

2020 Regulatory Updates (Includes Changes That Took Effect in Q4 of 2019)

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Environmental					
Federal	Effective Date	Regulation Name	Regulation Number	New Requirement or Change Within Regulation	Overall Impact of the Change
CANADA	November 27, 2019	Transportation of Dangerous Goods Regulations	SOR/2019-101	Emergency Response Assistance Plan (ERAP) requirements now apply to the person who imports or offers dangerous goods for transport. In the case where no other persons are required to have an approved ERAP, they apply to the person who handles or transports dangerous goods.  any quantity of dangerous goods that are Risk Group 4 human pathogens within the meaning of the Human Pathogens and Toxins Act (HPTA) must have a ERAP.	This will impact persons who offer for transport any dangerous goods that are identified in Section 7.1 and exceed the amounts outlined in column 7 of Schedule 1.
Province Specific					
	Effective Date	Regulation Name	Regulation Number	New Requirement or Change Within Regulation	Overall Impact of the Change
ONTARIO	January 1, 2020	Industry Emissions - Nitrogen Oxides and Sulphur Dioxide	O. Reg. 353/19	Minor amendment to Industry Emissions - Nitrogen Oxides and Sulphur Dioxide, O. Reg. 194/05 removes the phrase: "striking out." as reported to the Director in accordance with Airborne Contaminant Discharge Monitoring and Reporting, O. Reg. 127/01.	
	January 1, 2020	Airborne Contaminant Discharge Monitoring and Reporting	O. Reg. 351/19	The regulation revokes Airborne Contaminant Discharge Monitoring and Reporting, O. Reg. 127/01.	Removes the requirement for reporting acetone emissions in annual reporting requirements.
	July 1, 2020	On-Site and Excess Soil Management Regulation	O. Reg. 406/19	Clarify requirements for the reuse and management of excess soil, including risk-based standards for safe reuse.  The regulation also clarifies when the waste designation applies to the movement and disposal of excess soil and replaces or simplifies waste related approvals with regulatory rules for low risk soil management activities.	Grandfathering provisions - applicable from January 1, 2022 to January 1, 2026  New dates of implementation: July 1, 2020 : reuse rules and the waste designation; January 1, 2022 : testing, tracking, hauling records and registration; January 1, 2025 : restrictions on landfilling soils
	January 1, 2020	Designated Substance - Asbestos on Construction projects and in buildings and repair operations	O. Reg. 278/05	Paragraph 2 of subsection 22 (4) of Ontario Regulation 278/05 is amended by striking out "two years" and substituting "five years".  (4) The following medical examinations are prescribed for the purposes of subsection 26 (3) of the Act:  1. An examination consisting of a medical questionnaire, chest x-rays and pulmonary function tests.  2. A subsequent examination that consists of the components described in paragraph 1, is recommended by the worker's physician and takes place at least five years after the most recent examination.	
	January 1, 2020	Dry Cleaners	O. Reg. 323/04	Regulation is revoked.	
	January 1, 2020	Wells	O. Reg. 461/19	Amendments include addition additional third party liability insurance requirements and the inclusion of ASTM and ANSI standards governing well casings.	
	April 8, 2020	Pesticides Act	R.S.O. 1990, c. P.11	Amendment features wide-ranging and detailed amendments related to: - definitions; - the categorization of pesticide products; - pest risk assessment reports; - listed ingredients; - certifications and rules governing applications.	
	April 8, 2020	Limitation Under Section 451.1 of the Act - Noise by-Laws in Connection with Construction	O. Reg. 131/20	Amendment to permit essential construction activities to be undertaken at times beyond those designated in current noise by-laws in order to complete the building of new health care facilities and related infrastructure.	
	April 8, 2020	Limitation Under Section 451.1 of the Act - Noise by-Laws in Connection with Construction	O. Reg. 130/20	Amendment to permit essential construction activities within the City of Toronto to be undertaken at times beyond those designated in current noise by-laws in order to complete the building of new health care facilities and related infrastructure.	
	May 14, 2020	GHG emissions: quantification, reporting and verification	O. Reg. 390/18	The Director is granted powers to extend the June 1 deadlines for the submission of reports that would otherwise apply under Sections 6.7.9 and 10 or extend the deadline for any component of reports, by providing notice in writing to the public in a manner that the Director considers appropriate.  The Director may extend the September 1 deadline for the giving of verification statements or reports that would otherwise apply under Section 12.	New reporting deadlines:  - Emissions reports for 2019 emissions, except production parameters, now due on July 31, 2020. - Production parameter information for 2019 (paragraph 6 of Schedule 5) now due on Oct. 1, 2020. - Verification reports and statements for 2019 emissions are now due on Oct. 1, 2020.
