

APPENDIX

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT APPLICATION FEES ORDER

1. In this order:
 - a. unless otherwise stated, the definitions included in the *Environmental Protection and Enhancement Act*, RSA 2000, c. E-12, as amended from time to time, and the *Activities Designation Regulation*, AR 276/2003, as amended from time to time, are adopted; and,
 - b. “EPEA” means the *Environmental Protection and Enhancement Act*, RSA 2000, c. E-12, as amended from time to time.
2. This order does not apply to:
 - a. a local authority,
 - b. the Government or a Government agency, or
 - c. an application for a reclamation certificate by the Orphan Well Association.
3. In this order,
 - a. “application for an approval” means an application in accordance with s. 66(1) of EPEA where no approval was previously held for the activity or activities;
 - b. “application for renewal of an approval” means an application in accordance with s. 66(1) of EPEA where an approval was previously held for the activity or activities;
 - c. “application for an amendment to an approval” means an application in accordance with s. 70(1)(a) and 70(2) of EPEA where an approval was previously held for the activity or activities;
 - d. “application for a reclamation certificate” means an application in accordance with s. 138(1) of EPEA, but does not include an application by a person who holds a valid approval in relation to the land for which the certificate has been applied for; and,
 - e. “application for a remediation certificate” means an application in accordance with s. 117(3) of EPEA.
4. Where a person makes an application for an approval, an application for a renewal of an approval, an application for an amendment to an approval, an application for a reclamation certificate or an application for a remediation certificate, the person shall include with the application a fee as prescribed in the attached Schedule.
5. The fee will be forwarded to the Director, but will be made payable to the Minister of Finance.

6. Where an application is submitted without the application fee, the application shall not be processed.
7. Where an application is submitted for an approval, an application for a renewal of an approval, or an application for an amendment to an approval for an activity that does not appear in the attached Schedule, no fee is payable.
8.
 - a. In the event that an application could properly fall into more than one of the activities described in the Schedule attached to this order, the Director shall make a determination as to which activity described in this order the application primarily relates and the Director's determination shall be final and binding upon the person who submits the application.
 - b. Where the Director makes such a determination, the person submitting the application shall pay the appropriate fee in accordance with this order.
9. The Minister reserves the right to amend this order from time to time.

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT
APPLICATION FEES ORDER

SCHEDULE

PART I

**Activities in Division 1 of Schedule 1
to the *Activities Designation Regulation* (AR 276/2003 as amended or replaced)**

Where an application is made in relation to:

1. a fixed facility which treats waste by physical, chemical, biological or thermal means other than incineration, a fee is payable in accordance with Category 4;
2. a fixed facility which treats waste by incineration, a fee is payable in accordance with Category 3;
3. a mobile incinerator, a fee is payable in accordance with Category 3;
4. a facility for the collection and processing of waste or recyclables to produce fuel, a fee is payable in accordance with Category 4;
5. a facility for the storage of hazardous recyclables, a fee is payable in accordance with Category 4;
6. a facility for the storage of hazardous waste, a fee is payable in accordance with Category 4;
7. a fixed facility for processing hazardous recyclables, a fee is payable in accordance with Category 4;
8. a landfill, a fee is payable in accordance with Category 3; and
9. a facility for cleaning empty containers, a fee is payable in accordance with Category 4;

PART II

**Activities in Division 2 of Schedule 1
to the *Activities Designation Regulation* (AR 276/2003 as amended or replaced)**

Where an application is made in relation to:

1. a. a chemical manufacturing plant that has the capacity to manufacture organic or inorganic chemicals, or both, in an amount greater than 2860 tonnes per day, a fee is payable in accordance with Category 1;

