



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART I

PUBLISHED BY AUTHORITY

Vol. 79

ST. JOHN'S, FRIDAY, MAY 21, 2004

No. 21

### URBAN AND RURAL PLANNING ACT

#### NOTICE OF REGISTRATION

#### TOWN OF SPRINGDALE

#### MUNICIPAL PLAN AMENDMENT No. 2, 2004, and DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2004

Take notice that the Town of Springdale Municipal Plan Amendment No. 2, 2004, and Development Regulations Amendment No. 2, 2004 adopted on the 2<sup>nd</sup> day of February and approved on the 15<sup>th</sup> day of March, 2004, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of the Municipal Plan Amendment No.2, 2004, is to re-designate a portion of land located at the intersection of Little Bay Road, Grant Avenue, and Recreation Road from Residential to Mixed Highway Commercial and Light Industrial.

The purpose of Development Regulations Amendment No. 2, 2004, is to rezone the same portion of land from Residential Medium Density to Mixed Highway Commercial.

The Amendments are required to allow for a restaurant/sandwich shop at this location.

The Town of Springdale Municipal Plan Amendment No. 2, 2004, and Development Regulations Amendment No. 2, 2004, comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the Town of

Springdale Municipal Plan Amendment No. 2, 2004, and Development Regulations Amendment No. 2, 2004, may do so at the Town Office, Springdale, during normal working hours.

TOWN OF SPRINGDALE

Town Clerk

May 21

### CITY OF ST. JOHN'S ACT



#### ST. JOHN'S MUNICIPAL COUNCIL NOTICE

#### ST. JOHN'S MOBILE VENDING BY-LAW

Take notice that the St. John's Municipal Council has adopted the Mobile Vending By-Law.

The said By-Law was adopted by Council on the 10<sup>th</sup> day of May, 2004 and will have the effect of updating the Mobile Canteen Regulations enacted on February 19, 1986 and will regulate mobile vending in the City of St. John's.

All persons are hereby required to take notice that any person who wishes to view such By-Law may view same at the Office of the City Solicitor of the St. John's Municipal Council at City Hall, and that any person who wishes to obtain a copy thereof may obtain it at the said office upon the payment of a reasonable charge as established by the St. John's Municipal Council for such copy.

Dated this 13<sup>th</sup> day of May, 2004.

NEIL MARTIN  
City Clerk

P. O. # 35743  
May 21

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## **MUNICIPALITIES ACT**

### **ORDER RESPECTING A FEASIBILITY REPORT TOWN OF WINTERLAND**

I, Jack Byrne, Minister of Municipal and Provincial Affairs, pursuant to the provisions of the *Municipalities Act*, make the following Order:

#### **ORDER**

1. A Feasibility Report shall be prepared to consider the proposed reduction to the Winterland town boundary by removing a cottage area south of the Winterland Airstrip in the vicinity of Main Brook.
2. Mr. Keith Warren is hereby appointed to prepare the said Feasibility Report.
3. The Feasibility Report shall be prepared in accordance with the provisions of the *Municipalities Act* and shall be completed and submitted to me on or before the 30<sup>th</sup> day of July, 2004.

Dated at St. John's, this 12<sup>th</sup> day of May, 2004.

JACK BYRNE  
Minister of Municipal & Provincial Affairs

May 21

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## **LANDS ACT**

### **NOTICE OF INTENT**

#### ***LANDS ACT*, Chapter 36, S.N. 1991**

Notice is hereby given that Black Duck Cove Harbour Authority of Black Duck Cove, NL intends to apply to the Department of Environment and Conservation, two months from the publication of this Notice, to acquire title, pursuant to Section 7(2)(e) of the said Act, to that piece of Crown Land situated within fifteen (15) metres of the waters of Black Duck Cove, in the Electoral District of St.

Barbe for the purpose of wharf construction and being more particularly described as follows:

#### *Parcel 1:*

*Bounded on the North by the Atlantic Ocean  
for a distance of 50 m;  
Bounded on the East by the Atlantic Ocean  
for a distance of 50 m;  
Bounded on the South by the Atlantic Ocean  
for a distance of 50 m  
Bounded on the West by Beach  
for a distance of 50 m;  
and containing an area of  
approximately 2500 square metres.*

Any person wishing to object to the application must file the objection, in writing, within one month from the publication of this notice, with reasons for it, to the Minister of Environment and Conservation, c/o Western Regional Lands Office, P. O. Box 2006, Noton Building, Corner Brook, Newfoundland and Labrador, A2H 6J8.

For further information regarding the proposed application, please contact Jacob Dredge, Black Duck Cove Harbour Authority, Telephone (709) 877-2309.

May 21

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## **TRUSTEE ACT**

### **ESTATE NOTICE**

**IN THE MATTER OF the Estate of Martha Pearl Harding, late of the City of Corner Brook, in the Province of Newfoundland and Labrador, Gentlewoman, deceased.**

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Martha Pearl Harding, Gentlewoman, deceased, who died at the City of Corner Brook, in the Province of Newfoundland and Labrador, on or about the 31<sup>st</sup> day of December, 2003, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitors for the Executor of the Estate of the late Martha Pearl Harding, on or before the 10<sup>th</sup> day of June, 2004, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which she shall then have had notice. DATED at the City of Corner Brook, in the Province of Newfoundland and Labrador, the 10<sup>th</sup> day of May, 2004.

POOLE ALTHOUSE  
Solicitors for the Executor  
PER: J. Annette Bennett

ADDRESS FOR SERVICE  
49-51 Park Street  
P. O. Box 812  
Corner Brook, NL  
A2H 6H7

May 21

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**ESTATE NOTICE**

**IN THE MATTER OF the Estate of Obadiah King,  
Retired Electrician, late of the City of St. John's, in the  
Province of Newfoundland and Labrador, Deceased,  
who died on or about the 19<sup>th</sup> day of January, 2003.**

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Obadiah King, Retired Electrician, late of the City of St. John's, in the Province of Newfoundland and Labrador, Deceased, are hereby requested to send the particulars thereof in writing, duly attested, to the undersigned Solicitors for the Executor of the said Deceased, on or before the 30<sup>th</sup> day of June, 2004, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which she then shall have had notice.

DATED at St. John's, this 12<sup>th</sup> day of May, 2004.

BENSON-MYLES  
Barristers and Solicitors  
PER: Francis P. Fowler, Q.C.

ADDRESS FOR SERVICE:  
P. O. Box 1538  
Suite 900, Atlantic Place  
215 Water Street  
St. John's, NL A1C 5N8

May 21

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**ESTATE NOTICE**

**IN THE MATTER OF the Estate of Michael M. Ryan,  
late of Bay Bulls, in the Province of Newfoundland and  
Labrador, retired Funeral Director, deceased.**

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Michael M. Ryan, aforesaid, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitors for Robert M. Ryan, the Executor named in the Last Will of the said deceased, on or before 5:00 p.m., Friday, June 25<sup>th</sup>, 2004, after which date the Executor will proceed to distribute the Estate having regard only to the claims of which he shall then have notice.

DATED at St. John's, in the Province of Newfoundland and Labrador, this 12<sup>th</sup> day of May, 2004.

BENSON-MYLES  
Solicitors for Robert M. Ryan,  
the Executor of the Last Will and Testament of the late  
Michael M. Ryan.  
PER: Jeffrey P. Benson, Q.C.

