

THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I PUBLISHED BY AUTHORITY

Vol. 97

ST. JOHN'S, FRIDAY, MARCH 25, 2022

No. 12

MINERAL ACT

NOTICE

Published in accordance with section 62 of CNLR 1143/96 under the *Mineral Act*, cM-12, RSNL 1990 as amended.

Mineral rights to the following mineral licenses have reverted to the Crown:

Mineral License 26964M
held by Edmunds, Ricky
on map sheet 14E/07

Mineral License 27360M
held by Guinchard, Myrtle
on map sheet 14D/08

Mineral License 27361M
held by Guinchard, Myrtle
on map sheet 14D/08

Mineral License 27359M
held by Guinchard, Myrtle
on map sheet 14D/08

Mineral License 27358M
held by Guinchard, Myrtle
on map sheet 14D/08

Mineral License 27114M
held by Guinchard, Wayde
on map sheet 14D/08

Mineral License
held by
on map sheet

25335M
Guinchard, Wayde
14D/01

Mineral License
held by
on map sheet

26372M
Kalt, Ryan
02D/12, 13

Mineral License
held by
on map sheet

26351M
Budgell, Evan
02D/11, 12

Mineral License
held by
on map sheet

26571M
Lewis, Gary E.
02D/11

Mineral License
held by
on map sheet

26582M
Lewis, Gary E
02D/11

Mineral License
held by
on map sheet

26747M
Vulcan Minerals Inc.
02D/11

Mineral License
held by
on map sheet

26459M
Hicks, Darrin
12A/09

Mineral License
held by
on map sheet

24318M
Antler Gold Inc.
02D/13

THE NEWFOUNDLAND AND LABRADOR GAZETTE
 March 25, 2022

Mineral License held by on map sheet	26397M Pilgrim, Larry 02D/13	Mineral License held by on map sheet	26916M Keats, Allan (50%) / Keats, Kevin (50%) 12A/07, 10
Mineral License held by on map sheet	26399M Greene, Barry 02D/13	Mineral License held by on map sheet	26919M NorZinc-Newfoundland Ltd. 12A/07, 10
Mineral License held by on map sheet	26398M Pilgrim, Christopher 02D/13	Mineral License held by on map sheet	26896M Keats, Allan E. T. 12A/10
Mineral License held by on map sheet	25864M Jones, Brian 12A/10	Mineral License held by on map sheet	24047M Jones, Brian 12A/10, 11
Mineral License held by on map sheet	23030M Stares, Alexander T. 12A/10	Mineral License held by on map sheet	26688M Keats, Allan E. T. 12A/10
Mineral License held by on map sheet	24446M Jones, Brian 12A/10	Mineral License held by on map sheet	27088M NorZinc-Newfoundland Ltd. 12A/10
Mineral License held by on map sheet	23233M Quadro Resources Ltd. 12A/04	Mineral License held by on map sheet	27090M NorZinc-Newfoundland Ltd. 12A/10
Mineral License held by on map sheet	23457M Jones, Brian 12A/03	Mineral License held by on map sheet	24004M Jones, Brian 12A/10
Mineral License held by on map sheet	24414M Hussey, Leo 12A/10	Mineral License held by on map sheet	27051M NorZinc-Newfoundland Ltd. 12A/10
Mineral License held by on map sheet	24321M Kennedy, Chad 12A/10	Mineral License held by on map sheet	24392M Antler Gold Inc. 12A/09, 10
Mineral License held by on map sheet	24312M Kennedy, Chad 12A/07, 10	Mineral License held by on map sheet	27082M Bursey, Brian 12A/10
Mineral License held by on map sheet	24380M Lewis, Gary E. 12A/10	Mineral License held by on map sheet	24376M New Found Gold Corp. 12A/09, 10
Mineral License held by on map sheet	24400M Lewis, Nigel 12A/07	Mineral License held by on map sheet	24343M Keats, Kevin D. 12A/09
Mineral License held by on map sheet	24379M Unity Resources Inc. 12A/07	Mineral License held by on map sheet	32382M Jones, Brian 12A/09
Mineral License held by on map sheet	24151M Jones, Brian 12A/07	Mineral License held by on map sheet	24885M Kalt, Ryan 12A/10, 11, 14, 15

The lands covered by this notice except for the lands within Exempt Mineral Lands, the Exempt Mineral Lands being described in CNLR 1143/96 and NLR 71/98, 104/98, 97/00, 36/01, 3104, 78/06, 8/08, 28/09, 5/13 and 3/17 and outlined on 1:50 000 scale digital maps maintained by the Department of Industry, Energy and Technology, will be open for staking after the hour of 9:00 a.m. on the 32nd clear day after the date of this publication.

DEPARTMENT OF INDUSTRY,
ENERGY AND TECHNOLOGY

Trina Adams, Mineral Claims Recorder

Mar. 25

URBAN AND RURAL PLANNING ACT, 2000

**NOTICE OF REGISTRATION
TOWN OF BOTWOOD
MUNICIPAL PLAN AND
DEVELOPMENT REGULATIONS**

TAKE NOTICE that the TOWN OF BOTWOOD Municipal Plan, 2020-2030 and Development Regulations 2020-2030 adopted on the 6th day of October, 2021 and approved on the 16th day of December, 2021, have been registered by the Minister of Municipal and Provincial Affairs.

That the TOWN OF BOTWOOD Municipal Plan 2020-2030 and Development Regulations 2020-2030 come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of these documents may do so at the Town Office during normal working hours.

TOWN OF BOTWOOD
Town Clerk

Mar. 25

**NOTICE OF REGISTRATION
TOWN OF PARADISE
DEVELOPMENT REGULATIONS
AMENDMENT 10, 2022**

TAKE NOTICE that the TOWN OF PARADISE Development Regulations Amendment No. 10, 2022, adopted on the 1st day of March, 2022, has been registered by the Minister of Municipal and Provincial Affairs.

