

EC2015-768

AMUSEMENT DEVICES ACT
REGULATIONS
AMENDMENT

Pursuant to section 20 of the *Amusement Devices Act* R.S.P.E.I. 1988, Cap. A-10.1, Council made the following regulations:

1. The Introduction of the *Amusement Devices Act* Regulations (EC627/02) is revoked and the following substituted:

Pursuant to section 20 of the *Amusement Devices Act* R.S.P.E.I. 1988, Cap. A-10.1, Council made the following regulations:

2. Section 1 of the regulations is amended

(a) in clause (a), by the deletion of the words “Stats. P.E.I. 1998, c.80” and the substitution of the words “R.S.P.E.I. 1988, Cap. A-10.1”;

(b) by the revocation of subclause (d)(i);

(c) by the addition of the following after clause (d):

(d.1) “ASME” means the American Society of Mechanical ASME Engineers;

(d.2) “ASTM” means the American Society for Testing and ASTM Materials;

(d) in clause (f), by the deletion of the words “CSA Standard Z267-00, Safety Code for Amusement Rides” and the substitution of the words “ASTM standard ASTM F2783-14, Standard Practice for Design, Manufacture, Operation, Maintenance, and Inspection of Amusement Rides and Devices, in Canada, as amended”; and

(e) in clause (j), by the deletion of the words “Environment, Energy and Forestry” and the substitution of the words “Communities, Land and Environment”.

3. Section 4 of the regulations is amended

(a) in clause (a), by the deletion of the words “the latest adopted edition of CAN/CSA-Z98” and the substitution of the words “CSA standard CSA Z98-14, Passenger Ropeways and Passenger Conveyors, as amended”; and

(b) in clause (c), by the deletion of the words “CSA Standard C22.1 Canadian Electrical Code Part 1” and the substitution of the words “CSA standard CSA C22.1-15, Canadian Electrical Code, Part 1, Safety Standard for Electrical Installations, as amended”.

4. Subsection 24(1) of the regulations is revoked and the following substituted:

24. (1) Notwithstanding clause 5.4.3 of the Code, for the purposes of ^{Welding} these regulations, the following CSA standards shall apply in respect of the welding of amusement devices:

- (a) CSA standard CSA B51-14, Boiler, Pressure Vessel, and Pressure Piping Code, as amended;
- (b) CSA standard CSA W59-13, Welded Steel Construction (Metal Arc Welding), as amended;
- (c) CSA standard CSA W47.2-11, Certification of Companies for Fusion Welding of Aluminium, as amended;
- (d) CSA standard CSAW47.1-09, Certification of Companies for Fusion Welding of Steel, as amended.

5. (1) Subsection 25(2) of the regulations is amended by the deletion of the words “CSA Standard B51, Boiler, Pressure Vessel and Pressure Piping Code” and the substitution of the words “CSA standard CSA B51-14, Boiler, Pressure Vessel, and Pressure Piping Code, as amended”.

(2) Subsection 25(3) of the regulations is amended by the deletion of the words “CSA Standard W59, Welded Steel Construction (Metal Arc Welding)” and the substitution of the words “CSA standard CSA W59-13, Welded Steel Construction (Metal Arc Welding), as amended”.

(3) Subsection 25(4) of the regulations is amended by the deletion of the words “CSA Standard W47.1, Certification of Companies for Fusion Welding of Steel Structures or CSA Standard W47.2, Certification of Companies for Fusion Welding of Aluminium,” and the substitution of the words “CSA standard CSAW47.1-09, Certification of Companies for Fusion Welding of Steel, as amended, or CSA standard CSA W47.2-11, Certification of Companies for Fusion Welding of Aluminium, as amended,”.

6. Clause 26(b) of the regulations is amended by the deletion of the words “CSA Standard W47.1” and the substitution of the words “CSA standard CSAW47.1-09, Certification of Companies for Fusion Welding of Steel, as amended”.

7. These regulations come into force on December 26, 2015.

EXPLANATORY NOTES

SECTION 1 amends the wording of the Introduction to the *Amusement Devices Act* Regulations to correct the citation of the Act.

SECTION 2 amends section 1 of the regulations to correct the citation of the Act in clause (a), to revoke an obsolete standard in clause (d), to add new definitions of “ASME” and “ASTM”, to update a reference to the standard in the definition of “Code” and to correct a reference to the name of the Department.

SECTION 3 amends section 4 of the regulations to update references to the standards applicable to amusement devices.

SECTION 4 revokes subsection 24(1) of the regulations and substitutes a new subsection 24(1) that updates the standards applicable to the welding of amusement devices.

SECTION 5 amends subsections 25(2), (3) and (4) of the regulations to update references to the standards applicable to specific welding operations on amusement devices.

SECTION 6 amends clause 26(b) of the regulations to update a reference to the standard applicable as an alternative to the requirements of subsection 25(4).

SECTION 7 provides for the commencement of the regulations.

EC2015-769

CONSUMER PROTECTION ACT
REGISTRAR OF CREDIT
APPOINTMENT
J. ADAM PETERS
(APPROVED)

Pursuant to section 2 of the *Consumer Protection Act* R.S.P.E.I. 1988, Cap. C-19, Council appointed J. Adam Peters of Cornwall, Prince Edward Island as Registrar of Credit, effective December 16, 2015.

Order-in-Council EC2005-40 of February 1, 2005 is hereby rescinded.

EC2015-770

CONSUMER REPORTING ACT
REGISTRAR OF CONSUMER REPORTING AGENCIES
APPOINTMENT
J. ADAM PETERS
(APPROVED)

Pursuant to section 2 of the *Consumer Reporting Act* R.S.P.E.I. 1988, Cap. C-20, Council appointed J. Adam Peters of Cornwall, Prince Edward Island as Registrar of Consumer Reporting Agencies, effective December 16, 2015.

Order-in-Council EC315/75 of April 17, 1975 is hereby rescinded.

EC2015-771

CREDIT UNIONS ACT
REGISTRAR
APPOINTMENT
STEVEN D. DOWLING
(APPROVED)

Pursuant to section 111 of the *Credit Unions Act* R.S.P.E.I. 1988, Cap. C-29.1, Council appointed Steven D. Dowling of Stratford, Prince Edward Island as registrar of all credit unions and the Credit Union Central, effective December 16, 2015.

Order-in-Council EC2007-456 of July 24, 2007 is hereby rescinded.

EC2015-772

CREDIT UNIONS ACT
CREDIT UNION DEPOSIT INSURANCE CORPORATION
BOARD OF DIRECTORS
APPOINTMENT

Pursuant to clause 162(1)(a) of the *Credit Unions Act* R.S.P.E.I. 1988, Cap. C-29.1 Council made the following appointment:

NAME	TERM OF APPOINTMENT
J. Adam Peters Cornwall (vice Steven D. Dowling, resigned)	December 16, 2015 at pleasure

EC2015-773

ELECTRICAL INSPECTION ACT
REGULATIONS
AMENDMENT

Pursuant to section 5 of the *Electrical Inspection Act* R.S.P.E.I. 1988, Cap. E-3, Council made the following regulations:

1. Clause 1(i) of the *Electrical Inspection Act* Regulations (EC Aug.1/40) is revoked and the following substituted:

(i) “Code” means CSA standard C22.1-15, Canadian Electrical Code, Part 1 (23rd edition), Safety Standard for Electrical Installations, as amended;

2. Clause (m) of Schedule 5 to the regulations is amended by the deletion of the words “the CAN/C.S.A. Standard B72-M87” and the substitution of the words “CSA standard CAN/CSA B72-M87, Installation Code for Lightning Protection Systems, as amended”.