ADDRESS FOR SERVICE  
215 Water Street  
Suite 900, Atlantic Place  
P. O. Box 1538  
St. John's, NL A1C 5N8

May 21

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**QUIETING OF TITLES**

**2004 05T 0115  
IN THE SUPREME COURT OF  
NEWFOUNDLAND AND LABRADOR  
TRIAL DIVISION**

NOTICE OF APPLICATION under the *Quieting of Titles Act*, Chapter Q-3, of the Revised Statutes of Newfoundland and Labrador.

Notice is hereby given to all parties that Clyde Oldford and Doreen Oldford, of the Town of Port Blandford, in the District of Terra Nova, in the Province of Newfoundland and Labrador, have applied to the Supreme Court, Trial Division, Gander, to have title to all that piece or parcel of property situate at Port Blandford, in the Province of Newfoundland and Labrador, which property is more particularly described in Schedules "A" and "C" hereto annexed and shown in Schedules "B" and "D" hereto annexed.

ALL BEARINGS aforementioned, for which Clyde Oldford and Doreen Oldford claim to be the owners investigated and for a Declaration that they are the absolute owners in fee simple in possession and the said Clyde Oldford have been ordered to public Notice of Application as required by the above named Act.

ALL persons having title adverse to the said title claimed by the said Clyde Oldford and Doreen Oldford shall file in the registry of the Supreme Court of Newfoundland and Labrador, Trial Division, Gander, particulars of such adverse claim and serve the same together with an Affidavit verifying same on the undersigned Solicitors for the Petitioner on or before the 13<sup>th</sup> day of June, 2004, after which date no party having any claim shall be permitted to file the same or to be heard except by special leave of the Court and subject to such conditions as the Court may deem just.

All such adverse claims shall then be investigated in such manner as the Supreme Court of Newfoundland and Labrador, Trial Division, Gander, may direct.

DATED at Clarenville, in the Province of Newfoundland and Labrador, this 14<sup>th</sup> day of May, 2004.

MILLS, HUSSEY & PITTMAN  
Solicitor For the Applicants  
PER: Gregory K. Pittman

ADDRESS FOR SERVICE:  
111 Manitoba Drive  
Suite 201  
Clarenville, NL  
A5A 1K2

**SCHEDULE "A"**

Clyde & Doreen Oldford  
(Parcel (1))  
Port Blandford, NL

ALL THAT piece or parcel of land situate and being on the western side of Legion Road at Port Blandford, in electoral district of Terra Nova, Newfoundland and Labrador, and being bound and abutted as follows:

BEGINNING at a point, said point being an iron pin set in the southwest corner of land claimed by Calvin Holloway and having reference from Control Monument No. 634102 of N83°52'34" W, 418.751 metres. N89°05'40"W, 849.098 metres; N89°05'40"W, 63715 metres;

THENCE running by land of Roy Holloway N89°05'40"W, 849.098 metres;

THENCE running along eastern limit of the Trans Canada Highway (60.96 metres Wide) N17°49'02"E, 50.048 metres;

Thence running by land of James Wicks S89°05'40"E 832.073 metres;

Thence running along the western limit of Legion Road (20 metres Wide) S50°48'37" E 19.080;

Thence running by land claimed by Calvin Holloway S54°15'11"W 31.565 metres; S35°44'49"E 21.464 metres, more or less to the point of beginning.

The above described parcel contains an area of 4.0255 hectares, more or less, and is more particularly shown on the attached plan dated November 28, 2002.

All Bearings premise that the Grid Bearing (NAD 83 from Control Monument No. 634102 to Control Monument No. 86G6079 is N00°38'47"W.

(Plan # 2002-1681)

Thence running along the western limit of the Trans Canada Highway (60.96 metres Wide) S17°49'02"W 50.048 metres, more or less to the point of beginning.

The above described parcel contains an area of 2232 square metres, more or less, and is more particularly shown on the attached plan dated November 28, 2002.

All Bearings premise that the Grid Bearing (NAD 83) from Control Monument No. 634102 to Control Monument No. 86G6079 is N00°38'47"W.

(Plan #2002-1681)

May 21

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**SCHEDULE "C"**

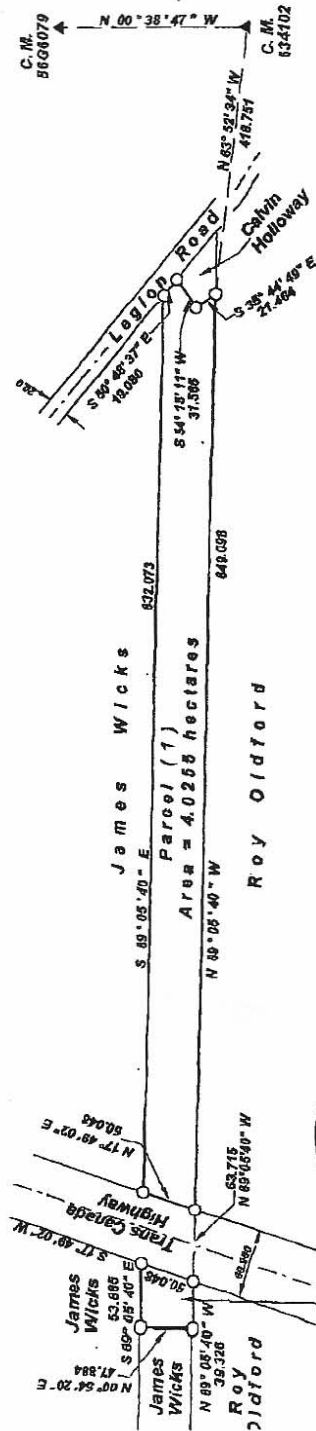
Clyde & Doreen Oldford  
(Parcel (2))  
Port Blandford, NL

ALL THAT piece or parcel of land situate and being on the western side of Trans Canada Highway at Port Blandford, in electoral district of Terra Nova, Newfoundland and Labrador and being bound and abutted as follows;

BEGINNING at a point, said point being an iron pin set in the southeast corner of land herein described and having reference from Control Monument No. 634102 as follows: N83°52'34" W, 418.751 metres; N89°05'40" W 849.098 metres; N89°05'40" W, 63.715 metres;

THENCE running by land of Roy Holloway N89°05'40"W, 39.326 metres;

THENCE running by land of James Wicks N00°54'20"E, 47.884 metres; S89°05'40"E, 53.885 metres;



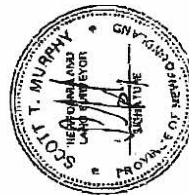
**CLYDE & DOREEN OLDFORD  
(PORT BLANDFORD)**

