

October, 2021 ■ Volume 38 No. 10



Excess soil registry in final testing and new provisions kick in Jan 1, 2022

Builders brace for new excess soil rules in Ontario

Ontario's Resource Productivity and Recovery Authority is performing final testing on the excess soil registry ahead of its official January 1, 2022 launch date. The registry will actually open for registration ahead of that date, promises Ellen White, manager of communications and stakeholder relations at Resource Productivity and Recovery Authority, in a phone interview with *EcoCompliance.ca* newsletter. It will give industry a bit of time to familiarize itself with the registry.

The excess soil registry will be a vital piece of Ontario's new system for managing the movement of excess soil in the province, and its launch will herald a dramatic change in how the construction industry manages excess soil.

The regulatory regime is governed by the On-Site and Excess Soil Management Regulation (O. Reg. 406/19) and associated standards. Phase-in of the regulation began January 1, 2021, six months later than originally planned as a result of the pandemic.

Since January 1, 2021, excess soil, defined as soil and/or crushed rock excavated from a project area and removed from that area, must be characterized according to generic or site-specific quality standards before being transported to a beneficial reuse site or an approved depot willing to accept it. Failing that, it is designated as waste.

The extent to which industry is complying with, or even aware of, those requirements is uncertain.

In a phone interview with *EcoCompliance.ca* newsletter, Ontario Ministry of the Environment, Conservation and Parks Spokesperson Gary Wheeler says the ministry has been focusing on outreach to heavy duty soil haulage vehicle operators in York Region, Durham Region and Peterborough since July 2021. As of October 18, 2021, it had not issued any warnings, notices of violation or tickets.

Chris Tenaglia, managing director of environment at N1 Solutions Inc., a business services provider headquartered in Sault Ste. Marie, Ontario, is skeptical.

"People don't know what to do," Tenaglia says in a phone interview with *EcoCompliance.ca* newsletter. "There hasn't been a whole lot of regulatory education. Sometimes we call local environmental officers, and they're not even

trained," says Tenaglia.

If Tenaglia is right, industry will be shocked come January 1, 2022, when generators and receivers of excess soil will have to register on the excess soil registry.

Proposed registration fees range from a low of zero for small projects like a backyard pool, to \$12,000 for the largest projects. For reuse sites, the range is \$750 to \$10,000. For a temporary storage facility, known as a residential development soil depot, the fee is \$250.

But there's more, much more, all designed to ensure that excess soil moved from one site to another is not only suitable for deposit at that site, but that a chain of custody record exists to prove that soil of appropriate quality was indeed moved from point A and willingly accepted at point B.

What will this look like? At an October 20, 2021 webinar, Willms & Shier Associate Anand Srivastava described key elements of the notice that must be filed on the registry before excess soil is removed (with exceptions):

- a description of the project and project area, including GPS coordinates
- contact information for each project leader, operator and qualified person
- an estimate of the amount of soil to be removed
- name and contact information of the person responsible for the transportation of the soil
- information about the destination of the soil
- a declaration from the project leader that he or she had made reasonable inquiries to obtain all relevant information to comply with the regulation, that he or she has informed the qualified person about this information, that the information filed on the registry is complete and accurate to the best of the project leader's knowledge and that the project leader will develop and apply procedures to ensure compliance with the regulation
- 30 days after the soil is removed, the project leader must update the notice confirming certain details of the notice.

But that's not all, Srivastava explained in the webinar. The requirement to file a notice triggers an obligation on the project leader to retain a qualified person and instruct

that person to prepare as many as four separate reports and plans dealing with the soil on-site and its possible destination off-site. The project leader must also develop and implement a system that tracks excess soil from its excavation site to its destination.

Information on what must be captured by the tracking system is found in the “Rules for Soil Management and Excess Soil Quality Standards” [<https://files.ontario.ca/mecp-soil-rules-en-2020-12-21.pdf>], which is incorporated by reference into the regulation.

And then, there’s January 1, 2025. As of that date, all excess soil that meets reuse standards will have to be reused. Landfills will be banned from accepting reusable soil except for quantities needed for maintenance, such as cover, roads or berms.

Full responsibility for compliance falls squarely on the shoulders of the project leader, defined in the regulation as “the person or persons who are ultimately responsible for making decisions relating to the planning and implementation of the project.”

