

# Royal



# Gazette

## Part II

### Regulations under the Regulations Act

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*Printed by the Queen's Printer*

Halifax, Nova Scotia

Vol. 36, No. 6

March 23, 2012

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**In force date of regulations:** As of March 4, 2005\*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

\*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

**N.S. Reg. 55/2012**

Made: February 29, 2012

Filed: March 1, 2012

## Refrigeration and Air Conditioning Mechanic Trade Regulations

Order in Council 2012-53 dated February 29, 2012  
Regulations made by the Governor in Council  
pursuant to Section 29 of the *Apprenticeship and Trades Qualifications Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated January 24, 2012, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased, effective on and after February 29, 2012, to:

- (a) repeal the regulations respecting the refrigeration and air conditioning mechanic trade, N.S. Reg. 33/80, made by the Governor in Council by Order in Council 80-295 dated March 4, 1980; and
- (b) make regulations respecting the refrigeration and air conditioning mechanic trade in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

**Schedule “A”**

**Regulations Respecting the Refrigeration and Air Conditioning Mechanic Trade  
made by the Governor in Council pursuant to  
Section 29 of Chapter 1 of the Acts of 2003,  
the *Apprenticeship and Trades Qualifications Act***

**Citation**

1 These regulations may be cited as the *Refrigeration and Air Conditioning Mechanic Trade Regulations*.

**Definitions**

2 (1) In these regulations,

“Act” means the *Apprenticeship and Trades Qualifications Act*;

“General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act;

“refrigeration and air conditioning mechanic” means the occupation of a refrigeration and air conditioning mechanic, consisting of diagnosing, repairing, installing, servicing and maintaining industrial, residential and commercial refrigeration systems, including, except as provided in subsection (2), all of the following:

- (i) air handling, cooling, heating, humidification, ventilation and air exchange systems,
- (ii) air cleaning systems,
- (iii) cooling towers,
- (iv) evaporative condensers and heat pump equipment,
- (v) controls and control circuitry,

- (vi) freezers,
  - (vii) freezer plants,
  - (viii) temperature-controlled containers,
  - (ix) blast food freezing,
  - (x) ice-making equipment,
  - (xi) automated controls,
  - (xii) ultra-low-temperature applications,
  - (xiii) controlled environments,
  - (xiv) interconnected piping and accessories.
- (2) For the purposes of these regulations, the occupation of refrigeration and air conditioning mechanic does not include diagnosing, repairing, installing, servicing or maintaining any of the following:
- (a) refrigerated appliances manufactured primarily for residential use;
  - (b) reefer units and other refrigerated shipping containers, or the manufacture of those types of units and containers;
  - (c) residential humidification and air exchange systems.
- (3) The definitions contained in the General Regulations apply to these regulations.

**Compulsory certified trade**

3 The refrigeration and air conditioning mechanic trade is specified as a compulsory certified trade.

**Person other than refrigeration and air conditioning mechanic performing work in the trade**

4 For the purposes of clause 22(2)(e) of the Act, which allows a person who holds a certificate recognized by the Director to practise a compulsory certified trade, a person who does not hold a certificate of qualification in the refrigeration and air conditioning mechanic trade may perform refrigeration and air conditioning mechanic work if the person holds a certificate of qualification in another trade and the work to be performed comes within the scope of that other trade.

**Exemption application under General Regulations permitted**

5 For the purposes of subsection 38(2) of the General Regulations, a joint application for an exemption from the application of subsections 22(2) and (3) of the Act is permitted for the refrigeration and air conditioning mechanic trade.

**Term of apprenticeship for refrigeration and air conditioning mechanic trade**

6 The term of apprenticeship for the refrigeration and air conditioning mechanic trade is 8000 hours of combined practical experience and technical training approved by the Director and a certification examination, and may include a probationary period of up to 3 months.

**Ratio of journeypersons to apprentices**

7 An employer in the refrigeration and air conditioning mechanic trade must maintain a minimum ratio of 1 journeyperson to each apprentice, unless the Director permits the ratio to be varied in accordance with Section 24 of the General Regulations.

**Wage schedule for apprentices**

8 (1) Subject to subsection (2), the minimum wage for each hour worked by an apprentice in the refrigeration and air conditioning mechanic trade is a percentage of the wage for a refrigeration and air conditioning mechanic journeyperson in the same place of employment, as set out in the following table:

| <b>Wages for Refrigeration and Air Conditioning Mechanic Apprentice</b> |   |
|---|---|
| <b>Hours in Term of Apprenticeship</b>                                  | <b>Minimum Wage (% of journeyperson's wage)</b> |
| 0–1000  | 45%   |
| 1001–2000   | 50%   |
| 2001–3000   | 55%   |
| 3001–4000   | 60%   |
| 4001–5000   | 65%   |
| 5001–6000   | 70%   |
| 6001–7000   | 75%   |
| 7001–8000   | 80%   |

(2) An employer must not employ a refrigeration and air conditioning mechanic apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

**Certificate through trade qualification**

9 For the purpose of paragraph 30(1)(a)(ii)(B) of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 12 000 hours is prescribed as the period of employment required for the refrigeration and air conditioning mechanic trade.

**Renewal of certificate of qualification**

10 A certificate of qualification is valid for the 5-year period set out in the certificate and may be renewed by the Director on application by the holder either before or after the certificate expires, on payment of the fee set out in the General Regulations.

**Transition**

11 A person who, immediately before the coming into force of these regulations, was an apprentice in an apprenticeship program under the trade regulations for the refrigeration and air conditioning mechanic trade, N.S. Reg. 33/80, made by the Governor in Council by Order in Council 80-295 dated March 4, 1980, continues as an apprentice under these regulations.

**N.S. Reg. 56/2012**

Made: February 29, 2012

Filed: March 1, 2012

Automotive Glass Technician Trade Regulations

Order in Council 2012-54 dated February 29, 2012  
Regulations made by the Governor in Council  
pursuant to Section 29 of the *Apprenticeship and Trades Qualifications Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated January 24, 2012, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased to make regulations respecting the automotive glass technician trade in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after February 29, 2012.

**Schedule “A”**

**Regulations Respecting the Automotive Glass Technician Trade  
made by the Governor in Council pursuant to  
Section 29 of Chapter 1 of the Acts of 2003,  
the *Apprenticeship and Trades Qualifications Act***

**Citation**

1 These regulations may be cited as the *Automotive Glass Technician Trade Regulations*.

**Definitions**

2 (1) In these regulations,

“Act” means the *Apprenticeship and Trades Qualifications Act*;

“automotive glass technician” means the occupation of fabricating, removing, installing, repairing and generally servicing all types of stationary and movable glass and associated equipment in motor vehicles;

“General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act.

(2) The definitions contained in the General Regulations apply to these regulations.

**Term of apprenticeship for the automotive glass technician trade**

3 The term of apprenticeship for the automotive glass technician trade is 4000 hours of combined practical experience and technical training approved by the Director and a certification examination, and may include a probationary period of up to 3 months.

**Ratio of apprentices to journeypersons**

4 An employer in the automotive glass technician trade must maintain a minimum ratio of 1 journeyperson to 2 apprentices, unless the Director permits the ratio to be varied in accordance with Section 24 of the General Regulations.

