

Royal Gazette

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N.S. Reg. 12/2001

Made: February 14, 2001

Filed: February 15, 2001

Ministerial Order re Raymond A. Fisher

Order dated February 14, 2001
made under subsection 125(1) of the
Environment Act

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 **Raymond A. Fisher** a person, located at or near 607 Harmony Road, Salmon River
in the County of Colchester, Province of Nova Scotia

MINISTERIAL ORDER

I. **WHEREAS** Raymond A. Fisher owns, occupies, operates or is responsible for the operation of a plant, structure, facility, undertaking or thing, to wit: residential property which is located at or near 166 Guest Drive, Bible Hill, in the County of Colchester, 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 person named in this Ministerial Order has contravened subsection 67(2) and Section 71 of the *Environment Act*;

Environment Act

67 (2) No person shall release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or may cause a significant adverse effect, unless authorized by an approval or the regulations.

71 Any person responsible for the release of a substance under this Part shall, at that person’s own cost, and as soon as that person knows or ought to have known of the release of a substance into the environment that has caused, is causing or may cause an adverse effect,

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

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

IT IS HEREBY ORDERED:

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

AND TAKE NOTICE if the persons to whom this Ministerial Order is directed fail to comply with the Ministerial Order, or any part thereof, the Minister, pursuant to [sub]section 132(2) of the *Environment Act*, may take whatever action the Minister considers necessary to carry out the terms 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, in Halifax Regional Municipality, Province of Nova Scotia, this 14th day of February, 2001.

(Signed) *Kevin McNamara*

Deputy Minister of Environment and Labour

SCHEDULE “A”

TERMS AND CONDITIONS

RAYMOND A. FISHER

1.0 **Site Assessment**

1.1 The persons named in this Ministerial Order shall ensure an environmental site assessment is conducted by a professional consultant(s) who has all the necessary expertise in hydrogeology, chemistry and engineering to:

- (a) identify the type and levels of contamination in the soils and groundwater on site;
- (b) determine the potential and extent of any offsite impacts;
- (c) prepare a comprehensive and detailed report (“Assessment Report”) which recommend a cost effective and timely plan;
- (d) include a time schedule to implement any soil and/or groundwater remediation and a description of the remedial technologies to be used.

1.2 On or before February 26, 2001 the name(s) of the consultant(s) specified in Paragraph 1.1 shall be submitted to the person identified in Paragraph 6.1

1.3 On or before March 30, 2001 the Assessment Report specified in Paragraph 1.1 shall be submitted to the person identified in Paragraph 6.1

2.0 Site Remediation Approval

2.1 Prior to the commencement of any remediation works, the persons named in this Ministerial Order shall ensure written approval is obtained from the Department of Environment and Labour of the Assessment Report, including any remediation plan and the time schedules involved.

3.0 Implementation

3.1 Immediately upon receipt of approval from the Department of Environment and Labour pursuant to Paragraph 2.1, the persons named in this Ministerial Order shall ensure work commences under the approved remediation plan and is completed within the approved time schedules.

4.0 Progress Reports

4.1 Once remediation has commenced pursuant to Paragraph 3.1, the persons named in this Ministerial Order shall ensure written progress reports are submitted on remediation activities to the Department of Environment and Labour at such intervals to be determined by the contact person named in Paragraph 6.1

5.0 Time Extensions

5.1 If the persons named in this Ministerial Order request[s] an extension of time to comply with the terms and conditions of this Ministerial Order, the request shall be in writing, shall outline the reasons and shall be directed for approval to the Minister of Environment and Labour at P.O. Box 2107, Halifax, Nova Scotia, B3J 3B7[N] (902) 424-5300, Fax (902) 424-0503.

6.0 Departmental Contact

6.1 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:

Wayne Faulkner A/ District Manager
Nova Scotia Department of Environment and Labour
Northern Regional Office
P.O. Box 824 Truro, Nova Scotia
B2N 5G6

Tel: (902) 893-5880
Fax: (902) 893-0282

N.S. Reg. 13/2001

Made: February 15, 2001

Filed: February 19, 2001

Governor in Council Education Act Regulations

Order in Council 2001-73 made February 15, 2001
Amendment to regulations made by the Governor in Council
pursuant to Section 146
of the *Education Act*

The Governor in Council on the report and recommendation of the Minister of Education dated February 2, 2001, and pursuant to Section 146 of Chapter 1 of the Acts of 1995-96, the *Education Act*, is pleased to amend the *Governor in Council Education Act Regulations* made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after February 15, 2001.

SCHEDULE "A"

**Amendments to the *Governor in Council Education Act Regulations*
made by the Governor in Council pursuant to Section 146
of Chapter 1 of the Acts of 1995-96, the *Education Act***

1 Section 18 of the *Governor in Council Education Act Regulations* made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, is repealed and the following Section is substituted:

18 Every applicant for a teacher's certificate or permit shall submit with the application

- (a) documentary evidence in a form prescribed by the Minister respecting the applicant's character, age, training and qualifications; and
- (b) the applicable fee prescribed in Section 18A.

