



**REGULATIONS UNDER THE
AIR POLLUTION CONTROL ACT**

being

SASKATCHEWAN REGULATION 211/75

ORDER IN COUNCIL 1219/75, DATED AUG. 26/75

ENVIRONMENT SASKATCHEWAN

SASKATCHEWAN REGULATION 211/75

THE AIR POLLUTION CONTROL ACT 1965 — SUBSECTIONS (1) AND (2)
OF SECTION 3

Order in Council 1219/75, dated August 26, 1975.

Published in *The Saskatchewan Gazette*, dated Friday, September 5, 1975;
Volume 71, No. 36; Part II; Pages 336-342.

(Filed August 28, 1975.)

ORDER:

His Honour the Lieutenant Governor in Council on the recommendation of the Minister of the Environment, pursuant to subsections (1) and (2) of section 3 of The Air Pollution Control Act, 1965, hereby repeals Saskatchewan Regulation 323/69 and makes The Air Pollution Control Regulations in accordance with the Schedule hereto, effective 120 days after the date of publication of this order in *The Saskatchewan Gazette*.

SCHEDULE

Regulations made under Section 3 of The Air Pollution Control Act.

1. These regulations may be cited as "The Air Pollution Control Regulations".

2. In these regulations:

- (a) "Act", means The Air Pollution Control Act;
- (b) "department", means the Department of the Environment;
- (c) "existing industrial source, incinerator or fuel-burning equipment", means an industrial source, incinerator or fuel-burning equipment in operation or capable of being in operation on the date these regulations come into force;
- (d) "fuel burning equipment", does not include an internal combustion engine;
- (e) "opacity" the degree to which a visible emission obstructs the passage of light and obscures the view of an object in the background;
- (f) "permit", means an approval in writing issued by the minister or a provincial officer to an owner or occupant of an industrial source, incinerator or fuel-burning equipment;
- (g) "Ringelmann Smoke Chart", means the smoke chart described in the United States Department of the Interior, Bureau of Mines, Information Circular 8333, (May, 1967) or such other chart as the minister may approve for the purpose of determining smoke density under this regulation.

PERMITS

3.—(1) Subject to subsections (3), (4), and (6), no person shall operate an industrial source unless a permit has been first obtained.

(2) Subject to subsections (4) and (6), no person shall operate an incinerator or fuel-burning equipment unless a permit has been first obtained.

(3) Notwithstanding subsection (1), a permit is not required for an industrial source where that source is subject to the provisions of:

- (a) The Pollution (by Live Stock) Control Act, 1971;
- (b) The Oil and Gas Conservation Act, 1969; or
- (c) The Pollution Prevention Regulations for the Mineral Industry, 1970.

(4) Notwithstanding subsections (1) and (2), a person is not required to obtain a permit for an existing industrial source, incinerator or fuel-burning equipment until such time as the minister may, by notice published in *The Saskatchewan Gazette*, require a permit to be obtained.

(5) For the purposes of subsection (4), the notice in *The Saskatchewan Gazette* may be of general or specific application, limited to a particular geographical area or areas or to a particular industry or class of industries or limited or restricted in its effect in any other manner the minister considers appropriate.

(6) A person operating any of the following sources of air pollution is not required to obtain a permit to do so:

1. Fuel-burning equipment used solely for the purpose of comfort heating.
2. Construction equipment for the construction and maintenance of public roads while the equipment is on the road.

3. Equipment for seeding, harvesting, fertilizing or for pest or weed control on agricultural lands.

(7) Every permit issued pursuant to this regulation shall terminate in accordance with its terms and conditions.

4.—(1) The Minister or a provincial officer may, upon receipt of an application for a permit and the supporting documentation required by this regulation, issue a permit to operate an existing or other industrial source, incinerator or fuel-burning equipment to an owner or occupant upon such terms and conditions as he considers appropriate.

(2) In the case of an existing industrial source, incinerator or fuel-burning equipment, the receipt by the department of a duly executed application for a permit shall temporarily authorize the operation of the industrial source, incinerator or fuel-burning equipment until such time as the permit is issued or refused and written notice of the issuance or refusal delivered to the applicant.

(3) Every application for a permit shall be in writing, delivered to the minister or a provincial officer and in a form satisfactory to the minister.

