

Saskatchewan Environmental Code

Moving Forward in Partnership

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PREFACE

This edition of the Saskatchewan Environmental Code (code) is a consolidation of the code chapters established under *The Environmental Management and Protection Act, 2010* and *The Forest Resource Management Act*.

This document is intended to provide a convenient reference that includes the full text of the code chapters. Background information on the results-based regulatory model, principles underlying the code, code structure and contents, enforcement and compliance and code development has also been included to help code users understand the context of the code.

This document is intended to act as a reference, legal copies of the acts and regulations (including the code chapters) are available in print and electronic form from the Saskatchewan Queen's Printer:

Queen's Printer
B19, 3085 Albert Street
Regina, Saskatchewan, Canada
S4S 0B1
Phone: (306) 787-6894
Website: www.qp.gov.sk.ca

Questions or inquiries on the code may be directed to:

Results-Based Regulation and Code Management Branch
Saskatchewan Ministry of Environment
3211 Albert Street
Regina, Saskatchewan, Canada
S4S 5W6
Phone: (306) 787-9197
Email: saskcodesecretariat@gov.sk.ca

RESULTS-BASED REGULATORY MODEL

The Ministry of Environment (ministry) is implementing a results-based regulatory (RBR) model to help achieve its vision of providing public service excellence in protecting the environment and promoting sustainable use of natural resources to enhance economic and social benefits. Under RBR the ministry, in consultation with stakeholders, defines the expected environmental outcomes, but leaves the specific methods on how to achieve those outcomes up to the regulated community. To support the RBR model, the ministry has made legislative changes, reallocated resources and invested in information technology and management. At the heart of the legislative framework supporting RBR is the Saskatchewan Environmental Code. Further information on RBR can be obtained from the ministry's website at www.environment.gov.sk.ca.

GUIDING PRINCIPLES OF RESULTS-BASED REGULATION

The guiding principles for Results-based Regulation include:

- Materiality** – material environmental changes must be reported by the operator.
- Transparency** – environmental reporting will be accessible to the public.
- Accountability** – operators are responsible for protecting the environment from their actions and the ministry is responsible for monitoring and enforcing compliance.
- Competence** – environmental protection is based on science and knowledge applied by qualified persons.
- Timeliness** – government decisions will be made, communicated and implemented promptly to support economic efficiency and minimize delays to investment and development activity.
- Respect** – all levels of government have defined responsibilities to citizens that must be respected.
- Affordability** – an effective and efficient regulatory regime must be economically viable while maintaining environmental standards and protection.

CODE PURPOSE AND SCOPE

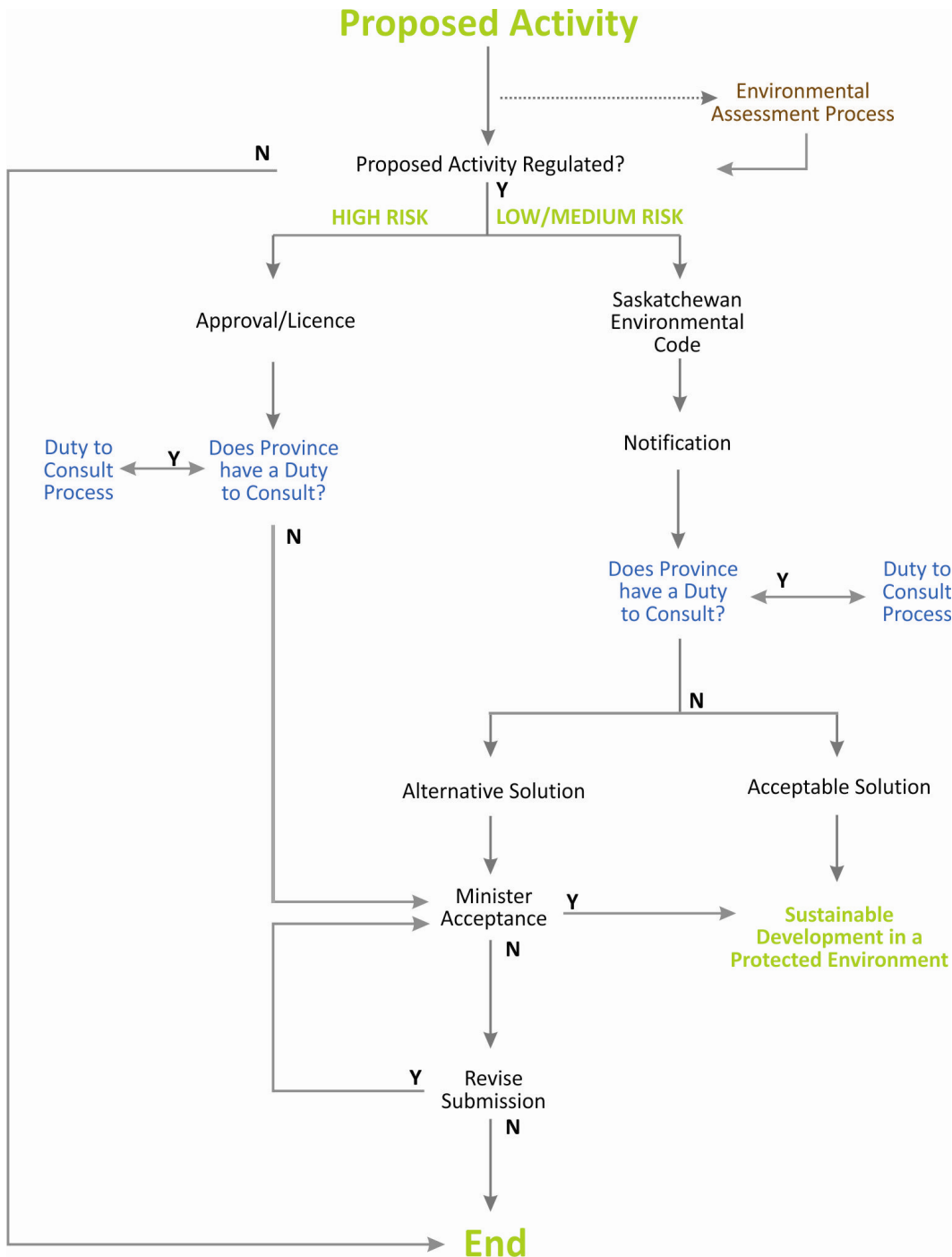
The purpose of the code is to enhance environmental protection and resource management by providing regulatory clarity while fostering innovation, economic growth and social benefits. The code provides the regulated community with options on how to achieve the expected environmental outcomes or results by following the “Acceptable Solutions” (a predefined process) or proposing their own “Alternative Solutions” signed off by a qualified person and accepted by the Minister.

The enacting legislation adopting the code include *The Environmental Management and Protection Act, 2010* and *The Forest Resources Management Act*.

The code does not replace the existing environmental assessment process required by *The Environmental Assessment Act*. Proponents must ensure that development proceeds with adequate environmental safeguards and in a manner broadly understood by and acceptable to the public through integrated assessment of environmental impacts.

With respect to treaty and Aboriginal rights, nothing in the code directly or indirectly abrogates or derogates any treaty or Aboriginal rights recognized and affirmed by subsection 35(1) of the *Constitution Act, 1982*. As such, the code does not change government’s responsibility or duty to consult with First Nations and Métis.

The 16 chapters of the code address issues including air management, forest management, drinking water distribution, wastewater collection, and impacted sites. While the chapters cover a wide scope from resource management and environmental management and protection activities, it does not cover all activities regulated by the ministry. New or existing activities not covered in the code will continue to be regulated by existing regulations and processes. Figure 1 shows the process for activity flow in the results-based regulatory model.



▲ **FIGURE 1:** Activity Flow in the Results-Based Regulatory Model

FUNDAMENTAL PRINCIPLES OF THE CODE

In addition to the guiding principles of RBR, the following fundamental principles were used to help guide the committees tasked with development of the code.

The Burden of Proof Principle – Activities must be undertaken in an environmentally acceptable manner, placing the responsibility of proving environmental acceptability on those carrying out the activity.

The Precautionary Principle – The mere risk of an adverse effect involves an obligation to take the necessary measures to prevent adverse human health and environmental effects.

Best Management Practices Principle – Should be used for all activities and should be used at all stages of an activity including design, construction, operation, and decommissioning. This may include using the best available technology economically achievable (BATEA).

The Appropriate Location Principle – The site must be appropriate with respect to the results-based objectives of the code and the requirement for air, land and water management. This principle is based on the fact that the choice of site is crucial to the environmental impact that is caused by an activity and that by choosing a suitable site damage both to human health and the environment can be minimized.

The Reasonableness Principle – All the fundamental principles are to be applied in the light of benefits and costs. The conditions associated with activities must be based on environmental considerations while not involving unreasonable expense.

CODE STRUCTURE AND CONTENT

The code is organized into the following five divisions:

- A. General
- B. Land Management and Protection
- C. Water Management and Protection
- D. Natural Resource Management and Environmental Protection
- E. Air Management and Protection

Each division contains chapters governing specific activities. Each chapter imposes obligations on persons engaged in that specific activity. Code users will find the terms “acceptable solution” and “alternative solution” used throughout the chapters.

Acceptable Solutions

The acceptable solutions provide a pre-defined process the regulated community may follow. The chapters of the code establish an agreed-upon acceptable level of risk but do not detail all possible compliance options. The acceptable solutions represent the minimum level of performance required for the regulated community to meet the acceptable risk.

Compliance with the acceptable solutions is deemed to satisfy the results-based objectives contained in the chapter.

Typically, qualified persons are not required when following the acceptable solutions, however, in some cases such as design work or where safety of the public may be a concern, a qualified person may be required.

Alternative Solutions

An alternative solution is a plan developed by a proponent which is designed to meet the results-based objectives and is signed off by a qualified person. When a person carries out an activity that is regulated by the code that does not follow the acceptable solution or an acceptable solution is not provided, they must propose an alternative solution. It is the responsibility of the proponent to propose an alternative solution. It is not the duty of the ministry to develop an alternative solution for the proponent to comply with the code.

The proponent will be required to engage a qualified person, defined in the chapter, to certify that the activities contemplated in the alternative solution will meet the results-based objectives. In general, the alternative solution proposal should achieve outcomes equal to or better than those specified in the acceptable solution. Minister's acceptance is required on all proposed alternative solutions prior to the activity being carried out. The Minister may accept, accept with conditions or reject the alternative solution.

As knowledge and experience with outcomes advance, today's proven alternative solutions could become tomorrow's acceptable solutions.

Results-Based Objectives

Each chapter with an alternative solution contains results-based objectives describing, in broad terms, the overall outcomes, or results, that the ministry expects the regulated community to achieve. The objectives serve to define the boundaries of the subject areas the chapter addresses. The results-based objectives describe the required outcomes of specific activities supported by performance and enabling objectives.

The wording of the results-based objectives includes key phrases: "limit the probability" and "unacceptable adverse effects" or "unacceptable impairment or damage". The phrase "limit the probability" is used to acknowledge that the chapters cannot entirely prevent those undesirable situations from happening. The phrase "unacceptable adverse effects" and "unacceptable impairment or damage" acknowledges that the chapters cannot eliminate all adverse effects/impairment or damage: the "acceptable" adverse effects/impairment or damage are the adverse effects/impairment or damage remaining once compliance with the chapter has been achieved.

Information Notes

Information notes have been included in the chapters to provide code users with further information or direction. Information notes are not part of the legal text of the chapters and are inserted for convenience of reference only.

QUALIFIED PERSONS

Protection of the environment requires the expertise of many professional disciplines. These professionals are referred to as “qualified persons”. Qualified persons are either members of a class of persons set out in the code or an individual designated by the Minister.

Members of a class of persons listed in the chapters were established by the Qualified Persons Advisory Committee based on the following principles:

Adhere to existing professional legislation – rely on the existing professional associations and respect the exclusive scopes of practices of certain professions.

Inclusive – no exclusion of others with competency based on equivalent education and experience.

Supervisory role – in providing their opinion, the qualified person may have a supervisory role (certifying that appropriate steps have been taken and that advice relied upon is sound).

Labour mobility – comply with existing trade agreements.

An individual who is not a member of a class of persons listed in a chapter but who has acquired the education and experience required to perform a specific task, may be designated by the Minister as a qualified person. These persons are required to apply to the Minister to be designated. More information on qualified person designation can be obtained from the ministry’s website at www.environment.gov.sk.ca/code.

There are two separate types of responsibilities for qualified persons:

- 1) to provide an opinion
- 2) to do the work

A qualified person may be required to provide a certificate or opinion on whether a plan or an activity conforms to the requirements in the chapter and a qualified person may be required to physically perform a task (e.g.: design a plan, carry out the work).

In general, the qualified person is required to take all reasonable and prudent actions to ensure that the certificate or opinion does not contain any misrepresentation. The qualified person is also required to disclose all material facts and comply with any professional standards and ethics applicable to the qualified person.

STANDARDS

The standards referenced in the code are legal documents that establish uniform specifications, procedures, criteria, methods, processes or practices. The standards represent a minimum acceptable benchmark developed from widely accepted and proven principles, practices or guidelines in a given area to help promote effective and efficient environmental and resource management.

The standards become legal documents through adoption in the code. The standards should not be used as standalone documents and are only applicable to the legislation, regulations or code chapter(s) that references them.

The standards are either developed by the ministry or developed by standard setting organizations. Some of the standards developed by the standard setting organizations are pay-for-use and it is the responsibility of the standards user to purchase those applicable standards.

ENFORCEMENT AND COMPLIANCE

If it can be demonstrated that a qualified person does not meet the requirements mentioned above, the Minister may use the following enforcement and compliance tools available:

- conduct an investigation to determine what, if any, enforcement action is to be taken;
- issue warnings of non-compliance;
- impose conditions that must be met before the Minister will accept any document or other material prepared by that qualified person or refuse to accept any documents or materials;
- impose an administrative penalty. An administrative penalty is a civil fine imposed by ministry officials;
- file a complaint with the governing body of the profession where the qualified person is a member of a self-regulating profession;
- initiate prosecution for breach of the duty imposed on the qualified person.

While protection of the environment requires the expertise of many professional disciplines, the ultimate responsibility lies with the owner (the regulated person for a particular activity). The regulated person is responsible to take reasonable and prudent measures in protecting the environment and ensuring sustainable use of natural resources to enhance economic and social benefit. If a person does not comply with the obligations set out in the chapter, the Minister may use the following enforcement and compliance tools available:

- review whether additional obligations should be imposed on the regulated person;
- require the regulated person to provide the ministry with the results of any compliance evaluation conducted by the regulated person (e.g., evaluation from environmental management systems such as ISO 14000);

- conduct inspections or review submissions from responses to inspection reports;
- issue notice of violations (warnings of non-compliance), provided with appropriate remedial action plan and further information of the consequences of continued non-compliance;
- conduct an audit to determine how well the obligations imposed on the regulated person have been met or to determine an explanation why the terms and conditions have not been met;
- conduct an investigation. The ministry has the authority to enter property, review records, seize property etc.;
- cancel, amend, alter or suspend an approval, permit or alternative solution if the regulated person has failed to comply with the terms and conditions imposed, the regulated person has contravened the Act, the regulations, the code, any order or the accepted alternative solution, the regulated person has made false or misleading statements, changes are made to the activity without ministry approval or where the Minister is satisfied it is in the public interest;
- issue an order when the Minister believes a person is carrying out an activity that may cause significant harm;
- impose an administrative penalty. An administrative penalty is a civil fine imposed by ministry officials;
- obtain an order from the court requiring compliance. If the regulated person does not obey the court order they can be charged with contempt of court;
- initiate prosecution for breach of the Act, regulations or the code.