3. These regulations come into force on December 26, 2015.

EXPLANATORY NOTES

SECTION 1 amends clause 1(i) of the *Electrical Inspection Act* Regulations to update the definition of Code to CSA standard C22.1-15, Canadian Electrical Code, Part 1 (23rd edition).

SECTION 2 amends clause (m) of Schedule 5 to the regulations to correct the reference to CSA standard CAN/CSA B72-M87.

SECTION 3 provides for the commencement of the regulations.

EC2015-774

**ELECTRICAL INSPECTION ACT
CANADIAN ELECTRICAL CODE REGULATIONS
AMENDMENT**

Pursuant to section 5 of the *Electrical Inspection Act* R.S.P.E.I. 1988, Cap. E-3, Council made the following regulations:

1. Section 1 of the *Electrical Inspection Act* Canadian Electrical Code Regulations (EC406/13) is revoked and the following substituted:

1. In these regulations, Definitions
- (a) “Code” means the 2015 Canadian Electrical Code, Part 1, Code
Twenty-Third Edition;
- (b) “Department” means the Department of Communities, Land and Department
Environment.

2. Section 2 of the regulations is amended by the deletion of the words “the 2012 Canadian Electrical Code, Part 1, Twenty-Second Edition” and the substitution of the words “the 2015 Canadian Electrical Code, Part 1, Twenty-Third Edition”.

3. Section 15 of Schedule A to the regulations is amended by the deletion of the words “Subparagraph 26-722(b)(i)” and the substitution of the words “Subparagraph 26-724(b)(i)”.

4. These regulations come into force on December 26, 2015.

EXPLANATORY NOTES

SECTION 1 revokes section 1 of the Canadian Electrical Code Regulations (EC406/13) under *Electrical Inspection Act* R.S.P.E.I. 1988, Cap. E-3, and substitutes a new section 1 that updates the definition of “Code” to refer to the 2015 Canadian Electrical Code, Part 1, Twenty-Third Edition, and also updates the definition of “Department” to refer to the Department of Communities, Land and Environment.

SECTION 2 amends section 2 of the regulations to refer to the 2015 Canadian Electrical Code, Part 1, Twenty-Third Edition.

SECTION 3 amends section 15 of Schedule A to the regulations to update a reference to a subparagraph of the Code that has changed its numbering in the Twenty-Third Edition.

SECTION 4 provides for the commencement of the regulations.

EC2015-775

EXECUTIVE COUNCIL ACT
 MINISTER OF COMMUNITIES, LAND AND ENVIRONMENT
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CONTRIBUTION AGREEMENT
 NATIONAL WETLAND CONSERVATION FUND)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Communities, Land and Environment to enter into an agreement with the Government of Canada, as represented by the Minister of the Environment, to set out terms and conditions for cost-shared project funding pursuant to the National Wetland Conservation Fund for wetland enhancement and restoration projects completed in fiscal year 2015-16 including Marchbanks Pond Restoration Project, Souris Salt Marsh Evaluation and Restoration, and Leards Pond Enhancement, such as more particularly described in the draft agreement.

EC2015-776

EXECUTIVE COUNCIL ACT
 MINISTER OF HEALTH AND WELLNESS
 AUTHORITY TO ENTER INTO EXTENSION AGREEMENTS
 (CANADIAN NOSOCOMIAL INFECTION SURVEILLANCE PROGRAM)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Health and Wellness, as Minister Responsible for Health PEI, to enter into extension agreements with the Government of Canada, as represented by the Minister of Health acting through the Public Health Agency of Canada, to set out terms and conditions for Prince Edward Island's continued participation in the Canadian Nosocomial Infection Surveillance Program for the period October 1, 2015 to September 30, 2016 and for the period October 1, 2016 to September 30, 2017, such as more particularly described in the draft agreements.

EC2015-777

**ELEVATORS AND LIFTS ACT
 REGULATIONS
 AMENDMENT**

Pursuant to subsection 17(1) of the *Elevators and Lifts Act* R.S.P.E.I. 1988, Cap. E-5, Council made the following regulations:

1. Clause 1(1)(e) of the *Elevators and Lifts Act* Regulations (EC469/71) is revoked and the following substituted:

(e) "Code" means the American Society of Mechanical Engineers Code and Canadian Standards Association standard ASME A17.1-2013/CSA B44-13, Safety Code for Elevators and Escalators, as amended;

2. The regulations are amended in the heading preceding section 2 by the deletion of the word "REGULATIONS" and the substitution of the word "STANDARDS".

3. Section 2 of the regulations is revoked and the following substituted:

2. (1) Except as otherwise provided in these regulations, the standards governing the design, construction, installation, operation, inspection, testing, maintenance, alteration and repair of elevators, dumbwaiters, escalators and their hoistways are those set out in the Code. Application of Code

(2) The requirements of section 8.6 of the Code respecting maintenance, repairs and replacement do not apply to elevators, dumbwaiters, escalators and moving walkways. Exception

(3) The requirements of subsection 8.11.1.1 of the Code respecting the qualifications of inspectors do not apply with respect to periodic inspection and testing of elevators, dumbwaiters, escalators and moving walkways under section 8.11 of the Code. Idem

(4) Except as otherwise provided in these regulations, the standards governing the design, manufacture, construction, modification, operation, inspection, testing and maintenance of chair ropeways, J bars, T bars, platter pulls and rope tows are those set out in CSA standard CSA Z98-14, Passenger Ropeways and Passenger Conveyors, as amended. CSA standard, ropeways

(5) Except as otherwise provided in these regulations, the standards governing the design, manufacture, construction, installation, operation, inspection, and testing of lifts for physically disabled persons are those set out in CSA standard CSA B355-15, Lifts for Persons with Physical Disabilities, as amended. CSA standard, lifts

(6) Except as otherwise provided in these regulations, the standards governing the maintenance requirements and service intervals for elevators, dumbwaiters, escalators and moving walks are those set out in CSA standard CSA B44-04, Appendix J. CSA standard, elevators, etc.

(7) Except as otherwise provided in these regulations, with respect to the standards governing the design, manufacture, construction, installation, operation, inspection and testing of elevating platforms in wind turbines, CSA standard, wind turbines

- (a) the standards set out in CSA standard CAN/CSA Z271-10, Safety Code for Suspended Platforms, as amended, apply; and
- (b) section 5.11 of the Code does not apply.

4. (1) Clause 9.1(2)(b) of the regulations is amended by the deletion of the words “CSA Standard CAN/CSA-B44-07, CAN/CSA-Z98-07 and CSA Standard B-355-00” and the substitution of the words “ASME/CSA standard ASME A17.1-2013/CSA B44-13, Safety Code for Elevators and Escalators, as amended, CSA standard CSA Z98-14, Passenger Ropeways and Passenger Conveyors, as amended, and CSA standard CSA B355-15, Lifts for Persons with Physical Disabilities, as amended”.

(2) Clause 9.1(3)(a) of the regulations is amended by the deletion of the words “CSA Standard B-355-00” and the substitution of the words “CSA standard CSA B355-15, Lifts for Persons with Physical Disabilities, as amended”.

