



Environmental Management Act
ADMINISTRATIVE PENALTIES
(*ENVIRONMENTAL MANAGEMENT ACT*)
REGULATION
B.C. Reg. 133/2014

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Consolidated Regulations of British Columbia

This is an unofficial consolidation.

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This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

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Environmental Management Act

ADMINISTRATIVE PENALTIES (ENVIRONMENTAL MANAGEMENT ACT) REGULATION

B.C. Reg. 133/2014

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Environmental Management Act

**ADMINISTRATIVE PENALTIES (*ENVIRONMENTAL
MANAGEMENT ACT*) REGULATION**

B.C. Reg. 133/2014

PART 1 – PROCEDURES FOR MAKING DETERMINATIONS

Definitions

1 In this regulation:

“**Act**” means the *Environmental Management Act*;

“**contravention or failure**” means

- (a) a contravention of a prescribed provision of the Act or the regulations,
- (b) a failure to comply with an order under the Act, or
- (c) a failure to comply with a requirement of a permit or approval issued or given under the Act;

“**determination**” means a determination for the purposes of section 115 (1) of the Act.

Notice respecting administrative penalty

2 (1) If a director intends to make a determination in respect of an alleged contravention or failure by a person, the director must, before making the determination, give notice in writing to the person.

(2) The notice under subsection (1) must

- (a) include
 - (i) the name of the person who is the subject of the notice,
 - (ii) a description of the circumstances that gave rise to the alleged contravention or failure,
 - (iii) the person’s right to make representations under section 3, and
 - (iv) a preliminary assessment of the amount of the administrative penalty, and
- (b) identify
 - (i) the prescribed provision of the Act or the regulations the person is alleged to have contravened,
 - (ii) the order the person is alleged to have failed to comply with, or
 - (iii) the requirement of a permit or approval the person is alleged to have failed to comply with.

Opportunity to make representations

3 (1) Before making a determination in respect of an alleged contravention or failure by a person, a director must provide the person with an opportunity to make representations in respect of the alleged contravention or failure.

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- (2) A person wishing to make representations under subsection (1) must make a request, in writing, to the director within 30 days after the date the person receives the notice under section 2.
- (3) Subject to subsection (4), if a person makes a request in accordance with subsection (2), the director
 - (a) must conduct a written, electronic or oral hearing, or any combination of them, as the director, in the director's sole discretion, considers appropriate, and
 - (b) may
 - (i) determine the circumstances and place in which, and the process by which, the hearing may be conducted, and
 - (ii) specify the form and content of materials to be provided for the hearing, and the date the materials must be provided.
- (4) If a person does not provide materials to the director in accordance with subsection (3) (b) (ii), the director is not required to conduct a hearing.
- (5) If, after giving an opportunity to make representations, a director does not make a determination in respect of an alleged contravention or failure by a person, the director must give notice to the person that the person is not required to pay an administrative penalty.

[am. B.C. Reg. 64/2021, ss. 2 and 3.]

Determinations

- 4** A determination must be in a form that includes all of the following:
 - (a) the reasons for the decision;
 - (b) the name of the person who is liable for the administrative penalty;
 - (c) the contravention or failure in relation to which the administrative penalty is imposed;
 - (d) the amount of the administrative penalty;
 - (e) when the administrative penalty must be paid;
 - (f) the person's right to an appeal under Division 2 of Part 8 of the Act;
 - (g) the address of the appeal board.

Correction of determination

- 5** (1) Within 15 days after the date a determination is made, the director who made the determination may amend the determination to
 - (a) correct a typographical, an arithmetical or another similar error, and
 - (b) correct an obvious error or omission.
- (2) The discretion given to a director under subsection (1) is exercisable with or without a hearing and
 - (a) on the initiative of the director who made the determination, or

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- (b) at the request of the person who is the subject of the determination.
- (3) If a director corrects a determination under subsection (1),
 - (a) the director must give notice in writing to the person who is the subject of the determination, and
 - (b) the correction does not take effect until the date the person receives notice of the correction under paragraph (a).

Absolute liability

- 6** A requirement that a person pay an administrative penalty applies even if the person exercised due diligence to prevent the contravention or failure in relation to which the administrative penalty is imposed.

