

*The
Mineral Industry
Environmental
Protection
Regulations, 1996*

being

[Chapter E-10.2 Reg 7](#) (effective March 6, 1996).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

	PRELIMINARY		
1	Title	17	Revision of plan and fund
2	Interpretation	18	Permanent closure of mining site
3	Approvals required	19	Use of assurance fund
4	Exemptions	20	Excess assurance fund
	CONSTRUCTION, ETC., OF POLLUTANT CONTROL FACILITY	21	Insufficient assurance fund
5	Construction, etc., of facility	22	Application for release from decommissioning and reclamation requirements
6	Application for approval to construct		EXPLORATION
	OPERATION OF POLLUTANT CONTROL FACILITY	23	Requirements for exploration
7	Operation of facility	24	Exploration by drilling, trenching, etc.
8	Application for approval to operate		APPLICATIONS AND APPROVALS
9	Renewal of approval	25	Further information or material
	TEMPORARY CLOSURE OF POLLUTANT CONTROL FACILITY	26	Applications
10	Temporary closure of facility	27	Compliance with approvals required
11	Application for approval to close temporarily	28	Amending, cancelling approvals
	DECOMMISSIONING AND RECLAMATION PLAN AND ASSURANCE FUND	29	Minister to provide notice
12	Plan and fund required		GENERAL
13	Existing approvals	30	Limitation respecting certain discharges
14	Application for approval of plan and fund	31	Approval not transferable
15	Assurance fund	32	Expiry of approval
	REVIEW, REVISION AND USE OF PLAN AND FUND	33	Transition - existing approvals continued
16	Review of plan and fund	34	R.R.S. c.E-10.2 Reg 5 repealed
		35	Coming into force
			APPENDIX

CHAPTER E-10.2 REG 7

The Environmental Management and Protection Act

PRELIMINARY

Title

1 These regulations may be cited as *The Mineral Industry Environmental Protection Regulations, 1996*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Environmental Management and Protection Act*;
- (b) “**alter**” means to change a pollutant control facility in a manner that may affect its standard of environmental performance or environmental protection;
- (c) “**decommission**” means to remove or retire permanently from service or take any action to remove or retire all or part of a mining site;
- (d) “**decommissioning and reclamation plan**” means a plan, including any amendments to a plan, to decommission and reclaim all or part of a mining site;
- (e) “**deep well injection**” means disposal of liquid wastes into a subsurface geological horizon;
- (f) “**exploration**” means the search by any physical or chemical means for minerals;
- (g) “**mill**” means a facility operated to crush, grind, leach, dissolve, roast, float, sift, shake, wash, aspirate or carry out any other process for the purpose of obtaining, concentrating or processing a mineral and includes a smelter or a refinery;
- (h) “**mine**” includes:
 - (i) openings or excavations in, or workings of, the ground for the purpose of searching for, winning, opening up, proving or storing underground any mineral or mineral-bearing substance;
 - (ii) wells for the purpose of formation testing, mining, waste disposal, deep well injection or dewatering related to the development or removal of a mineral; or
 - (iii) all ways, works, engines, machinery, plant, buildings, furnaces, roast yards and premises below or above ground belonging to or used in connection with the operations carried out in or about the operation of mining or in or about a mine;

- (i) **“mineral”** means any non-living substance formed by the processes of nature that occurs on or under the surface of the ground, irrespective of its chemical or physical state, both before and after extraction, but does not include:
- (i) petroleum;
 - (ii) naturally-occurring surface water;
 - (iii) agricultural soil; or
 - (iv) sand and gravel;
- (j) **“mining”** includes:
- (i) a mode or method of working in which the soil, earth or any mineral may be disturbed, removed, carted, carried, washed, sifted, leached, dissolved, roasted, smelted, refined, crushed, ground or dealt with by another similar process for the purpose of obtaining a mineral, whether the mineral was previously disturbed or not;
 - (ii) boring or drilling to extract a mineral;
 - (iii) working the ground for the purpose of underground storage of a mineral; and
 - (iv) drilling, installing or operating wells for the purpose of formation testing, mining, waste disposal, deep well injection or dewatering related to the development or removal of a mineral;
- (k) **“mining site”** means:
- (i) a pollutant control facility;
 - (ii) a mine;
 - (iii) a mill; and
 - (iv) any land, water or watercourse used or disturbed by the construction or operation of a pollutant control facility, mine or mill;
- (l) **“old regulations”** means *The Mineral Industry Environmental Protection Regulations*;
- (m) **“pollutant control facility”** means a facility or area for the collection, containment, storage, transmission, treatment or disposal of any pollutant arising from any mining operations or from the development of or the exploration for any mineral, and includes environmental protection components of:
- (i) a mine or mill;
 - (ii) a tailings management area;
 - (iii) an ore storage facility;
 - (iv) a waste rock disposal area;