(3) Subsection 9.1(5) of the regulations is amended by the deletion of the words “CSA Standard CAN/CSA-B44-07, CAN/CSA-Z98-07 and CSA Standard B-355-00” and the substitution of the words “ASME/CSA standard ASME A17.1-2013/CSA B44-13, Safety Code for Elevators and Escalators, as amended, CSA standard CSA Z98-14, Passenger Ropeways and Passenger Conveyors, as amended, and CSA standard CSA B355-15, Lifts for Persons with Physical Disabilities, as amended”.

(4) Subsection 9.1(6) of the regulations is amended by the deletion of the words “CSA Standard B-355-00” and the substitution of the words “CSA standard CSA B355-15, Lifts for Persons with Physical Disabilities, as amended”.

5. The headings immediately preceding Parts IV to X are revoked and Parts IV to X are revoked.

6. These regulations come into force on December 26, 2015.

EXPLANATORY NOTES

SECTION 1 amends clause 1(1)(e) of the *Elevators and Lifts Act* Regulations to update the ASME/CSA standard ASME A17.1-2013/CSA B44-13, Safety Code for Elevators and Escalators referred to in the definition of “Code”.

SECTION 2 amends the heading preceding section 2 to correct an error.

SECTION 3 revokes section 2 of the regulations and substitutes a new section 2 to update the standards applicable to elevators and other equipment under the Act and to improve the wording.

SECTION 4 amends clauses 9.1(2)(b) and 9.1(3)(a) and subsections 9.1(5) and (6) of the regulations to update the standards referred to in those provisions.

SECTION 5 revokes Parts IV to X of the regulations. These parts duplicate provisions that are in the new Code.

SECTION 6 provides for the commencement of the regulations.

EC2015-778

ENVIRONMENTAL PROTECTION ACT HOME HEAT TANKS REGULATIONS AMENDMENT

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

1. Subsections 7(1) and (2) of the *Environmental Protection Act* Home Heat Tanks Regulations (EC241/07) are revoked and the following substituted:

7. (1) A licensee who installs, alters or inspects a home heat tank system shall ensure that the home heat tank system, as installed, Compliance with standards, etc.

(a) complies with the standards and requirements in effect on the date of the installation, as established in

- (i) the Home Heat Tank Systems Technical Standards Handbook,
 - (ii) the Water Well Regulations (EC188/90),
 - (iii) CSA standard CSA B139-15, Installation Code for Oil-Burning Equipment for Residential and Small Commercial Buildings, as amended,
 - (iv) ULC standard CAN/ULC-S642-07, Compounds and Tapes for Threaded Pipe Joints,
 - (v) National Fire Code of Canada 1995 Revised 2010, as amended,
 - (vi) ULC standard CAN/ULC-S602-14, Aboveground Steel Tanks for Fuel Oil and Lubricating Oil, as amended,
 - (vii) ULC standard CAN/ULC-S601-14 (R2015), Shop Fabricated Steel Aboveground Tanks for Flammable and Combustible Liquids, as amended,
 - (viii) ULC standard CAN/ULC-S670-14, Standard for Aboveground Non-metallic Tanks for Fuel Oil and Other Combustible Liquids, as amended, and
 - (ix) any other direction issued by the Minister; and
- (b) bears the manufacturer’s label.

(2) A licensee who installs, alters or inspects a home heat tank shall ensure that the home heat tank complies with the standards and requirements in effect on the date the home heat tank was constructed, and established in the following codes: Metallic tank, codes

- (a) ULC standard CAN/ULC-S677-14, Standard for Fire Tested Aboveground Tank Assemblies for Flammable and Combustible Liquids, as amended;
- (b) ULC standard ULC/ORD-142.21 1995 Used-Oil Systems, Aboveground Storage Tanks for Flammable and Combustible Liquids, as amended;
- (c) ULC standard ULC-S601-14 (R2015), Standard for Shop Fabricated Steel Aboveground Horizontal Tanks for Flammable and Combustible Liquids, as amended;
- (d) ULC standard CAN/ULC-S602-14, Aboveground Steel Tanks for Fuel Oil and Lubricating Oil, as amended;
- (e) ULC standard CAN/ULC-S653-06, Standard for Aboveground Steel Contained Tank Assemblies for Flammable and Combustible Liquids, as amended;
- (f) ULC Standard CAN/ULC-S670-14, Standard for Aboveground Non-metallic Tanks for Fuel Oil and Other Combustible Liquids, as amended.

2. Section 14.2 of the regulations is amended by the deletion of the words “CSA B-139 Installation Code for Oil-Burning Equipment, as amended from time to time” and the substitution of the words “CSA standard CSA B-139-15, Installation Code for Oil-Burning Equipment for Residential and Small Commercial Buildings, as amended”.

3. Section 14.4 of the regulations is amended by the deletion of the words “CSA B-139 Installation Code for Oil-Burning Equipment, as amended from time to time” and the substitution of the words “CSA standard CSA B-139-15, Installation Code for Oil-Burning Equipment for Residential and Small Commercial Buildings, as amended”.

4. These regulations come into force on December 26, 2015.

EXPLANATORY NOTES

SECTION 1 revokes subsections 7(1) and (2) of the *Environmental Protection Act* Home Heat Tanks Regulations and substitutes a new 7(1) and (2) that list the updated standards applicable to the installation, alteration and inspection of home heat tanks.

SECTION 2 amends section 14.2 of the regulations to update a reference to CSA standard CSA B-139-15.

SECTION 3 amends section 14.4 of the regulations to update a reference to CSA standard CSA B-139-15.

SECTION 4 provides for the commencement of the regulations.

EC2015-779

ENVIRONMENTAL PROTECTION ACT OZONE LAYER PROTECTION REGULATIONS AMENDMENT

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

1. Clause 9(1)(a) of the *Environmental Protection Act* Ozone Layer Protection Regulations (EC619/94) is amended by the deletion of the words “Society of Automotive Engineers (SAE) Standard J-2219” and the substitution of the words “Society of Automotive Engineers standard SAE J-2219 2011, Mobile Air Conditioning Industry Criteria and Guidelines, as amended”.

2. (1) Subsection 10(1) of the regulations is amended

(a) by the deletion of the words “ULC requirements of ULC/ORD-C1058.18, The Servicing of Halon Extinguishing Systems,” and the substitution of the words “the requirements of ULC standard ULC/ORD-C1058.18-2004, The Servicing of Halon and Clean Agent Extinguishing Systems, as amended”; and

(b) by the deletion of the words “with the Environment Canada’s” and the substitution of the words “with Environment Canada’s”.

(2) Subsection 10(2) of the regulations is amended by the deletion of the words “ULC/ORD-C1058.5” and the substitution of the words “ULC standard ULC/ORD-C1058.18-2004, The Servicing of Halon and Clean Agent Extinguishing Systems, as amended”.

3. These regulations come into force on December 26, 2015.**EXPLANATORY NOTES**

SECTION 1 amends clause 9(1)(a) of the *Environmental Protection Act* Ozone Layer Protection Regulations to update the reference to the Society of Automotive Engineers standard SAE J-2219 2011, Mobile Air Conditioning Industry Criteria and Guidelines.

SECTION 2 amends subsections 10(1) and (2) of the regulations to update the reference to the ULC standard ULC/ORD-C1058.18-2004, The Servicing of Halon and Clean Agent Extinguishing Systems, and to correct two grammatical errors in subsection 10(1).

SECTION 3 provides for the commencement of the regulations.

