

1984 BILL 68

Second Session, 20th Legislature, 33 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 68

ENVIRONMENT STATUTES AMENDMENT ACT, 1984

THE MINISTER OF THE ENVIRONMENT

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 68

1984

ENVIRONMENT STATUTES AMENDMENT ACT, 1984

(Assented to _____, 1984)

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

Hazardous Chemicals Act

1(1) The Hazardous Chemicals Act is amended by this section.

(2) Section 1 is amended

(a) by adding the following after clause (c):

(c.1) "contractor", in relation to the Corporation, means a person with whom the Corporation has entered into an agreement pursuant to section 15 of the *Special Waste Management Corporation Act*;

(c.2) "Corporation" means the Alberta Special Waste Management Corporation;

(b) by adding the following after clause (g):

(g.01) "hazardous waste management facility" means a facility for the reception, collection, movement, examination, storage, treatment or disposal of hazardous waste;

(c) by adding the following after clause (l):

(m) "treatment", with reference to hazardous waste, means any operation for the treatment, recycling or salvaging of the hazardous waste so that it no longer constitutes a danger to the environment, plant or animal life or human health.

Hazardous Chemicals Amendment Act, 1982

2(1) The Hazardous Chemicals Amendment Act, 1982 is amended by this section.

(2) Section 6 is amended by repealing section 7.4 and substituting the following:

7.4(1) Subject to the regulations under section 16(1)(l), no person, other than the Corporation, a contractor of the Corporation or a person authorized to do so pursuant to subsection (2), shall

Explanatory Notes

Hazardous Chemicals Act

1(1) This section will amend chapter H-3 of the Revised Statutes of Alberta 1980.

(2) Definitions.

Hazardous Chemicals Amendment Act, 1982

2(1) This section will amend chapter 20 of the Statutes of Alberta, 1982.

(2) Section 7.4 presently reads:

7.4(1) No person shall

(a) consign or transport hazardous waste to, or

(b) store, treat or dispose of, or accept for storage, treatment or disposal, hazardous waste in,

- (a) store any hazardous waste,
 - (b) operate a facility for the collection of any hazardous waste,
 - (c) transport any hazardous waste for delivery to any place in Alberta except
 - (i) a Corporation facility as defined in the *Special Waste Management Corporation Act*, or
 - (ii) a hazardous waste management facility operated by the holder of an authorization under subsection (2) that permits the holder to receive the hazardous waste,
 - (d) treat any hazardous waste, or
 - (e) dispose of any hazardous waste or of any waste matter resulting from the treatment of any hazardous waste.
- (2) The Corporation may, on any conditions it considers necessary, authorize a person to do any or all of the following:
- (a) store a hazardous waste;
 - (b) operate a facility for the collection of hazardous waste;
 - (c) transport a hazardous waste;
 - (d) treat a hazardous waste;
 - (e) dispose of a hazardous waste or of waste matter resulting from the treatment of a hazardous waste.
- (3) A person who contravenes this section is guilty of an offence and liable to a fine of not more than \$100 000 for each day that the offence continues.
- (4) If a person has contravened or is contravening this section, the Court of Queen's Bench may, on the application of the Minister by originating notice, make an order
- (a) restraining that person from further contravening this section, and
 - (b) directing that person to take any remedial measures the Court considers appropriate in relation to any hazardous waste in that person's possession or under that person's control.
- (3) *Section 12(b) is amended by adding the following after clause (i):*
- (j) respecting the storage, collection, transportation and treatment of hazardous wastes and the disposal of hazardous waste and waste matter resulting from the treatment of hazardous wastes;
 - (k) without restricting the generality of clause (j), respecting bonding requirements;
 - (l) respecting the circumstances under which and the conditions on which any of the provisions of section 7.4(1) do not apply to a person who
 - (i) treats or stores a hazardous waste, or

any place except a facility operating in accordance with the law and with the terms, conditions and requirements of a licence, certificate of variance or approval issued pursuant to the Clean Air Act or Clean Water Act or the regulations under either Act.

(2) A person who contravenes this section is guilty of an offence and liable to a fine of not more than \$10 000.

(3) Section 12 presently reads:

12 Section 16 is amended

(a) by renumbering it as section 16(1);

(b) by adding the following after subsection (1)(e):

(f) establishing a Schedule of hazardous chemicals and classifying those hazardous chemicals into such classes and sub-classes as he thinks fit;

(g) governing the completion, retention, use, disposition and filing of manifests and copies of manifests and prescribing the form of the manifest;

(ii) disposes of a hazardous waste or of waste matter resulting from the treatment of a hazardous waste,
on premises occupied by that person.

Special Waste Management Corporation Act

3(1) The Special Waste Management Corporation Act is amended by this section.

(2) Section 15(1) is amended by striking out “The Corporation” and substituting “Without limiting the generality of section 16, the Corporation”.

(3) Section 16 is repealed and the following is substituted:

16 The Corporation may enter into any agreement or arrangement or do any other thing that relates to or is incidental to

(a) the attainment of the Corporation’s objects, or

(b) the exercise, performance or carrying out by the Corporation of its powers and duties under this or any other Act.

Commencement

4 This Act comes into force on Proclamation.

(h) governing the storage or disposal of hazardous chemicals;

(i) exempting a hazardous chemical or type of hazardous chemical from all or any of the provisions of this Act or the regulations and specifying the conditions for the exemption.

(2) Regulations under subsection (1)(d) or (h) may be made to apply to hazardous chemicals in general or to particular hazardous chemicals or types of hazardous chemical only.

Special Waste Management Corporation Act

3(1) This section will amend chapter S-21.5 of the Statutes of Alberta, 1982.

(2) Section 15(1) presently reads:

15(1) The Corporation may establish and operate, or enter into agreements with other persons to establish and operate, such hazardous waste management facilities as it considers necessary to carry out its objects.

(3) Section 16 presently reads:

16 The Corporation may do anything that is incidental to the attainment of its objects or to any of its powers or duties under this Act.