

1976 Bill 73

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Second Session, 18th Legislature, 25 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 73**

**THE ENVIRONMENT STATUTES AMENDMENT  
ACT, 1976**

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MR. BRADLEY

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First Reading .....

Second Reading .....

Third Reading .....

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*Bill 73*  
*Mr. Bradley*

## **BILL 73**

1976

### **THE ENVIRONMENT STATUTES AMENDMENT ACT, 1976**

*(Assented to , 1976)*

HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

#### **The Clean Air Act**

1. *(1) The Clean Air Act is amended by this section.*

*(2) Section 1, clause (b), subclause (i) is amended by striking out the words "level of density" and substituting the word "concentration".*

*(3) Section 3 is amended*

*(a) as to subsection (1) by striking out clauses (b), (c), (d), (e), (f), (g) and (h) and substituting the following:*

- (b) prescribing the maximum permissible calculated ground level concentration for an air contaminant for all or any part of Alberta;*
- (c) prescribing the maximum concentration of an air contaminant that may be emitted into the atmosphere from a plant, structure or thing;*
- (d) prescribing the maximum weight of an air contaminant that may be emitted into the atmosphere from a plant, structure or thing;*

## **Explanatory Notes**

### **The Clean Air Act**

1. (1) This section will amend chapter 16 of the Statutes of Alberta, 1971.

(2) This amendment is intended to effect a drafting clarification. Section 1(b)(i) presently reads;

*(b) "air pollution" means*

*(i) the presence in the atmosphere of any air contaminant in excess of the permissible level of density prescribed in the regulations for that air contaminant, or*

(3) Section 3(1)(b) to (h) presently read:

3. (1) *The Minister may make regulations*

*(b) prescribing maximum calculated ground level concentration standards for any air contaminant for all or any part of Alberta;*

*(c) prescribing the maximum concentration of any air contaminant emitted to the atmosphere from any plant, structure or thing;*

*(d) prescribing the maximum weight of any air contaminant emitted to the atmosphere from any plant, structure or thing;*

- (e) prescribing the maximum rate of emission of an air contaminant that may be emitted into the atmosphere from a plant, structure or thing;
- (f) prescribing the method or type of method or instrument for measuring or determining
  - (i) the concentration of an air contaminant, or
  - (ii) the calculated ground level concentration of an air contaminant, or
  - (iii) the concentration of an air contaminant emitted into the atmosphere from a plant, structure or thing, or
  - (iv) the weight of an air contaminant emitted into the atmosphere from a plant, structure or thing, or
  - (v) the rate of emission of an air contaminant emitted into the atmosphere from a plant, structure or thing, or
  - (vi) the visible emissions from a plant structure or thing;
- (g) prescribing the point at which a measurement pursuant to the regulations is to take place in, on or outside a plant, structure or thing;
- (h) defining the word "construction" for the purposes of section 4 and the regulations and the expression "maximum permissible calculated ground level concentration" for the purposes of clause (b) and the regulations;

*(b) by adding after subsection (3) the following:*

(4) Regulations made pursuant to subsection (1) may refer to, incorporate or adopt, in whole, in part or with modifications, documents that set out standards of or relate to air quality, the prevention or control of air pollution or the design, construction, maintenance or operation of a plant, structure or thing that may be a source of air pollution.

*(e) prescribing the method or type of method or instrument for measuring or determining*

*(i) the concentration of any air contaminant,*

*(ii) the calculated ground level concentration standard of any air contaminant,*

*(iii) the concentration of any air contaminant emitted to the atmosphere from any plant, structure or thing,*

*(iv) the weight of any air contaminant emitted to the atmosphere from any plant, structure or thing, and*

*(v) the visible emissions from any plant, structure or thing,*

*by reference to any text, periodical, paper or any other publication or in any other manner;*

*(f) prescribing the method or type of method or instrument for measuring the rate of emission of any air contaminant by reference to any text, periodical, paper or any other publication or in any other manner;*

*(g) prescribing the point at which any measurement pursuant to the regulations is to take place in, on or outside any plant, structure or thing by reference to any text, periodical, paper or any other publication or in any other manner;*

*(h) defining the word "construction" in section 4 and the regulations and the words "calculated ground level concentration standard" in this section and the regulations;*

The amendments to clauses (e) and (f) will allow the Minister to make regulations prescribing the maximum rate of emission of an air contaminant that may be emitted into the atmosphere. Subsection (4) will permit the adoption of documents that set out standards of or relate to air pollution. The remaining amendments are consequential amendments or changes in language.