5. Every application for a permit to operate an industrial source or fuel-burning equipment shall, unless otherwise approved by the minister, be accompanied by:

- (a) a site plan of the immediate area surrounding the land on which the industrial source or fuel-burning equipment is located showing:
 - (i) the topography of the area including land contours,
 - (ii) the location and description of buildings in the area,
 - (iii) the property boundaries, and
 - (iv) the land use of the area;
 - (b) a site plan of the area in which the industrial source or fuel-burning equipment is located showing:
 - (i) the exact location of the processing, manufacturing, storage and other units,
 - (ii) the points of emission or discharge of air contaminants and their elevation,
 - (iii) the location of all other buildings, and
 - (iv) the location of all air contaminant control equipment; and
 - (c) information with respect to the industrial source or fuel-burning equipment, including:
 - (i) the description of the process,
 - (ii) the size and capacity of equipment used,
 - (iii) the type and quantity of the product produced,
 - (iv) the type and amount of raw material used,
 - (v) the type and amount of chemicals and processing materials used,
 - (vi) the method by which an air contaminant will be released or discharged,
 - (vii) the composition of every emission to the atmosphere which may be emitted under normal and maximum operation conditions,
 - (viii) the volumetric rate of release, the velocity and temperature of every emission to the atmosphere under normal and maximum operating conditions,
 - (ix) the volumetric and mass rate of release to the atmosphere of each air contaminant,
 - (x) information as to whether the composition of any of the emissions to the atmosphere will vary under different operating conditions either internal or external in nature,
 - (xi) the calculated ground level concentrations of every contaminant released under maximum operating conditions,
 - (xii) a description of procedures that will be followed to prevent the discharge of untreated emissions in the event of power failure, mechanical failure of the pollution control equipment or failure of the manufacturing equipment,
 - (xiii) the proposed method and frequency of monitoring emission streams including the analytical procedures to be used, for quantitative and qualitative determination of all air contaminants,
 - (xiv) a materials balance to include the following items:
 1. the raw materials, chemicals and processing materials used,
 2. the finished product and by-products, and
 3. the contaminants emitted respectively to land, air and water, and
 - (xv) the proposed method and frequency of ambient air monitoring including the analytical procedures to be used for quantitative and qualitative determination of all air contaminants and the location of ambient air monitoring systems.
6. Every application for a permit to operate an incinerator shall, unless otherwise approved by the minister, be accompanied by:
- (a) a site plan of the area in which the incinerator is located showing:
 - (i) the topography of the area including land contours,
 - (ii) the location and description of buildings in the area,
 - (iii) the property boundaries, and
 - (iv) the land use of the area;

- (b) information with respect to the incinerator, including:
 - (i) a description of the incineration process,
 - (ii) the size and capacity of the incinerator,
 - (iii) the type of waste to be incinerated,
 - (iv) the operating requirements and the use to be made of the incinerator,
 - (v) the means provided or proposed for admitting air for combustion,
 - (vi) the maximum operating temperature,
 - (vii) the character of the fuel to be used and the maximum quantity of fuel to be burned per hour, and
 - (viii) the height of the stack; and
- (c) a set of plans and specifications of the proposed incinerator.

7.—(1) In addition to the requirements of sections 5 and 6, the minister may also require an applicant to supply any additional information he considers necessary.

(2) Every plan, specification or other technical information submitted to support an application for a permit shall be certified as accurate by a person qualified to do so.

8. No person shall make or cause to be made, directly or indirectly, a false, misleading or inaccurate statement in any application, plan, specification or other documentation supplied pursuant to this regulation.

ALTERATIONS, ADDITIONS AND CHANGES

9.—(1) No person possessing a permit for the operation of an industrial source, incinerator or fuel-burning equipment, shall alter, add to or in any way change the industrial source, incinerator or fuel-burning equipment or its processes unless he applies for and receives a new permit or an amendment to the existing permit with respect to the proposed alterations, additions or changes.

(2) Every application pursuant to this section shall be in writing, delivered to the minister or a provincial officer and in a form satisfactory to the minister.

(3) The minister or a provincial officer upon receipt of the application, may, at his discretion, issue a new permit or amend the existing permit.

(4) Notwithstanding subsection (1), a new permit or an amendment to an existing permit is not required where:

- (a) adjustments, repairs or maintenance is made in the course of normal operations;
- (b) the alterations, additions or changes involve minor improvements; or
- (c) changes are made in an emergency situation.

(5) Where the existence of an emergency situation makes it necessary to effect alterations, additions or changes within the meaning of clause (c) of subsection (4), complete particulars in writing shall immediately be delivered to the minister.

(6) Every application for a new permit or an amendment to an existing permit pursuant to this section shall contain:

- (a) the number of the existing permit;
- (b) details of any change in the capacity of the industrial source, incinerator or fuel-burning equipment;
- (c) details of any changes to the information supplied when the original permit was granted; and
- (d) such further information as the minister considers appropriate.