- b. a chemical manufacturing plant that has the capacity to manufacture organic or inorganic chemicals, or both, in an amount greater than 286 tonnes per day, but less than or equal to 2860 tonnes per day, a fee is payable in accordance with Category 2;
 - c. a chemical manufacturing plant that has the capacity to manufacture organic or inorganic chemicals, or both, in an amount greater than 14 tonnes per day, but less than or equal to 286 tonnes per day, a fee is payable in accordance with Category 3;
 - d. a chemical manufacturing plant that has the capacity to manufacture organic or inorganic chemicals, or both, in an amount less than or equal to 14 tonnes per day, a fee is payable in accordance with Category 4;
2. a chemical storage facility, a fee is payable in accordance with Category 4;
3.
 - a. a sulphur manufacturing or processing plant that has the capacity to manufacture or process compounds containing elemental sulphur in an amount greater than 50,000 tonnes per day, a fee is payable in accordance with Category 3;
 - b. a sulphur manufacturing or processing plant that has the capacity to manufacture or process compounds containing elemental sulphur in an amount less than or equal to 50,000 tonnes per day, a fee is payable in accordance with Category 4;
4.
 - a. a sulphur storage facility that has the capacity to store sulphur in an amount greater than 5000 tonnes, a fee is payable in accordance with Category 2;
 - b. a sulphur storage facility that has the capacity to store sulphur in an amount greater than 500 tonnes and less than or equal to 5000 tonnes, a fee is payable in accordance with Category 3;
 - c. a sulphur storage facility that has the capacity to store sulphur in an amount less than or equal to 500 tonnes, a fee is payable in accordance with Category 4;
5.
 - a. a fertilizer manufacturing plant that has the capacity to manufacture fertilizer in an amount greater than 2860 tonnes per day, a fee is payable in accordance with Category 1;
 - b. a fertilizer manufacturing plant that has the capacity to manufacture fertilizer in an amount greater than 286 tonnes per day and less than or equal to 2860 tonnes per day, a fee is payable in accordance with Category 2;
 - c. a fertilizer manufacturing plant that has the capacity to manufacture fertilizer in an amount greater than 14 tonnes per day and less than or equal to 286 tonnes per day, a fee is payable in accordance with Category 3;
 - d. a fertilizer manufacturing plant that has the capacity to manufacture fertilizer in an amount less than or equal to 14 tonnes per day, a fee is payable in accordance with Category 4;
6. a fertilizer storage facility, a fee is payable in accordance with Category 4;

7.
 - a. an explosives manufacturing plant that has the capacity to manufacture explosives in an amount greater than 286 tonnes per day, a fee is payable in accordance with Category 2;
 - b. an explosives manufacturing plant that has the capacity to manufacture explosives in an amount greater than 14 tonnes per day and less than or equal to 286 tonnes per day, a fee is payable in accordance with Category 3;
 - c. an explosives manufacturing plant that has the capacity to manufacture explosives in an amount less than or equal to 14 tonnes per day, a fee is payable in accordance with Category 4;
8.
 - a. a pesticide manufacturing plant that has the capacity to manufacture pesticides in an amount greater than 2860 tonnes per day, a fee is payable in accordance with Category 1;
 - b. a pesticide manufacturing plant that has the capacity to manufacture pesticides in an amount greater than 286 tonnes per day and less than or equal to 2860 tonnes per day, a fee is payable in accordance with Category 2;
 - c. a pesticide manufacturing plant that has the capacity to manufacture pesticides in an amount greater than 14 tonnes per day and less than or equal to 286 tonnes per day, a fee is payable in accordance with Category 3;
 - d. a pesticide manufacturing plant that has the capacity to manufacture pesticides in an amount less than or equal to 14 tonnes per day, a fee is payable in accordance with Category 4;
9.
 - a. a petrochemical manufacturing plant that has the capacity to produce organic chemical substances from petroleum-based materials in an amount greater than 2860 tonnes per day, a fee is payable in accordance with Category 1;
 - b. a petrochemical manufacturing plant that has the capacity to produce organic chemical substances from petroleum-based materials in an amount greater than 286 tonnes per day and less than or equal to 2860 tonnes per day, a fee is payable in accordance with Category 2;
 - c. a petrochemical manufacturing plant that has the capacity to produce organic chemical substances from petroleum-based materials in an amount greater than 14 tonnes per day and less than or equal to 286 tonnes per day, a fee is payable in accordance with Category 3;
 - d. a petrochemical manufacturing plant that has the capacity to produce organic chemical substances from petroleum-based materials in an amount less than or equal to 14 tonnes per day, a fee is payable in accordance with Category 4;
10. a coke or carbon manufacturing plant, a fee is payable in accordance with Category 3;
11. a. a brine processing plant that has the capacity to produce or process brine products in an amount greater than 2860 tonnes per day, a fee is payable in accordance with Category 1;