July 1, 2020	General - Waste Management	REG. 347 OF R.R.O. 1990	Requirements of approval under the Act do not apply to a waste generation facility in respect of the activities set out in subsection (2):  (2) iii. the processing of soil, except if the processing is permitted to be carried out under Ontario Regulation 406/19 (On-Site and Excess Soil Management) made under the Act.	If processing of soil is governed by the On-Site and Excess Soil Management regulation then sections 27, 40 and 41 of the Act apply (i.e. approvals).	
ALBERTA	November 15, 2019	Technology Innovation and Emissions Reduction Regulation	Alberta Regulation 133/2019	A regulation created to implement the following:  - the incorporation of standards; - rules respecting large emitters; - emissions regulation for Opted-in and Aggregate Facilities; - benchmarks; - allowable emissions; - compliance cost containment; - reports; - emission offsets, emission performance credits and Fund credits; - administration, enforcement; and transitional matters.	"Large emitter" means, subject to section 3, a facility that has direct emissions of 100 000 CO2e tonnes or more in 2016 or a subsequent year.
	February 15, 2020	The Storage Tank System Management Regulation	AR 50/2010	The Storage Tank System Management Regulation (AR 50/2010) expiry is extended to March 1, 2021.	
BRITISH COLUMBIA	November 28, 2019	Climate Change Accountability Amendment Act, 2019	S.B.C. 2007, c. 42	Section 11 adds new requirements for public sector organizations to report annually on actions taken and plans made to achieve carbon neutrality, and on actions taken to achieve prescribed targets.	Interim emissions targets are to be established by December 31, 2020.  Sectoral targets will be established no later than March 31, 2021.
	December 16, 2019	Environmental Assessment Act	[SRC 2018] Chapter 51	The New Act allows Indigenous nations to identify which project assessments they wish to participate in, and requires the Executive Assessment Officer to seek to achieve consensus with the participating Indigenous nations at various stages of the Environmental Assessment process.	Reviewable projects are defined within the Reviewable Projects regulation currently being amended, original regulation date November 29, 2019.
	February 18, 2020	Code of Practice for Soil Amendments	B.C. Reg. 210/2007	Section 1 is amended in the definition of "domestic sewage" by striking out "Municipal Sewage Regulation" and substituting "Sewerage System Regulation".  Section 5 (f) (i) is amended by striking out "Greater Vancouver Regional District" and substituting "Metro Vancouver Regional District".	
NOVA SCOTIA	April 1, 2020	Water and Wastewater Facilities and Public Drinking Water Regulations	Reg. 186/2005	Increases protection of public drinking water supplies by enhancing reporting requirements.  Includes the requirement to use "an authorized laboratory" as authorized by the Minister for testing.  The amendment updates references to Guidelines for Monitoring Public Drinking Water Supplies, Part I: Municipal Public Drinking Water Supplies and Part II: Registered Public Drinking Water Supplies published by the Department.	
	January 1, 2020	Summary Offence Tickets Amendment Regulations	Reg. 171/2019	Several ticketable offences added under the Solid Waste- Resource Management Regulations and under the Solid Waste-Resource Management Regulations.	Offences include littering issues within commercial outlets, buildings, facilities, construction or demolition projects and range from \$467.50 - \$697.50 per offence. See the full list here: <a href="https://novascotia.ca/just/regulations/regs/sot-schedules/sp-9a.htm">https://novascotia.ca/just/regulations/regs/sot-schedules/sp-9a.htm</a>
	March 18, 2020	Contaminated Sites Regulations	N.S. Reg. 36/2020	The amendment stipulates, under Section 14, among other things: (2) A record of site condition must be signed by all of the following: (a) at least 1 owner of each parcel of land to which the record relates for which conditional closure under the Ministerial protocol is being requested; (b) a site professional, who must (i) certify that the information required by subsection (1) is accurate; and (ii) confirm that a copy of the record of site condition has been provided to each person required to sign under clause (a).  The amendment also stipulates, under a revised Section 16, that: (2) A site professional who prepares a declaration of property condition must sign the declaration to (a) certify that the information required by subsection (1) is accurate; and (b) confirm that a copy of the declaration has been provided to at least 1 owner of each parcel of land contaminated.	
