

# Royal Gazette

## Part II Regulations under the Regulations Act

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Halifax, Nova Scotia

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### Contents

Act	Reg. No.	Page
<b>Crane Operators and Power Engineers Act</b>		
Crane Operators Regulations - Amendment .....	120/2001	888
<b>Environment Act</b>		
Ministerial Order re Michelle Lee Moxon, Richard Austin Watts, the Bank of Nova Scotia and Scotia Mortgage Corporation .....	121/2001	890
<b>Probate Act and Justice Administration Amendment (2001) Act</b>		
Proclamation, S. 108, S.N.S. 2000, c. 31—S. 1, 3-84, 90-103,106 and 107(1); and S. 50(3), S.N.S. 2001, c. 5—S. 12-25, 30 and 32 .....	122/2001	893

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N.S. Reg. 120/2001

Made: September 12, 2001

Filed: September 18, 2001

Crane Operators Regulations

Order in Council 2001-448 made September 12, 2001  
Amendment to regulations approved by the Governor in Council  
pursuant to Section 19  
of the *Crane Operators and Power Engineers Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated September 5, 2001, and pursuant to Section 19 of Chapter 23 of the Acts of 2000, the *Crane Operators and Power Engineers Act*, is pleased to approve of an amendment to the *Crane Operators Regulations* made by the Minister of Environment and Labour and approved by the Governor in Council by Order in Council 2001-434 dated August 30, 2001, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 1, 2001.

**In the matter of Section 19 of Chapter 23 of the Acts of 2000,  
the *Crane Operators and Power Engineers Act***

- and -

**In the matter of an amendment to the *Crane Operators Regulations*  
made by the Minister of Environment and Labour pursuant to  
Section 19 of the *Crane Operators and Power Engineers Act***

**ORDER**

I, David Morse, Minister of Environment and Labour for the Province of Nova Scotia, pursuant to Section 19 of Chapter 23 of the Acts of 2000, the *Crane Operators and Power Engineers Act*, do hereby amend the *Crane Operators Regulations* in the manner set forth in Schedule "A", effective on and after September 1, 2001.

**Dated and made** at Halifax, Nova Scotia, September 5, 2001.

(Sgd.) *David Morse*  
Honourable David Morse  
Minister of Environment and Labour

**Schedule "A"**

**Amendment to the *Crane Operators Regulations*  
approved by the Governor in Council pursuant to  
Section 19 of Chapter 23 of the Acts of 2000,  
the *Crane Operators and Power Engineers Act***

The *Crane Operators Regulations* made by the Minister of Environment and Labour and approved by the Governor in Council by Order in Council 2001-434 dated August 30, 2001, are amended by adding the following Schedule immediately after Section 32:

**Schedule****Fees**

<b>Column I Service</b>	<b>Column II Fee</b>
1 Examination for certificate	\$30.00 per paper
2 Re-write of examination	\$30.00 per paper
3 Remarking of examination	\$30.00 per paper
4 Issuance of certificate and annual renewal	\$50.00
5 Replacement of certificate	\$50.00
6 Hourly rate for requested special services for examination	\$75.00
7 Restricted certificate	
8 Reinstatement	\$75.00
9 Oral examination	\$75.00
	\$60.00

N.S. Reg. 121/2001

Made: August 29, 2001

Filed: September 26, 2001

Ministerial Order re Michelle Lee Moxon, Richard Austin Watts,  
the Bank of Nova Scotia and Scotia Mortgage Corporation

Order dated August 29, 2001  
made under subsection 125(1) of the  
*Environment Act*

16 - 01

**IN THE MATTER OF** Chapter 1 of the Statutes of Nova Scotia 1994-95, the *Environment Act*

- and -

**IN THE MATTER OF** an Order issued pursuant to the provisions of the said Act to **Michelle Lee Moxon** and **Richard Austin Watts**, of Lower Sackville, Halifax Regional Municipality, Province of Nova Scotia; **The Bank of Nova Scotia**, a body corporate and **Scotia Mortgage Corporation**, a body Corporate