Assessment of administrative penalty

- 7** (1) In establishing the amount of an administrative penalty in a particular case, a director must consider the following matters, if applicable:
- (a) the nature of the contravention or failure;
 - (b) the real or potential adverse effect of the contravention or failure;
 - (c) any previous contraventions or failures by, administrative penalties imposed on, or orders issued to the following:
 - (i) the person who is the subject of the determination;
 - (ii) if the person is an individual, a corporation for which the individual is or was a director, officer or agent;
 - (iii) if the person is a corporation, an individual who is or was a director, officer or agent of the corporation;
 - (d) whether the contravention or failure was repeated or continuous;
 - (e) whether the contravention or failure was deliberate;
 - (f) any economic benefit derived by the person from the contravention or failure;
 - (g) whether the person exercised due diligence to prevent the contravention or failure;
 - (h) the person's efforts to correct the contravention or failure;
 - (i) the person's efforts to prevent recurrence of the contravention or failure;
 - (j) any other factors that, in the opinion of the director, are relevant.
- (2) If a contravention or failure continues for more than one day, separate administrative penalties, each not exceeding the applicable maximum administrative penalty, may be imposed for each day the contravention or failure continues.

Date administrative penalty must be paid

- 8** A person who is the subject of a determination must pay the administrative penalty within 30 days after the later of

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- (a) the date the determination is served on the person,
- (b) if, under section 5 of this regulation, the determination was corrected, the date the person receives notice of the correction, or
- (c) if, under Division 2 of Part 8 of the Act, the person appeals the imposition of an administrative penalty,
 - (i) the date the person receives a copy of the order or decision of the appeal board, if the appeal board confirms or varies the administrative penalty, or
 - (ii) the date a new determination is served on the person, if the appeal board sends the matter back, with directions, to the director who made the determination.

Enforcement of administrative penalty

- 9** If a person fails to pay an administrative penalty as required under section 8, the person is not eligible to apply for a permit or approval, or to amend a permit or approval, until the penalty is paid in full.

Consolidated revenue fund

- 10** All revenue derived from administrative penalties must be paid into the consolidated revenue fund.

Limitation period

- 11** A notice under section 2 may not be served more than 3 years after the later of
- (a) the date the alleged contravention or failure to which the notice relates occurred, or
 - (b) the date evidence of the alleged contravention or failure first came to the knowledge of a director.

PART 2 – PRESCRIBED PROVISIONS**Prescribed provisions of Act**

- 12** (1) A person who contravenes section 6 (2), (3) or (4), 7, 8, 9 (1) or (4), 11, 25 (2), 40 (1), (2), (6) or (7), 40.1 (2), 48 (8), (10) or (15), 55 (1.1) or (1.3), 55.1 (2), 72 (1) or (2), 76.2, 91.11 (1) (a) or (4), 91.2 (2) or 91.41 (4) of the Act is liable to an administrative penalty not exceeding \$75 000.
- (2) A person who contravenes section 10 (1), (2) or (3), 91.11 (1) (b) or (c) or (2) or (3) (a), (c) or (d), 91.2 (1) (a) or (b) or (c) (i) or (ii) or (6) (a) (i) or (ii) or (b), 91.31 (6) (b), 91.51 (1) or (2), 91.71 (1) (a), (b), (c) or (d), 109 (6) or 111 (2.1) of the Act is liable to an administrative penalty not exceeding \$40 000.

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- (2.1) A person who contravenes section 91.11 (1) (d) or (e) or (3) (b), 91.2 (6) (c), 91.31 (6) (a) or (c) or 91.71 (2) of the Act is liable to an administrative penalty not exceeding \$10 000.
- (3) A person who contravenes section 12 (2) or 13 of the Act is liable to an administrative penalty not exceeding \$2 000.
- (4) A person who fails to comply with an order under the Act is liable to an administrative penalty not exceeding \$40 000.
- (5) A person who fails to comply with a requirement of a permit or approval issued or given under the Act is liable to an administrative penalty not exceeding \$40 000, unless the requirement the person failed to comply with is also a prescribed provision of the Act or the regulations that is subject to a different maximum administrative penalty.

