

2002 BILL 202

Second Session, 25th Legislature, 51 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 202

**ENVIRONMENTAL PROTECTION AND
ENHANCEMENT (CLEAN-UP INSTRUCTIONS)
AMENDMENT ACT, 2002**

MRS. JABLONSKI

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 202

2002

ENVIRONMENTAL PROTECTION AND ENHANCEMENT (CLEAN-UP INSTRUCTIONS) AMENDMENT ACT, 2002

(Assented to _____, 2002)

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

Amends RSA
2000 cE-12

1 The *Environmental Protection and Enhancement Act* is amended by this Act.

2 The following is added after section 112:

Issuance of
instructions by
Director

112.1(1) When the release of a substance has been reported under section 110, the Director must issue instructions immediately to the person responsible for the substance to restore the area affected by the release to a condition satisfactory to the Director.

(2) When instructions are issued under subsection (1) and the person to whom the instructions are issued fails to comply, the Director shall issue an environmental protection order to the person responsible for the substance.

3 Section 120 is amended by adding the following after clause (d):

(d.1) respecting the manner in which the Director issues instructions under section 112.1;

4 The following is added after section 256:

Review of Act

257 The Minister must begin a comprehensive review of this Act within 10 years of the coming into force of this section, and every 10 years after that, and must submit to the Legislative Assembly, within one year after beginning the review, a report that includes any amendments recommended by the Minister.

5 This Act comes into force on Proclamation.

Explanatory Notes

1 Amends chapter E-12 of the Revised Statutes of Alberta, 2000.

2 Issuance of instructions by Director.

3 Section 120 presently reads:

120 The Lieutenant Governor in Council may make regulations

- (a) respecting the procedure for the submission of applications for remediation certificates and the plans, specifications and other information that must accompany applications;*
- (b) respecting the manner in which remediation is to be carried out;*

- (c) *respecting the establishment of standards or criteria to be used to determine whether remediation has been completed in a satisfactory manner;*
- (d) *respecting the provision to the Director of information and reports relating to the remediation;*
- (e) *prescribing dates or the manner of determining dates for the purposes of section 118, generally or in respect of different classes of land or releases of substances;*
- (f) *respecting terms and conditions that may be contained in remediation certificates;*
- (g) *respecting the giving of notices for the purposes of section 117.*

4 Review of Act.

5 Coming into force.