IN GENERAL TERMS, this amendment makes changes to four (4) areas of the Development Regulations:

1. Development Over Easements
2. Subdivision Design Standards for Local Streets
3. Residential Watershed Use Zone Standards
4. Subsidiary Apartments

This Amendment comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone wishing to inspect a copy

of Development Regulations Amendment No. 10, 2022 may do so by contacting the Paradise Town Hall, during normal hours of operation, at (709) 782-1400.

TOWN OF PARADISE
Terrilynn Smith, Town Clerk

Mar. 25

NOTICE

The TOWN OF PLACENTIA has received an application for operation of home-based Hair Salon at #513 Southeast Road. This area is zoned Residential.

Anyone having objections to this application is invited to advise Council in writing on or before close of business Wednesday, March 30, 2022 at the address below or by emailing dgear@placentia.ca.

TOWN OF PLACENTIA
Debbie Gear, Representative

ADDRESS FOR SERVICE:

P.O. Box 99
Placentia, NL A0B 2Y0

Mar. 25

NOTICE OF REGISTRATION

**TOWN OF PORTUGAL COVE-ST. PHILIP'S
DEVELOPMENT REGULATIONS
AMENDMENT No. 17, 2021**

TAKE NOTICE that the TOWN OF PORTUGAL COVE ST. PHILIP'S Development Regulations Amendment No. 17, 2021, as adopted by Council on the 8th day of February, 2022 has been registered by the Minister of Municipal and Provincial Affairs.

IN GENERAL TERMS, Development Regulations Amendment No. 17, 2021 will introduce municipal Highway Sign Regulations, which include Regulations to control illuminated signage such as changeable message signage, to satisfy the requirements of the Department of Transportation and Infrastructure's requirements to allow an exemption for the installation of digital changeable message signs under the provincial Highway Sign Regulations, 1999 which will now be controlled under the TOWN OF PORTUGAL COVE ST. PHILIP'S Development Regulations.

TOWN OF PORTUGAL COVE ST. PHILIP'S Development Regulations Amendment No. 17, 2021 comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*.

Anyone who wishes to inspect a copy of the TOWN OF PORTUGAL COVE ST. PHILIP'S Development Regulations Amendment No. 17, 2021 may do so by contacting the Town Office at 895-8000 or planning@pcsp.ca.

TOWN OF PORTUGAL COVE ST. PHILIP'S
Claudine Murray, Town Clerk

ADDRESS FOR SERVICE:
1119 Thorburn Road
Portugal Cove-St. Philip's, NL
A1M 1T6

Mar. 25

LANDS ACT

NOTICE OF INTENT, SECTION 7 LANDS ACT, SNL1991 c36 AS AMENDED

NOTICE IS HEREBY given that an application has been made to the Department of Fisheries and Land Resources, Agriculture and Lands Branch, to acquire title, pursuant to section 7(2)(d) of the said Act, to that piece of Crown lands situated within 15 metres of the waters of Burnt Cove Beach for the purpose of boat launch.

The application may intrude on the 15 metre shoreline of the above mentioned water body(s) in various locations. For a detailed map, please see the website below:

<http://www.ma.gov.nl.ca/lands/sec7notifications.html>

Please note: It may take up to 5 days from the date of application for details to appear on the website.

Any person wishing to object to the application must file the objection in writing with reasons, within 30 days from the publication of the notice on the Department of Fisheries and Land Resources website, Crown Lands, <http://www.ma.gov.nl.ca/lands/index.html>, to the Minister of Fisheries and Land Resources by mail or email to the nearest Regional Lands Office:

- Eastern Regional Lands Office, P.O. Box 8700, Howley Building, Higgins Line, St. John's, NL, A1B 4J6 Email: easternlandsoffice@gov.nl.ca
- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9 Email: centrallandsoffice@gov.nl.ca
- Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8 Email: westernregionlands@gov.nl.ca
- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0 Email: labradorlandsoffice@gov.nl.ca

(DISCLAIMER: *The Newfoundland and Labrador Gazette* publishes a NOTICE OF INTENT as received from the Applicant and takes no responsibility for errors or omissions in the property being more particularly described.)

Mar. 25

TRUSTEE ACT

ESTATE NOTICE

IN THE MATTER OF the Estate of JEROME KELLY OSMOND, Businessman, Late of the town of Channel-Port aux Basques, Province of Newfoundland and Labrador, Canada, Deceased.

ALL PERSONS claiming to be creditors of, or who have any claims or demands either as beneficiaries or next-of-kin (by blood, legal adoption or marriage), upon or affecting the Estate of JEROME KELLY OSMOND, Businessman, Deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitors for the Executrix of the Estate of the said deceased on or before the 2nd day of May, 2022, after which date the said Executrix will proceed to distribute the said Estate having regard only to the claims to which she shall then have had notice.

DATED at the Town of Channel-Port aux Basques, Province of Newfoundland and Labrador, this 24th day of March, 2022.

MARKS & PARSONS
PER: M. Beverley L. Marks, Q.C.
Solicitors for the Executrix

ADDRESS FOR SERVICE:
P.O. Box 640
174 Caribou Road
Channel-Port aux Basques, NL
AOM ICO

Tel: (709) 695-7338/7341
Fax: (709) 6953944

Mar. 25



THE NEWFOUNDLAND AND LABRADOR GAZETTE

**PART II
SUBORDINATE LEGISLATION
FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT**

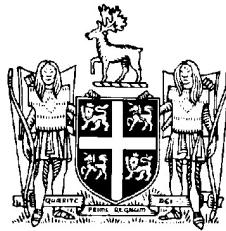
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ST. JOHN'S, FRIDAY, MARCH 25, 2022

No. 12

NEWFOUNDLAND AND LABRADOR REGULATIONS

**NLR 11/22
NLR 12/22
NLR 13/22**



NEWFOUNDLAND AND LABRADOR REGULATION 11/22

*Air Pollution Control Regulations, 2022
under the
Environmental Protection Act
(O.C. 2022-072)*

(Filed March 24, 2022)

Under the authority of section 111 of the *Environmental Protection Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, March 24, 2022.