SCALE 1 : 400 DATE: November 28, 2002

11-11-61

**LEGEND :**

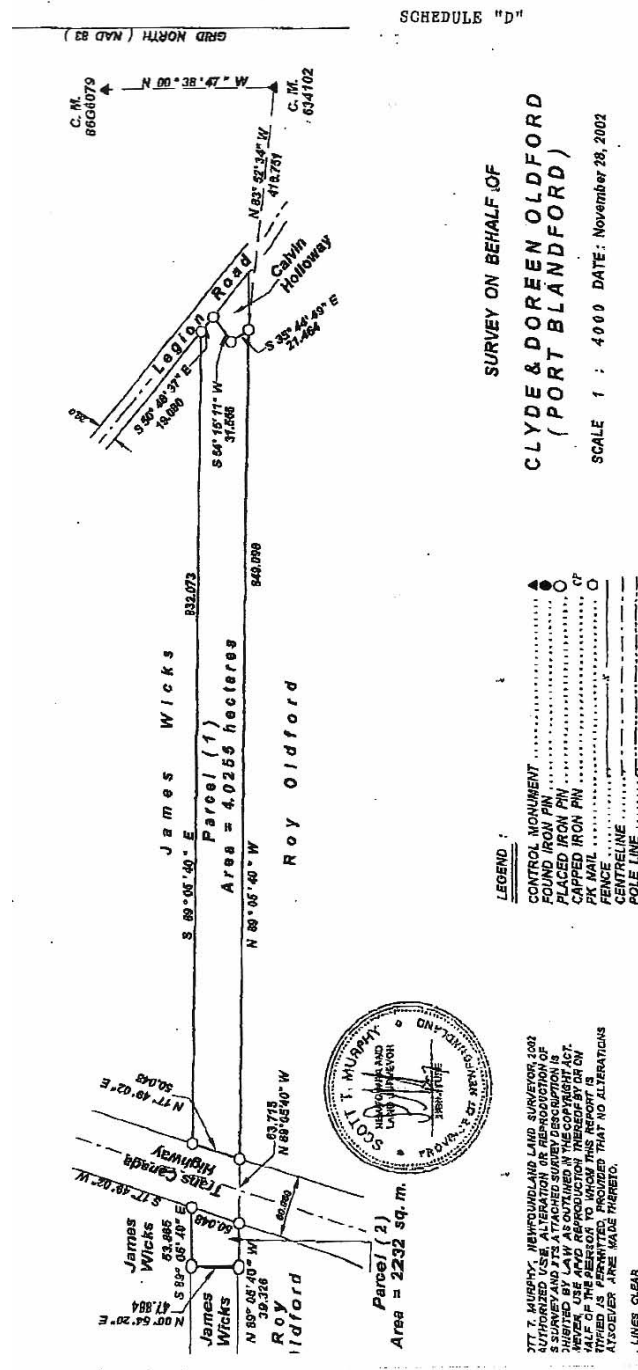
CONTROL MONUMENT      ▲  
FOUND IRON PIN      ○  
PLACED IRON PIN      ○  
CAPPED IRON PIN      ○  
PK NAIL      ○  
CENTRELINE      —  
POLE LINE      —  
SHORTLINE      —



OTT T. MURPHY, NEWFOUNDLAND LAND SURVEYOR, 2002  
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LIVES CLEAR

### Vertical Ground Distances



**CHANGE OF NAME ACT**

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**C-8 RSN 1990**  
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**NOTICE OF APPLICATION  
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act, by me:-*

LORINDA ANNE ROSE

of 194 Empire Avenue, St. John's, A1C 3G4, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

ZAYNE JOHN YOUNG  
to  
ZAYNE JOHN ROSE

DATED this 16<sup>th</sup> day of May, 2004

LORINDA ANNE ROSE  
(Signature of Applicant)

May 21

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**NOTICE OF APPLICATION  
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act, by me:-*

DIANNE SHARON GRANT

of 7 Gosling Street, St. John's, A1B 3E5, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

SARAH ELIZABETH YETMAN  
to  
SARAH ELIZABETH GRANT-YETMAN

DATED this 10<sup>th</sup> day of May, 2004

DIANNE GRANT  
(Signature of Applicant)

May 21

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Legal Name Changes  
Processed During the Period  
March, 2004

Under the authority vested in me by The Change of Name Act, Chapter C-8 of The Revised Statutes of Newfoundland, 1990, I hereby certify that the following names have been changed.

Former Name	Present Name	Address	District
Ivey, Christopher Andrew	Crosbie, Christopher Andrew	St. John's	St. John's North
Summers, Blake Donald	Godden, Blake Donald	Goulds	Kilbride
Rideout, Tyler Michael Steven	Oldford, Tyler Michael Steven	Conception Bay South	Conception Bay South
Keough, Emily Ann Irene	Simms, Emily Ann Irene	St. John's	Kilbride
Combden, Mark Wade	Knight, Mark Wade	St. John's	Signal Hill-Quidi Vidi
Benoit, Tamara Ellen Felictaus	Payne, Tamara Ellen	Stephenville	St. George's-Stephenville East
Harding, Faith Jasmine	Brown, Faith Jasmine	Mortier	Burin
Bonnelli, Gwynneth	Jones, Gwynneth	Gander	Gander
Hennessey, MacKinnon Dennis Roche	Roche, MacKinnon Dennis Hennessey	Middle Cove	Cape St. Francis
Hennessey, Aidan Martin Roche	Roche, Aidan Martin Hennessey	Middle Cove	Cape St. Francis
Lasaga, Dianisia Vallessa	White, Dianisia Vallessa	Conne River	Lapointe
Dwyer, Patricia Lynn	Tucker, Patricia Lynn	Gander	Gander
Oliver, Joseph Brendan	Young, Bernard Joseph	Barachois Brook	St. George's
Landry, Chaz Micheal	Almstrong, Chaz Micheal	Paradise	Topsail
Sansome, Tara-Lee Marie	Shave, Tara-Lee Marie	Pouch Cove	Cape St. Francis
Columbe (Young), Denise Alma	Bennett (Young), Denise Alma	St. John's	Bay St. George
Youden, Andrew Michael	Lever, Andrew Michael	St. John's	St. John's South
Youden, Stephen Ryan	Lever, Stephen Ryan	St. John's	St. John's South
Mahoney, Sonya Allison	Mahoney-Marsh, Sonya Allison	Spaniard's Bay	Port de Grave
Coish, Theresa Helen	Healey, Theresa Helen	St. John's	Virginia Waters
Burt, Haley Michelle Anne	Hurley, Haley Michelle Anne	Lewisporte	Lewisporte
Beazley, Anne Patricia	Pennell, Anne Marie	Corner Brook	Humber West
Kavanagh, Hailee Madison	Penney, Hailee Madison	Foxtrap	Conception Bay South
Hall, Bruce Raymond Amos	Patey, Bruce Amos	River of Ponds	St. Barbe South

Dated this 12th day of May, 2004

*Brenda Andrews*

Brenda Andrews  
Registrar, Vital Statistics Division  
Department of Government Services & Lands





# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART II

### SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

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Vol. 79

ST. JOHN'S, FRIDAY, MAY 21, 2004

No. 21

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### NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 35/04  
NLR 36/04  
NLR 37/04  
NLR 38/04  
NLR 39/04  
NLR 40/04



## **NEWFOUNDLAND AND LABRADOR REGULATION 35/04**

*Newfoundland and Labrador Hydro-Abitibi  
Consolidated Inc. Stephenville Operations  
Exemption Order  
under the  
Electrical Power Control Act, 1994  
and the  
Public Utilities Act  
(O.C. 2004-210)*

*(Filed May 18, 2004)*

Under the authority of section 5.2 of the *Electrical Power Control Act, 1994* and section 4.1 of the *Public Utilities Act*, the Lieutenant Governor in Council makes the following Order.

Dated at St. John's, May 14, 2004.