2 The regulations are further amended by adding the following Section immediately after Section 18:

- 18A**
- (1) An applicant for an initial certificate shall pay a fee of \$80.
 - (2) An applicant for renewal of a certificate shall pay a fee of \$35.
 - (3) An applicant for a duplicate certificate shall pay a fee of \$35.

N.S. Reg. 14/2001

Made: February 15, 2001

Filed: February 19, 2001

Solemnization of Marriage Fee Regulations

Order in Council 2001-74 made February 15, 2001
Amendment to regulations made by the Governor in Council
pursuant to Sections 23 and 33
of the *Solemnization of Marriage Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated January 24, 2001, and pursuant to Sections 23 and 33 of Chapter 436 of the Revised Statutes of Nova Scotia, 1989, the *Solemnization of Marriage Act*, is pleased to amend the *Solemnization of Marriage Fee Regulations* made by the Governor in Council by Order in Council 2000-442 dated September 6, 2000, by adding “in a court or judge’s chambers” after “marriage” in Section 5.

N.S. Reg. 15/2001

Made: February 21, 2001

Filed: February 22, 2001

Spring Weight Restrictions

Order dated February 21, 2001
made under subsection 20(1) of the
Public Highways Act

IN THE MATTER OF SECTION 20 OF THE PUBLIC HIGHWAYS ACT,

R.S.N.S. 1989, c. 371

ORDER

Pursuant to [sub]section 20(1) of Chapter 371 of the Revised Statutes of Nova Scotia, the Public Highways Act, Martin Delaney, the Executive Director Highway Operations of the Department of Transportation and Public Works hereby orders that:

- (a) the Weight Restrictions set out below (hereafter referred to as “Spring Weight Restrictions”), shall apply to public highways in the zones shown for the time period indicated in Table A, and
- (b) the roads set out in Appendix 1, attached hereto, are exempt from the Spring Weight Restrictions.

TABLE A

ZONE	WEIGHT RESTRICTION PERIOD
Counties of: Yarmouth, Shelburne, Digby and Queens	12:01 a.m., March 12, 2001 to 12:01 a.m., April 23, 2001
Counties of: Annapolis, Kings, Lunenburg, Halifax and Hants	12:01 a.m., March 12, 2001 to 12:01 a.m., April 30, 2001
Counties of: Colchester, Cumberland, Pictou, Antigonish, Guysborough, Richmond, Inverness, Victoria and Cape Breton.	12:01 a.m., March 12, 2001 to 12:01 a.m., April 30, 2001

SPRING WEIGHT RESTRICTIONS

The maximum vehicle and axle weights permitted by this Order are as follows:

- (A) Maximum single axle weight of 6,500 kg except single drive school and passenger buses, public utility service trucks, and fire fighting trucks; no tolerances.
- (B) Maximum tandem or triple axle weight of 12,000 kg; no tolerances.

- (C) Maximum gross vehicle weight of 12,000 kg for single drive school and passenger buses, public utility service trucks, and fire fighting trucks that exceed 6,500 kg on a single axle; no tolerances.

Exemptions are as follows:

- (a) public utility service trucks while responding to emergency situations, where an emergency situation includes the restoration of services or the establishment of new services to occupied buildings.
- (b) fire fighting trucks while responding to emergency situations, where an emergency situation includes attending actual fires, medical crises and motor vehicle[s] accidents, assisting in fire investigations.

For purposes of this Order, the following definitions apply:

1. **“Single Axle”** m[e]ans an axle which transfers the load carried by it approximately equally to the wheel or wheels attached to each end of the axle.
2. **“Tandem-Axle”** means an axle assembly containing two (2) consecutive axles whose centres are not less than 1.20 metres apart,
 - 2.1 attached to the vehicle in such a manner that the load on the axle group is equalized on the two (2) axles, and
 - 2.2 equipped with brakes on both axles.
3. **“Triple-Axle”** means an axle assembly of three (3) consecutive axles with the centres of no two (2) consecutive axles less than 1.20 metres apart, and
 - 3.1 attached to the vehicle in such a manner that the load on the axle group is equalized on three (3) axles, and
 - 3.2 equipped with brakes on all three axles.
4. **“Gross Vehicle Weight”** means the sum of the individual axle weights of all axles of the vehicle or combination of vehicles.

Dated and made at Halifax, N.S., this 21st day of February, 2001.

(Signed) *Martin J. Delaney*
Martin J. Delaney, P.Eng.
Executive Director Highway Operations
Nova Scotia Department of Transportation
and Public Works

NOTE: Copies of Appendix I, which lists highways that are exempt from spring weight restrictions, are available at the Department of Transportation and Public Works Divisional Offices and Scale Houses.