- (v) a mine overburden or spoil disposal area;
 - (vi) a waste treatment plant;
 - (vii) a fuel storage facility;
 - (viii) a chemical storage facility;
 - (ix) a waste sump;
 - (x) a site drainage control;
 - (xi) a groundwater dewatering system;
 - (xii) any equipment used for exploration; and
 - (xiii) all associated machinery and equipment, including pumps, pipes, conveyors, launders and ditches used in connection with facilities or areas mentioned in subclauses (i) to (xii);
- (n) **“reclaim”** means to rehabilitate all or part of the land, water or watercourses used or disturbed by the construction or operation of a pollutant control facility, mine or mill.

22 Mar 96 cE-10.2 Reg 7 s2.

Approvals required

3 A person who wishes to construct, install, alter, extend, operate or temporarily close a pollutant control facility or decommission and reclaim a mining site shall obtain the approvals required by these regulations.

22 Mar 96 cE-10.2 Reg 7 s3.

Exemptions

4(1) These regulations do not apply to:

- (a) any oil or gas exploration or production activity regulated pursuant to *The Oil and Gas Conservation Act*; or
 - (b) any exploration by means other than exploration by mining, drilling, trenching or hydraulic removal of overburden.
- (2) Clause 17(a) of the Act does not apply to any discharge, deposit, drainage or release from a pollutant control facility governed by these regulations.
- (3) Clause 17(b) of the Act does not apply to any discharge, deposit or release from a pollutant control facility governed by these regulations.
- (4) Clause 17(c) of the Act does not apply to the construction, installation, alteration, extension or operation of a pollutant control facility governed by these regulations.

22 Mar 96 cE-10.2 Reg 7 s4.

CONSTRUCTION, ETC., OF POLLUTANT CONTROL FACILITY

Construction, etc., of facility

5 No person shall cause or permit the construction, installation, alteration or extension of any pollutant control facility unless the person first obtains approval to do so.

22 Mar 96 cE-10.2 Reg 7 s5.

Application for approval to construct

6(1) A person who desires to construct, install, alter or extend a pollutant control facility shall apply in writing to the minister for approval to do so.

(2) The application is to include the following information and material or, if the information or material has been provided in an earlier submission to the minister, is to make reference to that information or material:

- (a) a statement of the nature of the wildlife, fisheries, air, water resources, soil and hydrogeology in the area of the facility;
- (b) site maps of the area of the facility showing topographical and drainage features of the area during construction, installation, alteration or extension, and as they will be on completion of the work proposed;
- (c) a set of drawings and specifications of the construction, installation, alteration or extension proposed;
- (d) a description of the proposed methods and procedures of the operation of the facility;
- (e) a list of pollutants that may be stored or used in the facility;
- (f) a time frame for the proposed construction, installation, alteration or extension;
- (g) a contingency plan for preventing and cleaning up any spills of pollutants from the facility;
- (h) a description of the proposed:
 - (i) operating schedule; and
 - (ii) methods and procedures for monitoring the operation of the facility to detect pollutants that may be discharged into the environment.

22 Mar 96 cE-10.2 Reg 7 s6.

OPERATION OF POLLUTANT CONTROL FACILITY

Operation of facility

7(1) No person shall operate a pollutant control facility for the purpose of causing or permitting the discharge, drainage, diversion, deep well injection, handling or on-site transportation of any substance that may be a pollutant unless the person first obtains approval to do so and obtains an approval required by section 12.