Typically, a project leader will not have hands-on responsibility for excess soil management, explains Talia Gordner, partner at McMillan LLP in Toronto, in a phone interview with *EcoCompliance.ca* newsletter. That responsibility will fall to a contractor or a subcontractor. But making the project leader the person or persons responsible for compliance will help with enforcement.

“It can avoid a lot of the finger-pointing between all of the involved parties,” Gordner explains.

It also compels project leaders to think about soil movement before the project gets underway, explains Jeff Goldman, principal and corporate director of the soil management software company SoilFLO, in a phone interview with *EcoCompliance.ca* newsletter.

Goldman, who has been involved in consultations with government over the management of excess soil for the past eight years, admits “there’s a lot of anxiety within the industry now about who will be designated the project leader.”

All of these upcoming provisions have an impact on construction contracts, Srivastava explained in the webinar. Parties cannot contract out of their legal responsibilities. The project leader will ultimately be accountable for compliance with the regulation, no matter what a contract says.

However, parties can negotiate and contractually agree to cover costs arising from ministry orders and prosecutions, and even civil liability, Srivastava said in the webinar. He also encouraged the use of environmental insurance as a backstop.

The regulation also includes an important grandfathering provision. As the regulation currently stands, contracts entered into prior to January 1, 2021 are exempt from the notice requirement and, as a consequence, from many of the onerous provisions that a notice triggers.

However, an amendment (O. Reg. 775/20) to the

regulation will take effect on January 1, 2022, extending that grandfathering date to January 1, 2022. Those exemptions will remain effective until January 1, 2026.

The extension of the grandfathering date is no secret. One would expect a headlong rush to sign contracts prior to the January 1, 2022 date.

That doesn’t appear to have happened, says Gordner. It may suggest that the construction industry isn’t paying close enough attention to the upcoming changes, but she says it’s more likely because of the complexity of big construction projects.

“You have to know exactly what your project is going to involve,” she says. “I think it’s hard to push that forward just for the grandfathering.”

But pushing that thinking forward is precisely what the excess soil regulation is intended to do. Goldman says that for too long the movement of excess soil has been treated as a cost of doing business, a line item on a pro forma.

“It’s a pain in the rear,” he says. “It’s something I have to get rid of.”

The requirement for characterization, the detailed tracking, the emphasis on beneficial reuse, the excess soil registry, are all intended to redefine excess soil as a resource, something to be managed, not disposed of.

The issue isn’t regulation, or even the complexity of the tracking requirements. Those can change, Goldman says.

The bigger issue is whether advance planning for excess soil management is a good idea. In his opinion, it clearly is.

by Mark Sabourin

◆◆◆◆

NB drafts standard for reporting, reducing greenhouse gas emissions

The government of New Brunswick has released for public review and comment the draft Reporting and Reduction of Greenhouse Gas Emissions Standard (<https://www2.gnb.ca/content/dam/gnb/Departments/env/pdf/Climate-Climatiques/the-reporting-and-reduction-of-greenhouse-gas-emissions-standard.pdf>) to support its output-based pricing system for large emitters.

The draft standard is under the Reduction of Greenhouse Gas Emissions Regulation - *Climate Change Act* (N.B. Reg. 2021-43).

Since January 1, 2019, large emitters of greenhouse gases in New Brunswick have been subject to the federal system while a provincial system was being developed.

The federal government approved New Brunswick’s output-based pricing system in principle in September 2020.

Changes to New Brunswick’s *Climate Change Act*, which were necessary to make the transition from the federal system to the provincial system, were introduced in November 2020.

(NB drafts standard cont'd on p. 3)

Progress of Bills, regulations and guidelines

Throughout the year, the federal, provincial and territorial governments introduce Bills, bring Acts into force, and draft and file new regulations and guidelines. Among them are:

NEW BRUNSWICK

Designated Materials Amendment Regulation (N.B. Reg. 2021-76) under the *Clean Environment Act*

Amendments to the Designated Materials Regulation (N.B. Reg. 2008-54) establish an extended producer responsibility program for packaging and paper products.

The program transfers responsibility for packaging and paper products waste from local governments and regional service commissions to the producers.

The government says that the program is the first in Atlantic Canada. Similar programs are in place in British Columbia, Saskatchewan, Manitoba, Ontario and Quebec.