*(4) Section 4 is amended by striking out subsection (5) and substituting the following:*

(5) The Director of Standards and Approvals may

- (a) issue a permit subject to such terms and conditions as he prescribes, including, but not limited to, terms and conditions prescribing such concentrations, weights or rates of emission as are referred to in section 3, subsection (1),
- (b) specify requirements as to the manner and frequency of recording levels of concentration, density and weight of air contaminants emitted by the plant, structure or thing that is the subject of the permit, and
- (c) specify requirements as to the manner in which the plant, structure or thing is to be tested or operated before normal operations commence,

but the terms, conditions or requirements shall not be less stringent than those imposed by the regulations.

*(5) Section 4.1 is amended*

*(a) by striking out subsections (5) and (6) and substituting the following:*

(5) Subject to subsection (6), the Director of Standards and Approvals may issue a licence of such type for such period and subject to such requirements as may be prescribed in the regulations.

(6) The Director of Standards and Approvals may

- (a) issue a licence subject to such terms and conditions as he prescribes, including, but not limited to, terms and conditions prescribing such concentrations, weights or rates of emission as are referred to in section 3, subsection (1), and
- (b) specify requirements as to the manner in which the plant, structure or thing is to be operated,

but the terms, conditions or requirements shall not be less stringent than those imposed by the regulations.

(4) Section 4(5) presently reads:

*(5) The Director of Standards and Approvals may*

- (a) issue a permit subject to such terms and conditions as he prescribes,*
- (b) specify requirements as to the manner and frequency of recording levels of concentration, density and weight of air contaminants emitted by the plant, structure or thing that is the subject of the permit, and*
- (c) specify requirements as to the manner in which the plant, structure or thing is to be tested or operated before normal operations commence.*

This amendment makes it clear that the Director of Standards and Approvals may attach the same type of requirements to a permit for construction of certain plants, structures or things as the Minister may make in regulations under section 3, subsection (1). The terms, conditions or requirements of a permit shall not be less stringent than those imposed by the regulations.

(5) Section 4.1(5), (6) and (8) presently read:

*(5) Upon satisfying himself that a licence should be issued, the Director of Standards and Approvals may issue a licence of such type for such period of time and subject to such conditions as may be prescribed in the regulations.*

*(6) Notwithstanding subsection (5), and notwithstanding anything contained in the regulations, the Director of Standards and Approvals may*

- (a) impose special terms and conditions with respect to any licence he issues, and*
- (b) specify the requirements as to the manner in which the plant, structure or thing is to be operated.*

*(8) A person who*

- (a) fails to comply, or*
- (b) contravenes,*

*a term or condition of a licence is guilty of an offence.*

The first amendment makes it clear that the Director of Standards and Approvals may attach the same type of requirements to a licence as to emissions from a plant, structure or thing as the Minister may make in regulations under section 3, subsection (1). If the Minister has made regulations relating to emissions from the plant, structure or thing, the terms, conditions or requirements attached to a licence may not be less stringent than the requirements of the regulations. The second amendment clarifies the intent of the former subsection (8).

*(b) by striking out subsection (8) and substituting the following:*

(8) A person who operates or uses a plant, structure or thing referred to in section 4, subsection (1)

(a) in respect of which there is no licence,  
or

(b) in contravention of a term, condition or requirement of a licence,

is guilty of an offence.

*(6) The following sections are added after section 4.6:*

**4.7** (1) The holder of a permit or a licence may apply to the Minister for a certificate of variance to vary a term, condition or requirement of a permit or licence or a requirement of the regulations.

