



PLEASE NOTE

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

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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
- (b.1) “commercial property” means property owned by the Crown or any person, used or occupied by any industry, trade, business, profession, vocation or government business; commercial 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; property
- (f) “residential property” means residential property
- (i) any building, or
- (ii) any part of a building, including any unit in a condominium, that is used and occupied on a permanent or seasonal basis during a calendar year as a single dwelling accommodation, and includes complementary land, structures and services. (EC619/04; 197/12)

2. (1) A person who wishes to request an environmental records review shall Application

- (a) file with the Minister a completed application on a form approved by the Minister; and
- (b) pay the fees prescribed by subsection (2).

- Fees (2) The fees for an environmental records review are payable to the Minister of Finance, Energy and Municipal Affairs in the amount of
- (a) \$50 for each principal residential property and \$50 for each associated residential property;
 - (b) \$50 for each principal residential property and \$100 for each associated commercial property;
 - (c) \$100 for each principal commercial property and \$50 for each associated residential property;
 - (d) \$100 for each principal commercial property and \$100 for each associated commercial property. (EC619/04; 197/12)
- Conduct of review **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).
- Report (2) An employee of the Department who conducts a review of the Department's records pursuant to subsection (1) shall, within 15 business 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 above-ground 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 specified permits, orders or approvals under the Act issued in respect of the properties, including any
 - (i) orders made by the Minister, and
 - (ii) orders or approvals made under section 9 of the Act;
 - (d) whether there have been any hydrocarbon spills affecting the properties; and
 - (e) whether the property reviewed is entered in the contaminated site registry maintained by the Department under section 21.1 of the Act. (EC619/04; 197/12)

SCHEDULE

FORM 1

ENVIRONMENTAL RECORDS REVIEW APPLICATION

Revoked by EC197/12.

(EC619/04; 197/12)