EC2015-780

**ENVIRONMENTAL PROTECTION ACT
PETROLEUM STORAGE TANKS REGULATIONS
AMENDMENT**

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

1. Subsection 1(1) of the *Environmental Protection Act* Petroleum Storage Tanks Regulations (EC240/07) is amended

(a) in clause (v), by the deletion of the words “the ASTM standard C-858-83” and the substitution of the words “ASTM standard ASTM C858-10e1, Standard Specification for Underground Precast Concrete Utility Structures, as amended,”; and

(b) in subclause (z.2)(iii), by the deletion of the words “the standard API 650-Welded Steel Tanks for Oil Storage” and the substitution of the words “API standard API 650, Welded Steel Tanks for Oil Storage, Twelfth Edition, Includes Errata 1 (2013), Errata 2 (2014), and Addendum 1 (2014), as amended”.

2. (1) Subsection 12(1) of the regulations is revoked and the following substituted:

12. (1) Subject to this section, no person shall install an underground steel storage tank unless

- (a) the storage tank
- (i) bears a metal nameplate that complies with section 5 of ULC standard CAN/ULC-S603.1-11, External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids, as amended, and
 - (ii) installation complies with section 4.3 of the National Fire Code of Canada, 2010, as amended; and

Installation of
underground steel
storage tank

- (b) the storage tank
 - (i) bears a metal nameplate that complies with section 5 ULC standard CAN/ULC-S603.1-11, External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids, as amended,
 - (ii) the installation complies with
 - (A) Appendix B of ULC standard CAN/ULC-S603.1-11, External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids, as amended, and
 - (B) section 4.3 of the National Fire Code of Canada, 2010, as amended, and
 - (iii) has a permanent high impedance meter and zinc reference galvanic monitoring system that complies with ULC standard CAN/ULC-S603.1-11, External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids, Appendix A, as amended.

(2) Clause 12(2)(a) of the regulations is amended by the deletion of the words “the National Standard of Canada ULC-S615-98 “Reinforced Plastic Underground Tanks for Flammable and Combustible Liquids” and the substitution of the words “ULC standard CAN/ULC-S615-14, Standard for Fibre Reinforced Plastic Underground Tanks for Flammable and Combustible Liquids, as amended”.

3. Section 13 of the regulations is amended by the deletion of the words “API 650-Welded Steel Tanks for Oil Storage” and the substitution of the words “API standard API 650, Welded Steel Tanks for Oil Storage, Twelfth Edition, Includes Errata 1 (2013), Errata 2 (2014), and Addendum 1 (2014), as amended”.

4. Section 14 of the regulations is amended

(a) in clause (a), by the deletion of the words “the National Standard of Canada ULC-S601-00, “Standard for Shop Fabricated Steel Aboveground Horizontal Tanks for Flammable and Combustible Liquids”” and the substitution of the words “ULC standard ULC-S601-14, Standard for Shop Fabricated Steel Aboveground Horizontal Tanks for Flammable and Combustible Liquids, as amended”; and

(b) in clause (b), by the deletion of the words “the National Standard of Canada ULC-S630-00, “Standard for Shop Fabricated Steel Aboveground Vertical Tanks for Flammable and Combustible Liquids”” and the substitution of the words “ULC standard ULC-S601-14, Standard for Shop Fabricated Steel Aboveground Horizontal Tanks for Flammable and Combustible Liquids, as amended”.

5. Section 15 of the regulations is amended

(a) in clause (a), by the deletion of the words “National Fire Code of Canada” and the substitution of the words “National Fire Code of Canada, 2010, as amended”; and

(b) in clause (b), by the deletion of the words “the NFPA 30A Code for Motor Fuel Dispensing Facilities and Repair Garages 2003 Edition, as amended” and the substitution of the words “NFPA standard NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages, 2003 Edition, as amended”.

6. Clause 16(a) of the regulations is revoked and the following substituted:

- (a) the vault is made of precast concrete and is constructed in accordance with
 - (i) ULC standard ULC/ORD-C142.15-14, Precast Concrete Tanks, as amended, or
 - (ii) ASTM standard ASTM C891-11, Standard Practice for Installation of Underground Precast Concrete Utility Structures, as amended, and the manufacturer’s specifications;

7. Clause 18(b) of the regulations is amended by the deletion of the words “National Fire Code of Canada” and the substitution of the words “National Fire Code of Canada, 2010, as amended”.

8. (1) Subsection 20(1) of the regulations is amended

(a) in clause (b), by the deletion of the words “the National Standard of Canada CAN/ULC-S603.1-03, “External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids”” and the substitution of the words “ULC standard CAN/ULC-S603.1-11, External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids, as amended”; and

(b) in clause (c), by the deletion of the words “National Fire Code of Canada” and the substitution of the words “National Fire Code of Canada, 2010, as amended”.

(2) Subclauses 20(2)(a)(i) and (ii) of the regulations are amended by the deletion of the words “National Fire Code of Canada” and the substitution of the words “National Fire Code of Canada, 2010, as amended”.

(3) Subsection 20(3) of the regulations is amended

(a) in clause (a), by the deletion of the words “ULC/ORD-C971-2005 “Non-metallic underground piping for flammable liquids”” and the substitution of the words “ULC standard ULC/ORD-C971-2005, Nonmetallic Underground Piping for Flammable and Combustible Liquids, as amended”; and

(b) in clause (b), by the deletion of the words “National Fire Code of Canada” and the substitution of the words “National Fire Code of Canada 2010, as amended”.

9. (1) Subsection 26(1) of the regulations is amended in the words immediately preceding clause (a) by the deletion of the words “the National Standard of Canada CAN/ULC-S603.1-03” and the substitution of the words “ULC standard CAN/ULC-S603.1-11, External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids, as amended”.

(2) Subsection 26(2) of the regulations is amended by the deletion of the words “Underwriter Laboratories of Canada CAN/ULC-S603.1-03” and the substitution of the words “ULC standard CAN/ULC-S603.1-11, External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids, as amended”.

(3) Subsection 26(3) of the regulations is amended by the deletion of the words “the CAN/ULC-S603.1-03 standard” and the substitution of the words “ULC standard CAN/ULC-S603.1-11, External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids, as amended”.

(4) Clause 26(5)(a) of the regulations is amended by the deletion of the words “PACE report No. 87-1, part 5.5(c) and part 6(a) and (c)” and the substitution of the words “PACE Report No. 87.1, Impressed Current Method of Cathodic Protection of Underground Petroleum Storage Tanks, Clause 5.5(c) and Part 6(a) and (c) for impressed current systems, as amended”.

(5) Subsection 26(6) of the regulations is amended by the deletion of the words “the PACE report No. 87-1 standard” and the substitution of the words “PACE Report No. 87.1, Impressed Current Method of Cathodic Protection of Underground Petroleum Storage Tanks, Clause 5.5(c) and Part 6(a) and (c) for impressed current systems, as amended”.

(6) Subsection 26(8) of the regulations is amended by the deletion of the words “of API Standard 653” and the substitution of the words “of API Standard 653, 2014, Tank Inspection, Repair, Alterations and Reconstruction, 5th edition, as amended”.