(2) An application for a certificate of variance and a certificate of variance shall be in such form as the Minister may prescribe.

(3) The Minister may employ experts to advise him with respect to, or to inquire into and report to him with respect to, an application for a certificate of variance.

**4.8** (1) The Minister may issue a certificate of variance if he is of the opinion that

(a) the plant, structure or thing is operating or is likely to operate in contravention of a term, condition or requirement of a permit or licence or a requirement of the regulations as a result of factors beyond the control of the applicant,

(b) the variation is not likely to result in air pollution of a degree that could be detrimental to life or health or adversely affect property, and

(c) a refusal to grant a certificate of variance would result in serious hardship to the applicant without an offsetting benefit to others.



(6) The new sections will recognize that on occasion prescribed standards may be exceeded unintentionally due to conditions that are beyond the control of the operator of a plant, structure or thing. Remedial measures may take some reasonable time to be put into effect and reasonable variations of the prescribed terms and conditions of the applicable permit, licence or regulations may be required during the period before the measures are put into effect.

(2) The Minister may

- (a) impose special terms and conditions with respect to any certificate of variance, and
- (b) specify requirements as to the manner in which the plant, structure or thing to which the certificate of variance refers is to be operated.

(3) A certificate of variance shall be in effect during the period prescribed in it and, notwithstanding any other provision of this Act or the regulations, during that period

- (a) the terms, conditions or requirements set out in it, and
- (b) the terms, conditions or requirements of a permit or licence or the regulations, not varied by it,

apply to the plant, structure or thing to which the certificate of variance refers.

(4) A person who contravenes a term, condition or requirement of a certificate of variance is guilty of an offence.

*(7) Section 6 is amended by striking out subsection (1) and substituting the following:*

**6. (1) Where it appears to the Director of Pollution Control**

- (a) that there exists in the atmosphere in any part of Alberta an air contaminant
  - (i) in concentrations that exceed or in the opinion of the Director of Pollution Control will exceed the maximum permissible concentration prescribed with respect to that contaminant by the regulations, or
  - (ii) in concentrations that exceed or in the opinion of the Director of Pollution Control will exceed the maximum permissible calculated ground level concentration prescribed with respect to that contaminant by the regulations, or
  - (iii) that exceeds or in the opinion of the Director of Pollution Control will exceed the maximum visible emissions permitted by the regulations to be emitted, or

(7) Section 6(1) presently reads:

6. (1) *Where it appears to the Director of Pollution Control that there exists in the atmosphere in any part of Alberta*

*(a) an air contaminant*

*(i) in concentrations that exceed or in the opinion of the Director of Pollution Control will exceed the maximum permissible level of density prescribed for that contaminant in the regulations, or*

*(ii) in concentrations that exceed or in the opinion of the Director of Pollution Control will exceed the maximum permissible calculated ground level concentration standard prescribed for that air contaminant in the regulations, or*

*(iii) in concentrations that exceed or in the opinion of the Director of Pollution Control will exceed the maximum concentration permitted to be emitted from any plant, structure or thing in the regulations, or*

(iv) that has an offensive odour, or

(v) that is or is likely to be detrimental to life or health or to adversely affect property,

or

(b) that an air contaminant has been emitted or is being emitted into the atmosphere from a plant, structure or thing

(i) in concentrations that exceeded, are exceeding or in the opinion of the Director of Pollution Control will exceed the maximum concentration permitted by the regulations to be emitted from any plant, structure or thing, or

(ii) in amounts that exceeded, are exceeding or in the opinion of the Director of Pollution Control will exceed the maximum weight or the maximum rate of emission permitted by the regulations to be emitted from any plant, structure or thing,

the Director of Pollution Control may issue one or more orders (in this section called "emission control orders"), directed at persons owning or operating any plants, structures or things that the Director of Pollution Control considers to be the source of, or one of the sources of, the air contaminant.