- (2) In subsection (1), “**substance that may be a pollutant**” includes:
- (a) groundwater; and
 - (b) any substance that:
 - (i) is dealt with without processing; and
 - (ii) arises from any activity related to the exploration, mining, milling or development of any mineral resource.

22 Mar 96 cE-10.2 Reg 7 s7.

Application for approval to operate

8(1) A person who desires to operate a pollutant control facility shall apply in writing to the minister for approval to do so.

- (2) The application is to include the following information and material:
- (a) the information and material set out in subsection 6(2), updated to reflect the operational phase of the facility;
 - (b) a proposed schedule setting out any planned discharge of pollutants to the environment, including the anticipated quantity and quality of those discharges.

22 Mar 96 cE-10.2 Reg 7 s8.

Renewal of approval

9 A person who desires to obtain a renewal of an approval to operate a pollutant control facility shall apply in writing to the minister, setting out any proposed changes in the operation or monitoring of the facility.

22 Mar 96 cE-10.2 Reg 7 s9.

TEMPORARY CLOSURE OF POLLUTANT CONTROL FACILITY

Temporary closure of facility

10 No person who is the owner or operator of a pollutant control facility shall temporarily cease to operate the facility for a period greater than 180 consecutive days unless:

- (a) the person is authorized to do so by an approval mentioned in section 7 or a renewal of that approval mentioned in section 9;
- (b) the person is authorized to do so by an approval mentioned in section 12; or
- (c) the person obtains approval to do so pursuant to section 11.

22 Mar 96 cE-10.2 Reg 7 s10.

Application for approval to close temporarily

11(1) A person who desires to cease operating a pollutant control facility temporarily for a period greater than 180 consecutive days may apply in writing to the minister for approval to do so.

- (2) The application is to include the following information and material:
- (a) a statement of the reasons for the proposed closure of the facility;
 - (b) a tentative date for the resumption of operation of the facility; and
 - (c) a description of the proposed methods and procedures for preventing spills or releases of pollutants from the facility during the period of its closure.

22 Mar 96 cE-10.2 Reg 7 s11.

DECOMMISSIONING AND RECLAMATION PLAN AND ASSURANCE FUND

Plan and fund required

12 Subject to subsections 13(1) and (2), no person shall operate or permanently close a pollutant control facility, mine or mill until:

- (a) a decommissioning and reclamation plan for the mining site has been approved by the minister;
- (b) a proposal for an assurance fund to ensure the completion of the decommissioning and reclamation for the mining site has been approved by the minister; and
- (c) the assurance fund mentioned in clause (b) has been established to the minister's satisfaction.

22 Mar 96 cE-10.2 Reg 7 s12.

Existing approvals

13(1) Subject to subsection (2), every person who obtained an approval mentioned in section 7 or 9 of the old regulations before January 1, 1994 shall:

- (a) submit an application to the minister pursuant to section 14 by March 31, 1997; and
- (b) establish an assurance fund approved by the minister pursuant to section 14 by March 31, 1999 or within one year following the approval of the decommissioning and reclamation plan, whichever is later.

(2) Every person who obtained an approval mentioned in section 7 of the old regulations for the first time for a mining site on or after January 1, 1994 and before the day these regulations came into force shall:

- (a) submit an application to the minister pursuant to section 14 within six months from the date that these regulations came into force; and
- (b) establish an assurance fund approved by the minister pursuant to section 14 within one year from the date that these regulations came into force or within six months following approval of the decommissioning and reclamation plan, whichever is later.

(3) The minister may cancel an approval described in subsection (1) if:

- (a) the person has not submitted an application in accordance with section 14 by March 31, 1997; or
- (b) the assurance fund approved by the minister has not been established by March 31, 1999 or within one year following the approval of the decommissioning and reclamation plan, whichever is later.

- (4) The minister may cancel an approval described in subsection (2) if:
- (a) the person has not submitted an application in accordance with section 14 within six months from the date that these regulations came into force; or
 - (b) the assurance fund approved by the minister has not been established within one year from the date that these regulations came into force or within six months following approval of the decommissioning and reclamation plan, whichever is later.