**Wage schedule**

- 5 (1) Subject to subsection (2), the minimum wage for each hour worked by an apprentice in the automotive glass technician trade is a percentage of the wage for an automotive glass technician journeyperson in the same place of employment, as set out in the following table:

| <b>Wages for Automotive Glass Technician Apprentice</b> |   |
|---|---|
| <b>Hours in Term of Apprenticeship</b>                  | <b>Minimum Wage (% of journeyperson's wage)</b> |
| 0–1000  | 60%   |
| 1001–2000   | 70%   |
| 2001–3000   | 80%   |
| 3001–4000   | 90%   |

- (2) An employer must not employ an automotive glass technician apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

**Certificate through trade qualification**

- 6 For the purpose of paragraph 30(1)(a)(ii)(B) of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 8000 hours is prescribed as the period of employment required for the automotive glass technician trade.

**N.S. Reg. 57/2012**

Made: February 29, 2012

Filed: March 1, 2012

Landscape Horticulturist Trade Regulations

Order in Council 2012-55 dated February 29, 2012

Regulations made by the Governor in Council

pursuant to Section 29 of the *Apprenticeship and Trades Qualifications Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated January 24, 2012, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased to make regulations respecting the landscape horticulturist trade in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after February 29, 2012.

**Schedule "A"****Regulations Respecting the Landscape Horticulturist Trade  
made by the Governor in Council pursuant to  
Section 29 of Chapter 1 of the Acts of 2003,  
the *Apprenticeship and Trades Qualifications Act*****Citation**

1 These regulations may be cited as the *Landscape Horticulturist Trade Regulations*.

**Definitions**

2 (1) In these regulations,

“Act” means the *Apprenticeship and Trades Qualifications Act*;

“General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act;

“landscape” means the lay of the land, including plants and other physical features such as lawn or meadow areas, waterways, pavement, utilities and structures;

“landscape horticulturalist” means the occupation of a landscape horticulturist, consisting of laying out, preparing and maintaining a sustainable landscape, and including

- (i) installing and maintaining hardscape and softscape, and
- (ii) pre-installation activities, such as planning and organizing the installation and preparing the site;

“hardscape” means the inanimate elements of a landscape, including precast concrete products, natural stone, wood, metals and other natural or fabricated materials used in landscape structures, furnishings and features;

“softscape” means the animate elements of a landscape, including soil, soil amendments, mulch, seed, turf and plant material used in the landscape.

(2) The definitions contained in the General Regulations apply to these regulations.

**Term of apprenticeship for the landscape horticulturalist trade**

3 The term of apprenticeship for the landscape horticulturist trade is 6000 hours of combined practical experience and technical training approved by the Director and a certification examination, and may include a probationary period of up to 3 months.

**Ratio of apprentices to journeypersons**

4 An employer in the landscape horticulturist trade must maintain a minimum ratio of 1 journeyperson to 2 apprentices, unless the Director permits the ratio to be varied in accordance with Section 24 of the General Regulations.

**Wage schedule**

5 (1) Subject to subsection (2), the minimum wage rate for each hour worked by an apprentice in the landscape horticulturist trade is a percentage of the wage for a landscape horticulturist journeyperson in the same place of employment, as set out in the following table:



| Wages for Landscape Horticulturist Apprentice |  |
|---|--|
| Hours in Term of Apprenticeship               | Minimum Wage (% of journeyperson's wage) |
| 0-1500  | 55%                                      |
| 1501-3000                                     | 65%                                      |
| 3001-4500                                     | 75%                                      |
| 4501-6000                                     | 90%                                      |

- (2) An employer must not employ a landscape horticulturist apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

#### Certificate through trade qualification

- 6 For the purpose of paragraph 30(1)(a)(ii)(B) of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 9000 hours is prescribed as the period of employment required for the landscape horticulturist trade.

#### N.S. Reg. 58/2012

Made: February 29, 2012

Filed: March 1, 2012

Proclamation, S. 29, S.N.S. 2011, c. 10

Order in Council 2012-56 dated February 29, 2012

Proclamation made by the Governor in Council  
pursuant to Section 29 of the  
*Justice Administration Amendment (2011) Act*

The Governor in Council on the report and recommendation of the Minister of Justice and the Minister of Labour and Advanced Education dated January 31, 2012, and pursuant to Section 29 of Chapter 10 of the Acts of 2011, the *Justice Administration Amendment (2011) Act*, is pleased to order and declare by proclamation that Chapter 10 of the Acts of 2011, the *Justice Administration Amendment (2011) Act*, do come into force on and not before February 29, 2012.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. Francis**

G/S

ELIZABETH THE SECOND, by the Grace of God,  
of the United Kingdom, Canada and Her Other  
Realms and Territories, Queen, Head of the  
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE CONCERN,

GREETING:

**A PROCLAMATION**

WHEREAS in and by Section 29 of Chapter 10 of the Acts of 2011, the *Justice Administration Amendment (2011) Act*, it is enacted as follows:

- 29** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 10 of the Acts of 2011, the *Justice Administration Amendment (2011) Act*, do come into force on and not before February 29, 2012;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 10 of the Acts of 2011, the *Justice Administration Amendment (2011) Act*, do come into force on and not before February 29, 2012, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour the Honourable Mayann E. Francis, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 29th day of February in the year of Our Lord two thousand and twelve and in the sixty-first year of Our Reign.

BY COMMAND:

**sgd: Graham Steele**

[Acting] Provincial Secretary

[Acting] Minister of Justice and Attorney General

**N.S. Reg. 59/2012**

Made: February 16, 2012

Approved: February 19, 2012

Filed: March 5, 2012

Abnormal Freezing Point Standard for Cow's Milk Regulations

Order dated February 19, 2012  
made by the Natural Products Marketing Council  
and approved by the Minister of Agriculture  
pursuant to Section 11 of the *Dairy Industry Act*

**Order**

**In the matter of Section 11 of Chapter 24 of the Acts of 2000,  
the *Dairy Industry Act***

**-and-**

**In the matter of regulations respecting [the] abnormal freezing point standard for cow's milk**

I, John MacDonell, Minister of Agriculture for the Province of Nova Scotia, pursuant to Section 11 of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, hereby approve regulations respecting [the] abnormal freezing point standard for cow's milk made by the Natural Products Marketing Council in the form set forth in the attached Schedule "A", effective on and after the date passed by the Natural Products Marketing Council.

These regulations are made in substitution for Section 60 of *Schedule 2—Milk Production Regulations*, N.S. Reg. 117/94, made by the Nova Scotia Dairy Commission by order dated July 18, 1994, under Section 13 of the *Dairy Commission Act*, R.S.N.S. 1989, c. 117.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, Feb. 19, 2012.

Sgd.: *John MacDonell*  
Honourable John MacDonell  
Minister of Agriculture

**Schedule "A"****Natural Products Marketing Council**

I certify that the Natural Products Marketing Council has consulted with the Dairy Farmers of Nova Scotia and the Processor Association in accordance with Section 11 of Chapter 24 of the Acts of 2000, the *Dairy Industry Act* and, at a meeting held February 16, 2012, the Council, pursuant to clause 11(c) of the Act, made regulations respecting the abnormal freezing point standard for cow's milk in the form attached.