*(8) Section 10 is amended by striking out clause (j) and substituting the following:*

(j) referring to, incorporating or adopting, in whole, in part or with modifications, documents that set out standards of or relate to air quality, the prevention or control of air pollution or the design, construction, maintenance or operation of a plant, structure or thing that may be a source of air pollution;

## **The Clean Water Act**

*2. (1) The Clean Water Act is amended by this section.*

*(iv) in concentrations that exceed or in the opinion of the Director of Pollution Control will exceed the maximum weight permitted to be emitted from any plant, structure or thing in the regulations, or*

*(v) that exceeds or in the opinion of the Director of Pollution Control will exceed the maximum visible emissions permitted to be emitted in the regulations,*

*or*

*(b) an air contaminant having an offensive odour, the Director of Pollution Control may issue one or more orders (in this section called "emission control orders"), directed at persons owning or operating any plants, structures or things that the Director of Pollution Control considers to be the source of, or one of the sources of, the air contaminant.*

The proposed clause (a), subclause (v) will give the Director of Pollution Control power to issue an emission control order where it appears to him that there is in the atmosphere an air contaminant that is or is likely to be detrimental to life or health or to adversely affect property. The remaining amendments are consequential to the amendments to section 3, subsection (1) or are intended for clarification.

(8) Section 10(j) presently reads:

10. *The Lieutenant Governor in Council may make regulations:*

*(j) declaring any code pertaining to the prevention, control or elimination of air pollution or the design construction, maintenance of air pollution of any type of plant, structure or thing that may be a source of air pollution and issued or published by any government or association to be in force, either in whole or in part or with such modifications as are specified in the regulations;*

This amendment is complementary to the amendment to section 3, subsection (4).

## **The Clean Water Act**

2. (1) This section will amend chapter 17 of the Statutes of Alberta,

*(2) Section 3 is amended*

*(a) as to subsection (1), clause (a) by adding after the words "and the" the word "maximum";*

*(b) as to subsection (1), by striking out clauses (d), (e), (f), (g), (h), (i) and (j) and substituting the following:*

- (d) prescribing the maximum permissible calculated concentration in surface water for a water contaminant for all or any part of Alberta;
- (e) prescribing the maximum concentration of a water contaminant that may be discharged into surface water or a watercourse from a water facility;
- (f) prescribing the maximum amount of a water contaminant that may be discharged into surface water or a watercourse from a water facility;
- (g) prescribing the maximum rate of discharge of a water contaminant that may be discharged into surface water or a watercourse from a water facility;
- (h) prescribing the method or type of method or instrument for measuring or determining
  - (i) the concentration of a water contaminant, or
  - (ii) the calculated concentration of a water contaminant, or
  - (iii) the concentration of a water contaminant discharged into surface water or a watercourse from a water facility, or
  - (iv) the rate of release of a water contaminant discharged into surface water or a watercourse from a water facility, or
  - (v) the amount or rate of discharge of a water contaminant discharged into surface water or a watercourse from a water facility;
- (i) prescribing the point at which a measurement pursuant to the regulations is to take place in, on or outside a water facility in surface water or a watercourse;

(2) Section 3(1)(a) and (d) to (j) presently read:

3. (1) *The Minister may make regulations*

- (a) prescribing water contaminants and the permissible concentration in surface water of any water contaminant either generally or with respect to any part of Alberta or any watercourse specified in the regulations;*
- (d) prescribing the calculated water contaminant standard in surface water for any water contaminant for all or any part of Alberta;*
- (e) prescribing the maximum concentration of any water contaminant discharged into surface water or a watercourse from any water facility;*
- (f) prescribing the maximum amount of any water contaminant discharged into surface water or a watercourse from any water facility;*
- (g) prescribing the method or type of method or instrument for measuring or determining
  - (i) the concentration of any water contaminant,*
  - (ii) the calculated water contaminant standard of any water contaminant,*
  - (iii) the concentration of any water contaminant discharged to any surface water or watercourse from any water facility,*
  - (iv) the amount of any water contaminant discharged to any surface water or watercourse from any water facility,**  
*by reference to any text, periodical, paper or any other publication or in any other manner;*
- (h) prescribing the measurement of the rate of release of any water contaminant, by reference to any text, periodical, paper or any other publication or in any other manner;*
- (i) prescribing the point at which any measurement pursuant to the regulations is to take place in, on or outside any water facility in any surface water or watercourse, by reference to any text, periodical, paper or any other publication or in any other manner;*
- (j) defining the words "construction" and "operation" in section 4 and the regulations and the expression "calculated water contaminant standard" in this section and the regulations;*