RENEWAL OF PERMITS

10.—(1) A person in possession of a permit shall, at least 60 days prior to its expiration, apply in writing to the department for a renewal of the permit and the minister, upon receipt of the application, may issue or refuse to issue a renewal of the permit.

(2) An application for a renewal of a permit shall contain:

- (a) the number of the existing permits; and
- (b) all details respecting any changes in the documentation and information provided pursuant to this regulation with respect to the existing permit.

TERMS AND CONDITIONS

11.—(1) The minister or a provincial officer may impose such terms and conditions upon a permit, an amendment to an existing permit or a renewal of permit as he considers necessary and without limiting the generality of the foregoing, may:

- (a) specify the type of control equipment required;
- (b) establish ambient or emission standards governing the operation of the industrial source, incinerator or fuel-burning equipment;
- (c) require the installation of suitable sampling ports in the stack of the industrial source, incinerator or fuel-burning equipment;

(d) specify requirements as to the manner and frequency of measuring and recording the concentration, density, weight and volume of air contaminants emitted by the industrial source, incinerator or fuel-burning equipment; or

(e) specify requirements as to the manner in which the industrial source, incinerator or fuel-burning equipment is to be tested or operated before normal operations commence.

(2) No person shall fail to comply with any term or condition imposed pursuant to subsection (1).

(3) It is a term and condition of each permit, amended permit and renewal of permit, that it not be transferred, assigned, sold, leased or otherwise disposed of, and, in the event of such occurrence, the permit, amended permit or renewal of permit shall immediately cease to have any force or effect.

POWERS OF MINISTER

12.—(1) In addition to the powers conferred upon the minister or a provincial officer pursuant to sections 4, 9 and 10, the minister or a provincial officer may:

(a) refuse to issue a permit, amendment to a permit or a renewal of permit;

(b) cancel a permit or a renewal of permit where an industrial source, incinerator or fuel-burning equipment is not operated in accordance with the regulations or any term or condition;

(c) accept a surrender and cancel a permit at the request of the owner of an industrial source, incinerator or fuel-burning equipment; or

(d) exempt specific physical, chemical, industrial or manufacturing processes from those parts of this regulation involving the obtaining of a permit or a renewal of permit.

UNAUTHORIZED RELEASE OR DISCHARGE

13. Where,

(a) any uncontrolled release of an air contaminant,
 (b) any controlled release or discharge not authorized by a permit of an air contaminant, or

(c) any accidental release or discharge of an air contaminant, occurs, a person in charge of the industrial source, incinerator or fuel-burning equipment shall, within 24 hours of the release or discharge, report the occurrence to the department and, within 72 hours of the release or discharge, notify the department in writing of the occurrence specifying:

- (a) the date and time of the release or discharge;
- (b) the duration of the release or discharge;
- (c) the composition of the release or discharge showing:

- (i) the concentration,
- (ii) the emission rate, and
- (iii) the total amount, by weight;

(d) a description of the circumstances leading to the release or discharge;

(e) the steps and procedures taken to control the release or discharge;

(f) the steps and procedures taken to prevent similar releases or discharges; and

(g) some additional comment upon both the immediate and long-term effects of the release or discharge.

PROHIBITED CONDUCT

14. No person shall operate or permit the operation of any industrial source, incinerator or fuel-burning equipment that results in the discharge of air contaminants, either alone or in combination with the same air contaminant emitted from another industrial source, incinerator or fuel-burning equipment, or any combination thereof, causing a concentration of the air contaminant in the atmosphere greater than the maximum concentration for the air contaminant established in the Table contained in Schedule I to this regulation.

15. Notwithstanding compliance with section 14, no person shall cause or permit to be caused, the discharge into the outside atmosphere from any industrial source, incinerator or fuel-burning equipment of,

(a) any air contaminant or a combination of air contaminants; or

(b) any odour;

which may cause discomfort to or endanger the health, safety or welfare of persons, cause loss of enjoyment to normal use of property, interfere with normal business or cause damage to property.

16. No person shall cause or permit to be caused any emission or discharge into the atmosphere of hydrogen sulfide gas from any industrial source, incinerator or fuel-burning equipment.

17.—(1) Subject to subsection (2), no person shall cause or permit to be caused, a discharge into the atmosphere from an industrial source, incinerator or fuel-burning equip-

ment, any visible air contaminant which is a shade darker than number 2 on the Ringelmann Chart or exhibits an opacity greater than 40% opacity. Where the presence of uncombined water is the only reason for failure to meet the requirements of this paragraph, such failure shall not be considered a violation of this section.

(2) A discharge of less than 5 minutes duration during start up and shutdown of an industrial source, incinerator or fuel-burning equipment is not prohibited by subsection (1).
 (3) Notwithstanding compliance with subsection (1), no person shall cause or permit to be caused, a discharge into the atmosphere of emissions of sufficient quantity as to cause a visibility problem on public roadways or developed property.