Krista Quinlan
Clerk of the Executive Council

REGULATIONS

Analysis

1. Short title
2. Definitions
3. Air quality standards
4. Incineration prohibition
5. Good engineering stack height
6. Best available control technology
7. Sulphur dioxide emission cap
8. Administrative penalty
9. Performance testing facilities
10. Potential for air pollution
11. Burning prohibited
12. Sulphur limits on fuels
13. Residential wood combustion emissions
14. Non-portable aboveground storage tanks
15. Gasoline distribution networks
16. Gasoline volatility control
17. NOx standards for fossil fuel fired boilers and heaters
18. Monitoring and recording devices

19.	Manner of measurements, recording and analyses	Schedule B
20.	NLR 100/18 Amdt.	Schedule C
21.	Repeal	Schedule D

Schedule E

Schedule A

Short title **1.** These regulations may be cited as the *Air Pollution Control Regulations, 2022*.

Definitions

2. In these regulations

- (a) "Act" means the *Environmental Protection Act*;
- (b) "air" means the portion of the atmosphere which is external to buildings, structures or underground spaces;
- (c) "air contaminant" means any discharge, release, or other propagation into the air and includes dust, fumes, mist, smoke, particulate matter, vapours, gases, odorous substances, acids, soot, grime or any combination of them;
- (d) "air pollution" means the presence in air of an air contaminant or combination of air contaminants in excess of the maximum permissible standard, concentration or level as prescribed by these regulations or an approval issued under the Act;
- (e) "air quality management plan" means a plan developed by the minister to manage the level of air contaminants in an area, and may include a company specific air quality management plan approved by the minister;
- (f) "air zone" means a finite geographic area within the province that typically exhibits similar air quality issues and trends throughout;
- (g) "Canadian standard" means the Canadian Standards Association Code CAN/CSA-B415.1-10 (R2020), Performance Testing of Solid Fuel Burning Heating Appliances as amended from time to time;
- (h) "combustion process equipment" means a furnace, boiler, dryer, apparatus, stack and all appurtenances used in the

combustion process but does not include mobile internal combustion engines when used to provide propulsion;

- (i) "department" means the department presided over by the minister;
- (j) "emission" means an air contaminant emitted into the air;
- (k) "emission source" means any combustion process equipment, installation, machinery, appliance, equipment or tanks from which air contaminants may be discharged, released or propagated;
- (l) "facility" means any stationary property, real or personal, taken as a whole, which has an emission source;
- (m) "facility administrative boundary" means a boundary within which a standard does not apply;
- (n) "feed rate" means the mass or volume of a gaseous, liquid or solid material fed into a continuous or batch combustion process equipment per unit of time or per batch;
- (o) "fuel" means any fuel used directly or indirectly for heating, steam generation or electricity production, or for combustion in industrial processes;
- (p) "gasoline" means a liquid product of petroleum that has a flash point below 37.8° Celsius and is designed primarily for use in an internal combustion engine;
- (q) "good engineering stack height (GESH)" means the greater of
 - (i) 45 metres,
 - (ii) the height as calculated using the formula $GESH = H + 1.5L$ where H is the height of any nearby structure and L is the lesser of the height H or the greatest distance between 2 points of any nearby structure, as measured from the ground level elevation at the base of the stack, or

- (iii) the height demonstrated by a fluid model or approved field study which ensures that stack emissions do not result in air pollution resulting from atmospheric downwash or wakes created by the facility, nearby emission sources or terrain features;
- (r) "minister" means the minister appointed under the *Executive Council Act* to administer the Act;
- (s) "modified" means any addition or alteration to emission sources which may cause
 - (i) an increase in the release of an air contaminant, or
 - (ii) an emission of an air contaminant that was not previously emitted;
- (t) "nearby" means within the lesser of
 - (i) 800 metres, or
 - (ii) 5 times the lesser of
 - (A) the height of a structure, or
 - (B) the greatest distance between 2 points of a structure;
- (u) "operating service factor" means the ratio of hours during facility operation that a vapour control system is operating normally to the total operating hours of the facility;
- (v) "particulate matter" means a material, except water in an uncombined form, that is or has been airborne and exists as a liquid or a solid at reference conditions;
- (w) "point of impingement" includes a part or combination of those things referred to in subparagraphs (i) to (iii) upon which an air contaminant may impinge
 - (i) land and water,
 - (ii) plant and animal life, including human life, and

- (iii) a building, structure, machine or other device or thing made by humans;
- (x) "reference conditions" means a dry gas temperature of 25° Celsius and a gas pressure of 101.325 kilopascals;
- (y) "stack" means a chimney, flue, conduit or duct arranged to conduct an air contaminant into the air;
- (z) "sulphur content" means the amount of sulphur by weight as determined by standard methods;
- (aa) "used oil" means oil that, through use, storage or handling, can no longer be used for its original purpose; and
- (bb) "US EPA standard" means the Standards of Performance for New Residential Wood Heaters, Title 40, Part 60, Subpart AAA of the Code of Federal Regulations, published by the United States Environmental Protection Agency, as amended from time to time.

Air quality standards

- 3.** (1) The air quality standards prescribed in Schedule A shall be used to maintain air quality in the province.
- (2) The concentration of air contaminants due to all sources shall not exceed the standards prescribed in Schedule A.
- (3) For the purpose of determining compliance with the standards prescribed in Schedule A, the minister may do one or more of the following:
 - (a) specify a condition in an approval issued under Part XI of the Act;
 - (b) specify a facility administrative boundary in an approval issued under Part XI of the Act; and
 - (c) develop an air quality management plan specifying the provisions to reduce the level of air contaminants emitted by each facility identified in the plan, and the owner or operator of each facility shall

- (i) provide the minister with any information the minister may require regarding the development of an air quality management plan, including a company specific air quality management plan, and
- (ii) comply with the provisions of the plan within the time specified by the minister.

Incineration
prohibition

4. (1) An owner or operator shall not operate or permit the operation of incineration or pyrometric equipment having an in-stack concentration in excess of the standards prescribed in Schedule B.

(2) Notwithstanding subsection (1), an owner or operator may operate incineration or pyrometric equipment having an in-stack concentration in excess of the standards prescribed in Schedule B with the written approval of the minister.