CODE DEVELOPMENT

The code was developed using a collaborative and consensus-driven process involving various individuals with extensive knowledge in environmental protection, resource management, law and governance. In all, more than 200 experts and industry leaders were involved, directly or indirectly, in the development of the code.

The Ministry of Environment provides program support for the Code Development Committee, the Qualified Persons Advisory Committee and Content Committees.

The Code Development Committee provided overall guidance to the development of the technical components of the code. The qualified person(s) for each activity covered by the code was developed by the Qualified Persons Advisory Committee. The actual writing of the code technical contents was done by various Code Content Committees.

The code is a living document. As such, it will be evaluated and revised as necessary and additional chapters will be added using the same collaborative and consensus-driven process.

ADOPTION OF STANDARDS CHAPTER

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

Adoption of standards

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

- (a) the Administrative Control Standard, as established by the minister on November 15, 2012;
- (b) the Bacteriological Follow-up Standard, EPB 505, as established by the minister on November 15, 2012;
- (c) the Discharge and Discovery Reporting Standard, as established by the minister on November 15, 2012;
- (d) the Endpoint Selection Standard, as established by the minister on November 15, 2012;
- (e) the Environmental Code of Practice for Elimination of Fluorocarbon Emissions from Refrigeration and Air Conditioning Systems, as established by Environment Canada in March 1996;
- (f) the Environmental Code of Practice on Halons, as established by Environment Canada in 1996;
- (g) the Forest Data Submission Standard, as established by the minister on November 15, 2012;
- (h) the Forest Management Planning Standard, as established by the minister on November 15, 2012;
- (i) the Forest Operating Plan Standard, as established by the minister on November 15, 2012;
- (j) the Forest Regeneration Assessment Standard, as established by the minister on November 15, 2012;
- (k) NSF/ANSI Standard 60: Drinking Water Treatment Chemicals -- Health Effects, as established by NSF International, May 2, 2011;
- (l) the Qualified Person Certification Standard, as established by the minister on November 15, 2012;
- (m) the Quality Assurance and Quality Control for Water Treatment Utilities Standard - Drinking Water Quality Management, EPB 542, as established by the minister on November 15, 2012;
- (n) the Reclamation Technology Standard, as established by the minister on November 15, 2012;

- (o) the Saskatchewan Environmental Quality Standard, as established by the minister on November 15, 2012;
 - (p) the Saskatchewan Water and Wastewater Works Operator Certification Standards, EPB 539, as established by the minister on November 15, 2012;
 - (q) the Scaling Standard, as established by the minister on November 15, 2012;
 - (r) the Sewage Works Design Standard, EPB 503, as established by the minister on November 15, 2012;
 - (s) the Visual Site Assessment Standard, as established by the minister on November 15, 2012;
 - (t) the Water Quality Contingency Planning Standard, EPB 540B, as established by the minister on November 15, 2012;
 - (u) the Water Quality Emergency Planning Standard - An Overview, EPB 541A, as established by the minister on November 15, 2012;
 - (v) the Waterwork Start-Up Standard, EPB 560A, as established by the minister on November 15, 2012;
 - (w) the Waterworks Design Standard, EPB 501, as established by the minister on November 15, 2012;
 - (x) the Waterworks Emergency Response Planning Standard, EPB 540, as established by the minister on November 15, 2012.
- (2) The following standards are adopted:
- (a) the ASTM Standard E2516-11, "Standard Classification for Cost Estimate Classification System" DOI: 10.1520/E2516-11, as established by ASTM International;
 - (b) the CAN/CSA-Z769-00 (R2013) - Phase II Environmental Site Assessment, as established by the Canadian Standards Association;
 - (c) the Guidelines for Canadian Drinking Water Quality--Summary Table, Health Canada (August, 2012);
 - (d) the Standard Methods for the Examination of Water and Wastewater, 22nd Edition, 2012, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

Minister to make public

- 1-2(1)** The minister shall cause the standards that are adopted pursuant to this chapter and that are established by the minister:
- (a) to be posted on the Internet website of the ministry; and
 - (b) to be made public in any other manner that the minister considers appropriate.
- (2) With respect to the standards that are adopted pursuant to this chapter other than those mentioned in subsection (1), the minister shall cause information respecting where those standards may be accessed:
- (a) to be posted on the Internet website of the ministry; and
 - (b) to be made public in any other manner that the minister considers appropriate.

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DISCHARGE AND DISCOVERY REPORTING

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

Purpose

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

Information Note

This chapter comes into force on June 1, 2015.

In accordance with section 84 of the Act, it is an offence to fail to comply with the code.

When to report a discharge

- 1-2** The discharge of a substance must be reported if:
- (a) the substance may cause or is causing an adverse effect; or
 - (b) the substance meets the criteria set out in Table 1 of the Discharge and Discovery Reporting Standard for that substance.

Information Note

If the discharge is reported in accordance with the Ministry of Economy Petroleum and Natural Gas Division Directive PNG014, the reporting obligation under section 1-2 of the chapter is met.

In accordance with section 8 of the Act, a discharge is not required to be reported if the discharge is expressly authorized pursuant to any of the following provided that the substance discharged is in a quantity, concentration or level, or at a rate of release that does not exceed what is expressly authorized by any of the following:

- (a) the Act or the regulations;
- (b) any other Act, Act of the Parliament of Canada or the regulations made pursuant to any other Act or Act of the Parliament of Canada;
- (c) any approval, permit, licence or order issued or made pursuant to:
 - (i) the Act or the regulations; or
 - (ii) any other Act, Act of the Parliament of Canada or the regulations made pursuant to any other Act or Act of the Parliament of Canada;
- (d) the Saskatchewan Environmental Code; or
- (e) an accepted environmental protection plan.

Information Note**Who reports a discharge**

In accordance with section 9 of the Act, the following persons have an obligation to report a discharge:

- (a) every person who discharges, or allows the discharge of, a substance into the environment that may cause or is causing an adverse effect;
- (b) a police officer or employee of a municipality or government agency who is informed of or who investigates a discharge of a substance into the environment that may cause or is causing an adverse effect. (A police officer or employee is not required to report a discharge if he or she has reasonable grounds to believe that the discharge has been reported by another person.)

When to report a discovery

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

- (a) the substance may cause or is causing an adverse effect;
- (b) the substance discovered is in a quantity or concentration that could pose a serious risk to the **environment** or public health or safety; or
- (c) the substance meets the criteria set out in Table 2 of the Discharge and Discovery Reporting Standard for the applicable media with respect to that substance.

Information Note**Who reports a discovery**

In accordance with section 9 of the Act, the following persons have an obligation to report a discovery:

- (a) every person who owns or occupies land on which a substance is discovered;
- (b) every person who discovers a substance while conducting work;
- (c) a police officer or employee of a municipality or government agency who is informed of or who investigates a discovery of a substance into the environment that may cause or is causing an adverse effect. (A police officer or employee is not required to report a discovery if he or she has reasonable grounds to believe that the discovery has been reported by another person.)

Immediate report to minister in certain circumstances

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

- (a) immediately report the discharge or discovery to the **minister**;
- (b) include the following information in the report, if the information is known or can be readily obtained by that person:
 - (i) the location and time of the discharge or discovery;
 - (ii) in the case of a discharge, whether the discharge was the result of a transportation incident or an incident at a facility;

- (iii) the type and quantity of the substance discharged or discovered;
 - (iv) if a fire is associated with the discharge or discovery;
 - (v) if an accountability system has been established for all responders on the scene to ensure that persons responding to an incident are accounted for when entering and leaving the incident;
 - (vi) if an incident command has been established and a recognized hierarchy of command is in place to manage the incident;
 - (vii) if an emergency response assistance plan required by the *Transportation of Dangerous Goods Act, 1992 (Canada)* has been implemented;
 - (viii) if fish-bearing waters may be or are affected;
 - (ix) if potable water may be or is affected;
 - (x) the distance to the nearest body of [water](#) or storm drain;
 - (xi) the distance to the nearest occupied building;
 - (xii) the details of any action taken or proposed to be taken on the area affected by the discharge or discovery;
 - (xiii) a physical description of the area, and the surrounding area, in which the discharge occurred or discovery was made; and
- (c) provide the minister with any other information or material respecting the discharge or discovery that the minister may reasonably require.
- (2) Subsection (1) does not apply to a person who reports a discharge in accordance with:
- (a) any approval, [permit](#), licence or order issued or made pursuant to the Act or any regulations made pursuant to the Act; and
 - (b) an [accepted environmental protection plan](#).

Information Note

A person may immediately report a discharge or discovery to the minister:

- (1) by telephone at 1-800-667-7525 (24-hours toll free in Canada); or
- (2) in person by attending a Saskatchewan Ministry of Environment office during regular office hours. A list of office locations can be requested from:
 - Saskatchewan Ministry of Environment
 - 1-800-567-4224 (toll free in Canada)
 - Centre.Inquiry@gov.sk.ca

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

- 1-5(1)** Subject to subsection (2), every person required to immediately report a discharge or discovery to the minister pursuant to subsection 1-4(1) shall, within 30 days after providing that report, provide the minister with:
- (a) a completed Saskatchewan Discharge or Discovery Report Form; and
 - (b) any other information or material respecting the discharge or discovery that the minister may reasonably require.
- (2) Subsection (1) does not apply to:
- (a) a police officer or an employee of a [municipality](#) or [government agency](#) who is informed of or who investigates a discharge or discovery; or
 - (b) a person who provides a report of the discharge pursuant to *The Oil and Gas Conservation Act* or *The Pipelines Act, 1998*.

Report of discovery to minister within 30 days in certain circumstances

- 1-6(1)** Subject to subsection (2), every person required to report a discovery pursuant to clause 1-3(a) or (c) shall:
- (a) report the discovery to the minister within 30 days by providing the minister with a completed Saskatchewan Discharge or Discovery Report Form; and
 - (b) provide the minister with any other information or material respecting the discovery that the minister may reasonably require.
- (2) Subsection (1) does not apply to a person who reports a discharge in accordance with:
- (a) any approval, permit, licence or order issued or made pursuant to the Act or any regulations made pursuant to the Act; and
 - (b) an accepted environmental protection plan.

Information Note

The Saskatchewan Discharge or Discovery Report Form may be obtained:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by requesting a form from the Saskatchewan Ministry of Environment at:
Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

The completed form may be submitted to the minister in accordance with the directions set out in the form.

Obligation to report to others in certain circumstances

- 1-7(1)** Every person required to report a discharge pursuant to section 1-2 shall, as soon as is reasonably practicable, report the discharge:
- (a) subject to subsection (3), to any owner of land that is affected by the discharge; and
 - (b) in consultation with the minister, to any person who may be affected by the discharge.
- (2) Every person who owns land on which a substance is discovered and who is required to report a discovery pursuant to section 1-3 shall, as soon as is reasonably practicable, report the discovery:
- (a) subject to subsection (3), to any owner of adjacent land that is affected by the discharge; and
 - (b) in consultation with the minister, to any person who may be affected by the discharge.
- (3) A report mentioned in clause (1)(a) or (2)(a) is not required to be made to any owner who is a [person responsible](#).

Joint report

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

Glossary of Terms

Act

The Environmental Management and Protection Act, 2010.

Discharge and Discovery Reporting Standard

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

Standards Referenced in this Chapter

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

- Discharge and Discovery Reporting Standard

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SITE ASSESSMENT

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

PART 1 – General

Purpose

1-1 This chapter sets out the requirements for [site assessments](#) required by the [minister](#) pursuant to section 13 of the Act.

Information Note

This chapter comes into force on June 1, 2015.

In accordance with section 84 of the Act, it is an offence to fail to comply with the code.

Compliance

1-2 Every [person](#) required to conduct a site assessment shall comply with all the requirements established pursuant to:

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

Qualified persons and certificates

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

- (a) for the purposes of certifying an [environmental protection plan](#) and CAN/CSA Z769-00 (R2013) - Phase II Environmental Site Assessment report:
 - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*;
 - (ii) a person who is a practising member as defined in *The Agrologists Act, 1994*;
 - (iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* and who has 8 years of experience in site assessment that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
 - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake that activity;

- (b) for the purposes of completing a visual site assessment:
 - (i) a person who holds a bachelor's degree in science or a diploma in applied science or engineering technology from a post-secondary institution; or
 - (ii) any person mentioned in clause (c);
 - (c) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures:
 - (i) a person who is an applied science technologist or certified technician pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act*; or
 - (ii) any person mentioned in subclause (a)(i), (ii) or (iv).
- (2) Every person required to conduct a site assessment shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

Information Note

The identification of a person as a qualified person does not entitle that person to engage in an activity if that activity is within the exclusive scope of practice of a profession and that person is not a member of that profession.

Environmental samples and laboratory analysis

- 1-4(1) Subject to subsection (2), every person required to conduct a site assessment shall ensure that environmental samples are:
- (a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and
 - (b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.
- (2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every person required to conduct a site assessment shall ensure that a qualified person provides a certificate stating that, in his or her opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

Information Note

Standards-setting organizations include bodies such as the Standards Council of Canada, the Canadian Standards Association, the Underwriters Laboratories of Canada, the International Organization for Standardization, the American Society for Testing and Materials (ASTM) International and the United States Environmental Protection Agency.

General records

- 1-5(1)** Every person required to conduct a site assessment shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:
- (a) all field notes related to the site assessment;
 - (b) all raw data used to prepare the site assessment;
 - (c) all correspondence and records respecting the site assessment, including any reports sent to a person pursuant to section 1-8 and any access agreements that are entered into with any person;
 - (d) all information used to complete the National Classification System for Contaminated Sites Spreadsheet;
 - (e) records of any environmental sampling, analysis or monitoring that has been conducted, including:
 - (i) the results of any environmental analysis;
 - (ii) the date, location and time of environmental sampling or monitoring;
 - (iii) the name of the person collecting the environmental sample;
 - (iv) an identification of the environmental sample type;
 - (v) the date of analysis of the environmental sample;
 - (vi) the sampling method used;
 - (vii) the name of the laboratory that performed the analysis of the environmental sample;
 - (viii) the name of the person responsible for performing the analysis of the environmental sample; and
 - (ix) the quality assurance and quality control records of any environmental samples;
 - (f) any certificate received from a qualified person;
 - (g) any other records mentioned in Part 2 or Part 3.
- (2) Every person required to conduct a site assessment shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

National classification system for contaminated sites spreadsheet

- 1-6** Every person required to conduct a site assessment shall, within 30 days after completing the site assessment:
- (a) complete a National Classification System for Contaminated Sites Spreadsheet in the form provided by the minister; and
 - (b) submit the form mentioned in clause (a) to the minister.