- b. a brine processing plant that has the capacity to produce or process brine products in an amount greater than 286 tonnes per day and less than or equal to 2860 tonnes per day, a fee is payable in accordance with Category 2;
 - c. a brine processing plant that has the capacity to produce or process brine products in an amount greater than 14 tonnes per day and less than or equal to 286 tonnes per day, a fee is payable in accordance with Category 3;
 - d. a brine processing plant that has the capacity to produce or process brine products in an amount less than or equal to 14 tonnes per day, a fee is payable in accordance with Category 4;
12. a building products manufacturing plant, a fee is payable in accordance with Category 3;
13. an insulation manufacturing plant, a fee is payable in accordance with Category 3;
14. a. a cement plant that has the capacity to manufacture Portland cement in an amount greater than 2000 tonnes per day, a fee is payable in accordance with Category 1;
- b. a cement plant that has the capacity to manufacture Portland cement in an amount greater than 500 tonnes per day and less than or equal to 2000 tonnes per day, a fee is payable in accordance with Category 2;
- c. a cement plant that has the capacity to manufacture Portland cement in an amount less than or equal to 500 tonnes per day, a fee is payable in accordance with Category 3;
15. a rendering plant, a fee is payable in accordance with Category 3;
16. a. a meat plant that has a capacity to produce red meat in an amount greater than 93,600 tonnes (live weight) per year, a fee is payable in accordance with Category 1;
- b. a meat plant that has a capacity to produce red meat in an amount greater than 13,600 tonnes (live weight) per year and less than or equal to 93,600 tonnes (live weight) per year, a fee is payable in accordance with Category 2;
- c. a meat plant that has
- (i) a capacity to produce red meat in an amount greater than 3000 tonnes (live weight) per year and less than or equal to 13,600 tonnes (live weight) per year,
 - (ii) a capacity to produce poultry in an amount greater than 300 tonnes (live weight) per year, or
 - (iii) capacity to produce fish, mollusks or crustaceans in an amount greater than 300 tonnes (live weight) per year
- a fee is payable in accordance with Category 3;
- d. a meat plant that has
- (i) a capacity to produce red meat in an amount less than or equal to 3000 tonnes (live weight) per year
 - (ii) a capacity to produce poultry in an amount less than or equal to 300 tonnes (live weight) per year, or

- (iii) capacity to produce fish, mollusks or crustaceans in an amount less than or equal to 300 tonnes (live weight) per year
a fee is payable in accordance with Category 4;
- 17. a tannery, a fee is payable in accordance with Category 3;
- 18. a sugar refinery, a fee is payable in accordance with Category 3;
- 19. a. a vegetable processing plant that has the capacity to process vegetables in an amount greater than 13,000 tonnes per year, a fee is payable in accordance with Category 3;
- b. a vegetable processing plant that has the capacity to process vegetables in an amount less than or equal to 13,000 tonnes per year, a fee is payable in accordance with Category 4;
- 20. a distillery, a fee is payable in accordance with Category 3;
- 21. an oil seed processing plant, a fee is payable in accordance with Category 3;
- 22. a malting plant, a fee is payable in accordance with Category 4;
- 23. an electroplating plant, a fee is payable in accordance with Category 4;
- 24. a foundry, a fee is payable in accordance with Category 3;
- 25. a lead smelter, a fee is payable in accordance with Category 3;
- 26. a metal manufacturing plant, a fee is payable in accordance with Category 4;
- 27. an iron and steel mill, a fee is payable in accordance with Category 2;
- 28. a glass manufacturing plant, a fee is payable in accordance with Category 4;
- 29. a. a lime plant that has the capacity to manufacture lime or other calcium carbonate derivatives in an amount greater than 500 tonnes per day, a fee is payable in accordance with Category 2;
- b. a lime plant that has the capacity to manufacture lime or other calcium carbonate derivatives in an amount less than or equal to 500 tonnes per day, a fee is payable in accordance with Category 3;
- 30. a. an oil refinery that has the capacity to manufacture hydrocarbon products in an amount greater than 10,000 cubic metres per day, a fee is payable in accordance with Category 1;
- b. an oil refinery that has the capacity to manufacture hydrocarbon products in an amount greater than 1000 cubic metres per day and less than or equal to 10,000 cubic metres per day, a fee is payable in accordance with Category 2;