10. Section 27 of the regulations is revoked and the following substituted:

27. An owner of a storage tank system where deficiencies are identified as a result of an inspection or maintenance check conducted under subsection 26(5) shall cause the deficiencies of the storage tank system to be corrected by a corrosion specialist in compliance with the applicable provisions of the following standards: Correction of deficiencies

(a) technical supplement ULC standard CAN/ULC-S601-14 (R2015), Standard for Shop Fabricated Steel Aboveground Horizontal Tanks for Flammable and Combustible Liquids, as amended;

(b) API Standard 653, 2014, Tank Inspection, Repair, Alterations and Reconstruction, 5th edition, as amended.

11. Clause 28(1)(a) of the regulations is amended by the deletion of the words “the NFPA 327 Standard (Standard for Safeguarding of Tanks and Containers for Entry Cleaning or Repair)” and the substitution of the following “NFPA standard NFPA 326, 2015, Standard for the Safeguarding of Tanks and Containers for Entry, Cleaning, or Repair, as amended”.

12. These regulations come into force on December 26, 2015.

EXPLANATORY NOTES

SECTION 1 amends subsection 1(1) of the *Environmental Protection Act* Petroleum Storage Tanks Regulations to update certain standards referred to in the definitions of “precast concrete containment vault” and “storage tank”.

SECTION 2 revokes subsection 12(1) of the regulations and substitutes a new subsection 12(1) to update the standards relating to the installation of underground steel storage tanks. The section also amends clause 12(2)(a) to update the standards relating to fibre reinforced plastic underground tanks.

SECTION 3 amends section 13 of the regulations to update the standard applicable to welded steel tanks for oil storage.

SECTION 4 amends clauses 14(a) and (b) of the regulations to update the standard applicable to shop fabricated steel aboveground horizontal tanks for flammable and combustible liquids.

SECTION 5 amends clauses 15(a) and (b) of the regulations to update references to the National Fire Code of Canada, 2010.

SECTION 6 amends clause 16(a) of the regulations to update the standards applicable to precast concrete containment vaults.

SECTION 7 amends clause 18(b) of the regulations to update references to the National Fire Code of Canada, 2010.

SECTION 8 amends subsections 20(1), (2) and (3) to update the standards applicable to underground and aboveground piping and associated fittings.

SECTION 9 amends section 26 of the regulations to update the standards applicable to sacrificial anode storage tank systems and impressed current storage tank systems, and the inspection interval criteria for aboveground storage tanks with a capacity of 50,000 litres or greater.

SECTION 10 revokes section 27 of the regulations and substitutes a new section 27 that updates the standards applicable to the correction of deficiencies in a storage tank system caused by corrosion.

SECTION 11 amends clause 28(1)(a) of the regulations to update the standard applicable to a storage tank or storage tank system that is being taken out of service for six consecutive months or more.

SECTION 12 provides for the commencement of the regulations.

EC2015-781

ENVIRONMENTAL PROTECTION ACT A CODE FOR PLUMBING SERVICES REGULATIONS AMENDMENT

Pursuant to clause 25(1)(f) of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, Council made the following regulations:

1. Subsection 1(1) of the *Environmental Protection Act A Code for Plumbing Services Regulations (EC666/86)* is amended by the deletion of the words “2010 Edition is hereby adopted as a regulation and subject to” and the substitution of the words “2015 Edition is hereby adopted as amended from time to time, subject to”.

2. Clause 2(1)(a) of the regulations is amended by the deletion of the words “2010” and the substitution of the words “2015”.

3. Section 3 of the regulations is amended by the deletion of the words “The Code is amended” and the substitution of the words “The National Plumbing Code of Canada 2015 Edition is amended”.

4. Subsection 4(4) of the regulations is amended in sentence 2.6.2.1. (4) by the deletion of the words “CSA B64.10, “Backflow Prevention Devices - Selection, Installation, Maintenance and Field Testing”” and the substitution of the words “CSA standard CSA B64.10-11/B64.10.1-11, Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers, as amended”.

5. Subsection 5.1(1) of the regulations is amended by the deletion of the words “ASME A112.19.2/CSA B45.1, Ceramic plumbing fixtures,” and the substitution of the words “ASME and CSA standard ASME A112.19.2-2013/CSA B45.1-13, Ceramic plumbing fixtures, as amended,”.

6. These regulations come into force on March 31, 2016.

EXPLANATORY NOTES

SECTION 1 amends subsection 1(1) of the regulations to update the reference to the National Plumbing Code of Canada adopted under that subsection to the 2015 Edition.

SECTION 2 amends clause 2(1)(a) of the regulations for consistency with the amendment made by section 1.

SECTION 3 amends the opening words of section 3 of the regulations to clarify that the reference to “the Code” there means the National Plumbing Code of Canada.

SECTION 4 amends subsection 4(4) of the regulations to update a reference to CSA standard CSA B64.10-11/B64.10.1-11.

SECTION 5 amends subsection 5.1(1) of the regulations to update a reference to CSA standard CSA ASME A112.19.2-2013/ CSA B45.1-13.

SECTION 6 provides for the commencement of these regulations.

EC2015-782

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 1076082, LOT 41, KINGS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately one hundred and eight (108) acres of land, being Provincial Property No. 1076082 located at St. Peters, Lot 41, Kings County, Prince Edward Island and currently owned by Spud Isle Farms (2010) Ltd. of Morell, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately eight (8) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the new parcel and the remaining land.

This Order-in-Council comes into force on December 16, 2015.

EC2015-783

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 574392, LOT 11, PRINCE COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately one hundred and twenty-three decimal five (123.5) acres of land, being Provincial Property No. 574392 located at Foxley River, Lot 11, Prince County, Prince Edward Island and currently owned by W&S Riverview Dairy Inc. of Coleman, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately one decimal one five (1.15) acres SUBJECT TO the subdivided parcel being consolidated with the adjacent Provincial Property No. 50104. Further, Council determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on December 16, 2015.

EC2015-784

LEGAL PROFESSION ACT
 QUEEN'S COUNSEL
 APPOINTMENT
 OF
 KRISTA J. MACKAY

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1, ordered that Letters Patent under the Great Seal of the Province be issued to appoint Krista J. MacKay of Summerside, Prince Edward Island as Her Majesty's Counsel learned in the law of Prince Edward Island, effective December 16, 2015.

EC2015-785

LEGAL PROFESSION ACT
 QUEEN'S COUNSEL
 APPOINTMENT
 OF
 PATSY G. MACLEAN

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1, ordered that Letters Patent under the Great Seal of the Province be issued to appoint Patsy G. MacLean of Cornwall, Prince Edward Island as Her Majesty's Counsel learned in the law of Prince Edward Island, effective December 16, 2015.