The amendments took effect on October 14, 2021.

QUEBEC

Fees Payable with Respect to the Traceability of Excavated Contaminated Soils Regulation (Order of the Minister of the Environment and the Fight Against Climate Change dated 23 September 2021) under the *Environment Quality Act*

This regulation prescribes the fees payable when excavated contaminated soils are transported from their site of origin or, in certain cases, from a receiving site, to cover the costs of the implementation, by the Minister of the Environment and the Fight Against Climate Change, of measures for ensuring the traceability of contaminated soils for the purposes of the Traceability of Excavated Contaminated Soils Regulation (O.C. 877-2021).

The fees are payable, if the soils are transported from the site of origin, by the owner of the soils or, if the soils are excavated during work on a linear infrastructure, by the project owner or, if the soils are excavated following an accidental discharge of hazardous materials, by the party causing the discharge and, in certain cases, if the soils are transported from a receiving site, by the site manager.

The regulation takes effect on November 1, 2021 and will be applied in stages.

Draft Recovery and Reclamation of Products by Enterprises Amendment Regulation under the *Environment Quality Act*

This draft regulation adds three new categories of products to the Recovery and Reclamation of Products by Enterprises Regulation (R.R.Q., c. Q-2, r. 40.1): agricultural products,

pressurized fuel containers and pharmaceutical products. It also adds new subcategories of products.

In particular, among other things, it:

- postpones and changes the minimum recovery rates applicable to products already covered by the Recovery and Reclamation of Products by Enterprises Regulation
- introduces eco-design and circular economy objectives that, if attained, will reduce the required minimum recovery rate
- replaces the obligation to pay a sum to the Fund for the Protection of the Environment and the Waters in the Domain of the State in case of failure to attain the minimum recovery rate by the obligation to implement a remediation program to enhance the recovery and reclamation plan in order to attain that minimum recovery rate in subsequent years
- changes the minimum requirements concerning drop-off centres and services offered in northern communities covered by section 17
- relaxes operating rules for recovery and reclamation programs, auditing of service providers, annual reporting and audit rules.

Comments on the draft regulation, published in *Gazette officielle du Québec, Part 2*, October 13, 2021, will be accepted until November 27, 2021.

YUKON

Bill 5, the *Territorial Lands (Yukon) Amendment Act (2021)*

This Bill would amend the *Territorial Lands (Yukon) Act* to provide for the regulation of roads constructed or used to access resources such as mines and minerals and oil and gas.

Bill 5, introduced on October 7, 2021, received second reading on October 14, 2021.

■ ■ ■ ■ ■

(NB drafts standard cont'd from p. 2)

The Reduction of Greenhouse Gas Emissions Regulation provides supporting information for the output-based pricing system.

The draft standard was developed to provide facilities with the necessary information to report their greenhouse gas emissions to the province, and to provide regulated facilities under the New Brunswick output-based pricing system with the necessary information to:

- register in the system
- complete and submit a baseline emissions intensity submission
- complete and submit a greenhouse gas emissions

report

- complete and submit a compliance report.

The New Brunswick output-based pricing system will drive incremental greenhouse gas reductions in the province's industrial and electricity generation sectors. Facilities that emit 50,000 tonnes or more of greenhouse gas emissions annually will be required to participate in the system. Facilities that emit between 10,000 tonnes to 50,000 tonnes may voluntarily opt-in.

The government of New Brunswick anticipates fewer than 20 facilities will participate in the system.

The draft standard has detailed sections on:

- greenhouse gas emissions reporting
- system administration
- quantification of emissions and production data
- baseline emissions intensity submission
- greenhouse gas emissions report
- compliance report
- verification
- record keeping.

Comments on the draft standard may be e-mailed to NBOBPS-STFRNB@gnb.ca by November 5, 2021.

Yukon releases draft wetlands policy for final public review

The Yukon government has released a draft high-level policy on managing the territory's wetlands for final public review.

The "Draft for public review: A policy for the stewardship of Yukon's wetlands" (<https://yukon.ca/sites/yukon.ca/files/env/env-draft-policy-stewardship-yukons-wetlands.pdf>) was produced through a collaborative roundtable process involving over 50 partners, including Yukon First Nations, transboundary Indigenous groups, relevant boards and councils, industry, and environmental and non-governmental organizations.