Robert C. Thompson  
Clerk of the Executive Council

### **ORDER**

#### *Analysis*

- |                |              |
|----------------|--------------|
| 1. Short title | 3. Exemption |
| 2. Definition  |              |

*Newfoundland and Labrador Hydro-Abitibi  
Consolidated Inc. Stephenville Operations  
Exemption Order*

35/04

Short title	<b>1.</b> This order may be cited as the Newfoundland and Labrador Hydro-Abitibi Consolidated Inc. Stephenville Operations Exemption Order.
Definition	<b>2.</b> In this order, "Abitibi" means Abitibi-Consolidated Inc., Abitibi-Consolidated, General Partnership, or Abitibi-Consolidated Company of Canada, as the context may require.
Exemption	<b>3.</b> Newfoundland and Labrador Hydro is exempt from the application of the <i>Electrical Power Control Act, 1994</i> and the <i>Public Utilities Act</i> for all aspects of a contract with Abitibi respecting the purchase of the right to interrupt power supplies to the Abitibi operations at Stephenville, Newfoundland and Labrador including <ol style="list-style-type: none"><li>(a) negotiating and executing all contracts necessary or incidental to this exemption; and</li><li>(b) acquiring and paying from its operating account all amounts to be paid under those contracts.</li></ol>

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 36/04**

*Occupancy and Maintenance Regulations (Amendment)*  
under the  
*Urban and Rural Planning Act, 2000*

*(Filed May 18, 2004)*

Under the authority of section 36 of the *Urban and Rural Planning Act, 2000*, I make the following regulations.

Dated at St. John's, May 11, 2004.

Jack Byrne  
Minister of Municipal and Provincial Affairs

**REGULATION**

*Analysis*

1. Sch. Amdt.

CNLR 1021/96  
as amended

**1. The Schedule to the *Occupancy and Maintenance Regulations* is amended by adding immediately after the words "Town of Norman's Cove-Long Cove" the words "Town of North River".**

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## NEWFOUNDLAND AND LABRADOR REGULATION 37/04

*Open Season Big Game Caribou Hunting Order,  
Labrador, 2003-2004 (Amendment)*

under the  
*Wild Life Regulations*  
and the  
*Wild Life Act*

*(Filed May 18, 2004)*

Under the authority of sections 38, 92 and 114 of the *Wild Life Regulations* and the *Wild Life Act*, I make the following Order.

Dated at St. John's, May 15, 2004.

Tom Osborne  
Minister of Environment and Conservation

### ORDER

#### *Analysis*

- |                             |                             |
|-----------------------------|-----------------------------|
| 1. S.4 Amdt.<br>Open season | 2. S.5 R&S<br>Closed season |
|-----------------------------|-----------------------------|

NLR 101/03  
as amended

**1. Subsection 4(1) of the *Open Season Big Game Caribou Hunting Order, Labrador, 2003-2004* is repealed and the following substituted:**

Open season      **4.** (1) There shall be an open season in the following zones during the dates specified:

Bay of Islands Zone	December 1, 2003 - April 30, 2004
Colville Lake Zone	November 21, 2003 - April 30, 2004
George River Zone	August 10, 2003 - April 30, 2004
Grand Lake Zone	December 31, 2003 - April 30, 2004
McPhayden River Zone	December 1, 2003 - April 30, 2004
Michikimau East Zone	November 17, 2003 - April 30, 2004
Michikimau West Zone	December 1, 2003 - April 30, 2004
Milner Lake Zone	December 1, 2003 - April 30, 2004
Mulligan River Zone	December 31, 2003 - April 30, 2004
Nipishish Lake Zone	March 25, 2004 - April 30, 2004
Orma North Zone	November 14, 2003 - April 30, 2004
Orma South Zone	November 10, 2003 - April 30, 2004
Torngat Mountain Zone	August 10, 2003 - April 30, 2004
Twin Falls Zone	November 17, 2003 - April 30, 2004

**2. Section 5 of the Order is repealed and the following substituted:**

Closed season      **5.** There shall be a closed season in the following zones:

- (a) Big River Zone;
- (b) Double Mer Barrens Zone;
- (c) Lac Virot Zone;

(d) Sawbill Lake Zone; and

(e) Seal Lake Zone.

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## NEWFOUNDLAND AND LABRADOR REGULATION 38/04

*Provincial Parks Regulations (Amendment)*  
under the  
*Provincial Parks Act*

*(Filed May 19, 2004)*

Under the authority of section 8 of the *Provincial Parks Act*, I make the following regulations.

Dated at St. John's, May 19, 2004.

Tom Osborne  
Minister of Environment and Conservation

### REGULATIONS

#### *Analysis*

1. S.6.1 Added  
Consumption of alcohol in  
Notre Dame Provincial Park

NLR 91/97  
as amended

**1. The *Provincial Parks Regulations* are amended by adding immediately after section 6 the following:**

Consumption of  
alcohol in Notre  
Dame Provincial  
Park

**6.1** (1) In this section, "alcoholic liquor" means alcoholic liquor as defined in the *Liquor Control Act*.

(2) A person shall not possess or consume alcoholic liquor within Notre Dame Provincial Park from 12:00 noon on Friday to



12:00 noon on the immediately following Monday during the period  
May 21 to June 28, 2004.

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## NEWFOUNDLAND AND LABRADOR REGULATION 39/04

*Air Pollution Control Regulations, 2004*  
under the  
*Environmental Protection Act*  
(O.C. 2004-232)

*(Filed May 20, 2004)*

Under the authority of sections 22 and 111 of the *Environmental Protection Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, May 19, 2004.

Robert C. Thompson  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |                                      |  |
|--------------------------------------|--|
| 1. Short title                       | 10. Performance testing facilities   |
| 2. Definitions                       | 11. Potential for air pollution in accident, emergency or urgent circumstances |
| 3. Ambient air quality standards     | 12. Burning prohibited   |
| 4. Incineration prohibition          | 13. Burning of waste products  |
| 5. Good engineering stack height     | 14. Burning of grades 4, 5, or 6 fuel prohibited                               |
| 6. Best available control technology | 15. Residential wood combustion prohibition                                    |
| 7. Sulphur dioxide emission cap      | 16. Motorized vehicles   |
| 8. Administrative penalty            | 17. Non-portable aboveground storage tanks                                     |
| 9. Opacity of visual emissions       |  |

18. Gasoline distribution networks	Schedule B
19. NOx standards for fossil fuel fired boilers and heaters	Schedule C
20. Monitoring and recording devices	Schedule D
21. Manner of measurements, recording and analyses	Schedule E
22. Repeal	Schedule F
Schedule A	Schedule G

Short title                    **1.** These regulations may be cited as the *Air Pollution Control Regulations, 2004*.

Definitions                **2.** In these regulations

- (a) "Act" means the *Environmental Protection Act*;
- (b) "air contaminant" means any discharge, release, or other propagation into the air and includes, but is not limited to, dust, fumes, mist, smoke, particulate matter, vapours, gases, odours, odorous substances, acids, soot, grime or any combination of them;
- (c) "air pollution" means the presence in air of an air contaminant or combination of air contaminants in excess of the maximum permissible standard, concentration or level as prescribed by these regulations or an approval issued under the Act;
- (d) "air quality management plan" means a plan developed by the minister to manage the level of air contaminants in an area, and may include a company specific air quality management plan approved by the minister;
- (e) "ambient air" means the portion of the atmosphere which is external to buildings, structures or underground spaces;
- (f) "Canadian standard" means the Canadian Standards Association Code CAN/CSA-B415.1, *Performance Testing of Solid Fuel Burning Heating Appliances*;