- c. an oil refinery that has the capacity to manufacture hydrocarbon products in an amount less than or equal to 1000 cubic metres per day, a fee is payable in accordance with Category 3;
- 31.
 - a. an oil sands processing plant that has the capacity to recover crude bitumen or extract crude oil, natural gas and other substances in an amount greater than 4000 cubic metres per day, a fee is payable in accordance with Category 1;
 - b. an oil sands processing plant that has the capacity to recover crude bitumen or extract crude oil, natural gas and other substances in an amount greater than 1500 cubic metres per day and less than or equal to 4000 cubic metres per day, a fee is payable in accordance with Category 2;
 - c. an oil sands processing plant that has the capacity to recover crude bitumen or extract crude oil, natural gas and other substances in an amount less than or equal to 1500 cubic metres per day, a fee is payable in accordance with Category 3;
 - 32.
 - a. an enhanced recovery in-situ oil sands or heavy oil processing plant that has the capacity to process or recover heavy oil or crude bitumen in an amount greater than 4000 cubic metres per day, a fee is payable in accordance with Category 1;
 - b. an enhanced recovery in-situ oil sands or heavy oil processing plant that has the capacity to process or recover heavy oil or crude bitumen in an amount greater than 1500 cubic metres per day and less than or equal to 4000 cubic metres per day, a fee is payable in accordance with Category 2;
 - c. an enhanced recovery in-situ oil sands or heavy oil processing plant that has the capacity to process or recover heavy oil or crude bitumen in an amount less than or equal to 1500 cubic metres per day, a fee is payable in accordance with Category 3;
 - 33.
 - a. a sour gas processing plant that has the capacity to process raw gas with an inlet sulphur amount greater than 500 tonnes per day, a fee is payable in accordance with Category 1;
 - b. a sour gas processing plant that has the capacity to process raw gas with an inlet sulphur amount greater than 50 tonnes per day and less than or equal to 500 tonnes per day, a fee is payable in accordance with Category 2;
 - c. a sour gas processing plant that has the capacity to process raw gas with an inlet sulphur amount greater than 1 tonne per day and less than or equal to 50 tonnes per day, a fee is payable in accordance with Category 3;
 - d. a sour gas processing plant that has the capacity to process raw gas with an inlet sulphur amount less than or equal to 1 tonne per day, a fee is payable in accordance with Category 4;
 - 34.
 - a. a sweet gas processing plant that has the capacity to process raw gas in an amount greater than 50,000,000 cubic metres per day, a fee is payable in accordance with Category 1;