The amendments to clauses (g) and (h) will allow the Minister to make regulations prescribing a maximum rate of discharge for a water contaminant that may be discharged into surface water or a watercourse. Subsection (3) will permit the adoption of documents that set out standards of or relate to water pollution. The remaining amendments are consequential amendments or changes in language.

- (j) defining the words "construction" and "operation" for the purposes of sections 4 and 4.1 and the regulations and the expression "maximum permissible calculated concentration" for the purposes of clause (d) and the regulations;

*(c) by adding after subsection (2) the following:*

(3) Regulations made pursuant to subsection (1) may refer to, incorporate or adopt, in whole, in part or with modifications, documents that set out standards of or relate to water quality, water pollution, the design, construction, maintenance or operation of a water facility, any equipment, device or apparatus that may be used in connection with a water facility, the measurement of water contaminants or any other matter pertaining to water supplies.

*(3) Section 4 is amended by striking out subsection (5) and substituting the following:*

(5) The Director of Standards and Approvals may

- (a) issue a permit subject to such terms and conditions as he prescribes, including, but not limited to, terms and conditions prescribing such contaminants, concentrations, temperatures, amounts or rates of discharge as are referred to in section 3, subsection (1),
- (b) specify requirements as to the manner and frequency of recording concentrations of water contaminants discharged or caused by the water facility that is the subject of the permit, and
- (c) specify requirements as to the manner in which the water facility is to be tested or operated before normal operations commence,

but the terms, conditions or requirements shall not be less stringent than those imposed by the regulations.



(3) Section 4(5) presently reads:

*(5) The Director of Standards and Approvals may*

- (a) issue a permit subject to such terms and conditions as he prescribes,*
- (b) specify requirements as to the manner and frequency of recording concentrations of water contaminants discharged or caused by the water facility that is the subject of the permit, and*
- (c) specify requirements as to the manner in which the water facility is to be tested or operated before normal operations commence.*

This amendment makes it clear that the Director of Standards and Approvals may attach the same type of requirements to a permit for construction of certain plants, structures or things as the Minister may make in regulations under section 3, subsection (1). The terms, conditions or requirements of a permit shall not be less stringent than those imposed by the regulations.

*(4) Section 4.1 is amended*

*(a) by striking out subsections (5) and (6) and substituting the following:*

(5) Subject to subsection (6), the Director of Standards and Approvals may issue a licence of such type for such period and subject to such requirements as may be prescribed in the regulations.

(6) The Director of Standards and Approvals may

- (a) issue a licence subject to such terms and conditions as he prescribes, including, but not limited to, terms or conditions prescribing such contaminants, concentrations, temperatures, amounts or rates of discharge as are referred to in section 3, subsection (1), and
- (b) specify requirements as to the manner in which the water facility is to be operated,

but the terms, conditions or requirements shall not be less stringent than those imposed by the regulations.

*(b) by striking out subsection (8) and substituting the following:*

(8) A person who operates or uses a water facility

- (a) in respect of which there is no licence, or
- (b) in contravention of a term, condition or requirement of a licence,

is guilty of an offence.

(4) Section 4.1(5), (6) and (8) presently read:

*(5) Upon satisfying himself that a licence should be issued, the Director of Standards and Approvals may issue a licence of such type for such period of time and subject to such conditions as may be prescribed in the regulations.*

*(6) Notwithstanding subsection (5), and notwithstanding anything contained in the regulations, the Director of Standards and Approvals may*

*(a) impose special terms and conditions with respect to any licence he issues, and*

*(b) specify the requirements as to the manner in which the water facility is operated.*

*(8) A person who*

*(a) fails to comply, or*

*(b) contravenes,*

*a term or condition of a licence is guilty of an offence.*

The first amendment makes it clear that the Director of Standards and Approvals may attach the same type of requirement to a licence to operate a water facility as the Minister may make in regulations under section 3, subsection (1). If the Minister has made regulations relating to the operation of water facilities, the terms and conditions attached to a licence may not be less stringent than the requirements of the regulations. The second amendment clarifies the intent of the former subsection (8).