[am. B.C. Regs. 161/2020, App. 1, s. 1; 22/2021, s. 1; 189/2023, s. 1.]

**Prescribed provisions of Code of Practice for
Agricultural Environmental Management**

- 13** (1) A person who contravenes any of sections 11 (2), 27 (1) (a), 34 (a) (ii) or (d), 40 (a.2) (ii) or (d), 43.2 (a) (ii) or (d), 47 (1), 51 (1) (b), 52 (1) (b) (i), 60 (2), 62 (b) or (d) (ii) and 75 (1) (b) of the Code of Practice for Agricultural Environmental Management is liable to an administrative penalty not exceeding \$75 000.
- (2) A person who contravenes any of sections 6, 9, 10 (2) or (3), 11 (1), 12, 13, 17, 19 (2), 22 (a) to (c), 23, 24 (a), (b) or (d), 25, 27 (1) (b) to (d) or (2) to (4), 28, 29, 32, 33 (1) or (2) (c) to (e), 34 (a) (i), (b), (c) or (e), 35, 36 (1) or (3), 37 (1) (a), (c) or (e), 38 (1), 40 (a), (a.1), (a.2) (i), (b), (c) or (e), 41, 42 (1) (a), (c) or (d), 43.2 (a) (i), (b), (c) or (e), 45 (b) (ii), 46, 49, 50 (2), 51 (1) (a), (c) or (d), 52 (1) (a), (b) (ii) or (c), 53 (1), 54 to 57, 58 (4), 59 (1) (b), (2) or (3), 60 (3), 62 (a), (c) or (d) (i), 63, 64 (1) to (3), 67 (2) to (4), 68 (a) to (e), 69, 70, 71 (1) (a) to (c) or (2) (b), 72 (1), 73 (2) to (4), 74 (1) (a) to (c) or (2) (a) or (b), 75 (1) (a) or (2) (b), 77, 78 (2) (b) or (c) or (3) (b) to (d) or (f) and 80 (4) of the Code of Practice for Agricultural Environmental Management is liable to an administrative penalty not exceeding \$40 000.
- (3) A person who contravenes any of sections 3 (2), 10 (1), 14, 22 (d), 24 (c), 26, 30, 33 (2) (a) or (b), 34 (f), 36 (2), 37 (1) (b) or (d) or (2), 38 (2), 40 (f), 42 (1) (b) or (2), 43 (2) to (4), 43.1 (1), 43.2 (f), 51 (2), 52 (2), 59 (1) (a) or (c), 64 (4), 65, 68 (f), 71 (1) (d), (2) (a) or (3), 72 (2), 73 (5), 74 (1) (d), (2) (c) or (3), 75 (2) (a), 76, 78 (3) (a) or (e) and 79 of the Code of Practice for Agricultural Environmental Management is liable to an administrative penalty not exceeding \$10 000.

[en. B.C. Reg. 195/2021; am. B.C. Reg. 188/2023, Sch. 1.]

Prescribed provisions of Antifreeze Regulation

- 14** A person who contravenes section 2 of the Antifreeze Regulation is liable to an administrative penalty not exceeding \$40 000.

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Prescribed provisions of Antisapstain Chemical Waste Control Regulation

- 15** A person who contravenes section 2, 4 (1), 5, 6, 7, 8, 9, 10, 11 or 12 of the Antisapstain Chemical Waste Control Regulation is liable to an administrative penalty not exceeding \$40 000.

Prescribed provisions of Asphalt Plant Regulation

- 16** (1) A person who contravenes section 2 (3), 5 (1) or (4), 7 (2), 9, 11, 12 (1) or (2), 13.1 (5), 14 (2), 15, 16 (2) or 17 (1) of the Asphalt Plant Regulation is liable to an administrative penalty not exceeding \$75 000.
- (2) A person who contravenes section 5 (2) or (3), 6 (1), (2) or (3), 7 (1), 13 (1) or (3), 13.1 (1), 14 (1), 17 (2) or (3) or 18 (1) of the Asphalt Plant Regulation is liable to an administrative penalty not exceeding \$40 000.
- (3) A person who contravenes section 3.1, 6 (4), 8, 13 (5) or (6), 13.1 (2) or 16 (1) of the Asphalt Plant Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Cleaner Gasoline Regulation

