 1998*. Oil and gas activities regulated by *The Oil and Gas Conservation Act* and *The Pipelines Act, 1998* include flares, incinerators, wells, natural gas pipelines and oil sands facilities. The ministry's primary air quality role associated with the upstream oil and gas sector is to provide expertise on air dispersion modeling, air quality monitoring and air zone management.
- Saskatchewan Ambient Air Quality Standards have been brought up to date.
- Ability to develop sector specific Emission Standards.
- Will align with the Canada-wide Air Quality Management System (AQMS).

5. What about small to mid-sized facilities or activities not captured by the chapter?

Future chapters or guidelines/codes of practice could be developed for small to mid-sized air sources to provide direction on environmental performance and emission reduction measures, and to ensure a level playing field for sector related industries. EMPA's general regulations will outline provincial burning prohibitions for all Saskatchewan residents to abide by.

6. What legislation does the chapter replace?

The chapter replaces *The Clean Air Act*, *The Clean Air Regulations* and *The Potash Refining Air Emissions Regulations* while *The Environmental Management and Protection (General) Regulations* have been created to regulate the remaining items not specifically covered by the chapter. Under the authority of *The Clean Air Act*, *The Clean Air Regulations* and *The Potash Refining Air Emissions Regulations*, air quality emissions are regulated in the province through operating permits issued to industrial sources with significant emissions. The Act and two regulations will be repealed and replaced by this chapter.

7. How many clean air permits, issued by the ministry, currently exist in the province?

There are currently 111 active clean air permits in the province issued for all kinds of industrial sources.

8. Have Saskatchewan's Ambient Air Quality Standards changed?

Yes, the standards have been updated and outdated standards have been removed. Canada-wide Standards (CWS) have been adopted for fine particulate matter (PM_{2.5}) and ozone, which are slightly lower than the current provincial values. All activities in Saskatchewan will need to meet the Ambient Air Quality Standards.

9. Are additional Ambient Air Quality Standards being proposed or envisaged at this time?

Yes. As existing clean air permits are transitioned to environmental protection plans, it may warrant that site specific permitting standards be officially designated as Ambient Air Quality Standards as mutually agreed to by impacted stakeholders and the ministry. Other standards for inclusion are being contemplated for parameters such as volatile organic compounds (VOCs).

10. What is the air quality generally like in Saskatchewan?

The ministry measures air quality at six continuous monitoring locations across the province. The ministry also designs and conducts mobile monitoring surveys for several communities using the Saskatchewan Air Monitoring Laboratory (SAML). In addition to provincial monitoring there are currently two existing air shed management zones (Southeast Saskatchewan Airshed Association (SESAA) and Western Yellowhead Air Management Zone (WYAMZ)) in the province and the Canada-wide Air Quality Management System (AQMS). Overall, the data shows us that the air quality is primarily excellent with no harmful effects.

11. Will industrial sources still have to obtain clean air or comprehensive environmental permits?

No. Instead, facilities will be required to submit environmental protection plans to the ministry for the Minister's approval.

12. What is an environmental protection plan (EPP)?

The Environmental Management and Protection Act, 2010 defines an EPP as a conceptual plan that details the methods to be employed to prevent, minimize, monitor, mitigate, remedy or reclaim an adverse effect before, during or after any activity. In other words, it's a plan that spells out the overall environmental management of an industrial source. It is up to a qualified person to design an EPP to ensure the industrial sources do not create adverse effects on the environment. The ministry is open to work with industry to develop sector templates or individual EPPs, as required. No template currently exists for industrial source EPPs.