Good engineering
stack height

5. (1) All new stack installations with annual releases in excess of 20 tonnes of either particulate matter or sulphur dioxide shall meet good engineering stack height.

(2) The calculated concentration of an air contaminant at a point of impingement shall be from good engineering stack height.

Best available
control technology

6. (1) An owner or operator who installs a new or modified emission source shall employ the best available control technology.

(2) Notwithstanding subsection (1), an owner or operator may install a new or modified emission source which does not comply with that subsection with the written approval of the minister.

(3) Notwithstanding subsection (1), best available control technology shall not apply to

- (a) routine maintenance, repair and parts replacement;
- (b) normal increases in production rates unless otherwise prohibited;
- (c) increases in hours of operation unless otherwise prohibited;
or
- (d) use of an alternative cleaner fuel or raw material.

(4) Best available control technology shall be acceptable to the department and shall, in that particular circumstance, be

- (a) the most effective emission control device or technique;
- (b) the most stringent emission control device or technique;
- (c) proven reliable in comparable processes; and
- (d) economically feasible as determined by the minister in light of industry standards after consultation with the particular owner or operator.

Sulphur dioxide emission cap

7. (1) There is established a provincial sulphur dioxide emission cap which shall be 60,000 tonnes per calendar year.

(2) The owner or operator of a facility which releases in excess of 20 tonnes of sulphur dioxide per calendar year in the aggregate, shall submit to the department an annual report on fuel usage, fuel sulphur content, fuel specific gravity and sulphur dioxide emissions, no later than June 1 of the following calendar year.

Administrative penalty

8. (1) For the purpose of environmental protection, the minister may, under the authority of section 106 of the Act, impose an administrative penalty prescribed in Schedule C against an owner or operator who emits an air contaminant.

(2) Administrative penalties imposed under this section shall be payable within 60 days of notification of the penalty by the department.

Performance testing facilities

9. (1) The owner or operator of an emission source shall provide the following performance testing facilities:

- (a) sampling ports adequate for testing devices and applicable methods;
- (b) safe sampling platforms;
- (c) safe access to sampling platforms; and
- (d) utilities for sampling and testing devices.

(2) Notwithstanding subsection (1), the minister may exempt an owner or operator of an emission source from providing the performance testing facilities referred to in subsection (1).

Potential for air pollution

10. (1) Where a facility has the potential for air pollution as a result of an unanticipated failure to operate in the normal manner due to an accident, emergency or urgent situation, a change in operating conditions, or a shut-down of a pollution control device, the owner or operator of the facility shall

- (a) take immediate remedial action to reduce any emissions;
- (b) provide the department with the particulars of the failure, change or shutdown as soon as it is practicable; and
- (c) provide the department in writing with the particulars of the remedial action taken under paragraph (a) within 30 days of the failure.

(2) Where the minister considers an emission by a facility to be a nuisance, the owner or operator of that facility shall

- (a) investigate to determine the nature of the emission; and
- (b) provide the minister with a remediation plan.

(3) The minister may approve the plan required under paragraph 2(b) subject to any changes the minister may require and an owner or operator shall comply with the approved plan.

(4) Notwithstanding section 3, the minister may, under the authority of section 105 of the Act, enter into a compliance agreement with the owner or operator in writing regarding a situation contemplated by subsection (1), authorizing the continuance of the operation for the period of time as the minister considers reasonable.

Burning prohibited

11. (1) A person shall not burn or permit the burning of any material listed in Schedule D in a fire.

(2) Notwithstanding subsection (1), the minister may allow a person to burn or permit the burning of any material listed in Schedule D in a fire where the burning of the material is recommended by the Office of the Fire Commissioner.

(3) Notwithstanding subsection (1), a person may burn or permit the burning of a material listed in Schedule D in combustion process equipment where

- (a) the specifications of the combustion process equipment confirms that the design and intended use of the combustion process equipment is suitable for the burning of the material;
- (b) the feed rate does not exceed the feed rate of the combustion process equipment as specified by the manufacturer; and
- (c) the combustion process equipment has the combustion control and emission control devices required by the minister.

(4) Notwithstanding subsection (3), the minister may require a person who intends to burn or permit the burning of a material listed in Schedule D in combustion process equipment that satisfies the requirements in subsection (3) to obtain the written approval of the minister before burning or permitting the burning of the material.

Sulphur limits on
fuels

12. (1) Where an emission source does not employ best available control technology, a person shall not burn or permit the burning of any fuel, grade numbers 4, 5 or 6 that contains

- (a) a sulphur content in excess of 2.2%; or
- (b) a sulphur content in excess of 2.0% on an annual basis, as calculated by the following formula:

$$\%S_a = \frac{\sum_{i=1}^n (S_i)(V_i)}{\sum_{i=1}^n (V_i)}$$

where

$\%S_a$ = annual sulphur content, expressed as %;

i = each individual shipment of fuel;

n = number of shipments of fuel during a calendar year;

S_i = sulphur content of each shipment of fuel, expressed as %; and

V_i = volume of each shipment of fuel;

(2) Where an emission source employs best available control technology, a person shall not burn or permit the burning of any fuel, grade numbers 4, 5 or 6 that contains

- (a) a sulphur content in excess of 3.0%; or
- (b) a sulphur content in excess of 2.0% on an annual basis, as calculated by the following formula:

$$\%S_a = \frac{(SO_2)(100000)}{(1.9579)(V_t)}$$

where

$\%S_a$ = annual sulphur content, expressed as %;

SO_2 = annual sulphur dioxide emissions in tonnes; and

V_t = annual volume of fuel in litres.

Residential wood
combustion
emissions

13. (1) A person shall not sell or permit the selling of a residential woodstove, fireplace insert or factory built fireplace which may emit particulate matter into the air in excess of

- (a) the emission requirements of the Canadian standard; or
- (b) the emission requirements of the US EPA standard.

(2) The emission requirements under subsection (1) shall be determined by the test methods and procedures contained in the applicable standard.

(3) Each unit sold under subsection (1) shall have a readily visible, permanently affixed manufacturer's label which

- (a) conforms to the labelling requirements in the applicable standard; and
- (b) indicates that the unit conforms to the particulate matter emission requirements of the applicable standard.