These regulations are made in substitution for Section 60 of Schedule 2 of the regulations made under the *Dairy Commission Act*, N.S. Reg. 117/94.

These regulations are effective on and after April 1, 2012.

Signed at Truro, in Colchester County, Nova Scotia, on February 28, 2012.

Natural Products Marketing Council

per: sgd.: *E. A. Crouse*  
Elizabeth A. Crouse, P. Ag.  
General Manager

**Regulations Respecting the Abnormal Freezing Point Standard for Cow's Milk**  
**made by the Natural Products Marketing Council pursuant to**  
**Sections 9 and 11 of Chapter 24 of the Acts of 2000,**  
**the Dairy Industry Act**

**Citation**

1 These regulations may be cited as the *Abnormal Freezing Point Standard for Cow's Milk Regulations*.

**Application**

2 These regulations apply only to producers of cow's milk.

**Definitions**

3 In these regulations,

“abnormal freezing point” means a freezing point test reading of above  $-0.525^{\circ}$  Hortvet or  $-0.507^{\circ}$  C, as determined using a cryoscope;

“cow” means the mature female of domestic cattle, *genus Bos*;

“dairy testing lab” means the Quality Evaluation Division, Laboratory Services Section, of the Department of Agriculture;

“grader” means a person who holds a bulk milk grader certificate issued by the Minister.

**Sampling and testing raw milk**

- 4 (1) Each producer must have their raw milk sampled and tested for an abnormal freezing point at least 6 times during each 6-month period, and each sample must be taken at least 14 days after the most recent previous sample was taken.
- (2) The dairy testing lab must schedule the milk sampling and testing required by subsection (1).
- (3) All milk sampling under these regulations must be carried out by a grader or an inspector.
- (4) All milk testing under these regulations must be carried out by the dairy testing lab.

**Reporting test results**

5 The dairy testing lab must send the results of each test carried out under these regulations to the producer whose milk was tested and to the Board.

**Penalties under Milk Producer Licensing Regulations**

6 In accordance with Section 7 of the *Milk Producer Licensing Regulations*, the Board must notify a producer if the results of a test carried out under these regulations show that the producer's milk is subject to the penalties prescribed in that Section.

**N.S. Reg. 60/2012**

Made: December 15, 2011

Approved: February 23, 2012

Filed: March 5, 2012

Milk Producer Licensing Regulations

Order dated February 23, 2012  
made by the Dairy Farmers of Nova Scotia and  
approved by the Natural Products Marketing Council  
pursuant to clauses 9(f) to (i) and 15(1)(a) of the *Dairy Industry Act*

**Dairy Farmers of Nova Scotia**  
**Amendment to the Milk Producer Licensing Regulations**

The Dairy Farmers of Nova Scotia, pursuant to clauses 9(f) to (i) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, as delegated by clauses 2(1)(l) to (o) of the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*, N.S. Reg. 136/2001, and pursuant to clause 15(1)(a) of the *Dairy Industry Act*, at a meeting held on December 15, 2011, amended the *Milk Producer Licensing Regulations*, N.S. Reg. 204/2003, made by the Dairy Farmers of Nova Scotia on March 25, 2003, and approved by the Natural Products Marketing Council on September 9, 2003, in the manner set out in Schedule “A”, effective on and after April 1, 2012.

Signed at Truro, in the County of Colchester, Nova Scotia, on Feb 23, 2012.

Dairy Farmers of Nova Scotia

per: sgd.: *Brian Cameron*

Brian Cameron

General Manager

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**Approved** by the Natural Products Marketing Council at Truro, in the County of Colchester, Nova Scotia, Feb 23, 2012.

Natural Products Marketing Council

per: sgd.: *E. A. Crouse*

Elizabeth A. Crouse, P.Ag.

General Manager

**Schedule “A”**

**Amendment to the Milk Producer Licensing Regulations**  
**made by the Dairy Farmers of Nova Scotia pursuant to**  
**clauses 9(f) to (i) and 15(1)(a) of Chapter 24 of the Acts of 2000,**  
**the Dairy Industry Act**

1 Clause 3(b) of the *Milk Producer Licensing Regulations*, N.S. Reg. 204/2003, made by the Dairy Farmers of Nova Scotia on March 25, 2003, and approved by the Natural Products Marketing Council on September 9, 2003, is amended by

(a) striking out “Sections 56, 60 and 62” and substituting “Sections 56 and 62”; and

- (b) adding “and the *Abnormal Freezing Point Standard for Cow’s Milk Regulations*” immediately after “Schedule 2–Milk Production Regulations”.
- 2 Subsection 4(2) of the regulations is amended by striking out “Sections 6 to 51, Sections 55 to 60 and Section 62 of Schedule 2–Milk Production Regulations” and substituting “Sections 6 to 51, 55 to 59 and 62 of Schedule 2–Milk Production Regulations and the *Abnormal Freezing Point Standard for Cow’s Milk Regulations*”.
- 3 Subsection 6(1) of the regulations is amended by striking out “of the test results”.
- 4 Section 7 of the regulations is amended by
- (a) striking out “a freezing point indicating added water” and substituting “an abnormal freezing point”; and
- (b) striking out “of the test results”.
- 5 Subsection 10(1) of the regulations is amended by adding “or Section 7” immediately after “subsection 6(1)”.

**N.S. Reg. 61/2012**

Made: March 1, 2012

Filed: March 5, 2012

Prescribed Petroleum Products Prices

Order dated March 1, 2012

made by the Nova Scotia Utility and Review Board

pursuant to Section 14 of the *Petroleum Products Pricing Act*  
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations***Order****NSUARB-GAS-W-12-09****In the Matter of the *Petroleum Products Pricing Act*****- and -****In the Matter of Prescribing Prices for Petroleum Products  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 16 to 19 of the *Petroleum Products Pricing Regulations*****Before:** Roland A. Deveau, Q.C., Member**Order**

**Whereas** the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

**And whereas** the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

**And whereas** the Board revised the retail margin and transportation allowance effective January 6, 2012, in its decision 2011 NSUARB 181, issued on November 23, 2011;

**And whereas** the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended February 29, 2012, are:

|                             |                 |
|-----------------------------|-----------------|
| Grade 1 Regular gasoline    | 81.7¢ per litre |
| Ultra-low-sulfur diesel oil | 86.6¢ per litre |

**Now therefore** the Board prescribes the benchmark prices for petroleum products to be:

|                             |                 |
|-----------------------------|-----------------|
| Gasoline:                   |                 |
| Grade 1                     | 81.7¢ per litre |
| Grade 2                     | 84.7¢ per litre |
| Grade 3                     | 87.7¢ per litre |
| Ultra-low-sulfur diesel oil | 86.6¢ per litre |

**And now therefore** the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

|                              |                     |
|------------------------------|---------------------|
| Gasoline:                    | plus 0.2¢ per litre |
| Ultra-low-sulfur diesel oil: | plus 0.1¢ per litre |

**And whereas** a winter blending adjustment of plus 1.3¢ per litre is required for ultra-low-sulfur diesel oil;

**And now therefore** the Board prescribes the prices for petroleum products as set forth in Schedule "A" effective on and after 12:01 a.m., March 2, 2012.