- 17** (1) A person who contravenes section 4 (2) of the Cleaner Gasoline Regulation is liable to an administrative penalty not exceeding \$75 000.
- (2) A person who contravenes section 2 (2) or (3), 3 (1) or 10 (1) (a) of the Cleaner Gasoline Regulation is liable to an administrative penalty not exceeding \$40 000.
- (3) A person who contravenes section 2 (4), 9 or 10 (1) (c) or (d), (2), (7) or (8) of the Cleaner Gasoline Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Code of Practice for Industrial Non-Hazardous Waste Landfills Incidental to the Wood Processing Industry

- 18** (1) A person who contravenes section 8, 9, 10, 11, 12, 13, 14 (1), 15 (5), 16, 19 (1), 20 (1), 21 (1) or 22 (1) of the Code of Practice for Industrial Non-Hazardous Waste Landfills Incidental to the Wood Processing Industry is liable to an administrative penalty not exceeding \$40 000.
- (2) A person who contravenes section 15 (1) or (3), 17 (1) or (4), 18 or 22 (4) of the Code of Practice for Industrial Non-Hazardous Waste Landfills Incidental to the Wood Processing Industry is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Code of Practice for Soil Amendments

- 19** (1) A person who contravenes section 2, 3 (1), 4, 5 (2), 6, 7 (1), (2) or (3), 8 (1), 9 (2) or (4), 10 or 11 (1) of the Code of Practice for Soil Amendments is liable to an administrative penalty not exceeding \$40 000.
- (2) A person who contravenes section 7 (4), 9 (3) or 12 of the Code of Practice for Soil Amendments is liable to an administrative penalty not exceeding \$10 000.

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**Prescribed provisions of Code of Practice for the
Concrete and Concrete Products Industry**

- 20** (1) A person who contravenes section 3, 4, 5, 6 (1), 7 (1), 8 (1) or 10 the Code of Practice for the Concrete and Concrete Products Industry is liable to an administrative penalty not exceeding \$40 000.
- (2) A person who contravenes section 9 or 11 of the Code of Practice for the Concrete and Concrete Products Industry is liable to an administrative penalty not exceeding \$10 000.

**Prescribed provisions of Code of Practice for the
Slaughter and Poultry Processing Industries**

- 21** (1) A person who contravenes section 18 of the Code of Practice for the Slaughter and Poultry Processing Industries is liable to an administrative penalty not exceeding \$75 000.
- (2) A person who contravenes section 5 (a), 6, 7, 8, 9 (1) or (2), 9.1, 10 (1) or (2), 11 (1), 14 (1), (2) or (4), 15, 16 (1), 19 (1), 20, 21, 22, 23 (1), 24 (2), 25 (2), 26 (1) or (2), 27 or 29 (5) of the Code of Practice for the Slaughter and Poultry Processing Industries is liable to an administrative penalty not exceeding \$40 000.
- (3) A person who contravenes section 3, 5 (b) or (c), 9 (3), 11 (2), 12, 13, 16 (2), 19 (4), 23 (2) or (3), 25 (3), (4) or (6), 26 (3) or (4), 28 (2) or 29 (1) or (2) of the Code of Practice for the Slaughter and Poultry Processing Industries is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Contaminated Sites Regulation

- 22** A person who contravenes section 3.2 (1), (2) or (3), 3.4, 46 (1), 46.1 (1) or (7), 57 (1) or (1.2), 59 (1) or 60.1 of the Contaminated Sites Regulation is liable to an administrative penalty not exceeding \$40 000.

[am. B.C. Regs. 161/2020, App. 1, s. 2; 189/2023, s. 2.]

Prescribed provisions of Environmental Data Quality Assurance Regulation

- 23** A person who contravenes section 2 of the Environmental Data Quality Assurance Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Environmental Impact Assessment Regulation

- 24** A person who contravenes section 2 or 3 of the Environmental Impact Assessment Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Gasoline Vapour Control Regulation

- 25** (1) A person who contravenes section 2 (1) or (5), 3 (7), 4 (1), (2), (4), (5) or (8), 5 (1), (2), (4), (5) or (6), 6 (1), (2), (3), (4), (5), (6), (8) or (9) or 7 of the Gasoline Vapour Control Regulation is liable to an administrative penalty not exceeding \$40 000.