Non-portable
aboveground
storage tanks

14. (1) All non-portable aboveground storage tanks with a volume greater than 4 m³ and storing a volatile organic liquid with a vapour pressure greater than 10 kPa at 21.1° Celsius shall comply with the provisions of the CCME guidelines "Environmental Guidelines for Controlling Emissions of Volatile Organic Compounds from Aboveground Storage Tanks, PN 1180" including any amendments to those guidelines.

(2) The owner or operator of a facility to which subsection (1) applies shall, in respect of each calendar year, provide all records required for reporting under Part 7 of the guidelines referred to in subsection (1), by February 28 of the following calendar year.

Gasoline
distribution
networks

15. (1) All persons engaged in the gasoline distribution network shall comply with the vapour balancing, recovery and control requirements of the CCME guidelines "Environmental Code of Practice for Vapour Recovery in Gasoline Distribution Networks, PN 1057" including any amendments to those guidelines.

(2) Subsection (1) shall not apply to

- (a) terminals with an annual gasoline throughput less than 25 million litres;
- (b) bulk plants with an annual gasoline throughput less than 4.5 million litres;
- (c) service stations with an annual gasoline throughput less than one million litres;
- (d) cargo tank trucks with a capacity less than 21,000 litres; or
- (e) ships and barges.

(3) Notwithstanding that the guidelines referred to in subsection (1) require a terminal to have a minimum operating service factor of greater than 95% during a calendar year, a terminal may have an operating service factor of 95% or less during a 365 day period where

- (a) the minister determines that the terminal owner or operator has used due diligence in keeping the terminal's vapour control system operative;

(b) the terminal owner or operator develops a plan to achieve an operating service factor greater than 95% for the terminal and submits the plan to the minister; and

(c) the minister approves the plan as submitted or with any changes the minister determines necessary and the terminal owner or operator complies with the plan.

(4) The owner or operator of a facility to which subsection (1) applies shall, in respect of each calendar year, provide all records required under Parts 3, 4, 5, and 6 of the guidelines referred to in subsection (1), by February 28 of the following calendar year.

Gasoline volatility control

16. (1) Gasoline intended for use in the province as a fuel for motor vehicles shall conform to the requirements in the Canadian General Standards Board National Standard of Canada for Automotive Gasoline CAN/CGSB-3.5-2021 as amended from time to time.

(2) An owner or operator of a refinery and an importer of gasoline into the province shall submit to the minister a report for each calendar year by March 31 in the calendar year immediately following.

(3) The report referred to in subsection (2) shall indicate

(a) the quantity and the vapour pressure of gasoline refined, shipped or otherwise intended for use in this province; and

(b) other information the minister may require.

NOx standards for fossil fuel fired boilers and heaters

17. All new and modified fossil fuel fired boilers and heaters, with a nameplate capacity equal to or greater than 10.5 GJ/hr, shall not exceed the emission standards prescribed in Schedule E.

Monitoring and recording devices

18. The minister may require the installation of the following:

(a) devices which are necessary to record the throughput and operation of process, combustion or control equipment; and

(b) monitoring and recording devices which are necessary to measure and record concentrations of air contaminants and flow at their origin and at point of impingement.

Manner of
measurements,
recording and
analyses

19. All measurements, recordings and analysis conducted under these regulations shall be

- (a) performed at locations and by devices and methods acceptable to the department; and
- (b) made readily accessible to the department in a time and manner acceptable to the department.

NLR 100/18 Amdt.

20. Subsection 5(2) of the *Used Oil and Used Glycol Control Regulations* is repealed and the following substituted:

(2) A person shall not use used oil as a fuel or otherwise combust used oil in a furnace, boiler, burner or other combustor unless the furnace, boiler, burner or other combustor complies with the *Air Pollution Control Regulations, 2022*.

Repeal

21. (1) The *Air Pollution Control Regulations, 2004*, Newfoundland and Labrador Regulation 39/04, are repealed.

(2) The *Gasoline Volatility Control Regulations, 2003*, Newfoundland and Labrador Regulation 62/03, are repealed.

Schedule A

Table I: Air Quality Standards

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Name of Contaminant	Contaminant Code or CAS No.	Unit of Concentration	Concentration	Period of Time	Additional Notes
1	Ammonia	7664-41-7	Parts per billion	144	24 hour	
2	Arsenic	7440-38-2	Total micrograms of arsenic in free and combined form per cubic metre of air	0.3	24 hour	
3	Asbestos (greater than 5 microns in length)	1332-21-4	Fibres per cubic centimetre of air	0.04	24 hour	
4	Cadmium	7440-43-9	Total micrograms of cadmium in free and combined form per cubic metre of air	2	24 hour	
5	Carbon monoxide	630-08-0	Parts per billion	30582 13107	1 hour 8 hour	
6	Copper	7440-50-8	Total micrograms of copper in free and combined form per cubic metre of air	50	24 hour	
7	Hydrogen sulphide	7783-06-4	Parts per billion	11 4	1 hour 24 hour	
8	Lead	7439-92-1	Total micrograms of lead in free and combined form per cubic metre of air	2	24 hour	
9	Mercury	7439-97-6	Total micrograms of mercury in free and combined form per cubic metre of air	2	24 hour	

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Name of Contaminant	Contaminant Code or CAS No.	Unit of Concentration	Concentration	Period of Time	Additional Notes
10	Nickel	7440-02-0	Total micrograms of nickel in free and combined form per cubic metre of air	2	24 hour	
11	Nitrogen dioxide	10102-44-0	Parts per billion	213 106 53	1 hour 24 hour 1 year	(1)
12	Particulate matter (less than 2.5 microns)		Micrograms per cubic metre of air	25 8.8	24 hour 1 year	(4) (1) (4)
13	Particulate matter (less than 10 microns)		Micrograms per cubic metre of air	50	24 hour	
14	Particulate matter (total)		Micrograms per cubic metre of air	120 60	24 hour 1 year	(2)
15	Polychlorinated biphenyls (PCBs)	1336-36-3	Micrograms per cubic metre of air	0.15 0.035	24 hour 1 year	(1)
16	Polychlorinated dibenzo-p-dioxins (PCDDs) & polychlorinated dibenzo furans (PCDFs)(I-TEQ)		Picograms (I-TEQ) per cubic metre of air	5	24 hour	(3)
17	Sulphur dioxide	7446-09-5	Parts per billion	344 229 115 23	1 hour 3 hour 24 hour 1 year	(1)

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Name of Contaminant	Contaminant Code or CAS No.	Unit of Concentration	Concentration	Period of Time	Additional Notes
18	Vanadium	7440-62-2	Total micrograms of vanadium in free and combined form per cubic metre of air	2	24 hour	
19	Zinc	7440-66-6	Micrograms per cubic metre of air	120	24 hour	

(1) The arithmetic average over a single calendar year of all 1 hour average concentrations in the year.