- (g) "combustion process equipment" means a furnace, boiler, dryer, apparatus, stack and all appurtenances used in the combustion process but does not include mobile internal combustion engines when used to provide propulsion;
- (h) "department" means the department presided over by the minister;
- (i) "emission" means an air contaminant emitted into the environment;
- (j) "emission source" means any combustion process equipment, installation, machinery, appliance, equipment or tanks from which air contaminants may be released or discharged;
- (k) "facility" means any stationary property, real or personal, taken as a whole, which has an emission source;
- (l) "fuel" means any fuel used directly or indirectly for heating, steam generation or electricity production, or for combustion in industrial processes;
- (m) "good engineering stack height (Hg)" means the greater of:
  - (i) 45 metres,
  - (ii) the height as calculated using the formula  $H_g = H + 1.5L$  where H is the height of any nearby structure and L is the lesser of the height H or projected width of any nearby structure, as measured from the ground level elevation at the base of the stack, or
  - (iii) the height demonstrated by a fluid model or approved field study which ensures that stack emissions do not result in air pollution resulting from atmospheric downwash or wakes created by the facility, nearby emission sources or terrain features;
- (n) "heavy duty motorized vehicle" means a vehicle with a gross vehicle weight rating greater than 2721.6 kilograms for the 1987 model year and older, and greater than 3855.5 kilograms for the 1988 model year and newer;

- (o) "light duty motorized vehicle" means a vehicle with a gross vehicle weight rating less than or equal to 2721.6 kilograms for the 1987 model year and older, and less than or equal to 3855.5 kilograms for the 1988 model year and newer;
- (p) "minister" means the minister appointed under the *Executive Council Act* to administer the Act;
- (q) "modified" means any addition or alteration to emission sources which may cause:
  - (i) an increase in the release of an air contaminant, or
  - (ii) an emission of an air contaminant that was not previously emitted;
- (r) "nearby" means within the lesser of 800 metres or 5 times the lesser of the height or the projected width of a structure;
- (s) "opacity" means the degree to which an emission reduces the passage of light or obscures the view of an object in the background, expressed numerically from 0%, transparent, to 100%, opaque;
- (t) "particulate matter" means a material, except water in an uncombined form, that is or has been airborne and exists as a liquid or a solid at reference conditions;
- (u) "point of impingement" includes a part or combination of those things referred to in subparagraphs (i) to (iii) upon which an air contaminant may impinge
  - (i) land and water,
  - (ii) plant and animal life, including human life, and
  - (iii) a building, structure, machine or other device or thing made by humans;
- (v) "projected width" means the greatest distance between two points on a structure;

- (w) "reference conditions" means a dry gas temperature of 25° Celsius and a gas pressure of 101.325 kilopascals;
- (x) "stack" means a chimney, flue, conduit or duct arranged to conduct an air contaminant into the environment;
- (y) "sulphur content" means the amount of sulphur by weight as determined by standard methods;
- (z) "used oil" means a used lubricating oil or waste oil;
- (aa) "US EPA standard" means the *Standards of Performance for New Residential Wood Heaters*, Title 40, Part 60, Subpart AAA of the Code of Federal Regulations, published by the United States Environmental Protection Agency; and
- (bb) "visible emission" means an emission which can be detected by the naked eye.

Ambient air quality  
standards

3. (1) The ambient air quality standards prescribed in Schedule A shall be used to maintain air quality in the province.

(2) The concentration of air contaminants due to all sources shall not exceed the standards prescribed in Schedule A.

(3) For the purpose of ensuring that the standards prescribed in Schedule A are met, the minister may:

- (a) specify a condition in an approval issued under Part XI of the Act; or
- (b) develop an air quality management plan specifying the provisions to reduce the level of air contaminants emitted by each facility identified in the plan, and the owner or operator of each facility shall
  - (i) provide the minister with any information he or she may require regarding the development of an air quality management plan, including a company specific air quality management plan, and
  - (ii) comply with the provisions of the plan within the time specified by the minister.

Incineration prohibition

4. An owner or operator shall not operate or permit the operation of new incineration or pyrometric equipment having an in-stack concentration in excess of the standards prescribed in Schedule B.

Good engineering stack height

5. (1) Commencing July 1, 2004, all new stack installations with annual releases in excess of 20 tonnes of particulate matter or sulphur dioxide shall meet good engineering stack height.

(2) Subject to subsection (1), for the purposes of enforcing these regulations, the calculated concentration of an air contaminant at a point of impingement shall be from good engineering stack height.

Best available control technology

6. (1) An owner or operator who installs a new or modified emission source shall employ the best available control technology.

(2) Notwithstanding subsection (1), an owner or operator may install a new or modified emission source which does not comply with that subsection with the written approval of the minister.

(3) Notwithstanding subsection (1), best available control technology shall not apply to:

- (a) routine maintenance, repair and parts replacement;
- (b) normal increases in production rates unless otherwise prohibited;
- (c) increases in hours of operation unless otherwise prohibited; or
- (d) use of an alternative cleaner fuel or raw material.

(4) Best available control technology shall be acceptable to the department and shall, in that particular circumstance, be:

- (a) the most effective emission control device or technique;
- (b) the most stringent emission control device or technique;
- (c) proven reliable in comparable processes; and

- (d) economically feasible as determined by the minister in light of industry standards after consultation with the particular owner or operator.

Sulphur dioxide  
emission cap

7. (1) There is established a provincial sulphur dioxide emission cap which shall be 60,000 tonnes per calendar year.

(2) Subsection (1) shall come into effect on January 1, 2005.

(3) The owner or operator of a facility which releases in excess of 20 tonnes of sulphur dioxide per year in the aggregate, shall submit to the department an annual report on fuel usage, fuel sulphur content, fuel specific gravity and sulphur dioxide emissions, no later than February 28 of each subsequent year.

(4) The first report under subsection (3) shall be submitted to the department no later than February 28, 2006.

Administrative  
penalty

8. (1) For the purpose of environmental protection, the minister may, under the authority of section 106 of the Act, impose an administrative penalty prescribed in Schedule C against an owner or operator who emits an air contaminant.

(2) Administrative penalties imposed under this section shall be payable within 60 days of notification of the penalty by the department.

Opacity of visual  
emissions

9. (1) The owner or operator of an emission source with a nameplate capacity greater than 100 GJ / hr, or with an annual particulate matter release greater than 100 tonnes shall determine the opacity of a visible emission on a continuous basis.

(2) Notwithstanding subsection (1), the minister may require the owner or operator of other emission sources to determine the opacity of a visible emission on a continuous basis.

(3) The opacity of a visible emission shall be determined by means of a continuous opacity monitoring system and shall be calculated as a 6 minute arithmetic average of instantaneous observations.

(4) An owner or operator shall not cause or permit to be caused a visible emission having an opacity greater than 20%.



(5) Notwithstanding subsection (4), a visible emission may have an opacity exceeding 20% but not exceeding 25% for one 6 minute period in any one hour period.

(6) Notwithstanding subsections (4) and (5), every time a fire is started in combustion process equipment, a visible emission may have an opacity exceeding 20%, but not exceeding 40% for one 6 minute period in the first 30 minute period after that new fire is started.

(7) Commencing July 31, 2005, opacity readings under subsections (1) and (2) shall be reported monthly to the department by the last day of each subsequent month.

(8) Where an emission source employs best available control technology, an owner or operator shall be exempt from the provisions of subsections (1) to (7).

(9) Where an emission source employs best available control technology, the owner or operator of that emission source shall

- (a) provide the minister with a contingency plan detailing the remedial action for compliance with the provisions of this section when best available control technology is non-operational;
- (b) the contingency plan may be approved by the minister, including any additions or deletions that the minister may require; and
- (c) the owner or operator shall comply with the approved contingency plan.