13. What type of information could potentially make up an environmental protection plan (EPP)?

EPPs for the Industrial Air Source chapter could outline items such as:

- air dispersion modeling plans;
- stack testing surveys;
- operation of continuous stack emission monitoring (CSEM) systems;
- operation air quality monitoring and reporting systems;
- engineering details of air pollution control systems;
- air monitoring equipment calibration logs including quality assurance and quality control (QA/QC) procedures and audit results;
- operation details of flare and incineration systems;
- emissions inventory reporting;
- an assessment of where possible air contaminant reductions can be made;
- proposed fugitive emissions surveys;
- a plan of how to minimize fugitive emissions from wastewater treatment systems, storage tank farms, storage piles, ash or tailings management facilities, unpaved roads or dykes and reclamation areas and train or truck loading facilities;
- recent or proposed engineering studies related to air quality;
- engagement with local residents, municipalities and other stakeholders;
- membership in an air management zone, if one exists;
- air quality related log books;
- environmental emergency contingency plan;
- other applicable air quality management information.

14. How long is an environmental protection plan (EPP) in place for?

An EPP is a living document and can remain in place as long as the industrial source is in operation. It is up to a qualified person to decide if it is necessary to revise or update a facility's EPP based on changes that take place at the site. For example, the relocation of a continuous air monitoring system would require an EPP to be updated to reflect the new monitoring location.

15. Who is considered a qualified person for activities regulated by this chapter? Is this different than the previous approach?

Qualified persons are those persons who possess the required core skills and competencies to carry out the work. The chapter currently lists engineers and geoscientists as classes of qualified persons. Those persons that are not members of the class of person listed in the code chapter and possess the required core skills and competencies may apply to be designated as a qualified person by the Minister.

There is one activity within the industrial source (air quality) code chapter that requires review or sign-off by a qualified person. This activity is:

- certifying an environmental protection plan.

Under *The Clean Air Act/regulations*, every plan, specification or other technical information submitted to support an application for a permit is to be certified as accurate by a professional engineer within the meaning of *The Engineering and Geoscience Professions Act* or by a person otherwise qualified to do so. When it comes to qualified persons, the results-based regulatory model is very similar to the former regulatory approach.

16. Will the ministry's plans for airsheds or air zone management zones be impacted?

No. There are no proposed changes to air zone management policies at this time. Our ministry will continue to work to ensure the current provincial air zone model aligns with the Canada Wide Air Quality Management System. However, it is proposed to develop Air Zone Management Regulations that would bring clarity to the policies regarding the development and management of air zones across the province. Air zones are designed to cover all sources of air contaminant emissions while the Industrial Source (Air Quality) chapter regulates large emitters.

17. Can the chapter be enforced by the ministry?

Yes, the ministry can enforce the requirements of this chapter under the authority of *The Environmental Management and Protection Act, 2010*. The ministry can issue orders requesting a company to perform a variety of corrective actions to ensure clean air quality is achieved and maintained as directed by the ministry. The ministry can also issue penalties for a violation up to a maximum fine of \$1,000,000 dollars for each day or part day during which the offense continues and/or imprisonment up to three years.

18. What are the expected outcomes of the chapter?

- efficiencies in the start-up of industrial source facilities;
- acceptable siting of industrial facilities;
- minimize effects on water quality and aquatic and terrestrial ecology;
- actions taken to ensure ambient air quality standards are met;
- air contaminant emissions minimized;
- industry joining air management zones, if they exist in the region; and
- non-prescriptive nature of the code should enhance innovation.

19. What are the implications to industry?

- this chapter provides clarity to potentially regulated industrial activities;
- costs associated with the development of an environmental protection plan (EPP) would be similar to preparing an clean air permit application;
- some industries may want detailed direction with the development of an EPP;
- improved control over the air management activities at their sites;
- no longer waiting for government to issue operating and construction approvals;
- by lessening the administrative burden, the ministry can spend more time conducting investigations and audits at facilities that have the potential to create adverse effects; and
- costs associated with the joining an air management zone, if one exists.

20. What steps need to be taken to transition to full implementation of the chapter?

- Immediately following the coming into force of *The Environmental Management and Protection Act, 2010* and the code chapters, new industrial sources will be required to develop environmental protection plans (EPPs for the Minister's acceptance.
- Existing industrial sources that are impacted will need to switch to operating according to a ministry approved EPP by January 1, 2020.

For more information:

Centre.Inquiry@gov.sk.ca

1 (800) 567-4224 (Toll-free in North America)