Information Note

A person may request a National Classification System for Contaminated Sites Spreadsheet from the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by requesting a form from the Saskatchewan Ministry of Environment at:
Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

The completed form may be submitted to the minister in accordance with the directions set out in the form.

Identification of substances of potential concern at an environmentally impacted site

- 1-7** Every person required to conduct a site assessment at an **environmentally impacted site** shall identify the vertical and horizontal limits of the **substances** of potential concern to the point where the concentration of those substances is at or below:
- (a) the concentration for the particular substance set out in Table 2 of the Discharge and Discovery Reporting Standard; or
 - (b) any concentration acceptable to the minister, which will only be set by the minister after consultation with the person required to conduct the site assessment.

Reporting obligations

- 1-8(1)** The site assessment report required pursuant to Part 2 or 3 must:
- (a) clearly identify any substance mentioned in section 1-7 whose concentration meets or exceeds the limits set out in Table 2 of the Discharge and Discovery Reporting Standard;
 - (b) if a concentration acceptable to the minister pursuant to clause 1-7(b) was used, include an explanation as to why the concentration was used; and
 - (c) if the site is an environmentally impacted site, include a statement to that effect.
- (2) Every person required to conduct a site assessment shall, as soon as is reasonably practicable after the site assessment is complete, send a report to the following persons advising that he or she is affected by one or more substances of potential concern:
- (a) any owner of land that is being affected by one or more substances of potential concern;
 - (b) in consultation with the minister, any other person.

PART 2 – Alternative Solutions

Information Note

Part 2 applies to every person required to conduct a site assessment who has elected to comply with Part 2.

Results-based objective

- 2-1(1) The results-based objective of this chapter is to limit the probability of unacceptable **adverse effects** resulting from the activity addressed by this chapter.
- (2) The results-based objective mentioned in subsection (1) must be satisfied by:
- (a) confirming the presence, characterization, location and extent of any substance that may cause or is causing an adverse effect in an area of land or **water** by taking reasonable and prudent measures to:
 - (i) assess information at the site, including identifying:
 - (A) the sources of the substances that may cause or are causing an adverse effect;
 - (B) the geological and hydrogeological conditions;
 - (C) any transport pathway for substances that may cause or are causing an adverse effect; and
 - (D) any potential receptors;
 - (ii) develop a plan to sample for any substance that may cause or is causing an adverse effect;
 - (iii) plan a site investigation appropriate to the level of complexity and severity of the adverse effect; and
 - (iv) conduct the site assessment;
 - (b) ensuring that the site assessment is conducted in a safe and acceptable manner by taking reasonable and prudent measures to:
 - (i) minimize any additional adverse effects; and
 - (ii) minimize human contact with any substance that may cause or is causing an adverse effect;
 - (c) taking reasonable and prudent measures to:
 - (i) interpret, evaluate and document the data gathered during site assessments;
 - (ii) provide a scientifically defensible framework for the preparation of a **corrective action plan**; and
 - (iii) ensure that the written site assessment report mentioned in section 2-2 includes the information mentioned in subclauses (i) and (ii); and
 - (d) taking reasonable and prudent measures to include components on monitoring, recording and reporting.

Alternative solution

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

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

Information Note

The environmental protection plan, and the certificate(s) from the qualified person, may be submitted to the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by sending the documents to a Saskatchewan Ministry of Environment office. A list of office locations can be requested from:

Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

In accordance with section 27 of the Act, the minister may accept the environmental protection plan, accept the environmental protection plan and impose terms and conditions or refuse to accept the environmental protection plan.

PART 3 – Acceptable Solution

Information Note

The environmental protection plan, and the certificate(s) from the qualified person, may be submitted to the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by sending the documents to a Saskatchewan Ministry of Environment office. A list of office locations can be requested from:

Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

In accordance with section 27 of the Act, the minister may accept the environmental protection plan, accept the environmental protection plan and impose terms and conditions or refuse to accept the environmental protection plan.

Acceptable solution

- 3-1(1) Subject to subsection (2), every person required to conduct a site assessment shall ensure that:
 - (a) a qualified person completes the Visual Site Assessment Checklist in accordance with the Visual Site Assessment Standard;
 - (b) the Visual Site Assessment Checklist is submitted to the minister immediately after it is completed; and
 - (c) if the Visual Site Assessment Checklist identifies a need for further assessment, a site assessment is conducted in accordance with subsection (3) or Part 2.
- (2) A person is not required to comply with subsection (1) if the person conducts a site assessment in accordance with subsection (3) or Part 2.
- (3) If a person has elected to conduct a site assessment in accordance with this subsection, or if a site assessment is required pursuant to clause (1)(c), the person conducting the site assessment shall ensure that:
 - (a) the site assessment is conducted in a manner that satisfies the requirements set out in the CAN/CSA-Z769-00 (R2013) - Phase II Environmental Site Assessment standard;
 - (b) a site assessment report is prepared that satisfies the requirements set out in the CAN/CSA-Z769-00 (R2013) - Phase II Environmental Site Assessment standard;
 - (c) a qualified person provides a certificate stating that, in his or her opinion, the report satisfies the requirements set out in the CAN/CSA-Z769-00 (R2013) - Phase II Environmental Site Assessment standard; and

- (d) the following documents are submitted to the minister:
 - (i) the site assessment report mentioned in clause (b);
 - (ii) the certificate from a qualified person:
 - (A) obtained pursuant to subsection 1-4(2), if any; and
 - (B) obtained pursuant to clause (c).

Information Note

In accordance with section 13 of the Act, if the minister is not satisfied with the site assessment, the minister may direct the person who submitted the site assessment to conduct a further investigation in the manner directed by the minister.

The site assessment report, and the certificate(s) from the qualified person, may be submitted to the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by sending the documents to a Saskatchewan Ministry of Environment office. A list of office locations can be requested from:

Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

Glossary of Terms

Act

The Environmental Management and Protection Act, 2010.

CAN/CSA-Z769-00 (R2013) - Phase II Environmental Site Assessment standard

The CAN/CSA-Z769-00 (R2013) - Phase II Environmental Site Assessment standard, as established by the Canadian Standards Association, and adopted pursuant to the Adoption of Standards Chapter.

Discharge and Discovery Reporting Standard

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

National Classification System for Contaminated Sites Spreadsheet

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

Qualified Person Certification Standard

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

Substances of potential concern

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

Visual Site Assessment Checklist

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

Visual Site Assessment Standard

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

Standards Referenced in this Chapter

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

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

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CORRECTIVE ACTION PLAN

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

PART 1 - General

Purpose

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

Information Note

This chapter comes into force on June 1, 2015.

In accordance with section 84 of the Act, it is an offence to fail to comply with the code.

Compliance

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

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

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

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

Notification required

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

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

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

Information Note

A person may notify the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by sending a written notification, in the form provided by the minister, to the Saskatchewan Ministry of Environment. A form may be requested from the Saskatchewan Ministry of Environment at:

Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

The completed form may be submitted to the minister in accordance with the directions set out in the form.

Qualified person and certificates

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

- (a) for the purposes of certifying a tier 1 endpoint corrective action plan:
- (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*;
 - (ii) a person who is a practising member as defined in *The Agrologists Act, 1994*;
 - (iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* and who has 8 years of experience in developing tier 1 endpoint corrective action plans that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
 - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (b) for the purposes of certifying a tier 2 endpoint corrective action plan:
- (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*;
 - (ii) a person who is a practising member as defined in *The Agrologists Act, 1994*;
 - (iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* and who has 8 years of experience in developing tier 2 endpoint corrective action plans that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
 - (iv) an individual who is designated by the minister or who is a member of a class of persons

- designated by the minister pursuant to the Act to undertake the activity;
- (c) for the purposes of certifying a tier 3 endpoint corrective action plan or a risk management with future reclamation corrective action plan, an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
 - (d) for the purposes of certifying a laboratory analysis, an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity; and
 - (e) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures:
 - (i) a person who is an applied science technologist or certified technician pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act*; or
 - (ii) any person mentioned in subclause (a)(i), (ii) or (iv).
- (2) Every person required to prepare a corrective action plan shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

Information Note

The identification of a person as a qualified person does not entitle that person to engage in an activity if that activity is within the exclusive scope of practice of a profession and that person is not a member of that profession.

Environmental samples and laboratory analysis

- 1-5(1)** Subject to subsection (2), every person required to prepare a corrective action plan shall ensure that environmental samples are:
- (a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and
 - (b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.
- (2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every person required to prepare a corrective action plan shall ensure that a qualified person provides a certificate stating that, in his or her opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

Information Note

Standards-setting organizations include bodies such as the Standards Council of Canada, the Canadian Standards Association, the Underwriters Laboratories of Canada, the International Organization for Standardization, the American Society for Testing and Materials (ASTM) International and the United States Environmental Protection Agency.

General records

- 1-6(1)** Every person required to prepare a corrective action plan shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:
- (a) all field notes related to the corrective action plan;
 - (b) all raw data used to prepare the corrective action plan;
 - (c) all correspondence and records respecting the corrective action plan, including any written consents obtained in accordance with subsection 1-9(1);
 - (d) all information used to complete the National Classification System for Contaminated Sites Spreadsheet;
 - (e) records of any environmental sampling, analysis or monitoring that has been conducted, including:
 - (i) the results of any environmental analysis;
 - (ii) the date, location and time of environmental sampling or monitoring;
 - (iii) the name of the person collecting the environmental sample;
 - (iv) an identification of the environmental sample type;
 - (v) the date of analysis of the environmental sample;
 - (vi) the sampling method used;
 - (vii) the name of the laboratory that performed the analysis of the environmental sample;
 - (viii) the name of the person responsible for performing the analysis of the environmental sample; and
 - (ix) the quality assurance and quality control records of any environmental samples;
 - (f) any certificate received from a qualified person;
 - (g) any other records mentioned in Part 2 or Part 3.
- (2)** Every person required to prepare a corrective action plan shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

Status and closure reports

- 1-7** Every person required to prepare a corrective action plan shall:
- (a) if the endpoint selected in the corrective action plan is not achieved within the time set out in the corrective action plan, provide a status report to the minister, in the form provided by the minister:
 - (i) within 120 days after the expiry of the time set out in the corrective action plan for the endpoint selected to be achieved;
 - (ii) that details the progress that has been made with respect to the actions required by the corrective action plan; and
 - (iii) that includes a description of the current status of the site that is the subject of the corrective action plan; or
 - (b) if the endpoint selected in the corrective action plan is achieved within the time set out in the corrective action plan:
 - (i) within 120 days after achieving the endpoint, provide the minister with a closure report that includes all laboratory analysis results;
 - (ii) ensure that a qualified person provides a certificate stating that, in his or her opinion, the laboratory analysis procedures produce accurate, precise and reliable results; and
 - (iii) provide the minister with the certificate mentioned in subclause (ii) along with the closure report mentioned in subclause (i).

Information Note

A person may request a status report form or a closure report form from the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by requesting a form from the Saskatchewan Ministry of Environment at:

Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

The completed form may be submitted to the minister in accordance with the directions set out in the form.

National classification system for contaminated sites spreadsheet

- 1-8** Every person required to prepare a corrective action plan shall, within 30 days after completing the corrective action plan:
- (a) complete a National Classification System for Contaminated Sites Spreadsheet in the form provided by the minister; and
 - (b) submit the form mentioned in clause (a) to the minister.

Information Note

A person may request a National Classification System for Contaminated Sites Spreadsheet from the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by requesting a form from the Saskatchewan Ministry of Environment at:
Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

The completed form may be submitted to the minister in accordance with the directions set out in the form.

Additional obligations

- 1-9(1) Every person required to prepare a corrective action plan shall attach to the corrective action plan the written consent of any person who:
 - (a) owns any portion of an **environmentally impacted site** with respect to which the corrective action plan is being prepared; and
 - (b) is not a **person responsible**.
- (2) Every person required to prepare a corrective action plan shall ensure that the following **substances**, if removed from the site, are disposed of in a lawful manner:
 - (a) any substance that may cause or is causing an **adverse effect**;
 - (b) any substance that is a substance of potential concern;
 - (c) any substance mentioned in the Substance Characterization Chapter.

PART 2 - Alternative Solutions

Information Note

Part 2 applies to every person required to prepare a corrective action plan who has elected to comply with Part 2.

Results-based objective

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

- (2) The results-based objective mentioned in subsection (1) must be satisfied by:
- (a) taking reasonable and prudent measures to ensure that the corrective action plan prepared pursuant to section 14 of the Act:
 - (i) is scientifically defensible;
 - (ii) is appropriate to the level of complexity and severity of impact on the environmentally impacted site;
 - (iii) establishes a preliminary conceptual design of the corrective actions proposed to be taken and includes a description of the tasks necessary to implement those actions; and
 - (iv) establishes endpoints with respect to the environmentally impacted site that:
 - (A) comply with the Endpoint Selection Standard, including any physical or engineering controls that are required;
 - (B) comply with the administrative controls set out in the Administrative Control Standard; and
 - (C) if appropriate, provide for the reduction in the concentration of substances of potential concern to a level at or below the levels set out in the Saskatchewan Environmental Quality Standard for the endpoint selected;
 - (v) establishes methods to remediate, manage or monitor the sources, pathways and receptors that may be or are affected by any substance that may cause or is causing an adverse effect; and
 - (vi) establishes methods of performance evaluation that describe the corrective action goals and monitor the effectiveness of the corrective actions;
 - (b) when an accepted corrective action plan is carried out, taking reasonable and prudent measures to ensure that:
 - (i) the endpoints established in the accepted corrective action plan are achieved and, if appropriate, the concentration of substances of potential concern are reduced to a level at or below the level set out in the Saskatchewan Environmental Quality Standard;
 - (ii) the performance of the corrective actions are monitored and recorded in the closure report or status report provided to the minister pursuant to section 1-7; and
 - (iii) corrective actions are carried out in a safe and acceptable manner that:
 - (A) minimizes additional adverse effects; and
 - (B) minimizes human contact with substances that may cause or are causing an adverse effect; and
 - (C) taking reasonable and prudent measures to include components on monitoring, recording and reporting.

Corrective action plan

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

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

Information Note

The environmental protection plan, and the certificate(s) from the qualified person, may be submitted to the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by sending the documents to a Saskatchewan Ministry of Environment office. A list of office locations can be requested from:

Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

The corrective action plan and opinion of the qualified person are required to be submitted to the minister. In accordance with subsection 16(2) of the Act, if the minister is not satisfied with the corrective action plan, the minister may require that the person who prepared the corrective action plan resubmit it with any changes that the minister may direct. Section 17 of the Act says that the minister may require a financial assurance for some corrective action plans.

In accordance with section 27 of the Act, the minister may accept the environmental protection plan, accept the environmental protection plan and impose terms and conditions or refuse to accept the environmental protection plan.

PART 3 - Acceptable Solution

Information Note

Part 3 applies to every person required to prepare a corrective action plan who has elected to comply with Part 3.

