



PLEASE NOTE

This document, prepared by the [Legislative Counsel Office](#), is an office consolidation of this regulation, current to November 13, 2004. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office
Tel: (902) 368-4291
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CHAPTER E-9

ENVIRONMENTAL PROTECTION ACT

ENVIRONMENTAL RECORDS REVIEW REGULATIONS

Pursuant to section 25 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, Council made the following regulations:

- 1. In these regulations** Definitions
- (a) “Act” means the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9; Act
- (b) “associated property” means, in respect of a principal property, a property that is contiguous or adjacent to a principal property; associated property
- (c) “environmental records review” means a review conducted under subsection 3(1) of the records maintained or held by the Department respecting a principal property and associated properties listed in an application; environmental records review
- (d) “principal property” means the property that is the principal subject of an environmental records review application under subsection 2(1); principal property
- (e) “property” means a parcel of land in the province that has a property identification number assigned by the Provincial Treasury. (EC619/04) property
- 2. (1)** A person who wishes to request an environmental records review shall submit an application to the Minister in the form set out in the Schedule, together with the fees required by subsection (2). Application
- (2) The fees for an environmental records review are payable to the Provincial Treasurer in the amount of Fees
- (a) \$50 for each principal property reviewed; and
- (b) \$20 for each associated property reviewed. (EC619/04)
- 3. (1)** On receipt of an application made in accordance with section 2, the Minister shall cause an employee of the Department to conduct a review of the Department’s records for the information respecting the principal property and associated properties listed in the application that is required to be reported to an applicant under subsection (2). Conduct of review
- (2) An employee of the Department who conducts a review of the Department’s records pursuant to subsection (1) shall, within 15 business Report

days, issue a report to the applicant containing the following information, if available in the Department's records, concerning the principal and associated properties listed in the application:

- (a) whether the records show that any of the properties
 - (i) contain any petroleum storage tanks,
 - (ii) contain any out of service petroleum storage tanks, or
 - (iii) previously contained any petroleum storage tanks;
- (b) if subclause (a)(i) or (a)(ii) applies,
 - (i) the size of the petroleum storage tank,
 - (ii) whether the petroleum storage tank is or was an aboveground or underground storage tank,
 - (iii) a description of the material used in the construction of the petroleum storage tank, and
 - (iv) the year in which the petroleum storage tank was installed, and, if applicable, the year in which it was removed;
- (c) the status of any permits, orders or approvals under the Act issued in respect of the properties including any
 - (i) orders made by the Minister,
 - (ii) orders or approvals made under section 9 of the Act,
 - (iii) excavation pit permits,
 - (iv) watercourse alteration permits, and
 - (v) air quality permits;
- (d) whether there have been any contaminant spills affecting the properties;
- (e) whether the records show that hazardous waste has been transported to or from the properties; and
- (f) whether the property reviewed is entered in the contaminated site registry maintained by the Department under section 21.1 of the Act. (EC619/04)

SCHEDULE**FORM 1****ENVIRONMENTAL RECORDS REVIEW APPLICATION**

Personal information on this form is collected under clause 31(c) of the *Freedom of Information and Protection of Privacy Act* R.S.P.E.I. 1988, Cap. F-15.01 as it relates directly to and is necessary for a request for an environmental records review and will be used for the purpose of contacting the client. If you have any questions about this collection of personal information, you may contact the Field Supervisor, Pollution Prevention Division, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Information		
Company Name:	Phone:	
Contact Name:	Fax:	
Mailing Address:		
Community:	Province:	Postal Code:
Client Project Number (if applicable):		

Property Information	
Parcel identification numbers (PIDs) for which information is requested:	
Principal Property PIDs	Associate Property PIDs

Applicant Signature: _____ Date: _____

The fee for an environmental records review is as follows:

- \$50 for each principal property (PID); and
- \$20 for each associate property (PID).

Payment must be received before the request will be processed.

Method of Payment

(Check appropriate box)

Cheque

Money Order

Cash (hand delivery only)

Amount Enclosed: \$ _____

Please forward application and payment to:

Department of Environment and Energy
Field Supervisor, Pollution Prevention Division
PO Box 2000, 11 Kent Street
Charlottetown, PE C1A 7N8
Fax: (902) 368-5830

**Cheques and money orders should be made payable to the Provincial Treasurer.
Allow approximately three weeks for report.**

(EC619/04)