



**Part II
Regulations under the Regulations Act**

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N.S. Reg. 18/2002

Made: February 18, 2002

Filed: February 20, 2002

Seniors' Pharmacare Program Regulations

Order in Council 2002-52 made February 18, 2002
Amendment to regulations made by the Governor in Council
pursuant to subsection 17(3)
of the *Health Services and Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Health dated February 14, 2002, and pursuant to subsection 17(3) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, is pleased to amend the *Seniors' Pharmacare Program Regulations* made by the Governor in Council by Order in Council 2000-471 dated September 20, 2000, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 1, 2002.

Schedule "A"

**Amendment to the *Seniors' Pharmacare Program Regulations*
made by the Governor in Council pursuant to subsection 17(3) of
Chapter 197 of the Revised Statutes of Nova Scotia, 1989,
the *Health Services and Insurance Act***

- 1 Clause 5(1)(b) of the *Seniors' Pharmacare Program Regulations* made by the Governor in Council by Order in Council 2000-471 dated September 20, 2000, is amended by striking out "\$215" and substituting "\$336".
- 2 Subsection 11(2) of the regulations is amended by
 - (a) striking out "7.2% of the senior's total annual income in excess of \$15 000" and substituting "4.8% of the senior's total annual income in excess of \$17 000" in clause (a); and
 - (b) striking out "3.6% of the senior's total annual family income in excess of \$18 000" and substituting "4.2% of the senior's total annual family income in excess of \$20 000" in clause (b).

N.S. Reg. 19/2002

Made: December 19, 2001

Filed: February 28, 2002

Ministerial Order re Preston C & D Recycling Incorporated,
Sherry Willis and Ivan Willis

Order dated December 19, 2001
made under subsection 125(1) of the
Environment Act

25-01

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

- and -

IN THE MATTER OF a Ministerial Order issued pursuant to the provisions of the said *Act* to **Preston C & D Recycling Incorporated**, a body corporate, and **Sherry Willis** and **Ivan Willis**, located at or near North Preston, in the Regional Municipality of Halifax, Province of Nova Scotia

MINISTERIAL ORDER

- I. **WHEREAS** Preston C&D Recycling Incorporated, Sherry Willis and Ivan Willis, own, occupy, operate or are responsible for the operation of a plant, structure, facility, undertaking or thing, to wit: a construction and demolition debris disposal facility which is located at or near North Preston, in the Regional Municipality 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*, the Solid Waste-Resource Management Regulations and the Activities Designation Regulations, to wit:

Environment Act

- 50 (2) No person shall commence or continue any activity designated by the regulations as requiring an approval, unless that person holds the appropriate approval.
- 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.
- 99 (2) No person shall release or permit the release of litter into the environment, except as authorized by this Act or the regulations.

Solid Waste-Resource Management Regulations

- 31 (2) (a) No person shall own, construct, manage, operate, alter or modify a disposal site for construction and demolition debris without obtaining approval from the Minister.

Activities Designation Regulations

- 3 (1) Any activity designated in these regulations requires an approval from the Minister or an Administrator designated by the Minister.
- 8 (2) The construction, operation or reclamation of a municipal solid waste management facility is designated as an activity.

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 and conditions 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, Halifax County, Nova Scotia, this 19th day of December, 2001.

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

SCHEDULE "A"

TERMS AND CONDITIONS

PRESTON C & D RECYCLING INCORPORATED,
SHERRY WILLIS AND IVAN WILLIS**1. Prohibited Materials**

Immediately upon receipt of this Ministerial Order, the persons named in this Order shall, subject to paragraphs 2, 3 and 4, not accept the following materials at the Site:

- shingles, tar paper, tar or asphalt coatings and roofing product of any kind;
- roof, floor and wall insulating material of any kind;
- gypsum wallboard;
- plastics, rubber or vinyl material;
- painted, coated or preserved wood;
- fibreboard, chipboard or plywood;
- metals or materials containing metal;
- dangerous or waste dangerous goods by federal and/or provincial regulation;
- domestic or household waste; and
- municipal solid waste, meaning garbage, refuse, sludge, rubbish, tailings, debris, litter and other discarded materials resulting from residential, commercial, institutional and industrial activities which are commonly accepted at a municipal solid waste management facility.