*(5) The following sections are added after section 4.7:*

**4.8** (1) The holder of a permit or a licence may apply to the Minister for a certificate of variance to vary a term, condition or requirement of a permit or licence or a requirement of the regulations.

(2) An application for a certificate of variance and a certificate of variance shall be in such form as the Minister may prescribe.

(3) The Minister may employ experts to advise him with respect to, or to inquire into and report to him with respect to, an application for a certificate of variance.

**4.9** (1) The Minister may issue a certificate of variance if he is of the opinion that

- (a) the water facility is operating or is likely to operate in contravention of a term, condition or requirement of a permit or licence or a requirement of the regulations as a result of factors beyond the control of the applicant,
- (b) the variation is not likely to result in water pollution of a degree that could be detrimental to life or health or adversely affect property, and
- (c) a refusal to grant a certificate of variance would result in serious hardship to the applicant without an offsetting benefit to others.

(2) The Minister may

- (a) impose special terms and conditions with respect to any certificate of variance, and
- (b) specify requirements as to the manner in which the water facility to which the certificate of variance refers is to be operated.

(5) The new sections will recognize that on occasion prescribed standards may be exceeded unintentionally due to conditions that are beyond the control of the operator of a plant, structure or thing. Remedial measures may take some reasonable time to be put into effect and reasonable variations of the prescribed terms and conditions of the applicable permit, licence or regulations may be required during the period before the measures are put into effect.

(3) A certificate of variance shall be in effect during the period prescribed in it and, notwithstanding any other provision of this Act or the regulations, during that period

(a) the terms, conditions or requirements set out in it, and

(b) the terms, conditions or requirements of a permit or licence or the requirements of the regulations, not varied by it,

apply to the water facility to which the certificate of variance refers.

(4) A person who contravenes a term, condition or requirement of a certificate of variance is guilty of an offence.

*(6) Section 6 is amended by striking out subsection (1) and substituting the following:*

6. (1) Where it appears to the Director of Pollution Control

(a) that any surface water or underground fresh water in any part of Alberta contains a water contaminant

(i) in concentrations that exceed or in the opinion of the Director of Pollution Control will exceed the maximum permissible concentration in water prescribed with respect to that water contaminant by the regulations, or

(ii) in concentrations that exceed or in the opinion of the Director of Pollution Control will exceed the maximum permissible calculated concentration prescribed with respect to that water contaminant by the regulations, or

(iii) that has a disagreeable appearance, or

(iv) that is or is likely to be detrimental to life or health or to adversely affect property,

or

(b) that a water contaminant has been discharged or is being discharged into surface water or underground fresh water from a water facility

(6) Section 6(1) presently reads:

6. (1) *Where it appears to the Director of Pollution Control that any surface water or underground fresh water in any part of Alberta*

- (a) contains a water contaminant in concentrations that exceed or in the opinion of the Director of Pollution Control will exceed the permissible concentration in water prescribed for that water contaminant in the regulations, or*
- (b) contains a water contaminant that exceeds or in the opinion of the Director of Pollution Control will exceed the permissible calculated water contaminant standard for that water contaminant in the regulations, or*
- (c) contains a water contaminant in concentrations that exceed or in the opinion of the Director of Pollution Control will exceed the concentration permitted to be emitted from any water facility, or*
- (d) contains a water contaminant in amounts that exceed or in the opinion of the Director of Pollution Control will exceed the amount permitted to be released from any water facility specified in the regulations, or*
- (e) contains a water contaminant having a disagreeable appearance, or*
- (f) has undergone or is likely to undergo a change in temperature in contravention of the regulations,*

*the Director of Pollution Control may issue one or more orders (in this section called "water quality control orders", directed at persons owning or operating any water facility or plants, structures or things that the Director of Pollution Control considers to be the source of, or one of the sources of the water contaminant or the change in temperature.*

The proposed clause (a), subclause (iv) will give the Director of Pollution Control power to issue a water quality control order where it appears to him that there is in any surface water or underground fresh water a water contaminant that is or is likely to be detrimental to life or health or to adversely affect property. The remaining amendments are consequential to the amendments to section 3, subsection (1) or are intended for clarification.