EC2015-786

**POWER ENGINEERS ACT
 REGULATIONS
 AMENDMENT**

Pursuant to section 18 of the *Power Engineers Act* R.S.P.E.I. 1988, Cap. P-15, Council made the following regulations:

1. Subsection 1(1) of the *Power Engineers Act* Regulations (EC588/12) is amended

(a) by the addition of the following after clause (e):

(e.1) "Class T machinery room" means a Class T machinery room as defined in CSA standard CSA B-52-13 Mechanical Refrigeration Code, adopted under section 3.01 of the *Boilers and Pressure Vessels Act* Regulations (EC234/85); Class T machinery room

(b) by the addition of the following after clause (f):

(f.1) "direct system" means a refrigeration system in which an evaporator or condenser is in direct contact with air or other substances being cooled or heated; direct system

(c) by the addition of the following after clause (h):

(h.1) "guarded plant" means a heating or power plant in which each boiler is provided with automatic controls and devices that are effective to ensure that the boiler operates safely in the absence of the personnel responsible for the operation of the plant; guarded plant

(d) by the addition of the following after clause (j):

(j.1) “low-pressure biomass boiler operator” means an operator at a plant who has been trained in the operation of a low-pressure biomass boiler through an industry-based training program approved by the board of examiners under subsection 12(1);

low-pressure
biomass boiler
operator

(e) by the addition of the following after clause (k):

(k.1) “minimum supervision”, in respect of a plant, means an inspection of the plant by a certified refrigeration operator or a certified power engineer once in every 24-hour period while the plant is in operation;

minimum
supervision

(f) by the addition of the following after clause (l):

(l.1) “periodic supervision”, in respect of a plant, means that a certified refrigeration operator or a certified power engineer is acting as shift engineer and is present on the site of the plant for at least 8 hours a day while the plant is in operation;

periodic supervision

(g) by the revocation of clause (s) and the substitution of the following:

(s) “unsupervised plant” means a heating, power or refrigeration plant that has been registered as a plant under section 2 but that, when maintained and operated in accordance with the manufacturer’s recommendations and the requirements of subsection 24.2, is not required to be staffed or supervised while in operation.

unsupervised plant

2. Section 2 of the regulations is amended**(a) by renumbering it as subsection 2(1); and****(b) by the addition of the following after subsection (1):**

(2) Where the ownership or the overall capacity of a plant has permanently changed since the registration or the last renewal of registration of the plant, the owner of the plant shall as soon as practicable complete an application for re-registration of the plant in a form approved by the board and pay the fee set out in the Schedule.

Re- registration

(3) The requirements of subsection (2) relating to a change in overall capacity do not apply to a plant

Exceptions

(a) that is temporarily de-rated in accordance with subsection 24.1(7); or

(b) that is returned to ordinary service in accordance with subsection 25.1(6).

3. Section 3 of the regulations is amended**(a) by renumbering it as subsection 3(1);**

(b) in clause (1)(d), by the deletion of the word “and” after the semicolon;

(c) by the addition of the following after clause (1)(e):

(f) the class of operator required; and

(g) the date on which the certificate of plant registration will expire.

(d) by the addition of the following after subsection (1):

(2) A certificate of registration expires 5 years after the date on which it was issued.

Expiry of certificate

4. (1) Subsection 5(2) of the regulations is amended by the addition of the words “2015” after the word “Code”.**(2) Subsection 5(5) of the regulations is amended**

(a) by the deletion of the words “x 1.0194”; and

(b) by the deletion of the words “x 0.09471” and the substitution of the words “x 10.0”.

5. (1) Subsection 6(1) of the regulations is revoked and the following substituted:

6. (1) For a prime mover in a refrigeration plant, the kilowatt rating is the maximum brake horsepower for its normal continuous operation, as determined by its manufacturer, multiplied by 0.7457. Prime mover, rating

(2) Subsection 6(2) of the regulations is amended

(a) by the deletion of the words “(therm hour rating)”; and

(b) by the deletion of the words “(therm hour ratings)”.

6. Section 7 of the regulations is revoked and the following substituted:

7. For an electric boiler, the kilowatt rating is the kilowatt rating indicated by its manufacturer. Electric boiler, rating

7. Section 10 of the regulations is revoked and the following substituted:

10. (1) On and after January 1, 2016, the following ratings apply to power plants with the corresponding overall capacities: Plants classified

First Class	over 30,000 kilowatts
Second Class	above 12,001 kilowatts but not over 30,000 kilowatts
Third Class	above 7,001 kilowatts but not over 12,000 kilowatts
Fourth Class	above 4,001 kilowatts but not over 7,000 kilowatts
Fourth Class (8hrs/day)	above 2,001 kilowatts but not over 4,000 kilowatts
Fourth Class (1 insp./24 hrs)	above 439.5 kilowatts but not over 2,000 kilowatts
Unattended	300 kilowatts but not over 439.5 kilowatts

(2) On and after January 1, 2016, the following ratings apply to heating plants with the corresponding overall capacities: Idem

Second Class	over 30,000 kilowatts
Third Class	above 12,001 kilowatts but not over 30,000 kilowatts
Fourth Class	above 7,001 kilowatts but not over 12,000 kilowatts
Fourth Class (8hrs/day)	above 4,001 kilowatts but not over 7,000 kilowatts
Fourth Class (1 insp./24 hrs)	above 1,465 kilowatts but not over 4,000 kilowatts
Unattended	above 601 kilowatts but not over 1,465 kilowatts
Low-pressure Biomass Boiler	low-pressure biomass boiler below 1,464 kilowatts (50 therm hours)

(3) On and after January 1, 2016, the following ratings apply to refrigeration plants with the corresponding overall capacities: Idem

Continuous Supervision	
Class A or Second Class	over 895 kilowatts
Class B or Third Class	above 597 kilowatts but not over 895 kilowatts
Class B or Fourth Class	above 74.6 kilowatts but not over 597 kilowatts

Periodic Supervision (indirect systems only)	
Class B or Fourth Class	298 kilowatts but not over 597 kilowatts

Minimum Supervision (indirect systems only)	
Class B or Fourth Class	74.6 kilowatts but not over 298 kilowatts
Unattended	below 74.6 kilowatts

8. Section 11 of the Act is revoked.

9. Subsection 16(1) of the regulations is amended by the addition of the words “Low-pressure Biomass Boiler Operator” below the words “Power Engineer Refrigeration A”.

10. (1) Subsection 17(2) of the regulations is revoked and the following substituted:

(2) Any person may be a candidate for a third-class license who is the holder of a valid fourth-class license and, since the issue of that license,

(a) has completed an upgrading course in power engineering third class as required by the board; and

(b) has

(i) for a period of one year,

(A) operated as chief engineer or shift engineer in a fourth-class heating plant or power plant that requires a minimum of 8 hours' supervision in a 24-hour period,

(B) operated as assistant shift engineer in a fourth-class heating plant or power plant that requires a minimum of 8 hours' supervision in a 24-hour period, or

(C) operated two or more fourth-class plants that required one visit every 24 hours for one year; or

(ii) for a period of three years,

(A) operated one fourth-class plant that required one visit every 24 hours,

(B) operated a refrigeration plant, and has 520 hours' experience operating a heating or power plant as a fourth-class engineer,

(C) operated a 50 Mw gas turbine plant, and has 520 hours' experience as a fourth-class engineer in a heating or power plant, or

(D) worked as a boiler and pressure vessel inspector, and has 520 hours' experience operating a heating or power plant as a fourth-class engineer.

(2) Subsection 17(3) of the regulations is amended

(a) in clause (a), by the deletion of the words "2,930 kilowatts (100 therm hours)" and the substitution of the words "4,000 kilowatts";

(b) in clause (b), by the deletion of the words "11,729 kilowatts (400 therm hours)" and the substitution of the words "7,000 kilowatts"; and

(c) in clause (c), by the deletion of the words "23,440 kilowatts (800 therm hours)" and the substitution of the words "30,000 kilowatts".

(3) Subsection 17(4) of the regulations is amended

(a) in clause (a), by the deletion of the words "11,729 kilowatts (400 therm hours)" and the substitution of the words "12,000 kilowatts";

(b) in clause (b), by the deletion of the words "23,440 kilowatts (800 therm hours)" and the substitution of the words "30,000 kilowatts"; and

(c) in clause (c), by the deletion of the words "11,729 kilowatts (400 therm hours)" and the substitution of the words "12,000 kilowatts".