The draft policy applies to all wetlands in Yukon where the Yukon government has decision-making authority and to all land uses and resource sectors under the control and administration of the Yukon government.

It is intended to guide the Yukon government in the evaluation of proposed projects, the issuance of permits, licences, and authorizations, and in land-use and protected-area planning.

The Yukon government says the draft policy does not change any existing private property rights.

The draft policy directs the Yukon government to work towards:

1. improving knowledge and understanding of Yukon's wetlands
 - creating a broad scale territory-wide wetland inventory within five years of policy approval
 - supporting detailed inventories where needed
 - promoting research on northern wetlands

- promoting public awareness, understanding, and stewardship of wetlands

2. identifying and protecting wetlands of special importance

- applying appropriate mitigation measures during regulatory review processes

- considering appropriate protection measures for listed wetlands of special importance as well as wetlands that meet certain criteria set out in the draft policy

3. managing the impacts of human activities on wetlands by implementing a mitigation hierarchy, by order of preference:

- avoiding impacting wetlands
- minimizing unavoidable impacts
- reclaiming impacted wetlands
- offsetting residual wetland impacts.

The draft policy sets out the following principles to guide decisions about managing the impacts of human activities on wetlands:

- all projects will seek to avoid or minimize the loss of wetland benefits
- loss of wetland benefits is permissible in some circumstances, but cumulative wetland loss must remain below the accepted ecological or management threshold for the watershed
- some wetlands warrant more restrictive mitigation controls:
 - mitigation requirements are higher for those wetlands in watersheds that already have high loss of wetland benefits
 - mitigation requirements are higher for those wetlands that cannot be effectively reclaimed within a reasonable timeframe
- evaluation of proposed mitigation measures is an iterative and adaptive process which recognizes that as these measures progress through the mitigation hierarchy, there is:
 - increasing risk of a time lag between lost and recovered wetland benefits
 - decreased probability of mitigation success
 - increased costs of mitigation measures
- best available information, including local and traditional knowledge, is used to guide decisions and this may evolve as more information is available about Yukon's wetlands and their reclamation
- where permanent loss of wetland benefits would result from a specific activity, a higher priority is placed on avoidance and minimization; offsetting loss of wetland benefits may be required
- human activities that result in the removal and loss of wetlands contribute to greenhouse gas emissions, and therefore reducing wetland losses supports the Yukon government's commitment to achieving its emissions targets.

Feedback can be provided by December 3, 2021 either through a survey at <https://ygsurvey.yukon.ca/surveys/2021-wetlands-policy-survey>, or by e-mail to either tyler.kuhn@yukon.ca or amy.law@yukon.ca.

COMPANIES in the news...

AV Terrace Bay Inc. in Ontario was fined \$400,000, plus a victim surcharge of \$100,000, after being found guilty of permitting the discharge of total reduced sulphur that exceeded Ministry of the Environment, Conservation and Parks standards for air discharges, contrary to the province's *Environmental Protection Act*. Through a section 190 Court Order under the Act, AV Terrace Bay Inc. was also required to install a properly functioning electrostatic precipitator and to continue to operate it for at least two years to help reduce the facility's total reduced sulphur air discharges. AV Terrace Bay Inc. owns and operates a paper mill in the Township of Terrace Bay under a ministry approval and under the Technical Standards to Manage Air Pollution. The standards require adherence to prescribed limits for air discharges and for regular reporting of discharge levels. The prescribed limit for discharging total reduced sulphur to air is 27 parts per billion over a 10-minute averaging period. Total reduced sulphur is composed of various volatile oxygen-free sulphur compounds, including hydrogen sulphide and mercaptans. AV Terrace Bay Inc. operates two community ambient monitoring stations 24 hours per day and the air is measured at these locations. Evidence indicates that between July 2 and July 4, 2017, there were 31 exceedances of total reduced sulphur compounds and that between July 6 and July 7, 2017, there were 18 exceedances of total reduced sulphur compounds. AV Terrace Bay Inc. has since made changes to its facility to reduce future total reduced sulphur exceedances. However, the implementation of these changes unexpectedly resulted in more total reduced sulphur exceedances. AV Terrace Bay Inc. acknowledged that these exceedances occurred and were considered an aggravating factor with respect to this fine. **For more information, call 416-325-4000 or 1-800-565-4923.**