#### **MINISTERIAL ORDER**

- I **WHEREAS** Michelle Lee Moxon and Richard Austin Watts, the Bank of Nova Scotia and Scotia Mortgage Corporation, own, occupy, operate or are responsible for the operation of a plant, structure, facility, undertaking or thing, to wit: a residential property which is located at or near 1320 Old Sackville Road, Lower Sackville, in the County of Halifax, Province of Nova Scotia, hereafter called the "Site";
- II. **AND WHEREAS** the Minister of Environment and Labour believes on reasonable and probable grounds that the persons named in this Ministerial Order have contravened the *Environment Act* and regulations, including subsection 67(2) and Section 71 of the *Act*, which follow:
- 67 (2)** No person shall release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or may cause a significant adverse effect, unless authorized by an approval or the regulations.
- 71** Any person responsible for the release of a substance under this Part shall, at that person's own cost, and as soon as that person knows or ought to have known of the release of a substance into the environment that has caused, is causing or may cause an adverse effect,
- (a) take all reasonable measures to
- (i) prevent, reduce and remedy the adverse effects of the substance, and

- (ii) remove or otherwise dispose of the substance in such a manner as to minimize adverse effects;
- (b) take any other measures required by an inspector or an administrator; and
- (c) rehabilitate the environment to a standard prescribed or adopted by the Department.

III. **AND WHEREAS** the Minister is of the opinion that it is in the public interest to do all things and take all steps necessary to comply with the *Environment Act* or to repair any injury or damage, or to control, eliminate or manage an adverse effect;

**IT IS HEREBY ORDERED:**

That pursuant to subsection 125(1) of the *Environment Act*, the persons named in this Ministerial Order shall, at their own cost, comply with the terms and conditions, including compliance times, set forth in Schedule "A" attached to and forming part of this Ministerial Order.

**AND TAKE NOTICE** if the persons to whom this Ministerial Order is directed fail to comply with the Ministerial Order, or any part thereof, the Minister, pursuant to [sub]section 132(2) of the *Environment Act*, may take whatever action the Minister considers necessary to carry out the terms of the Ministerial Order and may recover any reasonable costs, expenses and charges incurred by the Minister pursuant to Section 132 of the *Environment Act*.

**AND FURTHER TAKE NOTICE** that the appeal provisions respecting the issuance of a Ministerial Order are more fully outlined in Section 138 of the *Environment Act*, including a 30 day time period from the date of the issuance of the Ministerial Order to file an appeal.

**DATED** at Halifax, in the County of Halifax, Province of Nova Scotia, this 29<sup>th</sup> day of August, 2001.

(Sgd.) *David Morse*  
The Honourable David Morse  
Minister of Environment and Labour

**SCHEDULE "A"**

**TERMS AND CONDITIONS**

**Michelle Lee Moxon and Richard Austin Watts,  
the Bank of Nova Scotia, Scotia Mortgage Corporation**

**1. Remediation Plan**

On or before October 1, 2001, the persons named in this Ministerial Order shall submit for approval to the Nova Scotia Department of Environment and Labour a Remedial Action Plan prepared by an independent environmental site professional which will include and address the following:

- (a) a complete site assessment in accordance with current guidelines for the management of contaminated sites in Nova Scotia, including, but not limited to, the Guidelines for the Management of Contaminated sites in Nova Scotia dated March 27, 1996 and the Interim Procedure for the Implementation of Risk Based Corrective Action (RBCA) for the Management of Petroleum Hydrocarbon contaminated Sites dated October 8, 1999. Existing data and additional information will be used in the site assessment as required, to define the extent and level of contaminant impacts, both on and off the Site;
- (b) a description of the remediation technologies and methodologies to be used to remediate the soil and groundwater both on and off the Site;
- (c) a description of a program to monitor the soil and groundwater both on and off the Site for the duration of the remediation;
- (d) a time schedule to implement the remediation plan, including the removal or disposal of contaminants or waste.