22 Mar 96 cE-10.2 Reg 7 s13.

Application for approval of plan and fund

14(1) A person who wishes to obtain an approval of a decommissioning and reclamation plan and an assurance fund shall apply to the minister in writing.

- (2) An application is to include:
- (a) a plan that includes a time frame for decommissioning and reclaiming the mining site;
 - (b) a description of the proposed methods and procedures of, and time frames for, monitoring the mining site for physical and chemical stability and for detecting spills or the release of pollutants during and after decommissioning and reclamation;
 - (c) an estimate of the cost required to carry out the decommissioning and reclamation plan and the cost of monitoring the mining site after the decommissioning and reclamation;
 - (d) a proposal for an assurance fund that complies with section 15, to ensure completion of the decommissioning and reclamation plan;
 - (e) a proposal for the management and administration of the assurance fund; and
 - (f) a proposal respecting the release of all or portions of the assurance fund during the decommissioning and reclamation of the mining site.

22 Mar 96 cE-10.2 Reg 7 s14.

Assurance fund

15(1) An assurance fund required by these regulations is to be in an amount and form approved by the minister and may consist of:

- (a) cash;
- (b) cheques and other similar negotiable instruments;
- (c) government bonds, government guaranteed bonds, debentures, term deposits, certificates of deposit, trust certificates or investment certificates;
- (d) guarantees, irrevocable letters of credit, irrevocable letters of guarantee, performance bonds or surety bonds;
- (e) security interests in goods, documents of title, securities, chattel papers, instruments, moneys, intangibles or interests that arise from an assignment of accounts that secure the performance of a decommissioning and reclamation plan approved by the minister pursuant to section 14;

- (f) any other financial instrument or security that is acceptable to the minister;
 - (g) anything mentioned in clauses (a) to (f) together with an agreement for staged decommissioning and reclamation, with each stage of the decommissioning and reclamation to be completed in accordance with that agreement; or
 - (h) any combination of things mentioned in clauses (a) to (g).
- (2) The minister may impose any terms respecting an assurance fund at the time the minister issues the approval.
- (3) For the purposes of managing, investing, regulating or disposing of all or any part of an assurance fund, the minister may:
- (a) enter into any agreement;
 - (b) engage the services of or retain any technical, professional or other advisory, specialist or consulting personnel; or
 - (c) do any other thing the minister considers advisable.

22 Mar 96 cE-10.2 Reg 7 s15.

REVIEW, REVISION AND USE OF PLAN AND FUND

Review of plan and fund

16(1) The person who obtains an approval for a decommissioning and reclamation plan and an assurance fund shall review that plan and fund:

- (a) at least once every five years;
 - (b) whenever required by the minister, where, in the minister's opinion, there may be an increase in the person's obligations resulting in a shortfall in the established assurance fund; or
 - (c) at the time of the permanent closure of a pollutant control facility, mine or mill unless a review pursuant to this section has been conducted within the 12 months preceding the permanent closure.
- (2) The results of each review are to be forwarded to the minister within 60 days of completion.
- (3) Where a person fails to conduct a review pursuant to subsection (1), the minister may require the person to engage an independent third party approved by the minister to conduct the review.

22 Mar 96 cE-10.2 Reg 7 s16.

Revision of plan and fund

17(1) The person who obtains an approval required by section 12 for a decommissioning and reclamation plan and an assurance fund may:

- (a) forward a request to the minister, no more than once each year, for approval to revise the plan or assurance fund if the request is for a revision that would reduce the obligations or projected costs;
 - (b) forward a request to the minister, at any time, for approval to revise the plan or assurance fund if the request is for a revision that would increase the obligations or projected costs; or
 - (c) forward a request to the minister, at any time while a permanent closure is underway, for approval to revise the plan or assurance fund.
- (2) Where the minister approves a revision that increases the projected costs of the decommissioning and reclamation, the person who obtained the approval shall make, by a date approved by the minister, any changes to the assurance fund that the minister considers are required by the revision.
- (3) Where the minister approves a revision that decreases the projected costs of the decommissioning and reclamation, the minister, at the request of the person who obtained the approval, shall approve any changes to the assurance fund if, in the opinion of the minister, those changes do not adversely affect the assurance fund.