**Dated** at Halifax, Nova Scotia, this 1st day of March, 2012.

Sgd: *Elaine Wagner*  
Clerk of the Board

### Schedule "A"

**Prices Prescribed for Petroleum Products  
under the *Petroleum Products Pricing Act* and the  
*Petroleum Products Pricing Regulations*  
effective on and after 12:01 a.m. on March 2, 2012**

| Nova Scotia Petroleum Price Schedule |                      |                 |           |                         |                                |       |                          |       |
|--------------------------------------|----------------------|-----------------|-----------|-------------------------|--------------------------------|-------|--------------------------|-------|
| Petroleum Prices in Cents/Litre      |                      |                 |           |                         | Self-Service Pump Prices       |       | Full-Service Pump Prices |       |
|                                      |                      |                 |           |                         | (Pump Prices includes 15% HST) |       |                          |       |
|                                      | Base Wholesale Price | Fed. Excise Tax | Prov. Tax | Wholesale Selling Price | Min                            | Max   | Min                      | Max   |
| <b>Zone 1</b>                        |                      |                 |           |                         |                                |       |                          |       |
| Regular Unleaded                     | 88.4                 | 10.0            | 15.5      | 113.9                   | 136.5                          | 138.6 | 136.5                    | 999.9 |
| Mid-Grade Unleaded                   | 91.4                 | 10.0            | 15.5      | 116.9                   | 140.0                          | 142.0 | 140.0                    | 999.9 |
| Premium Unleaded                     | 94.4                 | 10.0            | 15.5      | 119.9                   | 143.4                          | 145.5 | 143.4                    | 999.9 |
| Ultra-Low-Sulfur Diesel              | 94.5                 | 4.0             | 15.4      | 113.9                   | 136.5                          | 138.6 | 136.5                    | 999.9 |
| <b>Zone 2</b>                        |                      |                 |           |                         |                                |       |                          |       |
| Regular Unleaded                     | 88.9                 | 10.0            | 15.5      | 114.4                   | 137.1                          | 139.2 | 137.1                    | 999.9 |
| Mid-Grade Unleaded                   | 91.9                 | 10.0            | 15.5      | 117.4                   | 140.5                          | 142.6 | 140.5                    | 999.9 |
| Premium Unleaded                     | 94.9                 | 10.0            | 15.5      | 120.4                   | 144.0                          | 146.1 | 144.0                    | 999.9 |
| Ultra-Low-Sulfur Diesel              | 95.0                 | 4.0             | 15.4      | 114.4                   | 137.1                          | 139.2 | 137.1                    | 999.9 |

|                         |      |      |      |       |       |       |       |       |
|-------------------------|------|------|------|-------|-------|-------|-------|-------|
| <b>Zone 3</b>           |      |      |      |       |       |       |       |       |
| Regular Unleaded        | 89.3 | 10.0 | 15.5 | 114.8 | 137.5 | 139.6 | 137.5 | 999.9 |
| Mid-Grade Unleaded      | 92.3 | 10.0 | 15.5 | 117.8 | 141.0 | 143.1 | 141.0 | 999.9 |
| Premium Unleaded        | 95.3 | 10.0 | 15.5 | 120.8 | 144.4 | 146.5 | 144.4 | 999.9 |
| Ultra-Low-Sulfur Diesel | 95.4 | 4.0  | 15.4 | 114.8 | 137.5 | 139.6 | 137.5 | 999.9 |
| <b>Zone 4</b>           |      |      |      |       |       |       |       |       |
| Regular Unleaded        | 89.4 | 10.0 | 15.5 | 114.9 | 137.7 | 139.7 | 137.7 | 999.9 |
| Mid-Grade Unleaded      | 92.4 | 10.0 | 15.5 | 117.9 | 141.1 | 143.2 | 141.1 | 999.9 |
| Premium Unleaded        | 95.4 | 10.0 | 15.5 | 120.9 | 144.6 | 146.6 | 144.6 | 999.9 |
| Ultra-Low-Sulfur Diesel | 95.5 | 4.0  | 15.4 | 114.9 | 137.7 | 139.7 | 137.7 | 999.9 |
| <b>Zone 5</b>           |      |      |      |       |       |       |       |       |
| Regular Unleaded        | 89.4 | 10.0 | 15.5 | 114.9 | 137.7 | 139.7 | 137.7 | 999.9 |
| Mid-Grade Unleaded      | 92.4 | 10.0 | 15.5 | 117.9 | 141.1 | 143.2 | 141.1 | 999.9 |
| Premium Unleaded        | 95.4 | 10.0 | 15.5 | 120.9 | 144.6 | 146.6 | 144.6 | 999.9 |
| Ultra-Low-Sulfur Diesel | 95.5 | 4.0  | 15.4 | 114.9 | 137.7 | 139.7 | 137.7 | 999.9 |
| <b>Zone 6</b>           |      |      |      |       |       |       |       |       |
| Regular Unleaded        | 90.1 | 10.0 | 15.5 | 115.6 | 138.5 | 140.5 | 138.5 | 999.9 |
| Mid-Grade Unleaded      | 93.1 | 10.0 | 15.5 | 118.6 | 141.9 | 144.0 | 141.9 | 999.9 |
| Premium Unleaded        | 96.1 | 10.0 | 15.5 | 121.6 | 145.4 | 147.4 | 145.4 | 999.9 |
| Ultra-Low-Sulfur Diesel | 96.2 | 4.0  | 15.4 | 115.6 | 138.5 | 140.5 | 138.5 | 999.9 |

**N.S. Reg. 62/2012**

Made: March 6, 2012

Filed: March 6, 2012

## Reporting of Notifiable Diseases and Conditions Regulations

Order in Council 2012-58 dated March 6, 2012

Amendment to regulations made by the Governor in Council pursuant to Sections 74 and 106 of the *Health Protection Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated February 10, 2012, and pursuant to Sections 74 and 106 of Chapter 4 of the Acts of 2004, the *Health Protection Act*, is pleased to amend the *Reporting of Notifiable Diseases and Conditions Regulations*, N.S. Reg. 195/2005, made by the Governor in Council by Order in Council 2005-457 dated October 14, 2005, to harmonize terms with national and international naming conventions and update the list of designated communicable and non-communicable diseases in accordance with a review of the diseases under national surveillance, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 1, 2012.

**Schedule "A"**

**Amendment to the *Reporting of Notifiable Diseases and Conditions Regulations*  
made by the Governor in Council by Order in Council  
pursuant to Sections 74 and 106 of Chapter 4 of the Acts of 2004,  
the *Health Protection Act***

- 1 The *Reporting of Notifiable Diseases and Conditions Regulations*, N.S. Reg. 195/2005, made by the Governor in Council by Order in Council ~~2005-247~~ [2005-457] dated October 14, 2005, are amended by adding the following subsection immediately after subsection 2(2):



(2A) For the purpose of further defining the definition of “dangerous disease” in clause 4(c) of the Act, the following words used in that definition are defined as follows:

- (a) “Ebola” means Ebola hemorrhagic fever; and
- (b) “Lassa fever” means Lassa hemorrhagic fever.