## **2. Implementation**

Within 5 days of receipt of approval of the remediation plan by the Nova Scotia Department of Environment and Labour, the persons named in this Ministerial Order shall commence work under the remediation plan and complete the same within the approved time periods.

## **3. Progress Reports**

Once remediation has commenced under Paragraph 3, the persons named in this Ministerial Order shall submit a written progress report, including results of the required monitoring program, to the Department of Environment and Labour on a bi-weekly basis or at more frequent intervals if required by the Department.

## **4. Final Report**

Within 30 days of the completion of the work required pursuant to the remediation plan, the persons named in this Order shall submit to the Department of Environment and Labour a final report prepared by the environmental site professional. The final report shall address the issues of follow-up groundwater monitoring and a long term site management plan.

## **5. Department Contact**

Unless otherwise notified in writing by the Minister, the contact person at the Department of Environment and Labour is:

Dan Hiltz, Regional Manager  
Nova Scotia Department of Environment and Labour  
1595 Bedford Highway, Suite 224  
Bedford NS B4A 3Y4

Telephone: (902) 424-3862  
Fax: (902) 424-0597

N.S. Reg. 122/2001

Made: September 28, 2001

Filed: September 28, 2001

Proclamation, S. 108, S.N.S. 2000, c. 31 and  
S. 50(3), S.N.S. 2001, c. 5

Order in Council 2001-466 made September 28, 2001  
Proclamation made by the Governor in Council  
pursuant to Section 108 of the *Probate Act*  
and subsection 50(3) of the *Justice Administration Amendment (2001) Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated September 25, 2001, pursuant to Section 108 of Chapter 31 of the Acts of 2000, the *Probate Act*, subsection 50(3) of Chapter 5 of the Acts of 2001, the *Justice Administration Amendment (2001) Act*, and subsection 3(7) of Chapter 235 of the Revised Statutes of Nova Scotia, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that

- (a) Sections 1, 3 to 84, 90 to 103 and 106 and subsection (1) of Section 107 of Chapter 31 of the Acts of 2000, the *Probate Act*; and
- (b) Sections 12 to 25, 30 and 32 of Chapter 5 of the Acts of 2001, the *Justice Administration Amendment (2001) Act*,

come into force on and not before October 1, 2001.

PROVINCE OF NOVA SCOTIA

Sgd: *Myra A. Freeman*

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 108 of Chapter 31 of the Acts of 2000, the *Probate Act*, it is enacted as follows:

- 108** Sections 1 and 3 to 84, 90 to 103, Sections 105 and 106 and subsection 107(1) come into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS in and by subsection 50(3) of Chapter 5 of the Acts of 2001, the *Justice Administration Amendment (2001) Act*, it is enacted as follows:

- 50(3)** Sections 5, 10 to 25, 30, 32 and 36 come into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that

- (a) Sections 1, 3 to 84, 90 to 103 and 106 and subsection (1) of Section 107 of Chapter 31 of the Acts of 2000, the *Probate Act*; and

- (b) Sections 12 to 25, 30 and 32 of Chapter 5 of the Acts of 2001, the *Justice Administration Amendment (2001) Act*,

come into force on October 1, 2001;

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

- (a) Sections 1, 3 to 84, 90 to 103 and 106 and subsection (1) of Section 107 of Chapter 31 of the Acts of 2000, the *Probate Act*; and
- (b) Sections 12 to 25, 30 and 32 of Chapter 5 of the Acts of 2001, the *Justice Administration Amendment (2001) Act*,

come into force on October 1, 2001, 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 Myra A. Freeman, Lieutenant  
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional  
Municipality, this 28<sup>th</sup> day of September, in the  
year of Our Lord two thousand and one and in the  
50th year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*  
Provincial Secretary  
Minister of Justice and Attorney General