(2) The geometric average over a single calendar year of all 1 hour average concentrations in the year.

(3) The International Total Equivalent Quotient (I-TEQ) concentration of PCDDs and PCDFs is determined by multiplying the concentration of each congener listed in Column 1 of Table III by the corresponding toxicity factor set out in Column 2 of that item and by adding the products of them.

(4) At reference conditions.

Table II: Air Quality Standards for Air Zone Management

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Name of Contaminant	Contaminant Code or CAS No.	Unit of Concentration	Concentration	Period of Time	Additional Notes
1	Nitrogen dioxide	10102-44-0	Parts per billion	60 17	1 hour 1 year	(2) (1) This item number effective until December 31, 2024

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Name of Contaminant	Contaminant Code or CAS No.	Unit of Concentration	Concentration	Period of Time	Additional Notes
2	Nitrogen dioxide	10102-44-0	Parts per billion	42 12	1 hour 1 year	(2) (1) This item number effective January 1, 2025
3	Ozone	10028-15-6	Parts per billion	82 44	1 hour 8 hour	
4	Particulate matter (less than 2.5 microns)		Micrograms per cubic metre of air	25 8.8	24 hour 1 year	(4) (1) (4)
5	Sulphur dioxide	7446-09-5	Parts per billion	70 5	1 hour 1 year	(3) (1) This item number effective until December 31, 2024
6	Sulphur dioxide	7446-09-5	Parts per billion	65 4	1 hour 1 year	(3) (1) This item number effective January 1, 2025

(1) The arithmetic average over a single calendar year of all 1 hour average concentrations in the year.

(2) The 3 year average of the annual 98th percentile of the NO₂ daily maximum 1 hour average concentrations.

(3) The 3 year average of the annual 99th percentile of the SO₂ daily maximum 1 hour average concentrations.

(4) At reference conditions.

TABLE III: Dioxins and Furans International Total Equivalent Quotient (I-TEQ)

ITEM	COLUMN 1	COLUMN 2
	Congener	Toxicity Factor
1	2,3,7,8-T4CDD	1
2	1,2,3,7,8-P5CDD	0.5
3	1,2,3,4,7,8-H6CDD	0.1
4	1,2,3,6,7,8-H6CDD	0.1
5	1,2,3,7,8,9-H6CDD	0.1
6	1,2,3,4,6,7,8-H7CDD	0.01
7	OCDD	0.001
8	2,3,7,8-T4CDF	0.1
9	1,2,3,7,8-P5CDF	0.05
10	2,3,4,7,8-P5CDF	0.5
11	1,2,3,4,7,8-H6CDF	0.1
12	1,2,3,6,7,8-H6CDF	0.1
13	1,2,3,7,8,9-H6CDF	0.1
14	2,3,4,6,7,8-H6CDF	0.1
15	1,2,3,4,6,7,8-H7CDF	0.01
16	1,2,3,4,7,8,9-H7CDF	0.01
17	OCDF	0.001

Schedule B

In-Stack Standards for Incineration and Pyrolysis

Facility Type	Mercury (1)	Polychlorinated dibenzo-p-dioxins (PCDDs) & poly-chlorinated dibenzofurans (PCDFs) (1) (2)
Municipal Waste Incineration	20 $\mu\text{g}/\text{m}^3$	80 pg I-TEQ/ m^3
Medical Waste Incineration	20 $\mu\text{g}/\text{m}^3$	80 pg I-TEQ/ m^3
Hazardous Waste Incineration	50 $\mu\text{g}/\text{m}^3$	80 pg I-TEQ/ m^3
Sewage Sludge Incineration	70 $\mu\text{g}/\text{m}^3$	80 pg I-TEQ/ m^3

(1) at reference conditions, dry gas basis, corrected to 11% oxygen by volume

Where

(a) ($\mu\text{g}/\text{m}^3$) = micrograms per cubic metre; and

(b) (pg I-TEQ/ m^3) = International Total Equivalent Quotient picograms per cubic metre

(2) The International Total Equivalent Quotient (I-TEQ) concentration of PCDDs and PCDFs is determined by multiplying the concentration of each congener listed in Column 1 of Table III of Schedule A by the corresponding toxicity factor set out in Column 2 of that item and by adding the products of them.

Schedule C**Administrative Penalties for
Emissions Exceedences**

Air Contaminant	Maximum Allowable Annual Emission Without Administrative Penalty	Administrative Penalty
Ammonia	10 tonnes	\$2 / tonne
Nickel	10 tonnes	\$2 / tonne
Vanadium	10 tonnes	\$2 / tonne
Carbon Monoxide	20 tonnes	\$2 / tonne
Nitrogen Oxides	20 tonnes	\$2 / tonne
Particulate Matter (total)	20 tonnes	\$2 / tonne
Sulphur Dioxide	20 tonnes	\$2 / tonne
Arsenic	50 kilograms	\$2 / kilogram
Lead	50 kilograms	\$2 / kilogram
Cadmium	5 kilograms	\$2 / kilogram
Mercury	5 kilograms	\$2 / kilogram
Polychlorinated dibenzo-p-dioxins (PCDDs) & polychlorinated dibenzofurans (PCDFs)(TEQ)	1000 milligrams TEQ	\$2 / milligram TEQ