(4) Clause 17(5)(b) of the regulations is amended by the deletion of the words "(therm hour) rating greater than 74.5 kilowatts (2.544 therm hours)" and the substitution of the words "rating greater than 74.5 kilowatts".

(5) Subsection 17(6) of the regulations is amended

(a) in clause (a), by the deletion of the words "(2.544 therm hours)"; and

(b) in clause (b), by the deletion of the words "586 kilowatts (20 therm hours)" and the substitution of the words "895 kilowatts".

(6) Section 17 of the regulations is amended by the addition of the following after subsection (6):

(6.1) Any person may be a candidate for a low-pressure biomass operator license who has successfully completed an industry-based training program approved by the board of examiners under subsection 12(1) for the operation and maintenance of low-pressure biomass boilers. Low-pressure biomass

(6.2) A low-pressure biomass operator license is specific to the low-pressure biomass boiler to be operated by the operator to whom the license is issued. Site specific

11. (1) Subclause 19(2)(a)(ii) of the regulations is amended by the deletion of the words “23,440 kilowatts (800 therm hours)” and the substitution of the words “30,000 kilowatts”.

(2) Subsection 19(3) of the regulations is amended

(a) in clause (a),

(i) in subclause (ii), by the deletion of the words “11,720 kilowatts (400 therm hours)” and the substitution of the words “12,000 kilowatts”, and

(ii) in subclause (iii), by the deletion of the words “586 kilowatts (20 therm hours)” and the substitution of the words “597 kilowatts”; and

(b) in subclause (b)(ii), by the deletion of the words “23,440 kilowatts (800 therm hours)” and the substitution of the words “30,000 kilowatts”.

(3) Subsection 19(4) of the regulations is revoked and the following substituted:

- (4) The holder of a valid fourth-class license may be employed as Fourth class
- (a) chief engineer of
 - (i) a registered heating plant not exceeding 12,000 kilowatts,
 - (ii) a registered power plant not exceeding 7,000 kilowatts,
 - (iii) a registered refrigeration plant not exceeding 597 kilowatts;
 - (b) shift engineer of
 - (i) any registered heating plant,
 - (ii) a registered power plant not exceeding 12,000 kilowatts,
 - (iii) any registered refrigeration plant; or
 - (c) assistant engineer in a registered power plant not exceeding 30,000 kilowatts.

(4) Clause 19(6)(a) of the regulations is amended by the deletion of the words “586 kilowatts (20 therm hours)” and the substitution of the words “597 kilowatts”.

12. (1) Subsection 24(6) of the regulations is amended

(a) by the deletion of the words “having a rating less than 2,930 kilowatts (100 therm hours)” and the substitution of the words “that is not a guarded plant but has a rating of less than 4,000 kilowatts”; and

(b) by the deletion of the word “unattended” and the substitution of the word “unsupervised”.

(2) Subsections 24(7) and (8) of the regulations are revoked.

13. The Act is amended by the addition of the following after section 24:

- 24.1** (1) A refrigeration plant having a rating less than 597 kilowatts may be left unsupervised and in operation provided the premises are unoccupied and the plant is equipped with protective devices satisfactory to the chief inspector. Unattended premises
- (2) All refrigeration systems using Group 1(A1) refrigerants as defined in CSA Standard CSA B-52-13, as adopted in regulations under the *Boilers and Pressure Vessels Act* R.S.P.E.I. 1988, Cap. B-5, are exempt from supervision requirements under these regulations. Refrigeration systems
- (3) Subject to subsection (4), a refrigeration system other than one referred to in subsection (2) shall be supervised at all times in accordance with these regulations. Other refrigeration systems
- (4) A refrigeration plant that requires periodic or minimum supervision may be left unsupervised and in operation if Exception
- (a) the plant is enclosed in a Class T machinery room; and
- (b) the plant is not a direct system.
- (5) Except in accordance with subsections (1) and (4), no operator shall leave a refrigeration plant with a rating higher than 74.6 kilowatts unsupervised. Prohibition
- (6) Where the overall capacity of all refrigeration compressors in a plant using a refrigerant other than a Group 1 (A1) refrigerant as defined in CSA B-52-13 is greater than 74.6 kilowatts, the refrigeration plant shall be supervised by a power engineer or a refrigeration operator who holds the appropriate license for that overall capacity. Required supervision
- (7) Notwithstanding subsection 2(2), the owner of a refrigeration plant may temporarily de-rate the plant's registration without applying for re-registration by submitting a plan for the temporary operation of the plant to the chief inspector and obtaining the chief inspector's approval for the de-rating of the registration. Temporary de-rating of plant
- 24.2** (1) The owner of an unsupervised plant Maintenance program required
- (a) shall operate and maintain the plant in accordance with the manufacturer's recommendations; and
- (b) shall establish a maintenance program for the plant that is
- (i) designed to ensure the safe operation of boilers or compressors and their associated equipment while in unsupervised operation, and
- (ii) acceptable to the chief inspector.
- (2) The fee for monitoring the maintenance program for an unsupervised plant is that set out in section 6 of the Table of Fees in the Schedule to these regulations. Fee

14. Section 25 of the regulations is revoked and the following substituted:

- 25.** In addition to the requirements of subsection 24(4), where the boiler is a low-pressure biomass boiler as referred to in subsection 24(1), Operation Requirements
- (a) if the overall capacity of the low-pressure biomass boiler or boilers is greater than 500 kilowatts, the boiler or boilers and associated fuel handling equipment shall be housed in a free-standing building that is separated by a minimum of 1 metre from the building being heated;
- (b) the building or boiler room housing the low-pressure biomass boiler shall be equipped with an audible carbon monoxide alarm system;
- (c) the low-pressure biomass boiler shall be designed to shut down the fuel supply to the boiler when air flow to the boiler is inadequate for safe combustion;
- (d) the low-pressure biomass boiler shall be equipped with control systems satisfactory to the chief inspector designed to ensure that the boiler safety relief valve does not allow the pressure to rise more than 10% above the maximum operating pressure, as verified

periodically by an inspector, due to heat retained in the combustion chamber when the boiler shuts down for any reason;

(e) the fuel supply system for the low-pressure biomass boiler shall be designed to ensure that a source of ignition cannot travel back from the combustion chamber along the fuel supply system to the fuel storage facility;

(f) the fuel storage facility, when it is located within the building being heated, shall be equipped with a heat detection system, acceptable to the chief inspector, that admits quenching water when excessive heat is detected;

(g) where the fuel storage facility is located outside of the building being heated, the wall located between the fuel storage facility and the building being heated shall be of non-combustible construction; and

(h) the low-pressure biomass boiler room and any free-standing building housing a low-pressure biomass boiler and associated fuel handling equipment shall be constructed so that dust cannot readily accumulate.