Corrective action plan

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

- (a) either:
 - (i) use accepted technologies as set out in the Reclamation Technology Standard; or
 - (ii) use a reclamation technology not listed in the Reclamation Technology Standard if:
 - (A) all substances of potential concern are completely contained within the property boundary of the person responsible;
 - (B) all substances of potential concern have been delineated both horizontally and vertically; and
 - (C) the delineation has established, by mathematical modelling, that all substances of potential concern will not migrate off the property referenced in paragraph (A) within the time frame set out in the accepted corrective action plan;
- (b) select a tier 1 or tier 2 endpoint for the environmentally impacted site that:
 - (i) complies with the Endpoint Selection Standard, including any physical or engineering controls that are required;
 - (ii) complies with the administrative controls set out in the Administrative Control Standard; and
 - (iii) if appropriate, provides for the reduction in the concentration of substances of potential concern to a level at or below the levels set out in the Saskatchewan Environmental Quality Standard for the endpoint selected;
- (c) ensure that a qualified person provides a certificate stating that, in his or her opinion:
 - (i) any endpoint selected in the corrective action plan properly addresses the substances of potential concern; and
 - (ii) any endpoint selected in the corrective action plan is appropriate for the use, proposed use or exposure scenarios with respect to the environmentally impacted site; and
- (d) submit the following documents to the minister:
 - (i) the corrective action plan pursuant to section 16 of the Act; and
 - (ii) the certificate from a qualified person:
 - (A) obtained pursuant to subsection 1-5(2), if any; and
 - (B) obtained pursuant to clause (c).

Information Note

The corrective action plan, the environmental protection plan and the certificate(s) from the qualified person, may be submitted to the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by sending the documents to a Saskatchewan Ministry of Environment office. A list of office locations can be requested from:

Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

The corrective action plan and opinion of the qualified person are required to be submitted to the minister. In accordance with subsection 16(2) of the Act, if the minister is not satisfied with the corrective action plan, the minister may require that the person who prepared the corrective action plan resubmit it with any changes that the minister may direct. Section 17 of the Act says that the minister may require a financial assurance for some corrective action plans.

In accordance with section 27 of the Act, the minister may accept the environmental protection plan, accept the environmental protection plan and impose terms and conditions or refuse to accept the environmental protection plan.

Glossary of Terms

Act

The Environmental Management and Protection Act, 2010.

Accepted corrective action plan

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

Administrative control

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

Administrative Control Standard

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

Endpoint

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

Endpoint Selection Standard

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

National Classification System for Contaminated Sites Spreadsheet

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

Qualified Person Certification Standard

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

Reclamation Technology Standard

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

Saskatchewan Environmental Quality Standard

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

Substance of potential concern

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

Standards Referenced in this Chapter

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

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

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TRANSFER OF RESPONSIBILITY FOR AN ENVIRONMENTALLY IMPACTED SITE

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

Purpose

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

Information Note

This chapter comes into force on June 1, 2015.

In accordance with section 84 of the Act, it is an offence to fail to comply with the code.

Agreement

- 1-2(1)** An agreement to accept responsibility for an environmentally impacted site pursuant to clause 19(1)(a) of the Act must:
- (a) be in writing;
 - (b) be signed and dated;
 - (c) include a provision stating that the person accepting responsibility accepts full and complete responsibility for any **environmental** issues identified in the **site assessment** and the **corrective action plan**; and
 - (d) include an acknowledgement that the person accepting responsibility is aware of the requirements set out in Division 4 of Part III of the Act and this chapter.
- (2) The person accepting responsibility for the environmentally impacted site shall forward a copy of the agreement mentioned in subsection (1) to the **minister** within 30 days after entering into the agreement.

Information Note

The agreement to accept responsibility for an environmentally impacted site may be submitted to the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) in person or by mail to a Saskatchewan Ministry of Environment office. A list of office locations can be requested from:

Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

Financial assurance - contingency amount

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

Information Note

In accordance with section 19 of the Act, the person accepting responsibility for the environmentally impacted site must provide a financial assurance in the amount and in the form acceptable to the minister. The financial assurance must equal the anticipated costs of reclaiming the site plus an additional contingency amount calculated in accordance with the standard referenced above in section 1-3.

Glossary of Terms

Act

The Environmental Management and Protection Act, 2010.

Standard Classification for Cost Estimate Classification System

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

Standards Referenced in this Chapter

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

- Standard Classification for Cost Estimate Classification System

SUBSTANCE CHARACTERIZATION

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

Purpose

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

Information Note

This chapter comes into force on June 1, 2015.

In accordance with section 84 of the Act, it is an offence to fail to comply with the code.

Hazardous substance

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

Hazardous waste

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

Industrial waste

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

- (a) aircraft manufacturing or maintenance;
- (b) a laboratory;
- (c) an auto dealership or automobile repair shop;
- (d) a farm equipment repair facility;
- (e) a chemical plant;
- (f) a mining or milling operation;
- (g) a construction site;
- (h) a construction products plant;
- (i) dry cleaning;

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

Glossary of Terms

Act

The Environmental Management and Protection Act, 2010.

WATER MAIN

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

PART 1 – General

Application

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

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

Information Note

This chapter comes into force on June 1, 2015.

In accordance with section 84 of the Act, it is an offence to fail to comply with the code.

Compliance

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

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

Notification required

- 1-3(1)** No person shall commence work on the construction of a water main unless that person has:
- (a) notified the [minister](#) in the form provided by the minister and provided the minister with any other information or material that the minister may reasonably require; and
 - (b) received a notification number from the minister.
- (2) Every person who has received a notification number pursuant to clause (1)(b) shall ensure that the notification number is included on all documents required by this chapter to be kept and retained.

Information Note

A person may notify the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by requesting a form from the Saskatchewan Ministry of Environment at:
 - Saskatchewan Ministry of Environment
 - 1-800-567-4224 (toll free in Canada)
 - Centre.Inquiry@gov.sk.ca

The owner shall not operate the waterworks without first obtaining an operating permit.

Every owner of a water main should consider and respond to the potential need to evaluate heritage properties.

Qualified person and certificates

- 1-4(1)** For the purposes of clause 2(1)(bb) of the Act, in this chapter “**qualified person**” means:
- (a) for the purposes of certifying an [environmental protection plan](#):
 - (i) a person licensed to practise professional engineering pursuant to [The Engineering and Geoscience Professions Act](#); or
 - (ii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
 - (b) for the purposes of certifying a water main design plan:
 - (i) a person licensed to practise professional engineering pursuant to The Engineering and Geoscience Professions Act;
 - (ii) a person who is an applied science technologist pursuant to [The Saskatchewan Applied Science Technologists and Technicians Act](#) and who has 8 years of experience in the area of work to be performed that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
 - (iii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
 - (c) for the purposes of certifying the monitoring and commissioning requirements:

- (i) a person licensed to practise professional engineering pursuant to *The Engineering and Geoscience Professions Act*;
 - (ii) a person who is an applied science technologist or certified technician pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act*;
 - (iii) an operator who holds at least the corresponding certificate for the classification of the **waterworks** that is set out in the Saskatchewan Water and Wastewater Works Operator Certification Standards; or
 - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
- (d) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures, any person mentioned in clause (c).
- (2) Every owner of a water main shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

Information Note

The identification of a person as a qualified person does not entitle that person to engage in an activity if that activity is within the exclusive scope of practice of a profession and that person is not a member of that profession.

Designation of water main as a waterworks

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

Environmental samples and laboratory analysis

- 1-6(1)** Subject to subsection (2), every owner of a water main shall ensure that environmental samples are:
- (a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and
 - (b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.
- (2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every owner of a water main shall ensure that a qualified person provides a certificate stating that, in his or her opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

Information Note

Standards-setting organizations include bodies such as the Standards Council of Canada, the Canadian Standards Association, the Underwriters Laboratories of Canada, the International Organization for Standardization, the American Society for Testing and Materials (ASTM) International and the United States Environmental Protection Agency.

General records

- 1-7(1)** Every owner of a water main shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:
- (a) records respecting cleaning and disinfection procedures, including the cleaners and disinfectants used, the disinfectant concentrations achieved and all microbial water quality analysis performed during commissioning of the water main;
 - (b) the results of all pressure integrity testing performed during commissioning of the water main;
 - (c) a record of the commissioning procedures used;
 - (d) a record of any action taken to correct failed test results respecting construction-related microbial or pressure integrity;
 - (e) a record of any departure from planned or accepted construction practices;
 - (f) records of any environmental sampling, analysis or monitoring that has been conducted, including:
 - (i) the results of any environmental analysis;
 - (ii) the date, location and time of environmental sampling or monitoring;
 - (iii) the name of the person collecting the environmental sample;
 - (iv) an identification of the environmental sample type;
 - (v) the date of analysis of the environmental sample;
 - (vi) the sampling method used;
 - (vii) the name of the laboratory that performed the analysis of the environmental sample;
 - (viii) the name of the person responsible for performing the analysis of the environmental sample; and
 - (ix) the quality assurance and quality control records of any environmental samples.
- (2)** Every owner of a water main shall ensure that the following records are kept and retained for the operational life of the water main and for a period of 15 years after the operational life:
- (a) any water main operation or maintenance manual developed during the operational life;
 - (b) copies of all water-main-related notification information and correspondence;

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

General reporting

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

Information Note

A person may provide verbal or written notice to the minister by:

- (1) contacting the Environmental Protection Officer responsible for the waterworks; or
- (2) electronically by using the following link: www.environment.gov.sk.ca.

PART 2 – Alternative Solution

Information Note

Part 2 applies to every owner of a water main who has elected to comply with Part 2.

Results-based objective

- 2-1(1) The results-based objective of this chapter is to limit the probability of unacceptable **adverse effects** resulting from the activity addressed by this chapter.
- (2) The results-based objective mentioned in subsection (1) must be satisfied by:
- (a) providing a water main to convey water for human consumptive use by taking reasonable and prudent measures:
 - (i) to ensure that the water meets the concentration limits for the parameters set out in Table 3 in the Appendix of *The Waterworks and Sewage Works Regulations*, within the timelines set out in that Table, when the water main is commissioned;
 - (ii) to ensure that the water meets the chemical treatment standards set out in clause 27(6)(b) of *The Waterworks and Sewage Works Regulations* when the water main is commissioned;
 - (iii) to ensure that the water meets the microbial and bacteriological standards set out in subsection 29(3) of *The Waterworks and Sewage Works Regulations* when the water main is commissioned;
 - (iv) to employ effective and safe products and materials that come into contact with water in the water main;
 - (v) to design and construct the water main:
 - (A) to resist infiltration of foreign **substances**; and
 - (B) to facilitate cleaning and maintenance of the water main; and
 - (vi) in advance of commissioning:
 - (A) to clean, disinfect and flush the water main; and
 - (B) to pressure test the water main;
 - (b) providing longevity of the water main by taking reasonable and prudent measures to design and construct the water main:
 - (i) to facilitate seamless workings with the existing human consumptive use waterworks for a period of at least 10 years; and
 - (ii) to withstand normally encountered stresses; and
 - (c) taking reasonable and prudent measures to include components on monitoring, recording and reporting.

Information Note

Clause 27(6)(b) of *The Sewage Works and Waterworks Regulations* requires, unless otherwise set out in the permit to operate, a total chlorine residual of not less than 0.5 mg/L or a free chlorine residual of not less than 0.1 mg/L in the water throughout the distribution system.

Section 29(3) of *The Sewage Works and Waterworks Regulations* requires the following in the water throughout the distribution system, unless otherwise set out in the permit to operate:

- (a) total coliform levels of zero organisms detectable per 100 millilitres;
- (b) *Escherichia coli* levels of zero organisms detectable per 100 millilitres; and
- (c) background bacterial levels of less than 200 organisms per 100 millilitres or no overgrowth.

Environmental protection plan

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

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

Information Note

The environmental protection plan, and the certificate(s) from the qualified person, may be submitted to the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by requesting a form from the Saskatchewan Ministry of Environment at:
Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

In accordance with section 27 of the Act, the minister may accept the environmental protection plan, accept the environmental protection plan and impose terms and conditions or refuse to accept the environmental protection plan.

PART 3 – Acceptable Solution

Information Note

Part 3 applies to every owner of a water main who has elected to comply with Part 3.

Water main design plan

- 3-1(1)** Before constructing, altering or expanding a water main, the owner of the water main shall:
- (a) ensure that a water main design plan is prepared that satisfies the requirements set out in subsection (2); and
 - (b) ensure that a qualified person provides a certificate stating that, in his or her opinion, the water main design plan, if carried out in accordance with that plan, will satisfy the requirements set out in subsection (2).
- (2) The water main design plan mentioned in subsection (1) must satisfy the requirements set out in the following provisions of the Waterworks Design Standard:
- (a) section 1.2.5 (Distribution);
 - (b) section 5.1 (Distribution - General);
 - (c) section 5.3 (Distribution Systems).

Commissioning of water main

- 3-2** Every owner of a water main shall:
- (a) ensure that the water main is constructed in accordance with the water main design plan prepared in accordance with section 3-1;
 - (b) before commissioning a water main, ensure that a qualified person provides a certificate stating that, in his or her opinion:
 - (i) the requirements for commissioning a water main set out in the Waterwork Start-Up Standard have been met;
 - (ii) the water in the water main meets the concentration limits for the parameters set out in Table 3 in the Appendix of *The Waterworks and Sewage Works Regulations*, within the timelines set out in that Table;
 - (iii) the water will meet the chemical treatment standards set out in clause 27(6)(b) of *The Waterworks and Sewage Works Regulations* when the water main is commissioned;
 - (iv) the water will meet the microbial and bacteriological standards set out in subsection 29(3) of *The Waterworks and Sewage Works Regulations* when the water main is commissioned; and
 - (v) a pressure test of the water main has been conducted and the water main has passed that pressure test; and

- (c) ensure that only the chemicals listed in the NSF/ANSI Standard 60: Drinking Water Treatment Chemicals - Health Effects are used to clean the water main during construction, alteration, extension or commissioning of the water main.

Information Note

Clause 27(6)(b) of *The Sewage Works and Waterworks Regulations* requires, unless otherwise set out in the permit to operate, a total chlorine residual of not less than 0.5 mg/L or a free chlorine residual of not less than 0.1 mg/L in the water throughout the distribution system.

Section 29(3) of *The Sewage Works and Waterworks Regulations* requires the following in the water throughout the distribution system, unless otherwise set out in the permit to operate:

- (a) total coliform levels of zero organisms detectable per 100 millilitres;
- (b) *Escherichia coli* levels of zero organisms detectable per 100 millilitres; and
- (c) background bacterial levels of less than 200 organisms per 100 millilitres or no overgrowth.

Environmental samples

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

Reporting

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

Information Note

A person may submit documents to the minister by:

- (1) contacting the Environmental Protection Officer responsible for the waterworks; or
- (2) electronically by using the following link: www.environment.gov.sk.ca.

Glossary of Terms

Act

The Environmental Management and Protection Act, 2010.

Human consumptive use

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

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

Hygienic use

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

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

but does not include human consumptive use.

Municipality

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

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

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

Owner of a water main

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

Pipes

Closed conduits and all appurtenances attached to those conduits.

Pump house

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

Qualified Person Certification Standard

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

Saskatchewan Water and Wastewater Works Operator Certification Standards

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

Service connection

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

Standard Methods for the Examination of Water and Wastewater

The Standard Methods for the Examination of Water and Wastewater, 21st Edition, 2005, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation, and adopted pursuant to the Adoption of Standards Chapter.