22 Mar 96 cE-10.2 Reg 7 s17.

Permanent closure of mining site

18 A person who wishes to close a pollutant control facility, mine or mill permanently shall:

- (a) advise the minister in writing at least 60 days before commencing the permanent closure; and
- (b) implement any decommissioning and reclamation plan approved by the minister according to the time frames set out in the plan.

22 Mar 96 cE-10.2 Reg 7 s18.

Use of assurance fund

19(1) For the purposes of this section, a default respecting an assurance fund for a mining site occurs where, in the opinion of the minister:

- (a) a decommissioning and reclamation plan approved by the minister for the mining site has not been complied with;
- (b) all or part of the mining site has been permanently closed and the person undertaking the permanent closure has not complied with section 18;
- (c) all or part of the mining site has been abandoned;
- (d) the assurance fund is in jeopardy;
- (e) the person to whom the approval for a decommissioning and reclamation plan has been issued has become insolvent.

- (2) Where a default occurs, the minister, where he or she considers it necessary, may:
- (a) enforce any security, call in, cash or redeem any security or other instrument, or take any other action that the minister considers necessary to realize on the assurance fund; or
 - (b) require that all or part of the assurance fund be used to decommission and reclaim all or part of the mining site for which the assurance fund was approved in accordance with the decommissioning and reclamation plan approved for that mining site or in any other manner the minister considers appropriate.
- (3) For the purposes of subsection (2), the minister may contract or engage the services of any person.
- (4) All reasonable costs incurred by the minister pursuant to this section are a charge on and are payable out of the assurance fund.

22 Mar 96 cE-10.2 Reg 7 s19.

Excess assurance fund

20 Where the money realized pursuant to section 19 exceeds the cost of the decommissioning and reclaiming the mining site, the minister shall refund any excess amount:

- (a) where it is necessary to re-establish an assurance fund for the balance of the decommissioning and reclamation work for that mining site, to the person who has an approved decommissioning and reclamation plan for that mining site; or
- (b) where the assurance fund is no longer required, to:
 - (i) the person specified in the decommissioning and reclamation plan as the person entitled to any excess amount where the fund is no longer required;
 - (ii) any person at the direction of the person mentioned in subclause (i); or
 - (iii) any person at the direction of a court with jurisdiction concerning the matter.

22 Mar 96 cE-10.2 Reg 7 s20.

Insufficient assurance fund

21 Where the money realized pursuant to section 19 from the assurance fund for a mining site is insufficient to pay for the cost of decommissioning and reclamation, the amount of the shortfall is a debt due to the Crown in right of Saskatchewan and may be recovered from the person who has obtained the approval of the decommissioning and reclamation plan for that mining site in the same manner as the costs and expenses incurred pursuant to clause 7(1)(a) of the Act may be recovered pursuant to clause 7(1)(b) of the Act or in any other manner allowed by law.

22 Mar 96 cE-10.2 Reg 7 s21.

Application for release from decommissioning and reclamation requirements

22(1) A person who desires to be released, in whole or in part, from the requirements or obligations set out in a decommissioning and reclamation plan shall apply in writing to the minister for approval to be released.

(2) The application is to include the following information and material:

(a) a detailed analysis and evaluation of monitoring data and observations from the decommissioning and reclaiming and post-decommissioning and post-reclaiming monitoring program that demonstrates compliance with requirements set out in the approval; and

(b) a list and assessment of remaining environmental liabilities.

(3) Where the minister approves the application, the minister shall release or refund that proportion of the assurance fund that the minister considers proportionate with the degree to which the person is released from the requirements or obligations.

22 Mar 96 cE-10.2 Reg 7 s22.

EXPLORATION**Requirements for exploration**

23(1) A person who wishes to explore by mining shall meet the requirements of these regulations.

(2) A person who wishes to explore by drilling, trenching or hydraulic removal of overburden shall:

(a) obtain the approvals required by sections 5, 7 and 12; or

(b) comply with section 24.