Schedule D

Materials Prohibited from Burning in a Fire

(a) tires	(k) manure
(b) plastics	(l) rubber
(c) treated lumber	(m) tar paper
(d) asphalt and asphalt products	(n) railway ties
(e) drywall	(o) paint and paint products
(f) demolition waste	(p) fuel and lubricant containers
(g) hazardous waste	(q) used oil
(h) biomedical waste	(r) animal cadavers
(i) domestic waste	(s) hazardous substances
(j) trash, garbage, or other waste from commercial, industrial or municipal operations	(t) materials disposed of as part of the removal or decontamination of equipment, buildings or other structures

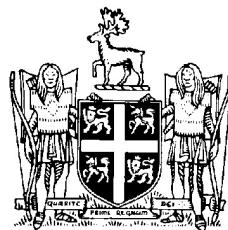
Schedule EEmission Standards for NO_x

Capacity (GJ / hr)	NO _x Emission Limit (g / GJ)		
	Gaseous Fuel	Distillate Oil	Residual Oil
10.5 - 105	26	40	90
> 105	40	50	90

Where:

- (a) (GJ/hr)= gigajoules/hour
- (b) (g/GJ)- grams per gigajoule.

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NEWFOUNDLAND AND LABRADOR REGULATION 12/22

Mineral Regulations (Amendment)
under the
Mineral Act

(Filed March 24, 2022)

Under the authority of section 41.1 of the *Mineral Act*, I make the following regulations.

Dated at St. John's, March 11, 2022.

Andrew Parsons, Q.C.
Minister of Industry, Energy and Technology

REGULATIONS

Analysis

1. Sch. A Amdt.

1. (1) Paragraph LLLL of Schedule A of the *Mineral Regulations* is repealed.

(2) Schedule A of the regulations is amended by adding immediately after paragraph OOOO the following:

PPPP. All that piece or parcel of land and land under water situate and being in the general area of Beaver Brook in the province and being described as follows:

Beginning at a point having UTM coordinates of 5,399,000 metres north, 635,000 metres east;

Then south 1,500 metres;

Then west 500 metres;

Then south 500 metres;

Then west 500 metres;

Then south 500 metres;

Then west 1,000 metres;

Then south 1,000 metres;

Then west 2,000 metres;

Then south 1,500 metres;

Then west 3,500 metres;

Then north 1,000 metres;

Then east 500 metres;

Then north 1,000 metres;

Then east 2,500 metres;

Then north 2,500 metres;

Then east 3,000 metres;

Then north 500 metres;

Then east 1,500 metres to the point of beginning.

All bearings are referred to the UTM Grid Zone 21, NAD 27.

QQQQ. All that piece or parcel of land and land under water situate and being in the general area of Glover Island in the province and being described as follows:

Beginning at a point having UTM coordinates of 5,399,000 metres north, 446,500 metres east;

Then south 500 metres;

Then east 500 metres;

Then south 500 metres;

Then west 1,000 metres;

Then south 1,500 metres;

Then west 500 metres;

Then north 500 metres;

Then west 500 metres;

Then south 1,500 metres;

Then west 1,000 metres;

Then south 500 metres;

Then west 500 metres;

Then south 500 metres;

Then west 1,500 metres;

Then south 500 metres;

Then west 1,000 metres;

Then south 1,000 metres;

Then west 1,000 metres;

Then north 1,500 metres;

Then west 500 metres;

Then north 1,500 metres;

Then east 1,000 metres;

Then north 500 metres;

Then east 2,000 metres;

Then north 2,000 metres;

Then east 2,500 metres;

Then north 500 metres;

Then east 1,500 metres to the point of beginning.

All bearings are referred to the UTM Grid Zone 21, NAD 27.

RRRR. All that piece or parcel of land and land under water situate and being in the general area of Grey River in the province and being described as follows:

Beginning at point having UTM coordinates of 5,275,000 metres north, 493,000 metres east;

Then south 500 metres;

Then east 500 metres;

Then south 1,000 metres;

Then east 1,000 metres;

Then south 500 metres;

Then west 500 metres;

Then south 1,000 metres;

Then west 500 metres;

Then north 500 metres;

Then west 500 metres;

Then south 500 metres;

Then west 1,000 metres;

Then south 1,000 metres;

Then west 1,000 metres;

Then north 1,500 metres;

Then west 2,000 metres;

Then north 1,000 metres;

Then east 2,000 metres;

Then north 1,500 metres;

Then east 2,000 metres to the point of beginning.

All bearings are referred to the UTM Grid Zone 21, NAD 27.

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NEWFOUNDLAND AND LABRADOR REGULATION 13/22

Notice of Protected Water Supply Area of Steady Cove Pond, WS-S-0185, Municipality of Comfort Cove-Newstead under the Water Resources Act

(Filed March 24, 2022)

Under the authority of section 39 of the *Water Resources Act*, I designate the area generally known as the Steady Cove Pond Water Supply Area, WS-S-0185, for the Municipality of Comfort Cove-Newstead as a protected water supply area.

Dated at St. John's, March 18, 2022.

Bernard Davis
Minister of Environment and Climate Change

NOTICE

This area includes all lands in the Provincial Electoral District of Lewisporte – Twillingate abutted and bounded as follows:

Beginning at a point having scaled UTM coordinates of easting 654,627 and northing 5,470,851;

Then running in a southwesterly direction for a distance of 256 metres, more or less, to a point having scaled UTM coordinates of easting 654,437 metres and northing 5,470,680 metres;

Then running in a westerly direction for a distance of 231 metres, more or less, to a point having scaled UTM coordinates of easting 654,209 metres and northing 5,470,642 metres;

Then running in a northwesterly direction for a distance of 324 metres, more or less, to a point having scaled UTM coordinates of easting 653,962 metres and northing 5,470,851 metres;

Then running in a southwesterly direction for a distance of 137 metres, more or less, to a point having scaled UTM coordinates of easting 653,886 metres and northing 5,470,737 metres;

Then running in a westerly direction for a distance of 133 metres, more or less, to a point having scaled UTM coordinates of easting 653,753 metres and northing 5,470,737 metres;