Water main

That part of a [water distribution works](#) that includes water mains and related piping, control and monitoring systems and appurtenances.

Water pipeline

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

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

Waterwork Start-Up Standard

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

Waterworks Design Standard

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

Standards Referenced in this Chapter

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

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

SEWAGE MAIN

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

PART 1 – General

Application

- 1-1** This chapter applies to every owner of a sewage main that is used or intended to be used by a **municipality** with a population of at least 5,000 **persons** as determined by the most recent census conducted pursuant to the *Statistics Act (Canada)*, but does not apply:
- (a) to the operation of a sewage main;
 - (b) to sewage treatment systems, including treatment systems designed to function in sewage mains, sewage plants, sewage reservoirs, large pipe structures used as reservoirs, lift stations and sewage pump houses; or
 - (c) to the following activities conducted on a sewage main:
 - (i) maintenance;
 - (ii) line break repairs;
 - (iii) construction of service connections;
 - (iv) replacement of a sewage main with another sewage main at the same location or within the same right of way.

Information Note

This chapter comes into force on June 1, 2015.

In accordance with section 84 of the Act, it is an offence to fail to comply with the code.

Compliance

- 1-2** Every owner of a sewage main shall comply with all the requirements established pursuant to:
- (a) Part 1; and
 - (b) either:
 - (i) Part 2; or
 - (ii) Part 3.

Notification required

- 1-3(1)** No person shall commence work on the construction of a sewage main unless that person has:
- (a) notified the [minister](#) in the form provided by the minister and provided the minister with any other information or material that the minister may reasonably require; and
 - (b) received a notification number from the minister.
- (2) Every owner of a sewage main who has received a notification number pursuant to clause (1)(b) shall ensure that the notification number is included on all documents required by this chapter to be kept and retained.

Information Note

A person may notify the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by requesting a form from the Saskatchewan Ministry of Environment at:
Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

The owner shall not operate the sewage main without first obtaining an operating permit.

Every owner of a sewage main should consider and respond to the potential need to evaluate heritage properties.

Qualified person and certificates

- 1-4(1)** For the purposes of clause 2(1)(bb) of the Act, in this chapter “**qualified person**” means:
- (a) for the purposes of certifying an [environmental protection plan](#):
 - (i) a person licensed to practise professional engineering pursuant to *The Engineering and Geoscience Professions Act*; or
 - (ii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
 - (b) for the purposes of certifying a sewage main design plan:
 - (i) a person licensed to practise professional engineering pursuant to *The Engineering and Geoscience Professions Act*;
 - (ii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* and who has 8 years of experience in the area of work to be performed that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
 - (iii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;

- (c) for the purposes of certifying the monitoring and commissioning requirements:
 - (i) a person licensed to practise professional engineering pursuant to *The Engineering and Geoscience Professions Act*;
 - (ii) a person who is an applied science technologist or certified technician pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act*;
 - (iii) an operator who holds at least the corresponding certificate for the classification of the [sewage works](#) that is set out in the Saskatchewan Water and Wastewater Works Operator Certification Standards; or
 - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;
 - (d) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures, any person mentioned in clause (c).
- (2) Every owner of a sewage main shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

Information Note

The identification of a person as a qualified person does not entitle that person to engage in an activity if that activity is within the exclusive scope of practice of a profession and that person is not a member of that profession.

Designation of sewage main as a sewage works

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

Environmental samples and laboratory analysis

- 1-6(1)** Subject to subsection (2), every owner of a sewage main shall ensure that environmental samples are:
- (a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and
 - (b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.
- (2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every owner of a sewage main shall ensure that a qualified person provides a certificate stating that, in his or her opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

Information Note

Standards-setting organizations include bodies such as the Standards Council of Canada, the Canadian Standards Association, the Underwriters Laboratories of Canada, the International Organization for Standardization, the American Society for Testing and Materials (ASTM) International and the United States Environmental Protection Agency.

General records

- 1-7(1)** Every owner of a sewage main shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:
- (a) the results of all pressure integrity testing performed during commissioning of the sewage main;
 - (b) a record of any action taken to correct failed test results respecting pressure integrity;
 - (c) a record of any departure from planned or accepted construction practices;
 - (d) records of any environmental sampling, analysis or monitoring that has been conducted, including:
 - (i) the results of any environmental analysis;
 - (ii) the date, location and time of environmental sampling or monitoring;
 - (iii) the name of the person collecting the environmental sample;
 - (iv) an identification of the environmental sample type;
 - (v) the date of analysis of the environmental sample;
 - (vi) the sampling method used;
 - (vii) the name of the laboratory that performed the analysis of the environmental sample;
 - (viii) the name of the person responsible for performing the analysis of the environmental sample; and
 - (ix) the quality assurance and quality control records of any environmental samples.
- (2) Every owner of a sewage main shall ensure that the following records are kept and retained for the entire operational life of the sewage main and for a period of 15 years after the operational life:
- (a) any sewage main operation or maintenance manual developed during the operational life;
 - (b) copies of all sewage-main-related notification information and correspondence;
 - (c) copies of all sewage-main-related design specifications, reports and as-constructed drawings;
 - (d) copies of all records related to the construction and any inspection of the sewer main;
 - (e) copies of all analytical and testing procedures;
 - (f) any certificate received from a qualified person;
 - (g) any other records mentioned in Part 2 or Part 3.

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

General reporting

1-8 Every owner of a sewage main shall:

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

Information Note

A person may provide verbal or written notice to the minister by:

- (1) contacting the Environmental Protection Officer responsible for the waterworks; or
- (2) electronically by using the following link: www.environment.gov.sk.ca

PART 2 – Alternative Solution

Information Note

Part 2 applies to every owner of a sewage main who has elected to comply with Part 2.

Results-based objective

- 2-1(1)** The results-based objective of this chapter is to limit the probability of unacceptable **adverse effects** resulting from the activity addressed by this chapter.
- (2) The results-based objective mentioned in subsection (1) must be satisfied by:
 - (a) providing a sewage main to convey wastewater by taking reasonable and prudent measures:
 - (i) to employ inert materials in the sewage main;

- (ii) to design and construct the sewage main:
 - (A) to resist exfiltration or infiltration of foreign [substances](#);
 - (B) to limit the release of wastewater during conveyance; and
 - (C) to facilitate the cleaning and maintenance of the sewage main; and
- (iii) to pressure test the sewage main in advance of commissioning;
- (b) providing longevity of the sewage main by taking reasonable and prudent measures to design and construct the sewage main:
 - (i) to facilitate seamless workings with the existing sewage works and [waterworks](#) for a period of at least 10 years;
 - (ii) to withstand normally encountered stresses; and
 - (iii) to facilitate cleaning and maintenance of the sewage main; and
- (c) taking reasonable and prudent measures to include components on monitoring, recording and reporting.

Environmental protection plan

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

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

Information Note

The environmental protection plan, and the certificate(s) from the qualified person, may be submitted to the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by requesting a form from the Saskatchewan Ministry of Environment at:
 - Saskatchewan Ministry of Environment
 - 1-800-567-4224 (toll free in Canada)
 - Centre.Inquiry@gov.sk.ca

In accordance with section 27 of the Act, the minister may accept the environmental protection plan, accept the environmental protection plan and impose terms and conditions or refuse to accept the environmental protection plan.

PART 3 – Acceptable Solution

Information Note

Part 3 applies to every owner of a sewage main who has elected to comply with Part 3.

Sewage main design plan

- 3-1(1)** Before constructing, altering or expanding a sewage main, the owner of the sewage main shall:
- (a) ensure that a sewage main design plan is prepared that satisfies the requirements set out in subsection (2); and
 - (b) ensure that a qualified person provides a certificate stating that, in his or her opinion, the sewage main design plan, if carried out in accordance with that plan, will satisfy the requirements set out in subsection (2).
- (2) The sewage main design plan mentioned in subsection (1) must satisfy the requirements set out in the following provisions of the Sewage Works Design Standard:
- (a) section 1.2.1 (General);
 - (b) section 1.2.2 (Sanitary Sewage Collection/Pumping and Forcemains);
 - (c) section 2 (Sanitary Sewers).

Commissioning of sewage main

- 3-2(1)** Every owner of a sewage main shall:
- (a) ensure the sewage main is constructed in accordance with the sewage main design plan prepared in accordance with section 3-1; and
 - (b) before commissioning a sewage main, ensure that a qualified person provides a certificate stating that, in his or her opinion:
 - (i) there is no physical cross-connection between a **sewage** main and a water main that could permit the passage of any sewage or contaminated water into a supply of **water** that is intended for human consumption or a human consumptive use;
 - (ii) there is no physical cross-connection between a sewage main and **surface water** or **groundwater**, unless otherwise approved by the minister;
 - (iii) there is no physical interconnection between a sewage main and a storm sewer in a manner that would allow sewage in the sewage main to be **discharged** through the storm sewer;

- (iv) the sewage main is constructed to a sufficient depth to protect against freezing and to receive sewage from basements without flooding;
 - (v) the infiltration and exfiltration rate for pressure testing of polyvinyl chloride sewage mains and fittings does not exceed 4.6 litres per millimetre diameter of pipe per kilometre length per day; and
 - (vi) the sewage main is designed and constructed to create a local environment free of odour complaints.
- (2) Notwithstanding subclause (1)(b)(v), low-pressure air testing may be permitted to verify joint tightness when tested to a maximum rate of air loss of 0.0004572 metres cubed per square metre (0.0015 cubic feet per minute per square foot) of internal surface.

Environmental samples

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

Reporting

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

Information Note

A person may submit documents to the minister by:

- (1) contacting the Environmental Protection Officer responsible for the waterworks; or
- (2) electronically by using the following link: www.environment.gov.sk.ca.

Glossary of Terms

Act

The Environmental Management and Protection Act, 2010.

Human consumptive use

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

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

Municipality

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

Owner of a sewage main

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

Pipes

Closed conduits and all appurtenances attached to those conduits.

Qualified Person Certification Standard

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

Saskatchewan Water and Wastewater Works Operator Certification Standards

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

Service connection

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

Sewage main

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

Sewage Works Design Standard

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

Standard Methods for the Examination of Water and Wastewater

The Standard Methods for the Examination of Water and Wastewater, 21st Edition, 2005, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation, and adopted pursuant to the Adoption of Standards Chapter.

Storm sewer

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

Standards Referenced in this Chapter

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

- Qualified Person Certification Standard
- Saskatchewan Water and Wastewater Works Operator Certification Standards
- Sewage Works Design Standard
- Standard Methods for the Examination of Water and Wastewater

HYDROSTATIC TESTING

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

PART 1 – General

Application

1-1 This chapter applies to **persons** conducting hydrostatic testing on a pipeline or flowline used in the upstream oil and gas industry, but does not apply to the hydrostatic testing of pipelines or flowlines regulated by the *National Energy Board Act (Canada)*.

Information Note

This chapter comes into force on June 1, 2015.

In accordance with section 84 of the Act, it is an offence to fail to comply with the code.

Compliance

- 1-2(1)** Subject to subsection (2), every person who conducts hydrostatic testing shall comply with all the requirements established pursuant to:
- (a) Part 1; and
 - (b) either:
 - (i) Part 2; or
 - (ii) Part 3.
- (2) Every person who conducts hydrostatic testing shall comply with all the requirements established pursuant to Parts 1 and 2 if the person:
- (a) conducts hydrostatic testing on pipelines or flowlines with a nominal pipe size of more than 12 inches in diameter;
 - (b) conducts hydrostatic testing on pipelines or flowlines that have previously been in use;
 - (c) conducts hydrostatic testing with the use of additives; or
 - (d) **discharges** hydrostatic test water to a watercourse or water body.

Information Note

Every person conducting hydrostatic testing should ensure that all required water allocation licences are obtained from the appropriate regulating authority before testing begins.

Notification required

- 1-3(1)** No person shall conduct hydrostatic testing unless that person has:
- (a) notified the **minister** in the form provided by the minister and provided the minister with any other information or material that the minister may reasonably require; and
 - (b) received a notification number from the minister.
- (2) Every person who has received a notification number pursuant to clause (1)(b) shall ensure that the notification number is included on all documents required by this chapter to be kept and retained.

Information Note

A person may notify the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by sending a written notification, in the form provided by the minister, to the Saskatchewan Ministry of Environment. A form may be requested from the Saskatchewan Ministry of Environment at:

Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

The completed form may be submitted to the minister in accordance with the directions set out in the form.

Qualified person and certificates

- 1-4(1)** For the purposes of clause 2(1)(bb) of the Act, in this chapter “**qualified person**” means:
- (a) for the purposes of certifying an **environmental protection plan**:
 - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*;
 - (ii) a person licensed to practise agrology pursuant to *The Agrologists Act, 1994*;
 - (iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* who has 8 years of experience in hydrostatic testing that is recognized by the Saskatchewan Applied Science Technologists and Technicians; or
 - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity;

- (b) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures:
 - (i) a person licensed to practise professional engineering or professional geoscience pursuant to The Engineering and Geoscience Professions Act;
 - (ii) a person licensed to practise agronomy pursuant to *The Agrologists Act, 1994*;
 - (iii) a person who is an applied science technologist pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act*; or
 - (iv) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity.
- (2) Every person who conducts hydrostatic testing shall ensure that any certificate provided by a qualified person in accordance with this chapter satisfies the requirements set out in the Qualified Person Certification Standard.

Information Note

The identification of a person as a qualified person does not entitle that person to engage in an activity if that activity is within the exclusive scope of practice of a profession and that person is not a member of that profession.

Environmental samples and laboratory analysis

- 1-5(1)** Subject to subsection (2), every person who conducts hydrostatic testing shall ensure that environmental samples are:
- (a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and
 - (b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.
- (2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every person conducting hydrostatic testing shall ensure that a qualified person provides a certificate stating that, in his or her opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

Information Note

Standards-setting organizations include bodies such as the Standards Council of Canada, the Canadian Standards Association, the Underwriters Laboratories of Canada, the International Organization for Standardization, the American Society for Testing and Materials (ASTM) International and the United States Environmental Protection Agency.

General records

- 1-6(1)** Every person who conducts hydrostatic testing shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:
- (a) records of any environmental sampling, analysis or monitoring that has been conducted, including:
 - (i) the results of any environmental analysis;
 - (ii) the date, location and time of environmental sampling or monitoring;
 - (iii) the name of the person collecting the environmental sample;
 - (iv) an identification of the environmental sample type;
 - (v) the date of analysis of the environmental sample;
 - (vi) the sampling method used;
 - (vii) the name of the laboratory that performed the analysis of the environmental sample;
 - (viii) the name of the person responsible for performing the analysis of the environmental sample; and
 - (ix) the quality assurance and quality control records of any environmental samples;
 - (b) any certificate received from a qualified person; and
 - (c) any other records mentioned in Part 2 or Part 3.
- (2) Every person who conducts hydrostatic testing shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

PART 2 – Alternative Solution

Information Note

Part 2 applies to every person who conducts hydrostatic testing who has elected to comply with Part 2.