Saskatchewan	December 4, 2019	Environmental Management and Protection (General) Amendment Regulations	E-10.22 REG 1	Include provisions dealing with permitting for the transportation of sewage.	Applies to any person transporting and disposing of liquid domestic waste using a liquid domestic waste hauler.
Health & Safety					
Province Specific	Effective Date	Regulation Name	Regulation Number	New Requirement or Change Within Regulation	Overall Impact of the Change
ALBERTA	January 31, 2020	Occupational Health & Safety Code	AR 87/2009	Under Order by the Minister the following new requirements apply:  - Employers who employ 20 or more workers and have work that is expected to last more than 90 days must establish a joint work site health and safety committee.  - Employers who employ 5 to 19 workers and have work that is expected to last more than 90 days must have a health and safety representative.  - Mandated training for work site health and safety committee co-chairs and worker representatives is reduced by eliminating the Part 1 prerequisite HSG/HG representative training.	Rather than being required at each work site, committees and representatives will be required for each employer regardless of how many sites the employer operates.
	February 1, 2021	Gas Code Regulation	AR 111/2010	The following gas codes will be adopted: - CSA-B149.1-20 - Natural Gas and Propane Installation Code; - CSA-B149.2-20 - Propane Storage and Handling Code; - CSA-B149.3-20 - Code for the field approval of fuel-burning appliances and equipment; and - CSA-B149.5-20 - Installation Code for Propane Fuel Systems and Tanks on Highway Vehicles.	
	April 1, 2020	Fire Code Interpretation Strandata - STORAGE TANK SYSTEMS INSIDE BUILDINGS	19-FC-003	The installation of storage tanks and storage tanks systems for flammable liquids and combustible liquids installed inside buildings and that supply fuel to appliances, stationary combustion engines, internal combustion engines and oil burning equipment shall comply with the requirements of Part 4 of the NFCAE).  This includes, but is not limited to, the requirement to be in a room separated from the rest of the building by a fire separation having a fire resistance rating of at least 2 hours.  In addition to the requirements of NFCAE) Part 4, there may also be specific permitting requirements by the local authority having jurisdiction.  Any existing storage tanks and storage tank systems are acceptable as per the conditions of the permit applied for.	
BRITISH COLUMBIA	January 6, 2020	Occupational Health and Safety Regulation	RS 48-1	Update to the Table of Exposure Limits for Excluded Substances as outlined in BC Policy Controlling exposure - Exposure Limits, RS-48-1. The following have been removed and ACGIH TLVs apply:  - Calcium silicate, naturally occurring as Wollastonite - Calcium silicate - Synthetic nonfibrous - Formaldehyde - Furfural - Liquefied petroleum gas (L.P.G.) - Styrene, monomer	
	April 1, 2020	First Aid Regulation	2004-130	Section 11 of the Regulation is amended by striking out "Schedule C" and substituting "CSA standard CSA 21220-17: First aid kits for the workplace".	
NEW BRUNSWICK	April 1, 2020	Occupational Health and Safety Act	Chapter O-0.2	Section 39 of the Regulation is amended by striking out CAN/CSA- 294.3-92, "Industrial Eye and Face Protectors" and substituting "CSA 294.3-15, "Eye and face protectors".	CSA requirement is now applicable to more than just industrial eye and face protectors.
NOVA SCOTIA	January 14, 2020	Fire Safety Regulations	N.S. Reg. 3/2020	Amended the Fire Safety Regulations to include Revisions and Errata to the 2015 National Fire Code of Canada, along with a few minor housekeeping items.	
ONTARIO	December 31, 2019	Ontario Drinking Water Quality Standards	O. Reg. 169/03	A new safe drinking water standard for haloacetic acids (HAA), was introduced. The standard will be 0.08 mg/L (80 µg/L) - expressed as a running annual average (RAA) of quarterly results.  Licensed/eligible testing laboratories and drinking water system owners/operating authorities are required to calculate and report results to the appropriate authorities.	
	January 1, 2020	Construction Projects	O. Reg. 327/19	Mandates that permanent or temporary stairs shall be installed from the lowest level, including the basement, up to certain prescribed levels and to address situations in which a part of a building or structure in which formwork or falsework is erected to a suspended slab.	