(10) Where a continuous opacity monitoring system does not achieve a monthly valid data capture rate of 95 %, an administrative penalty of \$5 shall be payable with respect to each non-measured opacity reading below the valid data capture rate.

(11) Commencing January 1, 2006 an administrative penalty, as prescribed in Schedule D, shall be payable with respect to opacity which exceeds the standards in this section.

(12) Administrative penalties imposed under this section shall be payable within 60 days of notification of the penalty by the department.

Performance testing  
facilities

**10.** (1) The owner or operator of good engineering stack height installations shall provide the following performance testing facilities:

- (a) sampling ports adequate for testing devices and applicable methods;
- (b) safe sampling platforms;
- (c) safe access to sampling platforms; and
- (d) utilities for sampling and testing devices.

(2) The minister may require the owner or operator of an emission source other than the emission source referred to in subsection (1) to provide performance testing facilities.

Potential for air  
pollution in acci-  
dent, emergency or  
urgent circum-  
stances

**11.** (1) Where a facility has the potential for air pollution due to an unanticipated failure to operate in the normal manner due to an accident, emergency or urgent situation, a change in operating conditions, or a shut-down of a pollution control device, the owner or operator of the facility shall:

- (a) take immediate remedial action to reduce any emissions and provide the department with the particulars of that failure, change or shutdown; and
- (b) provide the department in writing with the particulars of the remedial action taken under paragraph (a) and the reasons for that action as soon as it is practicable.

(2) Where the minister considers an emission by a facility to be a nuisance, the owner or operator of that facility shall:

- (a) investigate to determine the nature of the emission; and
- (b) provide the minister with a remediation plan.

(3) The minister may approve the plan required by paragraph 2(b) subject to any changes he or she may require and an owner or operator shall comply with an approved plan.

(4) Notwithstanding sections 3 and 9, the minister may, under the authority of section 105 of the Act, enter into a compliance agree-

ment with the owner or operator in writing regarding a situation contemplated by subsection (1), authorizing the continuance of the operation for the period of time as the minister considers reasonable.

Burning prohibited

**12.** (1) A person shall not burn or permit the burning of any material listed in Schedule E in a fire.

(2) Notwithstanding subsection (1), a person may burn or permit the burning of materials listed in Schedule E in a fire with the written approval of the minister.

Burning of waste products

**13.** Notwithstanding section 12, a person shall not burn or permit the burning of used oil, waste products or other materials in combustion process equipment except

- (a) where the design and the intended use of the equipment according to the manufacturer's manual permits the burning of the specific material;
- (b) where the equipment has the combustion and emission control devices that may be required by the minister;
- (c) where the rate does not exceed the equipment design; and
- (d) where the written approval of the minister has been obtained.

Burning of grades 4, 5, or 6 fuel prohibited

**14.** Commencing January 1, 2005, a person shall not burn, or permit the burning of any fuel, grade numbers 4, 5 or 6

- (a) where emission sources employ best available control technology ,
  - (i) containing a sulphur content in excess of 3.0%; and
  - (ii) containing a sulphur content in excess of 2.0% on an annual basis, as calculated by the formula:

where:

$$SO_2 = \frac{(SO_2)(100000)}{(1.9579)(V_t)}$$

sulphur dioxide  
emissions in tonnes

$V_i$  = volume of fuel in litres; and

(b) where emission sources do not employ best available control technology,

(i) containing a sulphur content in excess of 2.2%, and

(ii) containing a sulphur content in excess of 2.0% on an annual basis, as calculated by the formula:

$$\frac{\sum_{i=1}^n (S_i)(V_i)}{\sum_{i=1}^n (V_i)}$$

where:

$n$  = number of shipments during a calendar year

$S_i$  = sulphur content of each shipment, expressed as %

$V_i$  = volume of each shipment.

Residential wood  
combustion prohibi-  
tion

**15.** (1) Commencing July 1, 2008 a person shall not manufacture, sell or permit the selling of a residential woodstove, fireplace insert or factory built fireplace which may emit particulate matter into the environment in excess of:

(a) the emission requirements of the Canadian standard; or

(b) the emission requirements of the US EPA standard.

(2) The emission requirements under subsection (1) shall be determined by the test methods and procedures contained in that standard.

(3) Each unit manufactured, permitted or sold under subsection (1) shall have a readily visible, permanently affixed manufacturer's label which:

- (a) conforms to the labelling requirements in that standard; and
- (b) indicates that the unit conforms to the particulate matter emission requirements of that standard.

Motorized vehicles

**16.** (1) A person shall not operate or permit the operation of a light duty motorized vehicle having an emission in excess of the standards prescribed in Schedule F.

(2) The opacity of a visible emission from a diesel fuelled heavy duty motorized vehicle, as determined by procedure SAE J1667 entitled *Snap Acceleration Smoke Test Procedure for Heavy-Duty Diesel Vehicles*, shall not exceed:

- (a) 40% for 1991 model vehicles and newer; and
- (b) 55% for 1990 model vehicles and older.

(3) For the purpose of ensuring that the standards prescribed in Schedule F and subsection (2) are met, according to paragraph 111(1)(p) of the Act, the minister may, by regulation, establish an emission inspection and maintenance program as a means of reducing exhaust and evaporative air contaminants.

Non-portable  
aboveground  
storage tanks

**17.** (1) Commencing January 1, 2012, all new and existing non-portable aboveground storage tanks with a volume greater than 4 m<sup>3</sup> and storing a volatile organic liquid with a vapour pressure greater than 10 kPa at 21.1° Celsius shall comply with the provisions of the CCME guidelines "*Environmental Guidelines for Controlling Emissions of Volatile Organic Compounds from Aboveground Storage Tanks, PN 1180*" including any amendments to those guidelines.

(2) The owner or operator of emission sources shall provide the department in writing with a plan outlining its schedule for compliance with subsection (1) no later than January 1, 2006.

(3) All records under Part 7 of the guidelines shall be reported annually to the department by February 28 of each subsequent year.

(4) The first report under subsection (3) is due no later than February 28, 2012.

Gasoline distribu-  
tion networks

**18.** (1) Commencing January 1, 2011, all new and existing persons engaged in the gasoline distribution network shall comply with the vapour balancing, recovery and control requirements of the CCME guidelines "*Environmental Code of Practice for Vapour Recovery in Gasoline Distribution Networks, PN 1057*" including any amendments to those guidelines.

(2) Subsection (1) shall not apply to:

- (a) terminals with an annual gasoline throughput less than 25 million litres;
- (b) bulk plants with an annual gasoline throughput less than 4.5 million litres;
- (c) service stations with an annual gasoline throughput less than one million litres;
- (d) cargo tank trucks with a capacity less than 21,000 litres; or
- (e) ships and barges.

(3) The owner or operator of emission sources shall provide the department in writing with a compliance schedule no later than January 1, 2006.

(4) All records under Parts 3, 4, 5, & 6 of the guidelines, shall be reported annually to the department by February 28 of each subsequent year.

(5) The first report under subsection (4) is due no later than February 28, 2011.

NOx standards for  
fossil fuel fired  
boilers and heaters

**19.** All new and modified fossil fuel fired boilers and heaters, with a nameplate capacity equal to or greater than 10.5 GJ/hr, shall not exceed the emission standards prescribed in Schedule G.

Monitoring and  
recording devices

**20.** The minister may require the installation of

- (a) devices which are necessary to record the throughput and operation of process, combustion or control equipment; and

- (b) monitoring and recording devices which are necessary to measure and record concentrations of air contaminants, opacity and flow at their origin and at point of impingement.