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- (2) A person who contravenes section 3 (6), 4 (6) or (7) or 9 (1) or (2) of the Gasoline Vapour Control Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Land-based Finfish Waste Control Regulation

- 26** (1) A person who contravenes section 6 (1) or 7 (1) of the Land-based Finfish Waste Control Regulation is liable to an administrative penalty not exceeding \$40 000.
- (2) A person who contravenes section 5 or 8 of the Land-based Finfish Waste Control Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Landfill Gas Management Regulation

- 27** (1) A person who contravenes section 4 (1) or (5), 5 (3), 7 (1) or (2), 8 (3) or (4) (b), 9 (1), 11 (3) or 15 (1) of the Landfill Gas Management Regulation is liable to an administrative penalty not exceeding \$40 000.
- (2) A person who contravenes section 6 (2), 7 (3), 8 (4) (a), 10, 11 (1) or (2), 12 (3), 13, 14 or 15 (4) of the Landfill Gas Management Regulation is liable to an administrative penalty not exceeding \$10 000.

- 28** Repealed. [B.C. Reg. 54/2016, App. 2, s. 1.]

Prescribed provisions of Municipal Wastewater Regulation

- 29** (1) A person who contravenes section 45, 50, 94 (1), 97 (1), 108 (1), 109 (2), (3), (4), (5) or (6), 111 (2) or (3), 112, 113, 115 (1) or 117 (2) or (3) of the Municipal Wastewater Regulation is liable to an administrative penalty not exceeding \$75 000.
- (2) A person who contravenes section 6 (2), 7 (3), 18 (1) (b), 42 (1), 43, 44, 47, 48, 49 (1), (2) (b) or (3), 51, 52, 53, 54, 55 (1) or (3), 56 (1), 57 (2) or (3), 58 (1) or (3), 60, 66 (1), (2) or (3), 72 (2), 73, 74 (3), 75, 76 (4) or (5), 80, 81, 82 (1) or (2), 83, 84, 85 (1), 86, 88, 95 (3), 102, 103 (1), 105 (1), 110 (3) (b), 114 (1), 118 (1) or 119 of the Municipal Wastewater Regulation is liable to an administrative penalty not exceeding \$40 000.
- (3) A person who contravenes section 16 (1), 42 (2), 46, 49 (2) (a), 55 (5), 57 (4), 62, 63, 64, 65 (1), 66 (4), 97 (2), 101, 103 (3) or 118 (3) of the Municipal Wastewater Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Mushroom Compost Facilities Regulation

- 30** (1) A person who contravenes section 1, 2 (1) or 3 (0.1), (1) or (4) of the Schedule to the Mushroom Compost Facilities Regulation is liable to an administrative penalty not exceeding \$40 000.
- (2) A person who contravenes section 2 (3), 3 (2), 4 (1) or (2) or 5 (1) or (3) of the Schedule to the Mushroom Compost Facilities Regulation is liable to an administrative penalty not exceeding \$10 000.

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Prescribed provisions of Oil and Gas Waste Regulation

- 31** (1) A person who contravenes section 3 or 5 (2) or (3) of the Oil and Gas Waste Regulation is liable to an administrative penalty not exceeding \$75 000.
- (2) A person who contravenes section 7 (3) or (4) or 8 of the Oil and Gas Waste Regulation is liable to an administrative penalty not exceeding \$40 000.
- (3) A person who contravenes section 6 (2), (3) or (4) of the Oil and Gas Waste Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Open Burning Smoke Control Regulation

- 31.1** (1) A person who contravenes section 12, 17 or 30 (4) of the Open Burning Smoke Control Regulation is liable to an administrative penalty not exceeding \$75 000.
- (2) A person who contravenes section 9, 10, 11, 13, 14 or 15 of the Open Burning Smoke Control Regulation is liable to an administrative penalty not exceeding \$40 000.
- (3) A person who contravenes section 31 of the Open Burning Smoke Control Regulation is liable to an administrative penalty not exceeding \$10 000.

[en. B.C. Reg. 153/2019.]