EllisDon Construction Services Inc. in Alberta was fined a mandatory minimum \$100,000 after pleading guilty to disturbing migratory bird nests without a permit during work at the West Calgary Ring Road project site in June 2019, contrary to clause 6(a) of the federal Migratory Birds Regulations (C.R.C. 1978, c. 1035) under the *Migratory Birds Convention Act, 1994*. EllisDon Construction Services Inc. has also been ordered to develop education material on migratory birds for staff and subcontractors to review on-site during staff orientation. On June 10, 2019, a member of the public discovered bird boxes on the ground and heard chirping. After the bird boxes were reattached to fence posts, it was confirmed that Tree Swallows, a protected migratory bird species, were actively using seven of these boxes. Environment and Climate Change Canada enforcement

officers responded to the complaint by conducting an inspection on an EllisDon worksite, which led to an investigation. During the site inspection, enforcement officers determined that about seven bird boxes had been taken down and subsequently reattached to the fence posts. The enforcement officers also observed several Tree Swallows flying around the site and accessing the bird boxes. The fine is to be paid to the Environmental Damages Fund. As a result of this conviction, the company's name is being added to the Environmental Offenders Registry. **For more information, call 819-938-3338 or 1-844-836-7799.**

■ ■ ■ ■

BC launches \$260-million five-year electrification plan

The British Columbia (B.C.) government and BC Hydro have launched "BC Hydro's Electrification Plan: A clean future powered by water" (<https://www.bchydro.com/content/dam/BCHydro/customer-portal/documents/corporate/electrification/Electrification-Plan.pdf>) that aims to make it easier and more affordable for people to use more of the province's clean electricity to power their homes and buildings, businesses and vehicles.

BC Hydro plans to invest more than \$260 million to implement the plan over the next five years, including more than \$190 million to promote fuel switching in homes and buildings, transportation and industry, and more than \$50 million to attract new industries to B.C. that are looking for clean power to run their businesses and reduce their carbon footprint.

The plan proposes new programs, and incentives to advance the switch from fossil fuels to clean electricity in homes and buildings, vehicles and fleets, businesses and industry, and attract new energy-intensive industries to B.C.

"When we switch to using clean B.C. electricity, we're actually choosing water power to run our homes, vehicles and businesses instead of gasoline, diesel or natural gas, and that's a smart choice," said Bruce Ralston, B.C.'s Minister of Energy, Mines and Low Carbon Innovation, in a release.

"BC Hydro's electrification plan will help us reduce emissions and keep rates lower, attracting new clean investment and innovation to B.C. and generating economic development and good, sustainable jobs," said Ralston.

The plan offers incentives for fuel switching in industry, as well as strategies and investments to attract new clean industry to B.C., including hydrogen production, carbon capture, synthetic fuel production and data centres.

Actions/investments to promote fuel switching include:

- up to \$26 million for building incentives, including up to \$13 million in 'top-up' offers for residential heat pumps (up to \$3,000 per household), up to \$8 million in support for low-income customers, and over \$5 million in incentives and

QUEBEC

Declaration of a special planning zone to permit the development and the continued operation of an engineered landfill on certain lots situated in the territory of Ville de Drummondville. New Order under the *Land Use Planning and Development Act*. Effective September 22, 2021.

Réserve de biodiversité du Plateau-du-Lac-des-Huit-Chutes Regulation. New to our service under the *Natural Heritage Conservation Act*.

Temporary protection status assigned as Paysage humanisé projeté de L'Île-Bizard. New Order under the *Natural Heritage Conservation Act*. Effective September 30, 2021.

Temporary protection status assigned as Réserve aquatique projetée du Banc-des-Américains. New Order under the *Nat-*

ural Heritage Conservation Act. Effective October 7, 2021.

SASKATCHEWAN

The Reclaimed Industrial Sites Regulations. Subsections 3.1(1), (2), (4), 4.1(1) and (2), and clause 3.1(3)(a) are amended. Subsections 3.1(5) and 4.1(1.1)-(1.3) are added. Effective October 7, 2021.

YUKON

Reduction of Single-use Bags Regulation. New regulation under the *Environment Act*. Effective October 1, 2021.

Order Prohibiting Entry on Certain Lands in Yukon (McGregor Creek). Section 3 is amended. Effective September 16, 2021.