18—(1) Subject to subsection (2), no person shall cause or permit to be caused, the burning of trash, garbage, industrial waste or any other material in a manner or in an incinerator other than that approved by the minister, a provincial officer or these regulations.

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

- (a) a camp fire or outdoor fireplace used for recreational purposes;
- (b) an outdoor fire using charcoal, processed coal or coke for cooking purposes;
- (c) a bonfire at celebrations involving the general public;
- (d) a fire for the purpose of burning brush from land being cleared for cultivation purposes or a roadway, railway line or other right of way;
- (e) a fire authorized or required by federal, provincial or municipal law for the purpose of weed control, the prevention of fire hazards or training of persons for fire fighting; and
- (f) a fire on farms or in villages or towns not exceeding 5,000 persons, where the burning of wastes does not cause air pollution.

GENERAL

19. Compliance with the Act and this regulation does not entitle a person to operate an industrial source, incinerator or fuel burning equipment under conditions through which the air-borne transport of contaminants contribute to soil and water pollution in excess of limits that are, or may be, prescribed by any other provincial Act governing soil and water pollution.

ENVIRONMENT SASKATCHEWAN
 AIR POLLUTION CONTROL BRANCH
 SCHEDULE 1
 AMBIENT AIR QUALITY STANDARDS

POLLUTANT	AVERAGE CONCENTRATION FOR APPLICABLE TIME PERIOD				
	1 HOUR	8 HOURS	24 HOURS	30 DAYS	ANNUAL
SUSPENDED PARTICULATES			120 MICROGRAMS PER CUBIC METER		*70 MICROGRAMS PER CUBIC METER
SETTLEABLE PARTICULATES				2.0 MILLIGRAMS PER SQUARE CENTIMETER	
SOIL INDEX			1.5 COH UNITS		
POTASH				0.15 MILLIGRAMS OF K PER SQUARE CENTIMETER OR 0.15 MILLIGRAMS OF CL PER SQUARE CENTIMETER	
SULFUR DIOXIDE	450 (0.7) MICROGRAMS PER CUBIC METER		150 (0.06) MICROGRAMS PER CUBIC METER		** 50 (0.01) MICROGRAMS PER CUBIC METER
SULFATION				30 MILLIGRAMS PER 100 SQUARE CENTIMETERS	
CARBON MONOXIDE	15 (13) MILLIGRAMS PER CUBIC METER	6 (5) MILLIGRAMS PER CUBIC METER			
OXIDANTS(OZONE)	100 (0.05) MICROGRAMS PER CUBIC METER		50 (0.015) MICROGRAMS PER CUBIC METER		
NITROGEN DIOXIDE	400 (.2) MICROGRAMS PER CUBIC METER		200 (.1) MICROGRAMS PER CUBIC METER		** 100 (0.05) MICROGRAMS PER CUBIC METER

NOTE: VOLUME UNITS (p.p.m.) IN BRACKETS
 * GEOMETRIC MEANS
 ** ARITHMETIC MEANS

SASKATCHEWAN REGULATION 216/74

THE LITTER CONTROL ACT, 1973

(O.C. 1189/74.)

July 23, 1974.

(Filed July 24, 1974)

To His Honour

THE LIEUTENANT GOVERNOR IN COUNCIL:

The undersigned has the honour to recommend that Your Honour's Order do issue under The Litter Control Act, 1973, amending Saskatchewan Regulation 188/73, made by Order in Council 968/73, in the manner set out in the Schedule attached hereto effective the First day of August, 1974.

Recommended by: NEIL E. BYERS, Minister of the Environment.

Approved by: ROY ROMANOW, President of Council.

Ordered by: S. WOROBEZ, Lieutenant Governor.
Regina, Saskatchewan.

SCHEDULE

Amendment to Saskatchewan Regulation 188/73

1. Saskatchewan Regulation 188/73, the regulation, is amended in the manner hereinafter set forth.
2. Section 5. (b) of the regulations is repealed and the following section is substituted therefor:
"5. (b) A vendor of beer, as classified in clause (d) of section 3 of these regulations, shall pay forty eight cents for each dozen of approved containers of the type classified in clause (b) of section 4 of these regulations brought to him."
3. Section 5. (c) of the regulations is repealed and the following section is substituted therefor:
"5. (c) A vendor of beer, as classified in clause (c) of section 3 of these regulations, shall pay sixty cents for each dozen of approved containers of the type classified in clause (b) of section 4 of these regulations brought to a warehouse operated by the association."

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