2 Part I—Communicable Diseases of Schedule A to the regulations is amended

- (a) under the heading “Dangerous diseases designated by regulations”, by adding “Rift Valley hemorrhagic fever” immediately after “Marburg hemorrhagic fever” in the list; and
- (b) under the heading “Other communicable diseases”, by
  - (i) adding “Clostridium difficile” immediately after “Cholera” in the list, and
  - (ii) striking out “Human granulocytic ehrlichiosis (HGE)” and substituting “Human granulocytic anaplasmosis (HGA)”.

3 Part II—Non-communicable diseases and conditions of Schedule A to the regulations is amended by striking out “Vaccine associated adverse events (VAAE)” and substituting “Adverse events following immunization (AEFI)”.

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**N.S. Reg. 63/2012**

Made: March 6, 2012

Filed: March 6, 2012

Dartmouth Imperial Oil Refinery Municipal Property Taxation Regulations

Order in Council 2012-59 dated March 6, 2012

Amendment to regulations made by the Governor in Council  
pursuant to Section 5 of the *Oil Refineries and L.N.G. Plants Municipal Taxation Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated February 13, 2012, and pursuant to Section 5 of Chapter 8 of the Acts of 2004, the *Oil Refineries and L.N.G. Plants Municipal Taxation Act* is pleased to amend the *Dartmouth Imperial Oil Refinery Municipal Property Taxation Regulations*, N.S. Reg. 191/2004, made by [the] Governor in Council by Order in Council 2004-315 dated July 30, 2004, by striking out “2006-2007 municipal taxation year” in Section 3 and substituting “2012-13 to 2016-17 taxation years” effective on and after March 6, 2012.

**N.S. Reg. 64/2012**

Made: March 6, 2012

Filed: March 6, 2012

## Contaminated Sites Regulations

Order in Council 2012-60 dated March 6, 2012  
Regulations made by the Governor in Council  
pursuant to clause 25(1)(g) and Section 91 of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated November 23, 2011, and pursuant to clause 25(1)(g) and Section 91 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, is pleased to make regulations respecting contaminated sites, to encourage the effective clean-up of contaminated sites through new regulations and guidance, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 6, 2013.

**Schedule "A"**

**Regulations Respecting Contaminated Sites  
made by the Governor in Council under  
[clause 25(1)(g) and] Section 91 of Chapter 1 of the Acts of 1994-95,  
the *Environment Act***

**Citation**

1 These regulations may be cited as the *Contaminated Sites Regulations*.

**Definitions**

2 (1) In these regulations,

"Act" means the *Environment Act*;

"date of the declaration", in relation to a declaration of property condition, means the date the declaration of property condition is made by the site professional;

"declaration of property condition" or "declaration" means a declaration made by the conducting or supervising site professional in accordance with Section 16 after a full property remediation and filed with the Minister under Section 15;

"engineered or physical control" means a physical barrier, chemical barrier, control system or treatment system that is specifically designed to prevent or reduce exposure to contaminants;

"free product" means

- (i) a visible, liquid chemical product, or
- (ii) a substance defined as a free product in a Ministerial protocol;

"full property remediation" means remediation of an entire contaminated parcel of land in accordance with Section 15;

"limited remediation" means remediation to deal with a specific contaminant or contaminants or remediation of a limited area impacted by a contaminant or contaminants in accordance with

Section 13, and includes remediation resulting from a spill, and sometimes may include evaluation or remediation of an entire parcel of land;

“Ministerial protocol” means an applicable standard, policy, guideline, procedure or protocol adopted or established by the Minister under Section 90 of the Act;

“phase 1 environmental site assessment” means a phase 1 environmental site assessment as described in a Ministerial protocol;

“phase 2 environmental site assessment” means a phase 2 environmental site assessment as described in a Ministerial protocol;

“record of site condition” means a report prepared in accordance with Section 14 after a limited property remediation and filed with the Minister under Section 13;

“site professional” means a person who has the qualifications prescribed in Section 5.

- (2) In the Act and these regulations, “contaminated site” includes a site where free product is present in soil or groundwater.

#### **Ministerial protocols incorporated by reference**

- 3 All Ministerial protocols are incorporated by reference into these regulations.

### **Electronic Reporting**

#### **Minister may establish electronic reporting system**

- 4 (1) In this Section, “reporting system” means a system of reporting by electronic means established by the Minister in a Ministerial protocol for the purpose of receiving notices, reports, records, declarations, statements and certifications and other documents in accordance with these regulations.
- (2) The Minister may establish a reporting system and may permit persons required to file a written document with the Minister to deliver the document in an electronic format by means of the reporting system.
- (3) A person delivering a document to the Minister by means of the reporting system must file the document in the electronic form and manner set out in a Ministerial protocol.

### **Site Professionals**

#### **Qualifications for site professionals**

- 5 (1) The following are prescribed as the qualifications for a site professional:
- (a) a valid and subsisting certificate of registration or licence to practice under the *Geoscience Profession Act* or the *Engineering Profession Act*; and
- (b) at least 5 years’ experience in contaminated site investigation, management and remediation, to be confirmed at the request of the Department and in the manner required by the Department, which must include experience in all of the following:
- (i) conducting a phase 1 environmental site assessment,
- (ii) conducting a phase 2 environmental site assessment,

- (iii) developing a remedial action plan,
  - (iv) implementing a remedial action plan.
- (2) A person must not hold themselves out as a site professional unless they have the qualifications prescribed in subsection (1).

#### **Liability insurance requirements for site professionals**

- 6 (1) A person acting as a site professional must have and maintain insurance coverage under an insurance policy that satisfies the requirements in subsection (2) whenever the person
- (a) holds themselves out as a site professional;
  - (b) undertakes or supervises any work while acting as a site professional; or
  - (c) makes a statement, declaration or certification referred to in these regulations while acting as a site professional.
- (2) An insurance policy for a site professional must do all of the following:
- (a) indemnify the site professional against liability imposed by law arising out of the performance of or the failure to perform any activity described in subsection (1) with respect to claims that are first made and reported to the insurer during the period of insurance coverage, whenever the performance or failure to perform occurred;
  - (b) specify an indemnity limit of at least \$2 000 000 per claim and at least \$2 000 000 in the aggregate during the period of the insurance;
  - (c) provide for coverage to continue if the insured becomes bankrupt or insolvent, is declared incompetent or dies during the period of insurance;
  - (d) provide coverage for a period of 2 years after the date the person ceases to act as a site professional, including doing anything described in subsection (1).
- (3) A site professional is deemed to be maintaining the insurance coverage required by this Section if the site professional's employer maintains an insurance policy that satisfies the requirements of subsection (2).

#### **Notice of Contaminated Site**

##### **Site professional included as person responsible for notifying**

- 7 For the purposes of Sections 8 to 10, a "person responsible for a contaminated site" includes a site professional.