Manner of measurements, recording and analyses

**21.** All measurements, recordings and analyses conducted under these regulations shall be

- (a) performed at locations and by devices and methods acceptable to the department; and

- (b) made readily accessible to the department in a time and manner acceptable to the department.

Repeal

**22.** The *Air Pollution Control Regulations, 2003*, Newfoundland and Labrador Regulation 56/03, are repealed.

**Schedule A****Table I: Ambient Air Quality Standards at Reference Conditions**

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Name of Contaminant	Contaminant Code or CAS No.	Unit of Concentration	Concentration	Period of Time	Additional Notes
1	Ammonia	7664-41-7	Micrograms per cubic metre of air	100	24 hour	
2	Arsenic	7440-38-2	Total micrograms of arsenic in free and combined form per cubic metre of air	0.3	24 hour	
3	Asbestos	1332-21-4	Micrograms per cubic metre of air	1.5	24 hour	
4	Cadmium	7440-43-9	Total micrograms of cadmium in free and combined form per cubic metre of air	2	24 hour	
5	Carbon monoxide	630-08-0	Micrograms per cubic metre of air	35000 15000	1 hour 8 hour	
6	Copper	7440-50-8	Total micrograms of copper in free and combined form per cubic metre of air	50	24 hour	
7	Dustfall		Grams of dustfall per square metre	7.0 4.6	30 day 1 year	(1) (1)
8	Hydrogen sulphide	7783-06-4	Micrograms per cubic metre of air	15 5	1 hour 24 hour	
9	Lead	7439-92-1	Total micrograms of lead in free and combined form per cubic metre of air	2.0 0.7	24 hour 30 day	(1)



ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Name of Contaminant	Contaminant Code or CAS No.	Unit of Concentration	Concentration	Period of Time	Additional Notes
10	Mercaptans		Total micrograms of mercaptans per cubic metre expressed as methyl mercaptan	20	1 hour	
11	Mercury	7439-97-6	Total micrograms of mercury in free and combined form per cubic metre of air	2	24 hour	
12	Nickel	7440-02-0	Total micrograms of nickel in free and combined form per cubic metre of air	2	24 hour	
13	Nitrogen dioxide	10102-44-0	Total micrograms of nitrogen oxides per cubic metre of air, expressed as NO <sub>2</sub>	400 200 100	1 hour 24 hour 1 year	(1)
14	Ozone	10028-15-6	Micrograms per cubic metre of air	160 87	1 hour 8 hour	
15	Particulate matter (less than 2.5 microns)		Micrograms per cubic metre of air	25	24 hour	
16	Particulate matter (less than 10 microns)		Micrograms per cubic metre of air	50	24 hour	
17	Particulate matter (total)		Micrograms per cubic metre of air	120 60	24 hour 1 year	(2)
18	Polychlorinated biphenyls (PCBs)	1336-36-3	Micrograms per cubic metre of air	0.15 0.035	24 hour 1 year	(1)
19	Reduced sulphur compounds		Micrograms of reduced sulphur compounds per cubic metre of air expressed as hydrogen sulphide	30	1 hour	

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Name of Contaminant	Contaminant Code or CAS No.	Unit of Concentration	Concentration	Period of Time	Additional Notes
20	Sulphur dioxide	7446-09-5	Micrograms per cubic metre of air	900 600 300 60	1 hour 3 hour 24 hour 1 year	(1)
21	Vanadium	7440-62-2	Total micrograms of vanadium in free and combined form per cubic metre of air	2	24 hour	
22	Zinc	7440-66-6	Micrograms per cubic metre of air	120	24 hour	

(1) Arithmetic mean

(2) Geometric mean

Table II: Ambient Air Quality Standards for Dioxins and Furans at Reference Conditions

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Name of Contaminant	Contaminant Code or CAS No.	Unit of Concentration	Concentration	Period of Time	Additional Notes
1	Polychlorinated dibenzo-p-dioxins (PCDDs) & polychlorinated dibenzofurans (PCDFs) (TEQ)		Picograms (TEQ) per cubic metre of air	5	24 hour	(3)

(3) The Total Equivalent Quotient (TEQ) concentration of PCDDs and PCDFs is determined by multiplying the concentration of each congener listed in Column 1 of Table III by the corresponding

toxicity factor set out in Column 2 of that item and by adding the products of them.

TABLE III: Dioxins and Furans Toxicity Factors

ITEM	COLUMN 1	COLUMN 2
	Congener	Toxicity Factor
1	2,3,7,8-T4CDD	1
2	1,2,3,7,8-P5CDD	0.5
3	1,2,3,4,7,8-H6CDD	0.1
4	1,2,3,6,7,8-H6CDD	0.1
5	1,2,3,7,8,9-H6CDD	0.1
6	1,2,3,4,6,7,8-H7CDD	0.01
7	OCDD	0.001
8	2,3,7,8-T4CDF	0.1
9	1,2,3,7,8-P5CDF	0.05
10	2,3,4,7,8-P5CDF	0.5
11	1,2,3,4,7,8-H6CDF	0.1
12	1,2,3,6,7,8-H6CDF	0.1
13	1,2,3,7,8,9-H6CDF	0.1
14	2,3,4,6,7,8-H6CDF	0.1
15	1,2,3,4,6,7,8-H7CDF	0.01
16	1,2,3,4,7,8,9-H7CDF	0.01
17	OCDF	0.001

**Schedule B****In-Stack Standards for Incineration and Pyrolysis**

Facility Type	Mercury (1)	Polychlorinated dibenzo-p-dioxins (PCDDs) & poly-chlorinated dibenzofurans (PCDFs) (1)
Municipal Waste Incineration	20 µg/m <sup>3</sup>	80 pg I-TEQ/m <sup>3</sup>
Medical Waste Incineration	20 µg/m <sup>3</sup>	80 pg I-TEQ/m <sup>3</sup>
Hazardous Waste Incineration	50 µg/m <sup>3</sup>	80 pg I-TEQ/m <sup>3</sup>
Sewage Sludge Incineration	70 µg/m <sup>3</sup>	80 pg I-TEQ/m <sup>3</sup>

(1) at reference conditions, dry gas basis, corrected to 11% oxygen by volume

Where:

(a) (ug/m<sup>3</sup>) = micrograms per cubic metre; and

(b) (pg I-TEQ/m<sup>3</sup>) = International Total Equivalent Quotient picograms per cubic metre

**Schedule C**Administrative Penalties for  
Emissions Exceedences

Pollutant	Maximum Allowable Annual Emission Without Administrative Penalty	Administrative Penalty
Ammonia	10 tonnes	\$2 / tonne
Nickel	10 tonnes	\$2 / tonne
Vanadium	10 tonnes	\$2 / tonne
Carbon Monoxide	20 tonnes	\$2 / tonne
Nitrogen Oxides	20 tonnes	\$2 / tonne
Particulate Matter (total)	20 tonnes	\$2 / tonne
Sulphur Dioxide	20 tonnes	\$2 / tonne
Arsenic	50 kilograms	\$2 / kilogram
Lead	50 kilograms	\$2 / kilogram
Cadmium	5 kilograms	\$2 / kilogram
Mercury	5 kilograms	\$2 / kilogram
Polychlorinated di-benzo-p-dioxins (PCDDs) & polychlorinated dibenzofurans (PCDFs)(TEQ)	1000 milligrams TEQ	\$2 / milligram TEQ