Results-based objective

- 2-1(1)** The results-based objective of this chapter is to limit the probability of unacceptable **adverse effects** resulting from the activity addressed by this chapter.
- (2) The results-based objective mentioned in subsection (1) must be satisfied by taking reasonable and prudent measures:
- (a) to conduct hydrostatic testing in a safe and effective manner;

- (b) when conducting hydrostatic testing:
 - (i) to minimize the transfer of a **substance** that may cause an adverse effect to **ground water** or **surface water**;
 - (ii) to minimize the transfer of biota;
 - (iii) to minimize erosion;
 - (iv) to minimize the transfer of a substance that directly or indirectly causes an adverse effect to the aquatic or terrestrial environment; and
 - (v) to minimize the direct or indirect disturbance of a **bed, bank** or **boundary** of a watercourse or water body; and
- (c) to include components on monitoring, recording and reporting.

Environmental protection plan

2-2 Every person who conducts hydrostatic testing shall:

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

Information Note

The environmental protection plan, and the certificate(s) from the qualified person, may be submitted to the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by sending the documents to a Saskatchewan Ministry of Environment office. A list of office locations can be requested from:

Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

In accordance with section 27 of the Act, the minister may accept the environmental protection plan, accept the environmental protection plan and impose terms and conditions or refuse to accept the environmental protection plan.

PART 3 – Acceptable Solution

Information Note

Part 3 applies to every person who conducts hydrostatic testing who has elected to comply with Part 3.

Source water

3-1 Every person who conducts hydrostatic testing shall:

- (a) if using source water that is fish bearing, screen the source water intake in a manner that prevents the passage of fish;
- (b) ensure that, when removing source water:
 - (i) biota that does not naturally occur in the source water is not transferred to the source water;
 - (ii) any substance that may, directly or indirectly, cause an adverse effect to the aquatic or terrestrial environment is not transferred to the source water;
 - (iii) the bed, bank or boundary of any watercourse or water body is not altered;
 - (iv) any sand, gravel or other material is not removed, displaced or added to the bed, bank or boundary of any watercourse or water body; and
 - (v) vegetation is not removed from the bed, bank or boundary of any watercourse or water body; and
- (c) take photographs of each source water intake location before, during and after hydrostatic testing.

Information Note

Information on how to screen source water intake in manner that prevents the passage of fish is available from Fisheries and Oceans Canada.

Discharge to land

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

- (a) obtain the prior written consent of the landowner on whose land the hydrostatic test water is intended to be discharged or whose land may be affected by the discharge;
- (b) ensure that the hydrostatic test water discharged does not exceed the limits set out in Table 1 of the Appendix for each parameter present;

- (c) ensure that all reasonable measures are taken to minimize soil erosion;
- (d) ensure that the hydrostatic test water is discharged through a suitable filter cloth to catch pipe scale, rust and other foreign material;
- (e) ensure that the same discharge location is not used more than once in any 12-month period; and
- (f) take photographs of each discharge location before, during and after hydrostatic testing.

Records

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

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

Reporting

3-4 Every person shall, within 30 days after conducting hydrostatic testing, provide the minister with the following:

- (a) a copy of any analytical results gathered or recorded in accordance with section 3-2;
- (b) the certificate from a qualified person obtained pursuant to subsection 1-5(2), if any;
- (c) the type, name and location of source water;
- (d) the type, name and location of discharge locations;
- (e) copies of all original and unedited photographs required to be taken pursuant to sections 3-1 and 3-2.

Information Note

A person may provide information to the minister by:

- (1) contacting the local Ministry of Environment Ecological Protection Specialist; or
- (2) electronically by using the following link: www.environment.gov.sk.ca.

Appendix

Table 1	
Requirements for hydrostatic test water discharged to land	
Parameter	Limit
Electrical conductivity	Less than or equal to 2 decisiemens per metre
Chloride (total)	Less than or equal to 700 milligrams per litre
Total dissolved solids	Less than or equal to 1400 milligrams per litre
Perceptible hydrocarbon	Shall not be present in concentrations that: <ul style="list-style-type: none"> - can be detected as a visible film, sheen, or discoloration on the surface; or - can be detected by odour
Oil and grease	Shall not be present in concentrations that: <ul style="list-style-type: none"> - can be detected as a visible film, sheen, or discoloration on the surface; or - can be detected by odour
pH	6 to 8

Glossary of Terms

Act

The Environmental Management and Protection Act, 2010.

Additives

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

Flowline

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

Hydrostatic testing

The use of [water](#) for pressure testing a pipeline or flowline to determine its integrity.

Hydrostatic test water

Source water that has been used in hydrostatic testing.

Pipeline

A pipe or system of pipes for the transportation of:

- (a) liquid hydrocarbons, including crude oil, multi-phase fluids containing hydrocarbons, oil and water emulsions, condensate, liquid petroleum products, natural gas liquids and liquefied petroleum gas;
- (b) gaseous hydrocarbons, including natural gas, manufactured gas and synthetic gas;
- (c) water, steam or any other substance if the water, steam or other substance is incidental to or used in the production of crude oil or natural gas; or
- (d) carbon dioxide.

Qualified Person Certification Standard

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

Source water

Water intended to be used in hydrostatic testing.

Standards Referenced in this Chapter

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

- Qualified Person Certification Standard

FOREST REGENERATION ASSESSMENT

Adopted pursuant to *The Forest Resources Management Act*

PART 1 – General

Application

1-1(1) This chapter applies to:

- (a) every person who holds a licence for the harvesting of forest products, and who is required by that licence to ensure that lands in the licence area that have been harvested are renewed; and
- (b) every person who conducts a forest regeneration assessment on behalf of a person mentioned in clause (a).

(2) This chapter does not apply to:

- (a) lands that were harvested before April 1, 2004 pursuant to a licence issued for the harvesting of forest products; or
- (b) a person who holds a forest product permit if that person also holds, with respect to the same land, a valid resource land disposition granted pursuant to *The Crown Resource Land Regulations*.

Information Note

This chapter comes into force on January 5, 2015.

In accordance with section 79 of the Act, it is an offence to fail to comply with the code.

Compliance

1-2 Every person mentioned in subsection 1-1(1) shall comply with all the requirements established pursuant to:

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

General records

- 1-3(1)** Every person mentioned in subsection 1-1(1) shall ensure that the following records are kept and retained for at least 15 years from the date the record was created:
- (a) all records respecting each harvest block or polygon assessed, including:
 - (i) the date, location, description and area of each harvest block or polygon assessed;
 - (ii) the name of the assessor and the person who conducted the assessment;
 - (iii) the results of every assessment;
 - (iv) any notes on abnormal conditions, anomalies, discrepancies, insect or disease concerns or events observed during an assessment of a harvest block or polygon;
 - (v) any determinations reached respecting the [renewal](#) status of each harvest block or polygon;
 - (b) if available, the Global Positioning System location records of each plot for ground surveys and the Geographic Information System shapefiles of aerial survey records;
 - (c) all records required to be kept respecting regeneration assessments by the Forest Data Submission Standard in accordance with the Forest Data Submission Chapter;
 - (d) any other records mentioned in Part 2 or Part 3.
- (2) Every person mentioned in subsection 1-1(1) shall ensure that the records required to be kept pursuant to this section are made available to the [minister](#) on request.

General reporting

- 1-4** Every person mentioned in subsection 1-1(1) shall submit information respecting forest regeneration assessments in accordance with the Forest Data Submission Standard.

PART 2 – Alternative Solutions

Information Note

Part 2 applies to every person who conducts a forest regeneration assessment who has elected to comply with Part 2.

Results-based objective

- 2-1(1)** The results-based objective of this chapter is to limit the probability that, as a result of forest management activities, the long-term health and sustainability of [forest resources](#), forest functions and associated ecosystems will be exposed to unacceptable impairment or damage.

- (2) The results-based objective mentioned in subsection (1) must be satisfied by taking reasonable and prudent measures:
- (a) to assess and document whether harvested areas are adequately re-stocked with acceptable trees that are of an appropriate density and height; and
 - (b) to identify contiguous harvested areas that are 4.0 hectares or larger that are not adequately re-stocked with acceptable trees that are of an appropriate density and height.

Operating plan

- 2-2** Every person mentioned in clause 1-1(1)(a) shall ensure that the [operating plan](#):
- (a) sets out the methods that will be employed to satisfy the results-based objective described in section 2-1; and
 - (b) contains components on assessment procedures, recording and reporting that satisfy the results-based objective described in section 2-1.

PART 3 – Acceptable Solution

Information Note

Part 3 applies to every person who conducts a forest regeneration assessment who has elected to comply with Part 3.

Obligation to conduct a forest regeneration assessment

- 3-1(1)** Every person mentioned in clause 1-1(1)(a) shall ensure that the forest regeneration assessment is conducted in accordance with the Forest Regeneration Assessment Standard.
- (2) Every person mentioned in clause 1-1(1)(b) who is conducting a forest regeneration assessment on behalf of a person mentioned in subsection (1) shall conduct the forest regeneration assessment in accordance with the Forest Regeneration Assessment Standard.

Glossary of Terms

Acceptable tree

A tree that satisfies the criteria set out in Appendix 1 of the Forest Regeneration Assessment Standard.

Density

A measure of the population of acceptable tree species in a given area.

Forest Data Submission Standard

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

Forest Regeneration Assessment Standard

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

Harvest block

An area of land from which trees have been harvested.

Polygon

An area of land from which trees have been harvested that is represented by a closed figure that is bounded by curved or straight lines and delineated on a map.

Stocked

A quantitative expression of the adequacy of tree cover on an area of land, in terms of number of trees.

Standards Referenced in this Chapter

The following [standards](#), adopted pursuant to the Adoption of Standards Chapter, are referenced in this chapter:

- Forest Data Submission Standard
- Forest Regeneration Assessment Standard

FOREST DATA SUBMISSION

Adopted pursuant to *The Forest Resources Management Act*

Application

1-1(1) Subject to subsection (2), this chapter applies to every **person** who:

- (a) holds a **licence** pursuant to the Act;
- (b) operates a **processing facility** that accepts and processes timber, wood residue or wood chips that originate from **Crown land**; or
- (c) is a **trustee** pursuant to section 26 of the Act, or is designated by the **minister** pursuant to section 26 of the Act, and who is responsible for reporting to the minister on the activities of the forest management fund.

(2) This chapter does not apply to a person who:

- (a) holds a **term supply licence** or **forest product permit** with an annual harvest volume schedule of less than 50,000 cubic metres of timber;
- (b) has been granted two or more licences for the **harvesting of forest products** that cumulatively authorize the harvesting of an annual volume of less than 50,000 cubic metres of timber; or
- (c) operates a facility that only accepts and processes trees or parts of trees that originate from lands other than Crown land.

Information Note

This chapter comes into force on January 5, 2015.

In accordance with section 79 of the Act, it is an offence to fail to comply with the code.

Forest data and other information to be submitted to minister

1-2(1) Every person mentioned in clauses 1-1(1)(a) and (b) shall submit data on forest management activities to the minister in accordance with the Forest Data Submission Standard.

(2) Every person mentioned in clause 1-1(1)(c) shall submit information respecting the forest management fund to the minister in accordance with the Forest Data Submission Standard and the terms and conditions of the agreement establishing the forest management fund.

Glossary of Terms

Act

The Forest Resources Management Act.

Data

Spatial and aspatial data described in the Forest Data Submission Standard.

Forest Data Submission Standard

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

Forest management activity

Forest management activities including the following:

- (a) the harvesting, [renewal](#) and [scaling](#) of timber;
- (b) the construction, operation, use, maintenance, [closure](#) or reclamation of surface water crossings and roads.

Harvest volume schedule

The maximum sustainable timber volume that can be harvested each year, as determined or approved by the minister, pursuant to The Forest Resources Management Regulations.

Timber

Any trees or parts of trees from Crown land, whether standing, fallen, cut, alive or dead.

Wood residue

The by-products from the processing of trees and parts of trees and includes slabs, tops, edgings, bark, shavings and sawdust but does not include wood chips.

Wood chip

A small thin piece of wood cut from a larger piece of wood by a mechanically operated knife section, showing two knife cuts and having a width greater than its thickness.

Standards Referenced in this Chapter

The following [standard](#), adopted pursuant to the Adoption of Standards Chapter, is referenced in this chapter:

- Forest Data Submission Standard

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FOREST OPERATING PLAN

Adopted pursuant to *The Forest Resources Management Act*

Application

- 1-1** This chapter applies to every **person** who holds a **licence** for the **harvesting of forest products** and who is required by the Act to submit an **operating plan** to the **minister** for approval.

Information Note

This chapter comes into force on January 5, 2015.

In accordance with section 79 of the Act, it is an offence to fail to comply with the code.

Operating plan

- 1-2** Every person who holds a licence for the harvesting of forest products and who is required by the Act to submit an operating plan to the minister for approval shall ensure that an operating plan is prepared in accordance with the Forest Operating Plan Standard for each **licence area**.

General records

- 1-3** Every person mentioned in section 1-1 shall ensure that:
- (a) records respecting any consultations that are undertaken by that person in accordance with the Forest Operating Plan Standard are kept and retained for at least 5 years from the date the record was created; and
 - (b) the records required to be kept pursuant to clause (a) are made available to the minister on request.

Glossary of Terms

Act

The Forest Resources Management Act.

Forest Operating Plan Standard

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

Standards Referenced in this Chapter

The following [standard](#), adopted pursuant to the Adoption of Standards Chapter, is referenced in this chapter:

- Forest Operating Plan Standard

FOREST PRODUCTS SCALING

Adopted pursuant to *The Forest Resources Management Act*

PART 1 – General

Application

1-1(1) This chapter applies to:

- (a) every person who holds a licence for the harvesting of forest products, and who is required by that licence to ensure that forest products are scaled; and
 - (b) every person who holds a licence to scale.
- (2) This chapter does not apply to a person conducting a check scale in accordance with *The Forest Resources Management Regulations*.

Information Note

This chapter comes into force on January 5, 2015.

In accordance with section 79 of the Act, it is an offence to fail to comply with the code.

Compliance

1-2 Every person mentioned in subsection 1-1(1) shall comply with all the requirements established pursuant to:

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

Scaling

1-3(1) Every person mentioned in clause 1-1(1)(a) shall ensure that all forest products required to be scaled are:

- (a) scaled by a person who holds a licence to scale; and
 - (b) scaled to the accuracy tolerances set out in the Scaling Standard.
- (2) Every person mentioned in clause 1-1(1)(b) shall scale all forest products required to be scaled to the accuracy tolerances set out in the Scaling Standard.

General records

- 1-4** Every person mentioned in subsection 1-1(1) shall ensure that:
- (a) all records respecting scaling activities are kept and retained for the period set out in the Scaling Standard; and
 - (b) the records required to be kept pursuant to this section are made available to the [minister](#) on request.

General reporting

- 1-5** Every person mentioned in subsection 1-1(1) shall submit information respecting scaling activities in accordance with the Scaling Standard, an approved scaling plan and The Forest Resources Management Regulations.

PART 2 – Alternative Solutions

Information Note

Part 2 applies to every person mentioned in subsection 1-1(1) who has elected to comply with Part 2.

Results-based objective

- 2-1(1)** The results-based objective of this chapter is to limit the probability that, as a result of the activities addressed by this chapter, the volume of harvested forest products originating from Crown forest land is not accurately accounted for.
- (2) The results-based objective mentioned in subsection (1) must be satisfied by taking reasonable and prudent measures to accurately scale harvested forest products originating from [Crown land](#) using units of measure set out in the Scaling Standard and expressing the volume of scaled wood in cubic metres.