##### **Duty to notify when free product present**

- 8 (1) A person responsible for a contaminated site where free product is present in soil or groundwater must, immediately when the person knows or ought to know that the free product is present, verbally notify all of the following:
- (a) the Minister, through the Department's emergency telephone number;
  - (b) the owner of the site, if the person reporting is not the owner;

- (c) any other person who the person reporting knows or ought to know may be directly affected by a contaminant or the identification of the site as a contaminated site, including the owner or occupant of any parcel of land to which contaminants have migrated or are likely to migrate from the contaminated site.
- (2) In addition to the verbal notice required by subsection (1), a person responsible for a contaminated site must give written notice in accordance with Section 10 to each recipient listed in subsection (1), no later than 5 business days after the date the person first knows or ought to know that free product is present in the soil or groundwater.
- (3) Despite the time limit in subsection (2) for written notice, an inspector or administrator may specify a different time limit for the written notice to the recipients.

#### **Duty to notify of soil, sediment, surface water or ground water contamination**

**9** A person responsible for a contaminated site where a contaminant or contaminants exceed a Ministerial protocol must, no later than 90 days after the date the person first knows or ought to know that the contaminant or contaminants exceed the Ministerial protocol, give written notice in accordance with Section 10 to all of the following:

- (a) the Minister;
- (b) the owner of the site, if the person reporting is not the owner;
- (c) any other person who the person reporting knows or ought to know may be directly affected by a contaminant or the identification of the site as a contaminated site, including the owner or occupant of any parcel of land to which contaminants have migrated or are likely to migrate from the contaminated site.

#### **Form of written notice**

**10 (1)** Written notice given under Section 8 or 9 must be in a form approved by the Minister and must include all of the following information:

- (a) the name, address and telephone number of the owner of the contaminated site;
  - (b) the name, address and telephone number of the person who is providing the notice;
  - (c) the location of the contaminated site, including the parcel identification number and civic address;
  - (d) if migration of a contaminant or contaminants has occurred or is likely to occur, a general description of the nature of the migration or likely migration of each substance;
  - (e) the name, address and telephone number of the owner of any parcel of land to which contaminants have migrated or are likely to migrate from the contaminated site, and the location, including the parcel identification number and civic address, of that parcel of land;
  - (f) a general description of measures to be taken to address the contamination.
- (2) A written notice must be signed by
- (a) each owner of the contaminated site; and
  - (b) the person who is providing the notice.

## Duties Respecting Contaminated Sites

### Duty to take remedial measures

**11** A person responsible for a contaminated site must, at the person's own cost, and as soon as the person knows or ought to know that a site is a contaminated site, do all of the following:

- (a) take all reasonable measures to
  - (i) prevent, reduce and remedy the adverse effects of the contaminant or contaminants,
  - (ii) remove or otherwise dispose of the contaminant or contaminants in a manner that minimizes adverse effects,
  - (iii) remediate the contaminated site in accordance with these regulations;
- (b) take any measures required by an inspector or an administrator.

### Remediation must be limited remediation or full property remediation

**12** A person responsible for a contaminated site must carry out limited remediation or full property remediation.

## Limited Remediation

### Duties of person carrying out limited remediation

**13 (1)** A person who carries out limited remediation of a contaminated site must ensure all of the following:

- (a) that an environmental site assessment is completed in accordance with a Ministerial protocol and filed with the Minister no later than 180 days after the day on which the Minister is first notified of the contaminated site in accordance with Section 8 or 9, or within another time period specified in writing by an inspector or administrator;
  - (b) that a remedial action plan report is completed in accordance with a Ministerial protocol and filed with the Minister;
  - (c) that a confirmation report is completed in accordance with a Ministerial protocol and filed with the Minister, and the report indicates that the site meets the objectives set out in the remedial action plan, including the applicable numerical remediation levels, risk-based site-specific remediation levels or ongoing site management measures;
  - (d) that after the actions required by clauses (a), (b), and (c) are completed, a record of site condition is completed and filed with the Minister for each parcel of land where remediation was conducted;
  - (e) that all work in accordance with this Section is conducted by or under the supervision of a site professional.
- (2)** A limited remediation, including the filing of a record of site condition, must be completed no later than 2 years after the day on which the Minister is first notified of the contaminated site in accordance with Section 8 or 9, or within another time period specified in writing by an inspector or administrator.

- (3) A declaration of property condition must not be submitted by a person who carries out a limited remediation.

**Form and contents of record of site condition**

- 14 (1)** A record of site condition must be prepared by the conducting or supervising site professional in writing and in a form approved by the Minister, and must include all of the following information:
- (a) the location of the parcel of land on which the remediated site is located, including the parcel identifier number and civic address;
  - (b) the name and address of the owner of the parcel of land on which the remediated site is located;
  - (c) the name, address and telephone number of the site professional who is providing the record;
  - (d) the type of contamination remediated and a description of the remediation carried out, including a description of the location of the remediated site;
  - (e) the applicable numerical remediation levels or risk-based site-specific remediation levels or ongoing site management measures, and the land use to which those remediation levels or measures apply, as determined by the site professional using a Ministerial protocol;
  - (f) a statement that remediation has been completed to the levels indicated under clause (e);
  - (g) any restrictions on activities at the remediated site resulting from ongoing site management measures, including all of the following:
    - (i) restrictions on where a building or structure may be located on the remediated site,
    - (ii) restrictions on soil excavation on the remediated site,
    - (iii) restrictions on the use of any water resource at the remediated site;
  - (h) a description of any engineered or physical control implemented at the remediated site.
  - (i) for each contaminant for which sampling and analysis has been performed, the maximum known concentration of the contaminant on, in or under the remediated site as of the date of the record;
  - (j) for each report referred to in Section 13, a dated statement by the site professional that the report was prepared in accordance with a Ministerial protocol.
- (2)** A record of site condition must be signed by all of the following:
- (a) each owner of the parcel of land on which the remediated site is located to which the record of site condition applies;
  - (b) the person responsible for the contaminated site;
  - (c) the site professional, who also must certify that the information required by subsection (1) is accurate.

## Full Property Remediation

### Duties of person carrying out full property remediation

- 15** (1) A person who carries out full property remediation must ensure all of the following:
- (a) that a phase 1 environmental site assessment is completed in accordance with a Ministerial protocol and filed with the Minister;
  - (b) that a phase 2 environmental site assessment is completed in accordance with a Ministerial protocol and filed with the Minister no later than 180 days after the day on which the Minister is first notified of the contaminated site in accordance with Section 8 or 9, or within another time period specified in writing by an inspector or administrator;
  - (c) that a remedial action plan report is completed in accordance with a Ministerial protocol and filed with the Minister;
  - (d) that a confirmation report is prepared in accordance with a Ministerial protocol and filed with the Minister, and the report indicates that the objectives of the remedial action plan have been met, including the applicable numerical remediation levels or risk-based site-specific remediation levels;
  - (e) that after the actions required by clauses (a), (b), (c), and (d) are completed, a declaration of property condition for the remediated parcel of land is completed and filed with the Minister;
  - (f) that all work in accordance with this Section is conducted by, or under the supervision of, a site professional.
- (2) A full property remediation, including the filing of a declaration of property condition, must be completed no later than 2 years after the day on which the Minister is first notified of the contaminated site in accordance with Section 8 or 9, or within another time period specified in writing by an inspector or administrator.