(i) in concentrations that exceeded, are exceeding or in the opinion of the Director of Pollution Control will exceed the maximum concentration permitted by the regulations to be emitted from a water facility, or

(ii) in amounts that exceeded, are exceeding or in the opinion of the Director of Pollution Control will exceed the maximum amount or the maximum rate of discharge permitted by the regulations to be released from a water facility,

or

(c) that any surface water or underground fresh water has undergone or is likely to undergo a change in temperature in contravention of the regulations,

the Director of Pollution Control may issue one or more orders (in this section called "water quality control orders"), directed at persons owning or operating any water facility or plants, structures or things that the Director of Pollution Control considers to be the source of, or one of the sources of the water contaminant or the change in temperature.





*(7) Section 10 is amended*

*(a) as to clause 18, by striking out the word "repair,";*

*(b) by adding after clause 18 the following:*

18.1 empowering the Director of Pollution Control to order a municipal corporation or other person to repair or properly operate or maintain a water facility or any part thereof, and prescribing the powers and duties of the municipal corporations or other persons to whom such orders are directed;

*(c) by striking out clause 22 and substituting the following:*

22. referring to, incorporating or adopting, in whole, in part or with modifications, documents that set out standards of or relate to water quality, water pollution, the design, construction, maintenance or operation of a water facility, any equipment, device or apparatus that may be used in connection with a water facility, the measurement of water contaminants or any other matter pertaining to water supplies;

(7) Section 10, clauses 18 and 22 presently read:

10. *The Lieutenant Governor in Council may make regulations*

18. *empowering the Director of Standards and Approvals to order a municipal corporation or other person to construct, improve, repair, replace, extend, enlarge or modify any water facility or any part thereof, and prescribing the powers and duties of the municipal corporations or other persons to whom such orders are directed;*
22. *declaring any code pertaining to water quality, water pollution, the design, construction, maintenance or operation of any type of water facility or any equipment, device or apparatus used in connection with any type of water facility, the measurement of water contaminants or any matter pertaining to water supplies and issued or published by any government or association to be in force, either in whole or in part or with such modifications as are specified in the regulations;*

The first two amendments redefine the roles of the Director of Standards and Approvals and The Director of Pollution Control as they relate to municipal corporations, in accordance with the scheme of the Act. The third amendment is complementary to the proposed section 3, subsection (3).

### **The Department of The Environment Act**

3. *(1) The Department of the Environment Act is amended by this section.*

*(2) Section 9 is amended by adding after subsection (2) the following:*

(3) The Minister of the Environment may not sell any public land under his administration, but he may dispose of an interest in the land upon such terms and conditions and for such period of time as the Minister may prescribe in the disposition.

*(3) Section 15, subsection (2) is amended by striking out clause (g) and substituting the following:*

(g) the prohibition, with respect to any land of the Crown in the Area, of any expropriation to which *The Expropriation Act* applies;

4. *This Act comes into force on the day upon which it is assented to.*

### **The Department of The Environment Act**

**3.** (1) This section will amend chapter 24 of the Statutes of Alberta, 1971.

(2) Power of the Minister to dispose of an interest in public land under his administration.

(3) Section 15(2)(g) presently reads:

*(2) Notwithstanding any other Act, where the Lieutenant Governor in Council establishes a Restricted Development Area or Water Conservation Area, he may, in the same regulation or in any subsequent regulation, provide for*

*(g) making any or all of the provisions of The Expropriation Act inapplicable to lands of the Crown in the Area;*

This amendment clarifies the intent of the present clause (g).