15. The regulations are amended by the addition of the following after section 25:

GUARDED HEATING AND POWER PLANTS

- 25.1** (1) The following sizes and classes of heating and power plants may be equipped to operate as guarded plants: Guarded plants
- (a) fourth-class heating plants with an overall capacity of 1,465 to 7,000 kilowatts;
 - (b) fourth-class power plants with an overall capacity of 439.5 to 4,000 kilowatts.
- (2) A guarded plant shall be inspected annually by an inspector for compliance with these regulations, the Act, the *Boilers and Pressure Vessels Act* and the regulations made under that Act and any applicable standards adopted by either of them. Annual inspection
- (3) The power engineer in charge of a guarded plant shall be in attendance during the annual inspection of the guarded plant. Attendance by power engineer
- (4) The power engineer in charge of a guarded plant shall notify the chief inspector when the power engineer is no longer employed as the engineer in charge of the guarded plant. Notification
- (5) Each individual safety device in a guarded plant, as determined by the inspector, shall be a manual reset type device. Manual reset devices
- (6) Any boiler that is isolated in order to qualify for guarded plant status may be returned to ordinary service by the power engineer in charge on notice provided to an inspector by telephone or electronic means. Return to ordinary status
- (7) A plant that has been returned to ordinary service no longer qualifies for guarded plant status and the plant shall be supervised in accordance with the requirements for its rating. Supervision
- (8) A power engineer Power engineer at more than one plant
- (a) may serve as the power engineer in charge of more than one fourth-class guarded plant at a time that requires one visit in each twenty-four hour period; and
 - (b) shall, in respect of the supervision of each guarded plant referred to in clause (a), comply with the applicable provisions of the Act and these regulations.
- (9) The owner of a guarded plant shall ensure that the following are prominently displayed in the boiler room: Posting information
- (a) a copy of the license of the power engineer in charge of the plant;
 - (b) the contact information of the power engineer in charge of the plant.
- (10) The owner of a guarded plant shall ensure that the guarded plant control system is designed and installed in such a way that the boiler Use of reset switch

cannot be restarted after a shutdown unless the power engineer in charge resets the guarded plant control panel by the use of a keyed reset switch.

(11) The key for the reset switch shall be in the possession of the power engineer in charge at all times. Key in power engineer's possession

(12) The power engineer in charge of a guarded plant shall make daily entries in the log book that record the following: Log entries

- (a) the date, the time of day, power engineer license number, and signature of the power engineer in charge;
- (b) the specific safety controls that the power engineer verified as functional during the mandatory daily check, including
 - (i) the high pressure or high temperature limiting device,
 - (ii) the low water fuel cut-out,
 - (iii) the burner flame failure device,
 - (iv) the alarm notification system, and
 - (v) any other safety device as determined by the inspector;
- (c) any observed anomalies in the operation of the plant.

(13) The power engineer in charge of a guarded plant shall record in the log book the results of the testing of the high water limiting device on the request of an inspector during an inspection or on a periodic schedule agreed to between the power engineer in charge and the inspector. *Idem*

16. Sections 5 and 6 of the Table of Fees in the Schedule to the regulations are revoked and the following substituted:

5. On application for registration or renewal of registration of a plant:	
First Class	\$500
Second Class.....	400
Third Class.....	300
Fourth Class	200
Refrigeration A	300
Refrigeration B	200
Low-pressure Biomass Boiler	200
Unsupervised	100
6. Fee for monitoring maintenance program for unsupervised plant:	\$100

17. (1) Subject to subsection (2), these regulations come into force on December 26, 2015.

(2) Section 7 of these regulations comes into force on January 1, 2016.

EXPLANATORY NOTES

SECTION 1 amends subsection 1(1) of the *Power Engineers Act* Regulations to define new terms to be used in these amendments.

SECTION 2 amends section 2 of the regulations to add a new subsection (2) that requires an owner of a plant to re-register the plant where the overall capacity of the plant has changed since it was registered or re-registered, subject to two exceptions.

SECTION 3 amends section 3 of the regulations to provide that a certificate of registration for a plant must show the class of operator required to operate the plant, and the expiry date of the registration. The section is also amended to add a new subsection (2) that provides that a certificate of registration expires 5 years after the date on which it was issued.

SECTION 4 amends subsection 5(2) of the regulations to update a reference to the ASME Boiler and Pressure Vessel Code to the 2015 edition, for consistency with the Boilers and Pressure Vessels Regulations. The section also corrects two conversion factors set out in subsection 5(5) of the regulations.

SECTION 5 revokes subsection 6(1) of the regulations and substitutes a new 6(1), and amends subsection 6(2), to remove outdated references to “therm hours”. Capacity is now measured in kilowatts.

SECTION 6 revokes section 7 of the regulations and substitutes a new section 7 that provides that the kilowatt rating of an electric boiler is the rating indicated by its manufacturer.

SECTION 7 revokes section 10 of the regulations and substitutes a new section 10, which will come into effect January 1, 2016. The new subsection 10(1) will establish the ratings applicable to power plants. The new subsection (2) will establish the ratings applicable to heating plants, and subsection (3) will do the same for refrigeration plants.

SECTION 8 revokes section 11 of the regulations. The requirements for re-registration of a plant are now set out in subsection 2(2) of the regulations.

SECTION 9 amends subsection 16(1) of the regulations to add a reference to “Low-pressure Biomass Boiler Operator” as a class of license under the regulations.

SECTION 10 revokes subsection 17(2) of the regulations and substitutes a new subsection (2) that sets out in greater detail the qualifications required of applicants for a third-class license. The section also amends subsections 17(3) to (6) to update the kilowatt ratings and remove unnecessary references to “therm hours”. The section also adds new subsections (6.1) and (6.2) that establish the qualifications required for a low-pressure biomass boiler operator license and also that the license is specific to the low-pressure biomass boiler to be operated by the applicant.

SECTION 11 amends subsections 19(2), (3) and (6) of the regulations to update the kilowatt ratings and to remove outdated references to “therm hours”. The section also revokes subsection 19(4) and substitutes a new subsection (4) that clarifies the positions in which a holder of a valid fourth-class license may be employed.

SECTION 12 amends subsection 24(6) of the regulations to clarify and update a limited exemption from the requirements of section 24 for a power plant or heating plant that is not a guarded plant but has a rating of less than 4,000 kilowatts. A plant that meets those conditions may be left unsupervised for up to 12 hours if the premises are unoccupied and the plant is equipped with the required protective devices.

SECTION 13 adds a new section 24.1 to the regulations that establishes the rules and requirements applicable to refrigeration plants. The section also adds a new section 24.2 to the regulations that requires the owner of an unsupervised plant to operate and maintain the plant in accordance with the manufacturer’s recommendations, and also to establish a maintenance program for the plant that is acceptable to the chief inspector and designed to ensure the safe operation of unsupervised boilers, compressors and associated equipment.

SECTION 14 revokes section 25 of the regulations and substitutes a new section 25 that updates the installation and operating requirements for low-pressure biomass boilers.

SECTION 15 adds a new section 25.1 to the regulations that provides the rules and requirements that apply to the operation of heating or power plants as guarded plants.

SECTION 16 revokes sections 5 and 6 of the Table of Fees in the Schedule to the regulations and substitutes new sections 5 and 6 that update the licensing fees for registration or renewal of registration of a plant, and establish a fee of \$100 to cover the costs of monitoring the maintenance program for an unsupervised plant.

SECTION 17 provides for the commencement of the regulations.

EC2015-787**PROVINCIAL COURT ACT
JUDICIAL REMUNERATION REVIEW COMMISSION
APPOINTMENTS**

Pursuant to subsection 4.2(1) and section 4.4 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25 Council made the following appointments:

NAME	TERM OF APPOINTMENT
via clause 4.2(1)(a)	
Ronald MacLeod Winsloe (reappointed)	30 June 2015 to 30 June 2018
via clause 4.2(1)(b)	
Honourable Gerard E. Mitchell Charlottetown (reappointed)	30 June 2015 to 30 June 2018