### Form and contents of declaration of property condition

- 16** (1) A declaration of property condition must be prepared by the conducting or supervising site professional in a form approved by the Minister and must include all of the following information:
- (a) the location of the parcel of land, including the parcel identifier number and civic address;
  - (b) the name and address of the owner of the parcel of land to which the declaration applies;
  - (c) the name, address and telephone number of the site professional submitting the declaration for filing;
  - (d) the date of the declaration;
  - (e) the type of contamination remediated and a description of the remediation carried out on the parcel of land;
  - (f) the applicable numerical remediation levels or risk-based site-specific remediation levels, and the land use to which those remediation levels apply, as determined by the site professional using a Ministerial protocol;



- (g) a statement that, as of the date of the declaration, remediation has been completed to the remediation levels indicated under clause (f);
  - (h) for each contaminant for which sampling and analysis has been performed, the maximum known concentration of the contaminant on, in or under the parcel of land as of the date of the declaration;
  - (i) for each report referred to in Section 15, a dated statement by the site professional that the report was prepared in accordance with a Ministerial protocol.
- (2) A declaration of property condition must be signed by all of the following:
- (a) each owner of the remediated parcel of land to which the declaration applies;
  - (b) the person responsible for the contaminated site;
  - (c) the site professional, who also must certify that the information required by subsection (1) is accurate.

### **Consequence of filing declaration of property condition**

- 17 (1) Except as provided in subsections (2) to (6), once a declaration of property condition is filed with the Minister, no enforcement action, including a Ministerial order under Part XIII of the Act, may be issued to any of the following persons in respect of a contaminant that was released into the environment before the date of the declaration and was on, in or under the parcel of land to which the declaration applies as of the date of the declaration:
- (a) a person responsible for a contaminated site on the parcel of land;
  - (b) an owner of the parcel of land.
- (2) Subsection (1) does not affect the powers and authorities granted by Part XII of the Act.
- (3) Subsection (1) does not apply if a declaration of property condition contains false or misleading information or false or misleading certifications or statements.
- (4) Subsection (1) does not apply if, after the date of a declaration of property condition, a contaminant or contaminants requiring notice under Section 8 or 9 migrates from the land or water on, in or under the parcel of land to which the declaration applies to another parcel of land.
- (5) Subsection (1) does not apply if 1 or more of the contaminants specified in a declaration of property condition
- (a) are present on, in, or under the parcel of land to which the declaration of property condition applies, and
  - (b) exceed a Ministerial protocol that was applicable at the time the declaration of property condition was filed with the Minister.
- (6) Subsection (1) does not apply to a person who changes or permits a change
- (a) in the condition of the remediated parcel of land to which a declaration of property condition applies so that the contaminant present within the parcel of land may cause, is causing or has caused an adverse effect; or

- (b) in the use of the parcel of land to which a declaration of property condition applies so that the contaminant present within the parcel of land may cause, is causing or has caused an adverse effect.

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**N.S. Reg. 65/2012**

Made: March 6, 2012

Filed: March 6, 2012

Proclamation, S. 56, S.N.S. 2011, c. 61

Order in Council 2012-61 dated March 6, 2012

Proclamation made by the Governor in Council

pursuant to Section 56 of

*An Act to Amend Chapter 1 of the Acts of 1994-95, the Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated February 7, 2012, and pursuant to Section 56 of Chapter 61 of the Acts of 2011, *An Act to Amend Chapter 1 of the Acts of 1994-95, the Environment Act*, is pleased to order and declare by proclamation that Chapter 61 of the Acts of 2011, *An Act to Amend Chapter 1 of the Acts of 1994-95, the Environment Act*, do come into force on and not before October 1, 2012.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. Francis**

G/S

ELIZABETH THE SECOND, by the Grace of God,  
of the United Kingdom, Canada and Her Other  
Realms and Territories, Queen, Head of the  
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE  
CONCERN,

GREETING:

**A PROCLAMATION**

WHEREAS in and by Section 56 of Chapter 61 of the Acts of 2011, *An Act to Amend Chapter 1 of the Acts of 1994-95, the Environment Act*, it is enacted as follows:

**56** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 61 of the Acts of 2011, *An Act to Amend Chapter 1 of the Acts of 1994-95, the Environment Act*, do come into force on and not before October 1, 2012;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 61 of the Acts of 2011, *An Act to Amend Chapter 1 of the Acts of 1994-95, the Environment Act*, do come into force on and not before October 1, 2012, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these  
our Letters to be made Patent and the  
Great Seal of Nova Scotia to be  
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour  
the Honourable Mayann E. Francis, Lieutenant  
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional  
Municipality, this 6th day of March in the year of  
Our Lord two thousand and twelve and in the  
sixty-first year of Our Reign.

BY COMMAND:

**sgd: Graham Steele**  
[Acting] Provincial Secretary  
[Acting] Minister of Justice and Attorney General

**N.S. Reg. 66/2012**

Made: March 8, 2012

Filed: March 12, 2012

Prescribed Petroleum Products Prices

Order dated March 8, 2012  
made by the Nova Scotia Utility and Review Board  
pursuant to Section 14 of the *Petroleum Products Pricing Act*  
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

**Order**

**NSUARB-GAS-W-12-10**

**In the Matter of the *Petroleum Products Pricing Act***

**- and -**

**In the Matter of Prescribing Prices for Petroleum Products  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

**Before:** Roberta J. Clarke, Q.C., Member

**Order**

**Whereas** the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

**And whereas** the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

**And whereas** the Board revised the retail margin and transportation allowance effective January 6, 2012, in its Decision 2011 NSUARB 181, issued on November 23, 2011;

**And whereas** the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended March 7, 2012, are:

|                             |                 |
|-----------------------------|-----------------|
| Grade 1 Regular gasoline    | 80.7¢ per litre |
| Ultra-low-sulfur diesel oil | 86.2¢ per litre |

**Now therefore** the Board prescribes the benchmark prices for petroleum products to be:

|                             |                 |
|-----------------------------|-----------------|
| Gasoline:                   |                 |
| Grade 1                     | 80.7¢ per litre |
| Grade 2                     | 83.7¢ per litre |
| Grade 3                     | 86.7¢ per litre |
| Ultra-low-sulfur diesel oil | 86.2¢ per litre |

**And now therefore** the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

|                              |                     |
|------------------------------|---------------------|
| Gasoline:                    | plus 0.7¢ per litre |
| Ultra-low-sulfur diesel oil: | plus 0.9¢ per litre |