October, 2021 update — environment legislation

ALBERTA

Critical Infrastructure Defence Regulation. New regulation under the *Critical Infrastructure Defence Act*. Effective September 29, 2021.

Municipal Affairs Grants Regulation. Schedules 6 and 7 are repealed. Effective September 29, 2021.

Calgary International Airport Vicinity Protection Area Regulation. Clause 1(c) and Schedule 3 are amended. Subclause 1(d)(iii) is repealed. Section 6, and Schedules 1 and 2 are replaced. Section 8.1, dealing with expiry, is added. Effective September 10, 2021.

Alberta Energy Regulator Administration Fees Rules. Clause 1(d.1) is added. Subsections 3(1) and (4), and 6(1) and (3) are replaced. Subsections 3(2)-(3) and 4(2), and section 5 are amended. Effective September 20, 2021.

CANADA

Cargo, Fumigation and Tackle Regulations. Section 164 and the heading before it are replaced. Effective October 31, 2021.

Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations. New regulation under the *Canadian Environmental Protection Act, 1999*. Effective October 31, 2021.

Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations. Repealed. Effective October 31, 2021.

Export of Substances on the Export Control List Regulations. Subsection 6(3), and paragraphs 7(2)(b) and 23(a) are replaced. Schedule 1 is amended. Effective October 31, 2021.

Interprovincial Movement of Hazardous Waste Regulations. Repealed. Effective October 31, 2021.

PCB Regulations. Paragraph 2(2)(a) is replaced. Effective October 31, 2021.

PCB Waste Export Regulations, 1996. Repealed. Effective October 31, 2021.

Regulatory Provisions for Purposes of Enforcement (Canadian Environmental Protection Act, 1999) Designation Regulations. Item 9 of the schedule is repealed. Effective October 31, 2021.

Environmental Violations Administrative Monetary Penalties Regulations. Part 5 of Schedule 1 is amended. Effective October 31, 2021.

Physical Activities Regulations. The definition of “hazardous waste” in subsection 1(1) is replaced. Effective October

31, 2021.

Nuclear Liability and Compensation Regulations. Item 10 of the schedule is repealed. Effective October 5, 2021.

MANITOBA

Designation of Wildlife Lands Regulation. Subsections 2(9) and 3(2) are replaced. Effective September 29, 2021.

NEWFOUNDLAND AND LABRADOR

Independent Appointments Commission Act. The Schedule is amended. In force September 24, 2021.

NOVA SCOTIA

Biodiversity Act. New Act. In force October 1, 2021.

ONTARIO

Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act. New regulation under the *Conservation Authorities Act*. Effective October 1, 2021.

Agency Regulation. New regulation under the *Endangered Species Act, 2007*. Effective September 16, 2021.

Five-Year Report by Agency Regulation. New regulation under the *Endangered Species Act, 2007*. Effective September 17, 2021.

Air Pollution – Discharge of Sulphur Dioxide from Nickel Smelting and Refining Facilities in the Sudbury Area Regulation. New regulation under the *Environmental Protection Act*. Effective September 17, 2021, except for section 19, which is effective July 1, 2028.

Air Pollution Regulation – Local Air Quality. Subsection 5(2) is added. Effective September 17, 2021.

Health Protection and Promotion Act. Clause 97(b) is added. In force October 19, 2021.

Designation of Area of Development Control Regulation. Section 1 is replaced. Effective September 10, 2021.

Community Net Metering Projects Regulation. New regulation under the *Ontario Energy Board Act, 1998*. Effective September 28, 2021.

Definitions and Exemptions Regulation under the *Ontario Energy Board Act, 1998*. Clause 4.0.1(1)(e) is added. Effective September 28, 2021.

Batteries Regulation. New to our service under the *Resource Recovery and Circular Economy Act, 2016*.

Technical Standards and Safety Act, 2000. Section 3.4 is replaced. In force October 19, 2021.

other support for commercial building retrofits and electrification of new buildings

- up to \$30 million in incentives for the electrification of transportation (buses, ferries and fleets)
- over \$60 million in incentives for industrial fuel switching
- public campaigns to increase public awareness of heat pumps and electric vehicles
- continued support for delivery of existing CleanBC programs.