2. Inadvertently Accepted Materials

Immediately upon receipt of this Order, any material specified in paragraph 1 that is inadvertently accepted, that is, not seen or discovered during inspection, is to be stored in metal containers on the Site and removed to a Department of Environment and Labour approved facility by the persons named in this Order or a contractor on their behalf within 7 days of receipt of any such materials.

3. Recycling

Immediately upon receipt of this Order, the persons named in this Order may accept any material specified in paragraph 1 for the purpose of recycling only after the Department of Environment and Labour approves a program to identify and establish recycling or recovery markets for each item. For greater certainty, until such a program has been approved by the Department of Environment and Labour's Regional Manager, Central Region, acceptance of any material specified in paragraph 1 is prohibited.

4. Reuse

Immediately upon receipt of this Order, the persons named in this Order may accept for the purpose of reuse any material specified in paragraph 1 provided:

- (a) the item retains its original form, is intact or undamaged and is suitable for reuse or resale. Examples may be: doors, windows, studs, boards and planks greater than six feet in length, complete sheets of plywood, fibre and chip board; and

- (b) the items are stored in an orderly fashion and protected from weather. Storage of this material will be restricted to areas outside of and away from those areas already comprised of mixed or any other combination of construction and demolition material.

5. Disposal

Immediately upon receipt of this Order, the persons named in this Order shall not dispose of or store for the purpose of disposal, any material specified in paragraph 1.

6. Acceptable Materials

Immediately upon receipt of this Order, the persons named in this Order may, subject to paragraph 1, accept the following materials at the Site:

- metals for which recovery and salvage markets presently exist;
- unpainted wood;
- wood that has not been coated or preserved and is free of adhesives; and
- aggregate, soil, bricks, mortar, concrete, asphalt pavement, porcelain or ceramic materials, trees, brush, limbs, stumps, root balls and organic mat.

7. Recycling

Immediately upon receipt of this Order, the persons named in this Order may, subject to paragraph 3, accept any material specified in paragraph 6 for the purpose of recycling.

8. Disposal

Immediately upon receipt of this Order, the persons named in this Order shall not dispose of or store for disposal, material specified in paragraph 6 except for the following:

- aggregate, soil, bricks, mortar, concrete, asphalt pavement, porcelain or ceramic materials, trees, brush, limbs, stumps, root balls, organic mat and milled wood free of adhesives, coatings or preservatives.

9. Recovery and Proper Disposal or Recycling Plan

On or before March 1, 2002, the persons named in this Ministerial Order shall submit to the Nova Scotia Department of Environment and Labour for approval a Plan prepared by a qualified consultant for the recovery and proper disposal or recycling of all prohibited materials named in paragraph 1, discarded or otherwise stored at the site as of the date of receipt of this Ministerial Order along with a time schedule to implement the Plan.

10. Implementation

Within 5 days of receipt of approval by the Nova Scotia Department of Environment and Labour of the Plan required by paragraph 9, the persons named in this Ministerial Order shall commence work under the Plan and complete the work within the approved time periods.

11. Progress Reports

Once the recovery and proper disposal or recycling has commenced under paragraph 10, the persons named in this Ministerial Order shall submit a written progress report to the Nova Scotia Department of Environment and Labour on a bi-weekly basis or at more frequent intervals if required by the Department.

10. Contact

Unless otherwise specified in this Ministerial Order or notified in writing by the Minister, the contact person in the Department of Environment and Labour for this Ministerial Order is:

David Wood, Inspector

Nova Scotia Department of Environment and Labour
Suite 224, Sunnyside Mall
1595 Bedford Highway
Bedford NS B4A 3Y4

Telephone: 424-7773
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