

This draft regulation is provided solely to facilitate public consultation under section 16 of the Environmental Bill of Rights, 1993. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure and form of the draft regulation are subject to change as a result of the consultation process.

ONTARIO REGULATION

made under the

ENVIRONMENTAL PROTECTION ACT

Amending O. Reg. 153/04

(Records of Site Condition — Part XV.1 of the Act)

Note: Ontario Regulation 153/04 has previously been amended. Those amendments are listed in the Table of Current Consolidated Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Clauses 5 (2) (a) and (b) of Ontario Regulation 153/04 are revoked and the following substituted:

- (a) the person holds a licence, limited licence or temporary licence under the *Professional Engineers Act*;
- (b) the person holds a certificate of registration under the *Professional Geoscientists Act, 2000* and is a practising member, temporary member or limited member of the Association of Professional Geoscientists of Ontario;

(2) Subsection 5 (5) of the Regulation is revoked.

2. Section 5 of the Regulation is revoked and the following substituted:

Qualified persons, other than risk assessment

5. (1) A person referred to in subsection (2) meets the qualifications to be a qualified person for the purposes of,

- (a) conducting or supervising a phase one environmental site assessment;
- (b) conducting or supervising a phase two environmental site assessment; and
- (c) completing the certifications that must be completed by a qualified person in a record of site condition in respect of a property.

(2) A person meets the qualifications to be a qualified person for the purposes of subsection (1) if,

- (a) the person holds a licence, limited licence or temporary licence under the *Professional Engineers Act*; or
- (b) the person holds a certificate of registration under the *Professional Geoscientists Act, 2000* and is a practising member, temporary member or limited member of the Association of Professional Geoscientists of Ontario.

3. Part III of the Regulation is amended by adding the following section:

Additional purpose of Registry

7.1 For the purpose of paragraph 3 of subsection 168.3 (2) of the Act, the Registry has the purpose of facilitating public access to information respecting qualified persons.

4. (1) Subject to subsections (2) and (3), this Regulation comes into force on April 1, 2008.

(2) Subsection 1 (2) and this section come into force on the day this Regulation is filed.

(3) Section 2 comes into force on April 1, 2009.