**Schedule D****Administrative Penalties for Opacity Exceedences**

New Fire	Best Available Control Technology	Time Frame	Opacity	1st Exceedence	Subsequent Exceedences
NO	NO	1 Hour	> 20% , ≤ 25%	\$ 0	\$ 5
NO	NO	1 Hour	> 25% , ≤ 30%	\$ 5	\$ 10
NO	NO	1 Hour	> 30%	\$ 10	\$ 15
YES	NO	30 Minutes	> 20% , ≤ 40%	\$ 0	\$ 5
YES	NO	30 Minutes	> 40% , ≤ 50%	\$ 5	\$ 10
YES	NO	30 Minutes	> 50%	\$ 10	\$ 15

**Schedule E****Materials Prohibited from Burning in a Fire**

(a) tires	(k) manure
(b) plastics	(l) rubber
(c) treated lumber	(m) tar paper
(d) asphalt and asphalt products	(n) railway ties
(e) drywall	(o) paint and paint products
(f) demolition waste	(p) fuel and lubricant containers
(g) hazardous waste	(q) used oil
(h) biomedical waste	(r) animal cadavers
(i) domestic waste	(s) hazardous substances
(j) trash, garbage, or other waste from commercial, industrial or municipal operations	(t) materials disposed of as part of the removal or decontamination of equipment, buildings or other structures

**Schedule F****Standards for Vehicle Emissions for Light Duty Motorized Vehicles at Idle Speed**

Category Definitions			Passenger Vehicles		Light Duty Trucks (1)	
Item	Model Year	Engine Size (litres)	Hydrocarbons (ppm)	Carbon Monoxide (%)	Hydrocarbons (ppm)	Carbon Monoxide (%)
1	pre 1973	<= 2.5	1500	7.5	1500	7.5
2	pre 1973	> 2.5	1500	5.5	1500	5.5
3	1973 - 1974	<= 2.5	750	6.0	750	6.0
4	1973 - 1974	> 2.5	650	5.0	650	5.0
5	1975 - 1981	<= 2.5	450	5.0	450	5.0
6	1975 - 1981	> 2.5	400	4.5	400	4.5
7	1982 - 1987	<= 1.8	350	4.0	350	4.0
8	1982 - 1987	> 1.8, <= 2.6	350	4.0	350	4.0
9	1982 - 1987	> 2.6, <= 4.0	300	3.5	300	3.5
10	1982 - 1987	> 4.0	300	3.5	300	3.5
11	1988 - 1995	<= 1.8	130	1.1	260	2.2
12	1988 - 1995	> 1.8, <= 2.6	120	1.0	240	2.0
13	1988 - 1995	> 2.6, <= 4.0	105	0.8	210	1.6
14	1988 - 1995	> 4.0	90	0.6	180	1.2
15	1996 +	<= 1.8	90	0.6	180	1.2
16	1996 +	> 1.8, <= 2.6	80	0.5	160	1.0
17	1996 +	> 2.6, <= 4.0	80	0.4	160	0.8
18	1996 +	> 4.0	80	0.4	160	0.8

(1) LDT = Light Duty Truck (pre 1988, <= 2721.6 kg gross vehicle weight rating (GVWR))

LDT = Light Duty Truck (1988 +, <= 3855.5 kg gross vehicle weight rating (GVWR))

Where:

(a) (ppm) = parts per million by volume

(b) (%) = percentage by volume



**Schedule G****Emission Standards for NO<sub>x</sub>**

Capacity	NO <sub>x</sub> Emission Limit (g / GJ)		
(GJ / hr)	Gaseous Fuel	Distillate Oil	Residual Oil
10.5 - 105	26	40	90
> 105	40	50	90

Where:

(a) (GJ/hr)= gigajoules/hour

(b) (g/GJ)- grams per gigajoule.

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## NEWFOUNDLAND AND LABRADOR REGULATION 40/04

*Storage and Handling of Gasoline and Associated  
Products Regulations, 2003 (Amendment)*  
under the  
*Environmental Protection Act*  
(O.C. 2004-234)

*(Filed May 21, 2004)*

Under the authority of section 111 of the *Environmental Protection Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, May 20, 2004.

Robert C. Thompson  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |   |                                |
|---|--------------------------------|
| 1. S.13 R&S<br>Prohibition and registration | 2. S.18.1 Added<br>Prohibition |
|---|--------------------------------|

NLR 58/03

**1. Section 13 of the *Storage and Handling of Gasoline and Associated Products Regulations, 2003* is repealed and the following substituted**

Prohibition and  
registration

**13.** (1) A person shall not construct, install, alter or operate a storage tank system unless that construction, installation, alteration or operation is registered under these regulations.

(2) A person who

(a) constructs;

(b) installs;

(c) alters; and

(d) operates

a storage tank system, shall,

(e) in the form and manner required by the minister; and

(f) before carrying out the proposed construction, installation, alteration or operation of that storage tank system,

register that construction, installation, alteration or operation with the department.

(3) The minister may, at any time before or after the registration of a storage tank system construction, installation, alteration or operation under this section require

(a) the inspection of that storage tank system; and

(b) that the owner or operator of that storage tank system provide additional information relating to that system,

as the minister considers necessary to ensure compliance with the Act and these regulations.

(4) Notwithstanding subsections (1) and (2), where, immediately before the coming into force of this section, a storage tank system is in operation, the operation of that storage tank system shall be registered under this section by not later than November 30, 2004.

**2. The regulations are amended by adding immediately after section 18 the following:**

Prohibition      **18.1** (1) A person shall not operate, fill or cause to be operated or filled a storage tank system where the operation of that system is not registered under section 13.

(2) Subsection (1) shall not apply to the operation or filling of a storage tank system that is operating immediately before the coming into force of this section until after November 30, 2004.

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## Index

### PART I

Change of Name Act – Notices .....	279
City of St. John's – Notice .....	273
Lands Act – Notice .....	274
Municipalities Act – Order .....	274
Quieting of Titles Act – Application .....	275
Trustee Act – Notices .....	274
Urban and Rural Planning Act – Notices .....	273

### PART II

#### CONTINUING INDEX OF SUBORDINATE LEGISLATION

Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	NL Gazette Date & Page No.
<b>Electrical Power Control Act, 1994 and The Public Utilities Act</b>			
Newfoundland and Labrador Hydro- Abitibi Consolidated Inc. Stephenville Operations Exemption Order	NLR 35/04	New	May 21/04, p. 169
<b>Environmental Protection Act</b>			
Air Pollution Control Regulations Regulations, 2004	NLR 39/04	NLR 56/03 R & S	May 21/04, p. 179
Storage and Handling of Gasoline and Associated Products Regulations, 2003 (Amdt)	NLR 40/04	NLR 58/03 S. 13 R & S S. 18.1 Added	May 21/04, p. 203
<b>Provincial Parks, Act</b>			
Provincial Parks Regulations (Amdt)	NLR 3804	Amends NLR 91/97, S. 6.1 Added.	May 21/04, p. 177
<b>Urban and Rural Planning Act, 2000</b>			
Occupancy and Maintenance Regulations (Amendment)	NLR 36/04	Amends CNLR 1021/96 Sch. Amdt.	May 21/04, p. 171
<b>Wildlife Regulations and the Wild Life Act</b>			
Open Season Big Game Caribou Hunting Order, Labrador, 2003-2004 (Amdt)	NLR 37/04	Amends NLR 101/03, S. 4 Amdt. S. 5 R & S	May 21/04, p. 173

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