



Province of Alberta

ENVIRONMENTAL PROTECTION AND
ENHANCEMENT ACT

RELEASE REPORTING REGULATION

Alberta Regulation 117/1993

With amendments up to and including Alberta Regulation 136/2018

Current as of June 28, 2018

Office Consolidation

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(Consolidated up to 136/2018)

ALBERTA REGULATION 117/93
Environmental Protection and Enhancement Act
RELEASE REPORTING REGULATION

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Schedule

Definition

1 In this Regulation, “Act” means the *Environmental Protection and Enhancement Act*.

Exemption from reporting

2 Sections 110 and 111 of the Act and this Regulation do not apply

- (a) to releases of substances that are regulated by the *Oil and Gas Conservation Act* or any regulation made under that Act, the *Dangerous Goods Transportation and Handling Act* or any regulation made under that Act, or an approval, licence or permit granted under any of those Acts or regulations, or
- (b) to releases of substances classified as Class 1 dangerous goods (explosives) or Class 7 dangerous goods (radioactive materials) as set out in the Schedule to the *Transportation of Dangerous Goods Act, 1992* (Canada).

AR 117/93 s2;217/96;251/2001;386/2003;136/2018

Substances regulated by federal Act

3(1) Subject to section 2(a), where a release of a substance falling within a Class set out in the first column of the Schedule to this Regulation occurs and the release has caused, is causing or may

cause an adverse effect, sections 110 to 112 of the Act and this Regulation apply in respect of the release only if

- (a) the release is at or in excess of the quantity or emission levels set out for the substance in the second column of the Schedule, or
- (b) the substance is released into a watercourse or into groundwater or surface water.

(2) Subsection (1)(b) applies regardless of whether the quantity or emission level of the release is at or in excess of the levels set out for the substance in the second column of the Schedule.

AR 117/93 s3;247/93;217/96;251/2001;386/2003;127/2017

Written report

4(1) A person referred to in section 110(2) of the Act who makes a report under section 111(1) of the Act by telephone or by electronic means shall within 7 days ensure that the Director is in receipt of a written report made by the person in accordance with subsection (3).

(2) The Director may, on the request of the person reporting under section 111(1) of the Act, waive the requirement of subsection (1) of this section where, in the Director's opinion, the report provided under section 111(1) of the Act is satisfactory and

- (a) no adverse effects are likely to occur as a result of the release, or
- (b) the adverse effects caused by the release have been adequately controlled.

(3) A written report must include the following information, where reasonably available:

- (a) the date and time of the release;
- (b) the location of the point of the release;
- (c) the duration of the release and the release rate;
- (d) the composition of the release showing with respect to each substance
 - (i) its concentration, and
 - (ii) the total weight, quantity or amount released;
- (e) a detailed description of the circumstances leading up to the release;

- (f) the steps or procedures which were taken to minimize, control or stop the release;
- (g) the steps or procedures which will be taken to prevent similar releases;
- (h) any other information required by the Director.

(4) Where the Director receives a written report the Director may require, by written notice given to the person who submitted the report, the submission of additional information specified in the notice by the time specified in the notice.

(5) A person who receives a notice under subsection (4) shall comply with it in accordance with its terms.

AR 117/93 s4;251/2001;386/2003

Reporting by electronic means

4.1(1) In this section, “reporting system” means a system of reporting by electronic means provided for in an agreement entered into under subsection (2).

(2) A person shall only report under section 111(1) of the Act using electronic means if the person is a party to a subsisting agreement with the Department that provides for the system of reporting by electronic means.

(3) A person reporting under section 111(1) by electronic means shall report only through the reporting system provided by the Department.

(4) No person shall interfere with the operation of the reporting system.

(5) No person shall cause or permit access to the reporting system unless the person is a party to an agreement under subsection (2).

(6) No person shall cause or permit access to the reporting system except to information to which the person is entitled access pursuant to an agreement under subsection (2).

AR 386/2003 s5

Expiry

4.2 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on June 30, 2021.

AR 386/2003 s5;122/2013;64/2015;127/2017;136/2018

5 Repealed AR 386/2003 s6.**Schedule****Reportable Levels for Certain Substances****1** In this Schedule:

“Federal Regulations” means the *Transportation of Dangerous Goods Regulations* (SOR/2016-95) made under the *Transportation of Dangerous Goods Act* (Canada);

Class	Quantity
Class 2: Gases, referred to in section 2.13(a) of the Federal Regulations	Any quantity that could pose a danger to public safety or any sustained release of 10 minutes or more
Class 3: Flammable liquids and combustible liquids, referred to in section 2.18 of the Federal Regulations	200 L
Class 4: Flammable solids, substances liable to spontaneous combustion, substances that on contact with water emit flammable gases (water-reactive substances), referred to in section 2.20 of the Federal Regulations	25 kg
Class 5.1: Oxidizing substances, referred to in section 2.24(a) of the Federal Regulations	50 kg or 50 L
Class 5.2: Organic peroxides, referred to in section 2.24(b) of the Federal Regulations	1 kg or 1 L
Class 6.1: Poisonous (toxic) substances, referred to in section 2.27(a) of the Federal Regulations	5 kg or 5 L
Class 6.2: Infectious substances, referred to in section 2.27(b) of the Federal Regulations	Any quantity

Class 8: Corrosives, referred to in section 2.40 of the Federal Regulations	5 kg or 5 L
Class 9: Miscellaneous products, substances or organisms, referred to in section 2.43 of the Federal Regulations	25 kg or 25 L



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