	January 1, 2020	Control of Exposure to Biological or Chemical Agents	O. Reg. 883/90	Newly defined terms include: - providing required personal protective equipment an "assigned protection factor", which means the anticipated level of protection provided by a properly functioning respirator is dependent on the "ceiling limit" and the maximum airborne concentration to which a worker may be exposed.  - "chemical agent" will include a "chemical substance".  The duties of employers are expanded with specified additional measures to protect workers from exposure to biological and chemical agents.  There are new and expanded Schedules 1 and 2 regarding the measurement and calculation of exposure, as well as the assigned protection factor for respirators.	
	January 1, 2020	Designated Substances Regulation	O. Reg. 490/09	Updates include: - An employer to whom the regulation applies with respect to a designated substance must take "every precaution reasonable in the circumstances" to ensure the protection of its own workers, and also workers of others, who are in the workplace and whose health is likely to be affected by exposure to the designated substance.  - Changes to the manner of airborne measurement and calculation of worker exposure.  - One new Medical Surveillance Code applicable to all of the designated substances.	The same level of protection must be afforded to contractors and third party workers as with respect to a business's own people.
	January 1, 2020	Smoke Free Ontario Act 2017	O. Reg. 430/19	Updated details regarding signage required for the following:  "Tobacco Sign for Employers" "Electronic Cigarette Sign for Employers"	
	July 1, 2020	Control of Exposure to Biological or Chemical Agents Regulation	O. Reg. 833/90	Updated references to the latest American Conference of Government Industrial Hygienists (ACGIH) Table of "Adopted Values" outlined in pages 11 to 62 of the publication entitled 2017 Threshold Limit Values for Chemical Substances and Physical Agents & Biological Exposure Indices published by the ACGIH and identified by International Standard Book Number 978-1-607260-90-5.	Required to be referenced for any IAQ monitoring or IH assessments depending on the contaminant exposure being measured.
	March 30, 2020	Occupational health and safety awareness training	O. Reg. 96/20	The amendment stipulates: (2) Despite subsection (1), any working at heights training required under section 7 that was successfully completed between February 28, 2017 and August 31, 2017 is valid for four years from the date of successful completion of the training program.	
	PRINCE EDWARD ISLAND	November 1, 2019	Domestic Violence, Intimate Partner Violence and Sexual Violence Leave	R.S.P.E.I. 1988, Cap. E-6.2	Employees will be entitled to up to three days leave with pay and an additional seven days leave without pay if an employee, their minor child or a person for whom an employee is a primary caregiver of is a victim of domestic violence, intimate partner violence or sexual violence.
March 14, 2020		Occupational Health and Safety Act General Regulations	Chapter O-1	Amended section 11.3 to update the reference to the publication that prescribes the suitable means of ventilation that is to be provided by an employer to reduce contamination in the air of working areas; and  Repealed and replaced subsection 45.18(1) to update the CSA Standard required to be used by an employer to ensure that the selection, use and care of respirators meet applicable standards and specifications.	
July 1, 2020		Workplace Harassment Regulations	R.S.P.E.I. 1988, Cap. O-1.01	Requires workers to cooperate in the investigation of a complaint of workplace harassment and to keep the details of the investigation confidential.  Specifies the content of the written policy to prevent harassment in the workplace that an employer is required to develop and implement.  Establishes the duty of an employer who knows or ought reasonably to know that harassment is occurring in the workplace.  Requires an employer to ensure that a complaint of harassment in the workplace is investigated in a manner appropriate to the circumstances.	The person conducting the investigation must be impartial and the employer's responsibility is to consider any recommendations made by the impartial person and implement corrective actions.
QUEBEC	January 2, 2020	Safety Code for the Construction Industry	Chapter S-2.1, r. 4)	Section 2.10.3 is replaced with the following:  "Any person on a construction site shall wear a safety hat designed and manufactured in accordance with CAN/CSA Standard 294.1, Industrial protective headwear - Performance, selection, care, and use, applicable at the time of manufacturing."	
	January 2, 2020	First-aid Minimum Standards Regulation	Chapter A-3.001, r. 10	Regulation is amended by replacing section 4 by the following:  "An adequate number of first-aid kits must be provided by an employer in his establishment; they must be placed as near as possible from the work premises, be easy to reach and available at all times.  The provision and content of the first-aid kits must comply with CAN/CSA Standard 21220-17, First aid kits for the workplace."	