Scaling plan

- 2-2(1)** Every person mentioned in clause 1-1(1)(a) shall ensure that the scaling plan:
- (a) sets out the methods that will be employed to satisfy the results-based objective described in section 2-1; and
 - (b) contains components on scaling procedures, recording and reporting that satisfy the results-based objective described in section 2-1.

- (2) Every person mentioned in subsection (1) who has an approved scaling plan shall ensure that the scaling of forest products is conducted in accordance with the procedures set out in that approved scaling plan.
- (3) Every person mentioned in clause 1-1(1)(b) who is scaling forest products on behalf of a person mentioned in clause 1-1(1)(a) shall scale forest products in accordance with an approved scaling plan and the terms of his or her licence.

PART 3 – Acceptable Solution

Information Note

Part 3 applies to every person mentioned in subsection 1-1(1) who has elected to comply with Part 3.

Obligation to scale forest products

- 3-1(1) Every person mentioned in clause 1-1(1)(a) shall ensure that the scaling of forest products is conducted in accordance with the Scaling Standard, an approved scaling plan and the terms of his or her licence.
- (2) Every person mentioned in clause 1-1(1)(b) who is scaling forest products on behalf of a person mentioned in clause 1-1(1)(a) shall scale forest products in accordance with the Scaling Standard, an approved scaling plan and the terms of his or her licence.

Glossary of Terms

Act

The Forest Resources Management Act.

Check scale

A scale by the chief scaler, an **officer** or a person authorized in writing by the minister performed in the same manner as the original scale for the purpose of checking accuracy and precision of volume estimates and compliance with the Scaling Standard.

Chief scaler

An officer of the [ministry](#) designated by the minister to administer Part V of *The Forest Resources Management Regulations*.

Licence to scale

A valid licence to scale issued to a person pursuant to section 53 of *The Forest Resources Management Regulations*, including an interim licence to scale issued pursuant to section 55 of those regulations.

Scaling plan

A scaling plan that:

- (a) is required pursuant to a [forest management agreement](#), a [term supply licence](#) or a [forest product permit](#);
- (b) sets out the scaling methods and reporting mechanisms to be used by the person who holds a licence for the harvesting of forest products mentioned in clause (a);
- (c) is prepared in accordance with the Act, *The Forest Resources Management Regulations* and the Scaling Standard; and
- (d) is approved by the minister.

Scaling Standard

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

Standards Referenced in this Chapter

The following [standard](#), adopted pursuant to the Adoption of Standards Chapter, is referenced in this chapter:

- Scaling Standard

FOREST MANAGEMENT PLANNING

Adopted pursuant to *The Forest Resources Management Act*

Application

1-1 This chapter applies to every **person** who is required to submit a **forest management plan** pursuant to section 38 or 45 of the Act.

Information Note

This chapter comes into force on January 5, 2015.

In accordance with section 79 of the Act, it is an offence to fail to comply with the code.

Forest Management Plan

1-2 Every person mentioned in section 1-1 who is required to prepare or revise a forest management plan shall, in accordance with the Forest Management Planning Standard:

- (a) establish a planning team, terms of reference, a work plan and a public consultation plan including:
 - (i) the establishment and implementation of a public advisory group;
 - (ii) a strategy for sharing information with First Nations and Métis communities whose ability to exercise Treaty or Aboriginal rights and carry out traditional uses is potentially adversely impacted; and
 - (iii) a schedule of public and First Nations and Métis community information sessions to be conducted during the period of the forest management plan development;
- (b) adhere to a staged-approval process during forest management plan development, where all requirements set out in clause (a), including the products set out as deliverables in the workplan, are:
 - (i) presented and discussed with the planning team; and
 - (ii) submitted to the **minister** for review following a timeline specified in the work plan;
- (c) submit, on the request of the minister, any information that the minister considers necessary to review the requirements and deliverables set out in clause (a);
- (d) ensure that the following are included in the forest management plan:
 - (i) the name of the licence holder and details respecting the licence holder required by the Forest Management Planning Standard;
 - (ii) information respecting persons residing or working in the **licence area** required by the Forest Management Planning Standard;

- (iii) a description of:
 - (A) the licence area, including the water, land and forest, and planning boundaries;
 - (B) the current condition of the forest in the licence area;
 - (C) the activities and values associated with the forest found in the licence area; and
 - (D) the recent history of forest management in the licence area;
- (iv) a digital planning inventory;
- (v) a forest development report that includes both digital temporary sample plot data and yield curves;
- (vi) a forest estate modelling report;
- (vii) values, objectives, indicators and targets related to the licence area respecting:
 - (A) biological diversity;
 - (B) ecosystem condition and productivity;
 - (C) soil and water;
 - (D) role in global ecological cycles;
 - (E) economic and social benefits; and
 - (F) society's responsibility for sustainable development, including:
 - (I) consideration of the interests of other forest uses;
 - (II) maintenance or enhancement of benefits derived from the forest;
 - (III) respect for Aboriginal and Treaty rights within the context of planning and implementing forest management activities;
 - (IV) avoidance of impacting culturally important sites;
 - (V) involvement of local communities in forest management activities;
 - (VI) maximization of the involvement of stakeholders in forest management plan development and implementation; and
 - (VII) details respecting how current forest management information will be made available to the public and First Nations and Métis communities;
- (viii) natural forest patterns for the licence area detailing how the following elements of ecosystem-based management will be applied to the plan:
 - (A) residual trees within **harvest** events and blocks;
 - (B) harvest event size distribution;
 - (C) appropriate age class distribution on the landscape;
 - (D) landscape-level maintenance of softwood-dominated mixedwood and white spruce provincial forest types; and
 - (E) salvage activities;

- (ix) silviculture ground rules for all forest development types actively managed on the licence holder's licence area;
- (x) a digital tactical plan;
- (xi) an approach to fulfilling the licence holder's roles and responsibilities for wildfire within the licence area;
- (xii) an insect and disease strategy; and
- (xiii) a strategy for how the forest management plan will be implemented;
- (e) establish a management implementation team for the term of the forest management plan; and
- (f) submit an annual report that describes the progress made on achieving commitments set out in the forest management plan.

Glossary of Terms

Act

The Forest Resources Management Act.

Digital planning inventory

An inventory of [forest resources](#) that includes:

- (a) all the spatial layers necessary to formulate management strategies that can achieve a desired future forest condition;
- (b) individual coverages in the planning inventory collection;
- (c) composite planning inventory information products;
- (d) management decision information; and
- (e) the following four planning coverages:
 - (i) planned harvest and natural resource features;
 - (ii) land use or values that may be affected by forest management;
 - (iii) road use strategy for existing roads;
 - (iv) road corridor locations for planned road construction.

Digital tactical plan

A 20-year forecast of forest management activities including spatial blocking of operating areas and other values identified in the selected management strategy.

Forest development report

A report that describes:

- (a) the development types used;
- (b) the yield curves for each forest development type;
- (c) the modelling process and data source from which the yield curves were derived; and
- (d) the equations and coefficients used to produce the yield curves.

Forest development type

An aggregation of forest stands for management purposes that have similar species composition, develop in a similar manner and are managed under the same silvicultural system.

Forest estate modelling report

A report that describes:

- (a) the forest management activities;
- (b) the operability requirements for the forest management activities mentioned in clause (a);
- (c) forest senescence by development type;
- (d) the expected treatment responses; and
- (e) the forest estate model formulation along with the associated model objectives and targets and the results of model scenarios.

Forest management activities

Activities associated with:

- (a) the harvest and [renewal](#) of timber; and
- (b) the construction, operation, use, maintenance, closure, and reclamation of watercourse crossings and roads.

Forest Management Planning Standard

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

Licence holder

A person who:

- (a) has entered into a [forest management agreement](#) with the minister in accordance with the Act; or
- (b) holds a [term supply licence](#) in accordance with the Act.

Planning team

A team of persons assembled to develop a new forest management plan that includes:

- (a) a core technical group that consists of staff employed by the licence holder and the [ministry](#), and that will participate in all planning team meetings; and
- (b) persons who will provide advice and assistance to the core technical group as required.

Provincial forest types

A broad classification system used for assessing, analysing and reporting forest resource management goals and objectives at both the eco-regional level and the provincial level in [Saskatchewan](#).

Selected management strategy

The management strategy developed from the forest estate modelling scenarios that best satisfies the diverse demands on the forest resource and directs the licence holder's forest management activities for the 20-year period following the date on which the forest management plan is approved.

Silviculture ground rules

A set of specifications and requirements developed during the forest management planning process that direct silviculture activities on a licence area during the period of a forest management plan.

Standards Referenced in this Chapter

The following [standard](#), adopted pursuant to the Adoption of Standards Chapter, is referenced in this chapter:

- Forest Management Planning Standard

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HALOCARBON CONTROL

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

Application

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

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

Information Note

This chapter comes into force on June 1, 2015.

In accordance with section 84 of the Act, it is an offence to fail to comply with the code.

Qualified person

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

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

- (ii) a person who is certified for the safe handling of halocarbons by the Heating, Refrigeration and Air Conditioning Institute of Canada; or
- (iii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake the activity.

Information Note

The identification of a person as a qualified person does not entitle that person to engage in an activity if that activity is within the exclusive scope of practice of a profession and that person is not a member of that profession.

Prescribed halocarbons

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

Prohibition re propellants

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

Prohibition re packaging, etc.

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

Prohibition re installation, maintenance and service of equipment

- 1-6** No person shall install, maintain, service, alter, replace or repair any equipment, or a component of any equipment, that contains or may contain a halocarbon:
- (a) unless he or she is a qualified person; and
 - (b) except in accordance with those provisions of the Code of Practice and Halon Code of Practice that apply to the installation, maintenance, service, alteration, replacement or repair of equipment that contains or may contain a halocarbon, including all recommendations set out within the Code of Practice and Halon Code of Practice.

Obligations on qualified persons

- 1-7(1)** Every qualified person installing, maintaining, servicing, altering, replacing or repairing any equipment that contains or may contain a halocarbon, including those qualified persons charging or recharging that equipment, shall:
- (a) before recharging any equipment with a halocarbon, test the equipment for leaks and repair any leaks that are detected;

- (b) use appropriate halocarbon fittings; and
 - (c) if removing a halocarbon from the equipment, collect, store, recycle, destroy or dispose of the halocarbon in accordance with those provisions of the Code of Practice and Halon Code of Practice that apply to the collection, storage, recycling, destruction or disposal of a halocarbon, as the case may be, including all recommendations set out within the Code of Practice or Halon Code of Practice.
- (2) A qualified person shall not install a halocarbon fitting on any equipment that does not contain a halocarbon.

General records

- 1-8(1)** Every qualified person mentioned in clause 1-2(b) shall maintain records in the following manner:
- (a) prepare a work invoice showing:
 - (i) the date on which he or she performed the work on the equipment containing a halocarbon;
 - (ii) the type of service performed on the equipment;
 - (iii) the type of halocarbon, and the quantity of the halocarbon, contained in the equipment;
 - (iv) the type of halocarbon, and the quantity of the halocarbon, recovered from or added to the equipment; and
 - (v) the manner of recycling, destroying or disposing of any halocarbon recovered from the equipment;
 - (b) provide to the owner or operator of the equipment the work invoice prepared in accordance with clause (a);
 - (c) retain a copy of the work invoice prepared in accordance with clause (a) for at least 7 years after the date of the work.
- (2) Every person who **discharges** more than 10 kilograms, but less than 100 kilograms, of a halocarbon into the **environment** shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:
- (a) the name and contact information for the person who owns the equipment that contained the halocarbon that was discharged;
 - (b) the type and quantity of halocarbon that was discharged;
 - (c) the location from which the halocarbon was released and the type of system the halocarbon was released from;
 - (d) the circumstances leading up to the discharge of the halocarbon;
 - (e) any corrective actions or measures that were taken to control the discharge of the halocarbon;
 - (f) any actions that were taken to prevent any subsequent discharge of a halocarbon.

- (3) Every person mentioned in subsections (1) and (2) shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

Prohibition re sale or transfer of halocarbons

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

Refillable pressurized containers

- 1-10** No person shall manufacture, offer for sale, sell, transport, store or use a container for halocarbons unless it:
- (a) is a refillable, pressurized container designed to contain halocarbons; and
 - (b) weighs at least 10 kilograms.

Reclamation equipment

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

Labelling

- 1-12(1)** No person shall sell or offer for sale new air conditioning, refrigeration or fire extinguishing equipment that uses a halocarbon unless the equipment has a prominent label:
- (a) identifying the halocarbon and the amount used in the equipment; and
 - (b) advising that only qualified persons shall perform any servicing of, repair to or recharging of the equipment that could result in the release of the halocarbon.
- (2) Every qualified person who changes the type of halocarbon refrigerant in any air conditioning, refrigeration or fire extinguishing equipment shall ensure that the equipment has a prominent label clearly identifying the new halocarbon refrigerant and the amount used in the equipment.
- (3) No person shall store or transport a halocarbon unless the container in which it is stored or transported has a clear, legible and prominent label identifying the halocarbon and the amount in the container.

Decommissioning or discarding

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

Seller take-back

- 1-14(1)** Subject to subsection (2), if a person takes a halocarbon to a seller's normal place of business, during normal business hours, in a container designed to contain the halocarbon, the seller must accept and store the halocarbon until the seller can deliver it to a person who manufactures, recycles, converts or destroys the halocarbon.
- (2) Subsection (1) does not apply to a halocarbon that has been mixed or contaminated so that it is a [hazardous substance](#).
- (3) Sellers of halocarbons shall:
- (a) prepare and carry out a plan for accepting halocarbons returned for recycling, conversion or destruction; or
 - (b) participate in a stewardship program respecting the proper recycling, conversion or destruction of halocarbons.
- (4) A plan pursuant to clause (3)(a) or a stewardship program pursuant to clause (3)(b) must:
- (a) demonstrate how halocarbons will be effectively collected and stored;
 - (b) demonstrate how the returned halocarbons will be recycled or disposed of; and
 - (c) provide for proper record-keeping in relation to the returned halocarbons.
- (5) Sellers of halocarbons shall retain the records required to be prepared in accordance with this section for at least 7 years from the date the record was created.
- (6) Sellers of halocarbons shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

Information Note

The release of a halocarbon must be reported in accordance with the requirements set out in the Discharge and Discovery Reporting Chapter.