Then running in a westerly direction for a distance of 240 metres, more or less, to a point having scaled UTM coordinates of easting 653,525 metres and northing 5,470,813 metres;

Then running in a westerly direction for a distance of 228 metres, more or less, to a point having scaled UTM coordinates of easting 653,297 metres and northing 5,470,813 metres;

Then running in a southwesterly direction for a distance of 235 metres, more or less, to a point having scaled UTM coordinates of easting 653,157 metres and northing 5,470,624 metres;

Then running in a northwesterly direction for a distance of 90 metres, more or less, to a point having scaled UTM coordinates of easting 653,107 metres and northing 5,470,699 metres;

Then running in a northerly direction for a distance of 78 metres, more or less, to a point having scaled UTM coordinates of easting 653,088 metres and northing 5,470,775 metres;

Then running in a northerly direction for a distance of 235 metres, more or less, to a point having scaled UTM coordinates of easting 653,145 metres and northing 5,471,003 metres;

Then running in a northeasterly direction for a distance of 81 metres, more or less, to a point having scaled UTM coordinates of easting 653,202 metres and northing 5,471,060 metres;

Then running in an easterly direction for a distance of 217 metres, more or less, to a point having scaled UTM coordinates of easting 653,411 metres and northing 5,471,117 metres;

Then running in an easterly direction for a distance of 76 metres, more or less, to a point having scaled UTM coordinates of easting 653,487 metres and northing 5,471,117 metres;

Then running in an easterly direction for a distance of 222 metres, more or less, to a point having scaled UTM coordinates of easting 653,696 metres and northing 5,471,041 metres;

Then running in a northerly direction for a distance of 195 metres, more or less, to a point having scaled UTM coordinates of easting 653,680 metres and northing 5,471,235 metres;

Then running in a northeasterly direction for a distance of 165 metres, more or less, to a point having scaled UTM coordinates of easting 653,753 metres and northing 5,471,383 metres;

Then running in a northwesterly direction for a distance of 199 metres, more or less, to a point having scaled UTM coordinates of easting 653,610 metres and northing 5,471,522 metres;

Then running in a northerly direction for a distance of 149 metres, more or less, to a point having scaled UTM coordinates of easting 653,629 metres and northing 5,471,670 metres;

Then running in a northerly direction for a distance of 107 metres, more or less, to a point having scaled UTM coordinates of easting 653,669 metres and northing 5,471,769 metres;

Then running in a northeasterly direction for a distance of 164 metres, more or less, to a point having scaled UTM coordinates of easting 653,793 metres and northing 5,471,877 metres;

Then running in a northerly direction for a distance of 348 metres, more or less, to a point having scaled UTM coordinates of easting 653,770 metres and northing 5,472,224 metres;

Then running in a northerly direction for a distance of 248 metres, more or less, to a point having scaled UTM coordinates of easting 653,715 metres and northing 5,472,466 metres;

Then running in a northeasterly direction for a distance of 440 metres, more or less, to a point having scaled UTM coordinates of easting 653,944 metres and northing 5,472,842 metres;

Then running in a southeasterly direction for a distance of 260 metres, more or less, to a point having scaled UTM coordinates of easting 654,079 metres and northing 5,472,620 metres;

Then running in an easterly direction for a distance of 100 metres, more or less, to a point having scaled UTM coordinates of easting 654,179 metres and northing 5,472,618 metres;

Then running in a northeasterly direction for a distance of 100 metres, more or less, to a point having scaled UTM coordinates of easting 654,247 metres and northing 5,472,691 metres;

Then running in an easterly direction for a distance of 115 metres, more or less, to a point having scaled UTM coordinates of easting 654,355 metres and northing 5,472,730 metres;

Then running in a southeasterly direction for a distance of 108 metres, more or less, to a point having scaled UTM coordinates of easting 654,453 metres and northing 5,472,684 metres;

Then running in a southerly direction for a distance of 193 metres, more or less, to a point having scaled UTM coordinates of easting 654,450 metres and northing 5,472,491 metres;

Then running in a southerly direction for a distance of 626 metres, more or less, to a point having scaled UTM coordinates of easting 654,646 metres and northing 5,471,896 metres;

Then running in a southeasterly direction for a distance of 205 metres, more or less, to a point having scaled UTM coordinates of easting 654,809 metres and northing 5,471,772 metres;

Then running in a southwesterly direction for a distance of 216 metres, more or less, to a point having scaled UTM coordinates of easting 654,646 metres and northing 5,471,630 metres;

Then running in a southerly direction for a distance of 134 metres, more or less, to a point having scaled UTM coordinates of easting 654,665 metres and northing 5,471,497 metres;

Then running in a southerly direction for a distance of 105 metres, more or less, to a point having scaled UTM coordinates of easting 654,662 metres and northing 5,471,392 metres;

Then running in a southwesterly direction for a distance of 55 metres, more or less, to a point having scaled UTM coordinates of easting 654,637 metres and northing 5,471,343 metres;

Then running in a southeasterly direction for a distance of 51 metres, more or less, to a point having scaled UTM coordinates of easting 654,663 metres and northing 5,471,299 metres;

Then running in a southerly direction for a distance of 449 metres, more or less, to the point of commencement.

All coordinates refer Zone 21 of the NAD 83 Universal Transverse Mercator Projection.

The *Notice of Protected Water Supply Area, Consolidated Newfoundland and Labrador Regulation 710/96*, is repealed.

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PART II CONTINUING INDEX OF SUBORDINATE LEGISLATION

Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	NL Gazette Date & Page No.
Environmental Protection Act			
Air Pollution Control Regulations, 2022	NLR 11/22	R&S NLR 39/04 & NLR 62/03	Mar. 25/22 p. 75
Mineral Act			
Mineral Regulations (Amendment)	NLR 12/22	Amends CNLR 1143/96 Sch. A Amdt.	Mar. 25/22 p. 97
Water Resources Act			
Notice of Protected Water Supply Area of Steady Cove Pond, WS-S-0185, Municipality of Comfort Cove-Newstead	NLR 13/22	R&S CNLR 710/96	Mar. 25/22 p. 103

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