22 Mar 96 cE-10.2 Reg 7 s23.

Exploration by drilling, trenching, etc.

24(1) A person who intends to conduct exploration by drilling, trenching or hydraulic removal of overburden shall:

(a) advise the minister of that intention prior to commencing exploration; and

(b) provide the minister with:

(i) the inclusive dates during which the program is to be carried out;

(ii) the location of the proposed exploration; and

(iii) the anticipated scope of the program.

(2) A person who conducts an exploration program shall ensure that:

(a) every flowing artesian drill hole is sealed on completion of the hole to prevent discharge to the environment;

- (b) every occurrence of a flowing artesian drill hole is reported to the minister within 30 days of its discovery, together with a report describing how the hole was sealed;
 - (c) subject to subsection (4), drill mud, return water and cuttings from drilling are disposed of down a drill hole or on land in a manner that will prevent overflow to a stream or lake;
 - (d) drill mud solids or cuttings with a uranium content greater than 0.05% that are not otherwise retained are disposed of down a drill hole;
 - (e) the upper 30 metres of bedrock in a hole mentioned in clause (d) or the entire depth of the hole, whichever is less, is grouted;
 - (f) the handling, storage and disposal of all pollutants associated with the exploration is done in a manner that prevents pollution of the environment;
 - (g) on completion of the program, exploration sites are reclaimed so that:
 - (i) drill hole surface casings are removed or cut off at or below the surface of the ground;
 - (ii) all drill holes under lakes, streams or muskeg are sealed by grouting the upper 30 metres of bedrock or the entire depth of the hole, whichever is less;
 - (iii) all drill holes that encounter mineralization with a uranium content greater than 1.0%, over a length greater than one metre and with a metre-per cent concentration greater than 5.0, are sealed by grouting the hole over:
 - (A) the entire length of the mineralized zones; and
 - (B) not less than 10 metres above and below each mineralized zone; and
 - (iv) all materials and equipment associated with the exploration program are removed from the exploration site.
- (3) In the case of a drill working on lake ice or stream ice, the person conducting the exploration program may dispose of drill mud, cuttings from drilling and return water at the drill site if:
- (a) drilling additives are not used in concentrations that are acutely lethal concentrations for fish;
 - (b) drill cuttings do not have uranium concentrations greater than 0.05%; and
 - (c) any drill mud, cuttings from drilling and return water that are not recycled are deposited on the ice surface.
- (4) No person who conducts an exploration program shall carry out drilling, trenching, hydraulic stripping of overburden or disposal of waste products from any of those operations on land that is within 30 metres of a lake bed or a stream bed.

- (5) In this section:
- (a) **“acutely lethal concentration”** means the concentration of a pollutant in water at which 50% or more of a test species dies during a 96-hour static acute lethality test conducted in accordance with the most recent edition of *Standard Methods For the Examination of Water and Wastewater*, published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation;
 - (b) **“metre-per cent”** means the product obtained by multiplying the apparent thickness of a mineralized zone in metres where the drill hole intersects the zone by the average per cent concentration of uranium throughout the length of the drill hole in that zone;
 - (c) **“stream bed”** means a clearly defined natural open channel that carries running water, either ephemeral or continuous, moving under the influence of gravity to lower levels.

22 Mar 96 cE-10.2 Reg 7 s24.

APPLICATIONS AND APPROVALS

Further information or material

25(1) The minister may require an applicant to submit further information or material where any information or material submitted with an application for an approval or review of a plan or fund as required by section 16 is, in the opinion of the minister:

- (a) insufficient; or
 - (b) of a nature that does not allow the minister to evaluate the action or project for which the approval or review is requested.
- (2) For the purposes of this section and sections 26 to 33, **“approval”** includes any renewal, release or revision.

22 Mar 96 cE-10.2 Reg 7 s25.

Applications

26 Where the minister receives an application pursuant to these regulations for an approval, the minister shall consider the application in a timely manner and shall:

- (a) issue the approval subject to any terms the minister considers appropriate; or
- (b) refuse to issue the approval.