Phase-out of certain halocarbons

- 1-15(1)** No person shall charge or recharge, or permit the charging or recharging of, a mobile air conditioning system, a mobile refrigeration system or fixed fire extinguishing equipment with a halocarbon listed in Class I of the Appendix.
- (2) Subject to subsection (3), no person shall charge or recharge, or permit the charging or recharging of, refrigeration equipment with a halocarbon listed in Class I of the Appendix.
- (3) Subsection (2) does not apply to chillers, household refrigerators, household freezers or water coolers.
- (4) No person shall charge or recharge, or permit the charging or recharging of, a chiller with a halocarbon listed in Class I of the Appendix if the chiller has undergone an overhaul that includes any of the following procedures or repairs:
- (a) the replacement or modification of an internal sealing device;

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

Appendix

Class I	
Chlorofluorocarbons, Halon and Chlorocarbon Compounds	
1	<p>Chlorofluorocarbons (CFCs)</p> <ul style="list-style-type: none"> (a) current commercially used CFCs: <ul style="list-style-type: none"> CFC-11, trichlorofluoromethane, R-11 CFC-12, dichlorodifluoromethane, R-12 CFC-13, chlorotrifluoromethane, R-13 CFC-111, pentachlorofluoroethane, R-111 CFC-112, tetrachlorodifluoroethane, R-112 CFC-113, trichlorotrifluoroethane, R-113 CFC-114, dichlorotetrafluoroethane, R-114 CFC-115, chloropentafluoroethane, R-115 (b) all other CFCs; and (c) all isomers and mixtures containing any of the above.

Class I**Chlorofluorocarbons, Halon and Chlorocarbon Compounds****2** Halons

- (a) Halon-1211, also known as bromochlorodifluoromethane
Halon-1301, also known as bromotrifluoromethane
Halon-2402, also known as dibromotetrafluoroethane
- (b) all other bromofluorocarbons and bromochlorofluorocarbons; and
- (c) all isomers and mixtures containing any of the above.

3 Chlorocarbons

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

Class II**Hydrochlorofluorocarbon****1** Hydrochlorofluorocarbon

- HCFC-21, dichlorofluoromethane, R-21
- HCFC-22, chlorodifluoromethane, R-22
- HCFC-31, chlorofluoromethane, R-31
- HCFC-121, tetrachlorofluoroethane, R-121
- HCFC-122, trichlorodifluoroethane, R-122
- HCFC-123, dichlorotrifluoroethane, R-123
- HCFC-124, chlorotetrafluoroethane, R-124
- HCFC-131, trichlorofluoroethane, R-131
- HCFC-132, dichlorodifluoroethane, R-132
- HCFC-133, chlorotrifluoroethane, R-133
- HCFC-141, dichlorofluoroethane, R-141
- HCFC-142, chlorodifluoroethane, R-142
- HCFC-151, chlorofluoroethane, R-151
- HCFC-221, hexachlorofluoropropane, R-221
- HCFC-222, pentachlorodifluoropropane, R-222
- HCFC-223, tetrachlorotrifluoropropane, R-223

Class II Hydrochlorofluorocarbon	
1	HCFC-224, trichlorotetrafluoropropane, R-224 HCFC-225, dichloropentafluoropropane, R-225 HCFC-226, chlorohexafluoropropane, R-226 HCFC-231, pentachlorofluoropropane, R-231 HCFC-232, tetrachlorodifluoropropane, R-232 HCFC-233, trichlorotrifluoropropane, R-233 HCFC-234, dichlorotetrafluoropropane, R-234 HCFC-235, chloropentafluoropropane, R-235 HCFC-241, tetrachlorofluoropropane, R-241 HCFC-242, trichlorodifluoropropane, R-242 HCFC-243, dichlorotrifluoropropane, R-243 HCFC-244, chlorotetrafluoropropane, R-244 HCFC-251, trichlorofluoropropane, R-251 HCFC-252, dichlorodifluoropropane, R-252 HCFC-253, chlorotrifluoropropane, R-253 HCFC-261, dichlorofluoropropane, R-261 HCFC-262, chlorodifluoropropane, R-262 HCFC-271, chlorofluoropropane, R-271
2	All other hydrochlorofluorocarbons not specifically listed.
3	All mixtures containing any of the above.

**Class III
Other Halocarbons**

1 Hydrofluorocarbons

HFC-23, trifluoromethane, R-23
 HFC-32, difluoromethane, R-32
 HFC-125, pentafluoroethane, R-125
 HFC-134, tetrafluoroethane, R-134
 HFC-143, trifluoroethane, R-143
 HFC-152, difluoroethane, R-152
 HFC-161, monofluoroethane, R-161
 HFC-227, heptafluoropropane, R-227
 HFC-236, hexafluoropropane, R-236
 HFC-245, pentafluoropropane, R-245
 HFC-254, tetrafluoropropane, R-254
 HFC-263, trifluoropropane, R-263
 HFC-272, difluoropropane, R-272
 HFC-281, fluoropropane, R-281

2 Perfluorocarbons

FC-14, tetrafluoromethane
 FC-116, hexafluoroethane
 FC-218, octafluoropropane
 FC-3-1-10, decafluorobutane
 FC-4-1-12, dodecafluoropentane
 FC-5-1-14, tetradecafluorohexane

3 All other hydrofluorocarbons and perfluorocarbons not specifically listed.**4** All mixtures containing any of the above.

Glossary of Terms

Act

The Environmental Management and Protection Act, 2010.

Chiller

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

Code of Practice

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

Halon Code of Practice

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

Install

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

Mobile air conditioning system

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

Mobile refrigeration system

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

Reclamation

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

Recycle

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

Seller

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

Standards Referenced in this Chapter

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

- Code of Practice
- Halon Code of Practice

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INDUSTRIAL SOURCE (AIR QUALITY)

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

Application

- 1-1** This chapter applies to every **person** who intends to establish an industrial source facility and to every industrial source facility owner, but does not apply to:
- (a) oil and gas activities regulated pursuant to *The Oil and Gas Conservation Act* and *The Pipelines Act, 1998*;
 - (b) equipment using natural gas, commercial fuel oil or other commercially available fuel solely for the purposes of domestic, commercial or institutional comfort heating, recreation or food preparation;
 - (c) fuel-burning equipment used for the construction or maintenance of public roads, rail lines, pipelines or any other right of way;
 - (d) equipment used for seeding, harvesting, fertilizing or controlling pests or weeds;
 - (e) an intensive livestock operation;
 - (f) an on-road or off-road motor vehicle, rail locomotive, boat or aircraft; or
 - (g) an industrial source facility that has permanently ceased to operate.

Information Note

Upstream and midstream oil and gas activities regulated pursuant to *The Oil and Gas Conservation Act* and *The Pipelines Act, 1998* include flares, incinerators, wells, oil and gas batteries, enhanced oil recovery (CO₂, steam-assisted gravity drainage, solvents and polymers injection), gas processing plants, gas compressors, natural gas pipelines and oil sands facilities.

This chapter comes into force on June 1, 2015.

In accordance with section 84 of the Act, it is an offence to fail to comply with the code.

Notification required

- 1-2(1)** No person shall establish an industrial source facility unless that person has:
- (a) notified the **minister** in the form provided by the minister and provided the minister with any other information or material that the minister may reasonably require; and
 - (b) received a notification number from the minister.
- (2) Every person who has received a notification number pursuant to clause (1)(b) shall ensure that the notification number is included on all documents required by this chapter to be kept and retained.

Information Note

A person may notify the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by sending a written notification, in the form provided by the minister, to the Saskatchewan Ministry of Environment. A form may be requested from the Saskatchewan Ministry of Environment at:

Saskatchewan Ministry of Environment
1-800-567-4224 (toll free in Canada)
Centre.Inquiry@gov.sk.ca

The completed form may be submitted to the minister in accordance with the directions set out in the form.

Transitional-permits

- 1-3(1) Notwithstanding subsection (2), for the purposes of subsection 103(4) of the Act, every permit issued pursuant to *The Clean Air Act* to operate an industrial source, an incinerator or fuel-burning equipment remains in force until January 1, 2020 unless the permit is suspended or cancelled in accordance with the Act.
- (2) Subject to subsection (1), for the purposes of subsection 103(3) of the Act, every permit issued pursuant to *The Clean Air Act* is cancelled on the day on which section 1 of *The Environmental Management and Protection (Saskatchewan Environmental Code Adoption) Regulations* comes into force.
- (3) Every industrial source facility owner who holds a permit mentioned in subsection (1) shall:
 - (a) on or before January 1, 2019, provide a report to the minister that sets out the progress that has been made with respect to the plans required pursuant to clause (c);
 - (b) on or before October 1, 2019, provide the minister with the notification required pursuant to subsection 1-2(1); and
 - (c) on or before December 31, 2019, have an environmental protection plan prepared and certified in accordance with section 1-9, and accepted by the minister pursuant to section 27 of the Act.

Qualified person and certificates

- 1-4(1) For the purposes of clause 2(1)(bb) of the Act, in this chapter, “qualified person” means:
 - (a) for the purposes of certifying an environmental protection plan:
 - (i) a person licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*; or
 - (ii) an individual who is designated by the minister or who is a member of a class of persons designated by the minister pursuant to the Act to undertake that activity;
 - (b) for the purposes of certifying the quality assurance and quality control sampling and analytical procedures, any person mentioned in clause (a).

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

Information Note

The identification of a person as a qualified person does not entitle that person to engage in an activity if that activity is within the exclusive scope of practice of a profession and that person is not a member of that profession.

Environmental samples and laboratory analysis

- 1-5(1) Subject to subsection (2), every industrial source facility owner shall ensure that **environmental** samples are:
- (a) collected, preserved, stored, handled or analysed in accordance with a method approved by a standards-setting organization; and
 - (b) if analysed by a laboratory, analysed by a laboratory accredited pursuant to the requirements of the Canadian Association for Laboratory Accreditation in accordance with the parameters for which the laboratory has been accredited.
- (2) If no parameter-specific environmental sampling method or analytical method accreditation process exists, every industrial source facility owner shall ensure that a qualified person provides a certificate stating that, in his or her opinion, the quality assurance and quality control for sampling and analytical procedures produce accurate, precise and reliable results.

Information Note

Standards-setting organizations include bodies such as the Standards Council of Canada, the Canadian Standards Association, the Underwriters Laboratories of Canada, the International Organization for Standardization, the American Society for Testing and Materials (ASTM) International and the United States Environmental Protection Agency.

General records

- 1-6(1) Every industrial source facility owner shall ensure that the following records are kept and retained for at least 7 years from the date the record was created:
- (a) records of any environmental sampling, analysis or monitoring that has been conducted, including:
 - (i) the results of any environmental analysis;
 - (ii) the date, location and time of environmental sampling or monitoring;
 - (iii) the name of the person collecting the environmental sample;
 - (iv) an identification of the environmental sample type;

- (v) the date of analysis of the environmental sample;
 - (vi) the sampling method used;
 - (vii) the name of the laboratory that performed the analysis of the environmental sample;
 - (viii) the name of the person responsible for performing the analysis of the environmental sample; and
 - (ix) the quality assurance and quality control records of any environmental samples;
 - (b) any certificate received from a qualified person.
- (2) Every industrial source facility owner shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

Industrial sources

- 1-7** For the purposes of clause 51(e) of the Act, the following are **prescribed** categories of facilities, operations and equipment:
- (a) an incinerator;
 - (b) a coal-fired power plant;
 - (c) a mine or solution mine, and its associated facilities;
 - (d) a manufacturing plant that produces steel, fertilizer, cement or chemicals;
 - (e) a petroleum refinery;
 - (f) a petroleum upgrader;
 - (g) a pulp, or pulp and paper, facility;
 - (h) an oriented strand board facility;
 - (i) an asphalt refinery;
 - (j) an ethanol plant;
 - (k) an oil seed processing and dehydration facility;
 - (l) an edible oil facility;
 - (m) a facility that annually emits, or is expected to annually emit:
 - (i) more than 10 metric tonnes of one type of Class I **air contaminant** listed in the Appendix;
or
 - (ii) more than 25 metric tonnes of any combination of three or more types of Class I air contaminants listed in the Appendix.

Results-based objective

- 1-8(1)** The results-based objective of this chapter is to limit the probability of unacceptable **adverse effects** resulting from the activity addressed by this chapter.
- (2) The results-based objective mentioned in subsection (1) must be satisfied by managing direct and passive contact with air emissions by taking reasonable and prudent measures to:
- (a) site an industrial source facility in an acceptable location with respect to:
 - (i) environmental and human receptors and places of concern, including, but not limited to, cemeteries and historical sites; and
 - (ii) topography and **surface water** hydrology;
 - (b) ensure that the **ambient air** quality standards set out in Table 20 of the Saskatchewan Environmental Quality Standard are met;
 - (c) ensure that the applicable sector-specific emission limit standards set out in Table 21 of the Saskatchewan Environmental Quality Standard are met;
 - (d) calculate or measure annual air contaminants in a manner that:
 - (i) is scientifically defensible; and
 - (ii) accurately determines the level of air contaminants with sufficient detail to allow the determination to be verified;
 - (e) minimize the effects of air contaminants on ground and surface water quality and on the aquatic and terrestrial ecology;
 - (f) minimize the release of fugitive air contaminants from industrial source facilities;
 - (g) prepare and maintain an emergency response contingency plan for industrial source facilities; and
 - (h) include components on monitoring, recording and reporting.

Environmental protection plan

- 1-9** Every person who intends to become an industrial source facility owner shall:
- (a) have an environmental protection plan prepared that sets out the methods that will be employed to satisfy the results-based objective described in section 1-8;
 - (b) ensure that a qualified person provides a certificate stating that, in his or her opinion, the methods and components in the environmental protection plan, if carried out in accordance with that plan, will satisfy the results-based objective described in section 1-8; and
 - (c) submit the following documents to the minister:
 - (i) the environmental protection plan for acceptance pursuant to section 27 of the Act;
 - (ii) the certificate from a qualified person obtained pursuant to clause (b).

Information Note

The environmental protection plan, and the certificate(s) from a qualified person, may be submitted to the minister:

- (1) electronically by using the following link: www.environment.gov.sk.ca; or
- (2) by sending the documents to a Saskatchewan Ministry of Environment office. A list of office locations can be requested from:

Saskatchewan Ministry of Environment
 1-800-567-4224 (toll free in Canada)
 Centre.Inquiry@gov.sk.ca

In accordance with section 27 of the Act, the minister may accept the environmental protection plan, accept the environmental protection plan and impose terms and conditions or refuse to accept the environmental protection plan.

Appendix

Class I Air Contaminants
sulphur dioxides (SO ₂)
oxides of nitrogen (expressed as NO ₂)
fine particulate matter (PM _{2.5})
coarse particulate matter (PM10)
carbon monoxide (CO)
volatile organic compounds (VOCs)

Glossary of Terms

Act

The Environmental Management and Protection Act, 2010.

Carbon monoxide (CO)

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

Coarse particulate matter (PM₁₀)

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

Emergency response contingency plan

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

Fine particulate matter (PM_{2.5})

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

Fugitive air contaminant

A fugitive air contaminant is any of the following:

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

Incinerator

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

Industrial source facility

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

Industrial source facility owner

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

Intensive livestock operation

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

Oxides of nitrogen (expressed as NO₂)

Includes nitric oxide (NO) (CAS No. 10102-43-9) and nitrogen dioxide (NO₂) (CAS No. 1012-44-0).

Qualified Person Certification Standard

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

Saskatchewan Environmental Quality Standard

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

Sulphur dioxide (SO₂)

A gas formed during oxidation reactions involving sulphur and oxygen.

Volatile organic compounds (VOCs)

Volatile organic compounds that participate in atmospheric photochemical reactions.

Standards Referenced in this Chapter

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

- Qualified Person Certification Standard
- Saskatchewan Environmental Quality Standard