Prescribed provisions of Organic Matter Recycling Regulation

- 32** (1) A person who contravenes section 5 (1), 7 (2) or (4), 9 (2), 12 (4) or (5), 14 (2), 15 (1), 17, 20 (2), 22 (1), 23 (2) or (3), 24 (1), 25 (1), 26 (2) or (3), 27, 28, 29 or 30 of the Organic Matter Recycling Regulation is liable to an administrative penalty not exceeding \$40 000.
- (2) A person who contravenes section 5 (3) or (4), 7 (3), 9 (3) or (6), 15 (2) or (3), 23 (4), 24 (2) or (3) or 25 (2) of the Organic Matter Recycling Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Ozone Depleting Substances and Other Halocarbons Regulation

- 33** (1) A person who contravenes section 4 (1), (3) or (4), 11, 13, 15, 17, 18, 19, 22 or 27 (1), (2), (5) or (7) of the Ozone Depleting Substances and Other Halocarbons Regulation is liable to an administrative penalty not exceeding \$75 000.
- (2) A person who contravenes section 5, 6 (3), 7 (1) or (3), 8 (a), 10 (1) or (2), 12 (1), (3) or (4), 14, 16, 20, 21, 24, 25, 26 or 28 of the Ozone Depleting Substances and Other Halocarbons Regulation is liable to an administrative penalty not exceeding \$40 000.
- (3) A person who contravenes section 8 (b), 9, 10 (3) or 27 (6) of the Ozone Depleting Substances and Other Halocarbons Regulation is liable to an administrative penalty not exceeding \$10 000.

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Prescribed provisions of Petroleum Storage and Distribution Facilities Storm Water Regulation

- 34** (1) A person who contravenes section 4, 5 or 6 (1), (3), (4), (6), (7), (8), (9), (10) or (13) of the Petroleum Storage and Distribution Facilities Storm Water Regulation is liable to an administrative penalty not exceeding \$40 000.
- (2) A person who contravenes section 6 (5), (11) or (12) or 7 of the Petroleum Storage and Distribution Facilities Storm Water Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Pulp Mill and Pulp and Paper Mill Liquid Effluent Control Regulation

- 35** (1) A person who contravenes section 2 (1), (1.1), (3), (5) or (6) of the Pulp Mill and Pulp and Paper Mill Liquid Effluent Control Regulation is liable to an administrative penalty not exceeding \$75 000.
- (2) A person who contravenes section 5 (1) of the Pulp Mill and Pulp and Paper Mill Liquid Effluent Control Regulation is liable to an administrative penalty not exceeding \$40 000.
- (3) A person who contravenes section 5 (5) of the Pulp Mill and Pulp and Paper Mill Liquid Effluent Control Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Recycling Regulation

- 36** (1) A person who contravenes
- (a) section 2 (1), (2) or (3), 4, 6, 8 (1), 11 (2) or 14 (1) (a) or (2) of the Recycling Regulation, or
 - (b) section 5 (1) or (2), 6 (1), 7 or 8 of Schedule 1 of the Recycling Regulation
- is liable to an administrative penalty not exceeding \$40 000.
- (2) A person who contravenes section 2 (4) or (5), 9 (4), 10, 11 (3) or (4), 12 or 14 (1) (b), (3) or (4) of the Recycling Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Solid Fuel Burning Domestic Appliance Regulation

- 37** (1) A person who contravenes section 4 (3) of the Solid Fuel Burning Domestic Appliance Regulation is liable to an administrative penalty not exceeding \$75 000.
- (2) A person who contravenes section 4 (4), (5) or (6) or 7 (2), (3), (4), (5) or (6) of the Solid Fuel Burning Domestic Appliance Regulation is liable to an administrative penalty not exceeding \$40 000.

ADMINISTRATIVE PENALTIES (ENVIRONMENTAL MANAGEMENT ACT) REGULATIONPart 2 – Prescribed Provisions

- (3) A person who contravenes section 2 (1), 6 (1) or 9 (1) (a) or (b) or (2) (a) or (b) of the Solid Fuel Burning Domestic Appliance Regulation is liable to an administrative penalty not exceeding \$10 000.