22 Mar 96 cE-10.2 Reg 7 s26.

Compliance with approvals required

27 No person to whom an approval is issued pursuant to these regulations shall fail to comply with that approval and with any terms imposed on the approval.

22 Mar 96 cE-10.2 Reg 7 s27.

Amending, cancelling approvals

28 The minister may amend or cancel an approval issued to a person pursuant to these regulations where:

- (a) that person contravenes any term imposed on the approval;
- (b) that person submits a written request to amend or cancel the approval;
or
- (c) the minister considers it necessary to do so.

22 Mar 96 cE-10.2 Reg 7 s28.

Minister to provide notice

29(1) Before carrying out any of the following, the minister shall provide the applicant or the person to whom an approval has been issued reasonable notice of the intended action, written reasons and an opportunity to make written representations to the minister:

- (a) amending or cancelling an approval;
- (b) refusing to issue an approval;
- (c) taking any action respecting an assurance fund pursuant to section 19;
- (d) imposing terms on or requiring changes to a decommissioning and reclamation plan or assurance fund that increases that person's obligations, requirements or projected costs under the plan.

(2) Where, in the opinion of the minister an assurance fund is in jeopardy or an emergency exists, the minister may carry out any action mentioned in clauses (1)(a) to (d) without the notice mentioned in subsection (1).

22 Mar 96 cE-10.2 Reg 7 s29.

GENERAL**Limitation respecting certain discharges**

30 Where a discharge to the environment of any liquid effluent is permitted by an approval, the person to whom the approval is issued shall ensure that the concentration of any pollutants in the effluent does not exceed:

- (a) the concentrations set out in the Appendix;
- (b) more stringent limits than those mentioned in clause (a), as specified in an approval; or
- (c) in the case of a pollutant that is not listed in the Appendix, any limits that are specified by the minister.

22 Mar 96 cE-10.2 Reg 7 s30.

Approval not transferable

31 An approval issued by the minister pursuant to these regulations is not transferable to any other person without the prior written consent of the minister.

22 Mar 96 cE-10.2 Reg 7 s31.

Expiry of approval

32 An approval issued pursuant to these regulations expires on the day specified in the approval.

22 Mar 96 cE-10.2 Reg 7 s32.

Transition - existing approvals continued

33 An approval issued pursuant to the old regulations that is valid on the day before the day on which these regulations came into force:

- (a) continues to be valid until the expiry date specified in the approval unless it is sooner amended or cancelled pursuant to these regulations; and
- (b) is deemed to be an approval issued pursuant to these regulations, is subject to these regulations and may be dealt with as if issued pursuant to these regulations.

22 Mar 96 cE-10.2 Reg 7 s33.

R.R.S. c.E-10.2 Reg 5 repealed

34 *The Mineral Industry Environmental Protection Regulations* are repealed.

22 Mar 96 cE-10.2 Reg 7 s34.

Appendix

[Section 30]

Authorized Concentration of Pollutants in Liquid Effluent

Pollutant	Maximum Monthly Arithmetic Mean Concentration	Maximum Grab Sample Concentration
Total Arsenic	0.5 mg/L	1.0 mg/L
Total Copper	0.3 mg/L	0.6 mg/L
Total Lead	0.2 mg/L	0.4 mg/L
Total Nickel	0.5 mg/L	1.0 mg/L
Total Uranium	2.5 mg/L	5.0 mg/L
Total Zinc	0.5 mg/L	1.0 mg/L
Total Radium-226	0.37 Bq/L	1.11 Bq/L
Total Thorium-230	1.85 Bq/L	3.7 Bq/L
Total Lead-210	0.92 Bq/L	1.84 Bq/L
Total Cyanide	1.0 mg/L	2.0 mg/L
Un-ionized Ammonia*	0.5 mg/L	1.0 mg/L

* Un-ionized ammonia is the portion of total ammonia nitrogen that is in the form NH_3 . The pH and temperature to be used in calculating un-ionized ammonia are to be those of the approved receiving water at the time of the sampling.

22 Mar 96 cE-10.2 Reg 7 appendix.