Actions/investments to attract new industrial customers include:

- up to \$25 million in incentives and study funding for new customers
- up to \$20 million in incentives and study funding to support the production of hydrogen, which also helps to advance the “B.C. Hydrogen Strategy: A sustainable pathway for B.C.’s energy transition” released in July 2021
- site development strategy to help connect customers at sites with existing electrical infrastructure
- public awareness strategy to promote BC Hydro’s clean electricity advantage.

Other actions/investments include:

- supporting the residential supply chain sector for heat pump technologies to help transform the market for residential space and water heating
- ensuring adequate resources to support connecting customers in the timelines required
- improvements to BC Hydro’s interconnections process
- supporting actions that complement government efforts to drive changes to policies, codes and standards
- a marketing and communications plan to build the market for electrification.

If actions in the plan are fully realized, BC Hydro estimates they will result in incremental greenhouse gas emission reductions of more than 930,000 tonnes per year by 2026. That is equivalent to taking about 200,000 passenger vehicles per year off the road.

BRIEFS

NL developing renewable energy plan

ST JOHN’S, NL—Seeking to take advantage of the increasing use of renewable energy worldwide, Newfoundland and Labrador is developing a renewable energy plan (https://www.engagenl.ca/sites/default/files/5_presentation_for_engagenl_pdf.pdf) that will take advantage of the province’s abundant developed and undeveloped renewable energy resources, and leverage its experience and expertise in the technology and energy sectors. To that end, the province’s Department of Industry, Energy and Technology is seeking input from the public, industry, and various stakeholders to develop a plan that will position Newfoundland and Labrador as an energy supplier and ensure that the province’s clean energy resources are developed in a responsible, sustainable way. Comments may be made by November 4, 2021 through a public questionnaire at <https://www.engagenl.ca/content/renewable-energy-plan-questionnaire>, or an industry and stakeholder questionnaire at <https://www.engagenl.ca/content/renewable-energy-plan-industry-and-stakeholder-questionnaire>. Further input may be e-mailed to christineboland@gov.nl.ca or mailed to C. Boland, Department of Industry, Energy and Technology, Government of Newfoundland and Labrador, P.O. Box 8700, St. John’s, Newfoundland and Labrador A1B 4J6.

Canada supports Global Methane Pledge

VANCOUVER, BC—During the Global Methane Pledge Ministerial Meeting on October 11, 2021, federal Minister of Environment and Climate Change Jonathan Wilkinson announced Canada’s support for the Global Methane Pledge, which aims to reduce global methane emissions by 30% below 2020 levels by 2030. Wilkinson also announced Canada’s commitment to developing a plan to reduce methane emissions across the broader Canadian economy and to reducing oil and gas methane emissions by at least 75% below 2012 levels by 2030. Canada is the first and only country to support the Global Methane Pledge and the 75%-goal.

EcoCompliance.ca newsletter (formerly *Environmental Compliance Report*) is published 12 times per year. It is available as a supplement to *EcoLog Canadian Environment and Occupational Health & Safety Legislation* or separately at a cost of \$349/year plus s/h.

Published by EcoLog, STP Publications Limited Partnership, a division of Glacier Media Inc.

225 Duncan Mill Road, Suite 320, North York, Ontario M3B 3K9. Telephone 1-800-251-0381, ext. 301; www.ecolog.com.



Other EcoLog products include *EcoLog News* (formerly *EcoWeek.ca* newsletter), *EcoLog Legislative Tracker*, and *EHScompliance.ca* online newsletter (consisting of *EcoCompliance.ca* newsletter and the former *OHScompliance.ca* and *EHSjustice.ca* newsletters).

International Standard Serial Number ISSN 1910-2496. Publication Registration #6461. Publication Agreement #162175.

The contents of this publication are copyright and reproduction in whole or in part by any means is strictly forbidden without the express written permission of EcoLog. While the most strenuous efforts are made to ensure that information contained in the *EcoCompliance.ca* newsletter represents the best current opinion on the subject, the *EcoCompliance.ca* newsletter is sold with the understanding that the publishers are not engaged in rendering legal service. If legal advice or other expert assistance is required, the services of a competent professional should be sought.

Publisher/Editor: Lidia Lubka 1-800-251-0381, ext. 301; e-mail llubka@ecolog.com

Editorial Advisor: McCarthy Tétrault LLP (416) 362-1812