

2013 Bill 21

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First Session, 28th Legislature, 62 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 21**

## **ENVIRONMENTAL PROTECTION AND ENHANCEMENT AMENDMENT ACT, 2013**

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MS JANSEN

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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*Bill 21*  
*Ms Jansen*

## **BILL 21**

2013

### **ENVIRONMENTAL PROTECTION AND ENHANCEMENT AMENDMENT ACT, 2013**

*(Assented to \_\_\_\_\_, 2013)*

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 36:**

**Ministerial regulations respecting environmental monitoring programs**

**36.1** The Minister may make regulations respecting the establishment and operation of one or more environmental monitoring programs, including, without limitation, regulations

- (a) respecting the nature and scope of an environmental monitoring program;
- (b) respecting the participation in an environmental monitoring program by a person or class of persons whose actions or activities may cause an effect on the environment, including requiring a person or class of persons to participate in an environmental monitoring program;
- (c) respecting the imposition of fees on participants in an environmental monitoring program;

## **Explanatory Notes**

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

**2** Ministerial regulations respecting environmental monitoring programs.

- (d) respecting the establishment, determination, payment and recovery of fees payable for an environmental monitoring program;
- (e) providing for the imposition and payment of penalties for the late payment of a fee imposed under a regulation made under clause (c);
- (f) respecting the circumstances under which, and the extent to which, participation in an environmental monitoring program under a regulation made under this section may be considered compliance with requirements, as specified in the regulations, under an approval, code of practice or registration or a provision of this Act;
- (g) respecting the collection, use, disclosure, reporting or publication of information respecting, arising from or associated with an environmental monitoring program;
- (h) requiring a department as defined in the *Government Organization Act* or a Government agency to provide the Minister with a report, record or information relating to environmental monitoring;
- (i) deeming specified environmental monitoring that is in effect immediately before the coming into force of this section to be an environmental monitoring program for the purposes of a regulation made under this section;
- (j) respecting any other matter the Minister considers necessary for the establishment and operation of an environmental monitoring program.

**3 Section 188(1) is repealed and the following is substituted:**

**Identification number for hazardous waste**

**188(1)** Except in accordance with a regulation made under section 193(a), a person shall not

- (a) generate hazardous waste and permit that hazardous waste to leave the premises where it was generated,
- (b) collect hazardous waste from the premises referred to in clause (a),

**3** Section 188 presently reads:

*188(1) No person shall*

- (a) generate hazardous waste and permit that hazardous waste to leave the premises where it was generated,*
- (b) collect hazardous waste from the premises referred to in clause (a),*
- (c) consign or transport hazardous waste, or*

- (c) consign or transport hazardous waste, or
- (d) accept hazardous waste for transportation, treatment or disposal or store or provide storage facilities for hazardous waste where the hazardous waste is generated by another person,

unless the person first referred to or that person's employer has been issued a personal identification number by the Director.

**4 Section 191 is amended by striking out "No person" and substituting "Except in accordance with a regulation made under section 193(a), no person".**

**5 Section 193(a) is repealed and the following is substituted:**

- (a) respecting the exemption of a person or class of persons from the application of all or any of the provisions of this Division or the regulations under this Division and respecting the terms and conditions to which such an exemption is or may be subject;

**6 Section 220 is amended**

- (a) **in clause (a) by adding "or is an employee or agent of or is under contract to a Government agency" after "or is under contract to the Government";**
- (b) **by repealing clauses (c) and (d) and substituting the following:**

*(d) accept hazardous waste for transportation, treatment or disposal, or store or provide storage facilities for hazardous waste where the hazardous waste is generated by another person,*

*unless the person first referred to or that person's employer has been issued a personal identification number by the Director.*

*(2) An application for a personal identification number must be made in the form and manner provided for in the regulations.*

**4** Section 191 presently reads:

*191 No person shall consign or transport or accept for transportation, storage, treatment or disposal any hazardous waste unless the waste is accompanied with a manifest that*

- (a) is completed in accordance with the regulations,*
- (b) accurately identifies the quantity, composition and points of origin and destination of the hazardous waste, and*
- (c) contains the personal identification number of each person consigning, transporting or accepting the waste.*

**5** Section 193(a) presently reads:

*193 The Lieutenant Governor in Council may make regulations*

- (a) exempting any person from the application of all or any of the provisions of this Division or the regulations under this Division;*

**6** Sections 220(a), (c) and (d) presently read:

*220 No action for damages may be commenced against*

- (a) a person who is an employee or agent of or is under contract to the Government,*
- (c) a person who is an employee of the Government, a Government agency, a local authority or the Government of*

- (c) a person to whom the Minister has, under section 9 of the *Government Organization Act*, delegated a power, duty or function under this Act,
- (d) any person, including any employee of the Government, a Government agency, a local authority or the Government of Canada or an agency of that Government, to whom a power or duty has been delegated under section 17,
- (d.1) any person, including any employee of the Government, a Government agency, a local authority or the Government of Canada or an agency of that Government, to whom the administration of a provision of this Act has been transferred under section 18,

**7 This Act comes into force on Proclamation.**



*Canada or any agency of that Government, where there has been a delegation under section 17,*

- (d) a person who is an employee or agent of, or is under contract to, the Government, a Government agency or a local authority, where there has been a transfer of administration under section 18,*

*for anything done or not done by that person in good faith while carrying out that person's duties or exercising that person's powers under this Act including, without limitation, any failure to do something when that person has discretionary authority to do something but does not do it.*

**7** Coming into force.





# RECORD OF DEBATE

Stage	Date	Member	From	To
		Questions and Comments	From	To
Stage	Date	Member	From	To
		Questions and Comments	From	To
Stage	Date	Member	From	To
		Questions and Comments	From	To
Stage	Date	Member	From	To
		Questions and Comments	From	To