**And whereas** a winter blending adjustment of plus 0.9¢ per litre is required for ultra-low-sulfur diesel oil;

**And now therefore** the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., March 9, 2012.

**Dated** at Halifax, Nova Scotia, this 8th day of March, 2012.

Sgd: *Elaine Wagner*  
Clerk of the Board

### Schedule “A”

**Prices Prescribed for Petroleum Products  
under the *Petroleum Products Pricing Act* and the  
*Petroleum Products Pricing Regulations*  
effective on and after 12:01 a.m. on March 9, 2012**

| Nova Scotia Petroleum Price Schedule |                            |                       |              |                               |                                |       |                             |       |
|--------------------------------------|----------------------------|-----------------------|--------------|-------------------------------|--------------------------------|-------|-----------------------------|-------|
| Petroleum Prices in Cents/Litre      |                            |                       |              |                               | Self-Service<br>Pump Prices    |       | Full-Service<br>Pump Prices |       |
|                                      |                            |                       |              |                               | (Pump Prices includes 15% HST) |       |                             |       |
|                                      | Base<br>Wholesale<br>Price | Fed.<br>Excise<br>Tax | Prov.<br>Tax | Wholesale<br>Selling<br>Price | Min                            | Max   | Min                         | Max   |
| <b>Zone 1</b>                        |                            |                       |              |                               |                                |       |                             |       |
| Regular Unleaded                     | 87.9                       | 10.0                  | 15.5         | 113.4                         | 135.9                          | 138.0 | 135.9                       | 999.9 |
| Mid-Grade Unleaded                   | 90.9                       | 10.0                  | 15.5         | 116.4                         | 139.4                          | 141.5 | 139.4                       | 999.9 |
| Premium Unleaded                     | 93.9                       | 10.0                  | 15.5         | 119.4                         | 142.8                          | 144.9 | 142.8                       | 999.9 |
| Ultra-Low-Sulfur Diesel              | 94.5                       | 4.0                   | 15.4         | 113.9                         | 136.5                          | 138.6 | 136.5                       | 999.9 |
| <b>Zone 2</b>                        |                            |                       |              |                               |                                |       |                             |       |
| Regular Unleaded                     | 88.4                       | 10.0                  | 15.5         | 113.9                         | 136.5                          | 138.6 | 136.5                       | 999.9 |
| Mid-Grade Unleaded                   | 91.4                       | 10.0                  | 15.5         | 116.9                         | 140.0                          | 142.0 | 140.0                       | 999.9 |
| Premium Unleaded                     | 94.4                       | 10.0                  | 15.5         | 119.9                         | 143.4                          | 145.5 | 143.4                       | 999.9 |
| Ultra-Low-Sulfur Diesel              | 95.0                       | 4.0                   | 15.4         | 114.4                         | 137.1                          | 139.2 | 137.1                       | 999.9 |
| <b>Zone 3</b>                        |                            |                       |              |                               |                                |       |                             |       |
| Regular Unleaded                     | 88.8                       | 10.0                  | 15.5         | 114.3                         | 137.0                          | 139.0 | 137.0                       | 999.9 |
| Mid-Grade Unleaded                   | 91.8                       | 10.0                  | 15.5         | 117.3                         | 140.4                          | 142.5 | 140.4                       | 999.9 |
| Premium Unleaded                     | 94.8                       | 10.0                  | 15.5         | 120.3                         | 143.9                          | 145.9 | 143.9                       | 999.9 |
| Ultra-Low-Sulfur Diesel              | 95.4                       | 4.0                   | 15.4         | 114.8                         | 137.5                          | 139.6 | 137.5                       | 999.9 |

|                         |      |      |      |       |       |       |       |       |
|-------------------------|------|------|------|-------|-------|-------|-------|-------|
| <b>Zone 4</b>           |      |      |      |       |       |       |       |       |
| Regular Unleaded        | 88.9 | 10.0 | 15.5 | 114.4 | 137.1 | 139.2 | 137.1 | 999.9 |
| Mid-Grade Unleaded      | 91.9 | 10.0 | 15.5 | 117.4 | 140.5 | 142.6 | 140.5 | 999.9 |
| Premium Unleaded        | 94.9 | 10.0 | 15.5 | 120.4 | 144.0 | 146.1 | 144.0 | 999.9 |
| Ultra-Low-Sulfur Diesel | 95.5 | 4.0  | 15.4 | 114.9 | 137.7 | 139.7 | 137.7 | 999.9 |
| <b>Zone 5</b>           |      |      |      |       |       |       |       |       |
| Regular Unleaded        | 88.9 | 10.0 | 15.5 | 114.4 | 137.1 | 139.2 | 137.1 | 999.9 |
| Mid-Grade Unleaded      | 91.9 | 10.0 | 15.5 | 117.4 | 140.5 | 142.6 | 140.5 | 999.9 |
| Premium Unleaded        | 94.9 | 10.0 | 15.5 | 120.4 | 144.0 | 146.1 | 144.0 | 999.9 |
| Ultra-Low-Sulfur Diesel | 95.5 | 4.0  | 15.4 | 114.9 | 137.7 | 139.7 | 137.7 | 999.9 |
| <b>Zone 6</b>           |      |      |      |       |       |       |       |       |
| Regular Unleaded        | 89.6 | 10.0 | 15.5 | 115.1 | 137.9 | 140.0 | 137.9 | 999.9 |
| Mid-Grade Unleaded      | 92.6 | 10.0 | 15.5 | 118.1 | 141.3 | 143.4 | 141.3 | 999.9 |
| Premium Unleaded        | 95.6 | 10.0 | 15.5 | 121.1 | 144.8 | 146.9 | 144.8 | 999.9 |
| Ultra-Low-Sulfur Diesel | 96.2 | 4.0  | 15.4 | 115.6 | 138.5 | 140.5 | 138.5 | 999.9 |

**N.S. Reg. 67/2012**

Made: March 13, 2012

Filed: March 13, 2012

Proclamation, S. 17(2), S.N.S. 2011, c. 32

Order in Council 2012-72 dated March 13, 2012

Proclamation made by the Governor in Council

pursuant to subsection 17(2) of the

*Bowater Mersey Pulp and Paper Investment (2011) Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated February 16, 2012, and pursuant to subsection (2) of Section 17 of Chapter 32 of the Acts of 2011, the *Bowater Mersey Pulp and Paper Investment (2011) Act*, is pleased to order and declare by proclamation that Sections 9 to 16 of and the Schedule to Chapter 32 of the Acts of 2011, the *Bowater Mersey Pulp and Paper Investment (2011) Act*, do come into force on and not before March 13, 2012.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. Francis**

G/S

ELIZABETH THE SECOND, by the Grace of God,  
of the United Kingdom, Canada and Her Other  
Realms and Territories, Queen, Head of the  
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE  
CONCERN,

GREETING:

**A PROCLAMATION**

WHEREAS in and by subsection (2) of Section 17 of Chapter 32 of the Acts of 2011, the *Bowater Mersey Pulp and Paper Investment (2011) Act*, it is enacted as follows:

- 17 (2) Sections 9 to 16 and the Schedule to this Act come into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Sections 9 to 16 and the Schedule to Chapter 32 of the Acts of 2011, the *Bowater Mersey Pulp and Paper Investment (2011) Act*, do come into force on and not before March 13, 2012;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Sections 9 to 16 and the Schedule to Chapter 32 of the Acts of 2011, the *Bowater Mersey Pulp and Paper Investment (2011) Act*, do come into force on and not before March 13, 2012, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour the Honourable Mayann E. Francis, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 13th day of March in the year of Our Lord two thousand and twelve and in the sixty-first year of Our Reign.

BY COMMAND:

**sgd: Graham Steele**  
[Acting] Provincial Secretary  
[Acting] Minister of Justice and Attorney General