[am. B.C. Reg. 218/2016, App. 2.]

Prescribed provisions of Spill Contingency Planning Regulation

- 37.1** (1) A person who contravenes section 3 of the Spill Contingency Planning Regulation is liable to an administrative penalty not exceeding \$40 000.

- (2) A person who contravenes section 4, 5 (1) or (2), 6 (1) or (2), 7 (1) or (2), 8, 9 (1), 10, 11 (1) or 12 (1), (2), (3) or (4) of the Spill Contingency Planning Regulation is liable to an administrative penalty not exceeding \$10 000.

[en. B.C. Reg. 22/2021, s. 2.]

Prescribed provisions of Spill Preparedness, Response and Recovery Regulation

- 37.2** A person who contravenes section 6, 9, 10 or 11 of the Spill Preparedness, Response and Recovery Regulation is liable to an administrative penalty not exceeding \$10 000.

[en. B.C. Reg. 22/2021, s. 2.]

Prescribed provisions of Spill Reporting Regulation

- 37.3** (1) A person who contravenes section 4 (1) of the Spill Reporting Regulation is liable to an administrative penalty not exceeding \$75 000.

- (2) A person who contravenes section 7 (3) of the Spill Reporting Regulation is liable to an administrative penalty not exceeding \$40 000.

- (3) A person who contravenes section 4 (2), 5 or 6 of the Spill Reporting Regulation is liable to an administrative penalty not exceeding \$10 000.

[en. B.C. Reg. 22/2021, s. 2.]

- 38** Repealed. [B.C. Reg. 185/2017, s. (c).]

Prescribed provisions of Storage of Recyclable Material Regulation

- 39** A person who contravenes section 4 (1) or (2) or 5 (1) of the Storage of Recyclable Material Regulation is liable to an administrative penalty not exceeding \$40 000.

- 40** Repealed. [B.C. Reg. 54/2016, App. 2, s. 1.]

Prescribed provisions of Vehicle Dismantling and Recycling Industry Environmental Planning Regulation

- 41** (1) A person who contravenes section 2 (2) or (3), 4 (1), 5 (1) or 6 of the Vehicle Dismantling and Recycling Industry Environmental Planning Regulation is liable to an administrative penalty not exceeding \$40 000.

- (2) A person who contravenes section 2 (4) or (5), 4 (2) (a) or (c), 5 (2) (a), (b), (c) or (e), (3) or (4) or 7 of the Vehicle Dismantling and Recycling Industry Environ-

mental Planning Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Wood Residue Burner and Incinerator Regulation

- 42** A person who contravenes section 2 (1) of the Wood Residue Burner and Incinerator Regulation is liable to an administrative penalty not exceeding \$75 000.

AMENDMENTS NOT IN FORCE

Environmental Management Act

ADMINISTRATIVE PENALTIES (*ENVIRONMENTAL MANAGEMENT ACT*) REGULATION, B.C. REG. 133/2014

amended by B.C. Reg. 7/2019
effective July 15, 2025

SCHEDULE 7

1 Section 13 of the Administrative Penalties (Environmental Management Act) Regulation, B.C. Reg. 133/2014, is amended

- (a) in subsection (2) by striking out “59 (1) (b), (2) or (3)” and substituting “59 (1) (b), (2) or (3), 59.1 (1) to (3) or (4) (a)”, and***
- (b) in subsection (3) by striking out “59 (1) (a) and (c)” and substituting “59 (1) (a) and (c), 59.1 (4) (b)”.***

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AMENDMENTS NOT IN FORCE

Environmental Management Act

ADMINISTRATIVE PENALTIES (*ENVIRONMENTAL MANAGEMENT ACT*) REGULATION

B.C. Reg. 133/2014

amended by B.C. Reg. 178/2023

effective August 1, 2024

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective August 1, 2024,

- (a) section 23 of the Administrative Penalties (*Environmental Management Act*) Regulation, B.C. Reg. 133/2014, is amended by striking out “section 2” and substituting “sections 3, 4, 5, 7 or 8 (2)”, and
- (b) section 57 (4) of the Municipal Wastewater Regulation, B.C. Reg. 87/2012, is amended by striking out “, B.C. Reg. 301/90”.

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