- b. a sweet gas processing plant that has the capacity to process raw gas in an amount greater than 1,000,000 cubic metres per day and less than or equal to 50,000,000 cubic metres per day, a fee is payable in accordance with Category 2;
 - c. a sweet gas processing plant that has the capacity to process raw gas in an amount greater than 500,000 cubic metres per day and less than or equal to 1,000,000 cubic metres per day, a fee is payable in accordance with Category 3;
 - d. a sweet gas processing plant that has the capacity to process raw gas in an amount less than or equal to 500,000 cubic metres per day, a fee is payable in accordance with Category 4;
35. a bulk petroleum storage facility, a fee is payable in accordance with Category 4;
36. a. a brine storage pond that has the capacity to store salt saturated water in an amount greater than 100,000 cubic metres, a fee is payable in accordance with Category 2;
- b. a brine storage pond that has the capacity to store salt saturated water in an amount less than or equal to 100,000 cubic metres, a fee is payable in accordance with Category 3;
37. a syngas plant, a fee is payable in accordance with Category 2;
38. a. a power plant that has a rated production output under peak load greater than 800 megawatts, a fee is payable in accordance with Category 1;
- b. a power plant that has a rated production output under peak load greater than 200 megawatts and less than or equal to 800 megawatts, a fee is payable in accordance with Category 2;
- c. a power plant that has a rated production output under peak load greater than 100 megawatts and less than or equal to 200 megawatts, a fee is payable in accordance with Category 3;
- d. a power plant that has a rated production output under peak load less than or equal to 100 megawatts, a fee is payable in accordance with Category 4;
39. the operation of a rail car washing facility, a fee is payable in accordance with Category 3;
40. in-situ surface water treatment, a fee is payable in accordance with Category 4;
41. a wood processing plant, a fee is payable in accordance with Category 3;
42. a. a wood treatment plant that has the capacity to preserve and protect wood and wood products in an amount greater than 50,000,000 foot board measures per year, a fee is payable in accordance with Category 2;
- b. a wood treatment plant that has the capacity to preserve and protect wood and wood products in an amount less than or equal to 50,000,000 foot board measures per year, a fee is payable in accordance with Category 3;

- 43. a. a pulp and paper manufacturing plant that has the capacity to manufacture pulp in an amount greater than 500 air dried tonnes per day, a fee is payable in accordance with Category 1;
- b. a pulp and paper manufacturing plant that has the capacity to manufacture pulp in an amount less than or equal to 500 air dried tonnes per day, a fee is payable in accordance with Category 2;
- 44. a. a pulp manufacturing plant that has the capacity to manufacture pulp in an amount greater than 500 air dried tonnes per day, a fee is payable in accordance with Category 1;
- b. a pulp manufacturing plant that has the capacity to manufacture pulp in an amount less than or equal to 500 air dried tonnes per day, a fee is payable in accordance with Category 2; and
- 45. a biotechnology products manufacturing plant, a fee is payable in accordance with Category 3.

PART III

Activities in Division 3 of Schedule 1 to the *Activities Designation Regulation* (AR 276/2003 as amended or replaced)

Where an application is made in relation to:

- 1. a mine for working, recovering, opening up or proving oil sands or an oil bearing substance, a fee is payable in accordance with Category 1;
- 2. a mine, for working, recovering, opening up or proving coal or a coal bearing substance, a fee is payable in accordance with Category 2;
- 3. a coal processing plant, a fee is payable in accordance with Category 2;
- 4. a peat operation, a fee is payable in accordance with Category 3;
- 5. a quarry, a fee is payable in accordance with Category 3;
- 6. a pipeline, a fee is payable in accordance with Category 3;
- 7. a transmission line, a fee is payable in accordance with Category 3; and
- 8. an oil production site, a fee is payable in accordance with Category 3.

APPLICATION FEES

- (1) The fee payable in accordance with Category 1 is:
 - (a) \$30,000 for an application for an approval;
 - (b) \$15,000 for an application for a renewal of an approval; and
 - (c) \$ 1,000 for an application for an amendment to an approval.

- (2) The fee payable in accordance with Category 2 is:
 - (a) \$15,000 for an application for an approval;
 - (b) \$ 7,500 for an application for a renewal of an approval; and
 - (c) \$ 500 for an application for an amendment to an approval.

- (3) The fee payable in accordance with Category 3 is:
 - (a) \$ 5,000 for an application for an approval;
 - (b) \$ 2,500 for an application for a renewal of an approval; and
 - (c) \$ 250 for an application for an amendment to an approval.

- (4) The fee payable in accordance with Category 4 is:
 - (a) \$ 1,000 for an application for an approval;
 - (b) \$ 500 for an application for a renewal of an approval; and
 - (c) \$ 100 for an application for an amendment to an approval.

- (5) Where a person makes an application for a reclamation certificate:
- (a) for an activity which is described in section 1(t)(ii) to (ix) of the *Conservation and Reclamation Regulation* (AR 115/93 as amended or replaced), they shall include with the application a fee in the amount of \$ 300; and
 - (b) for an activity which is described in section 1(t)(i) of the *Conservation and Reclamation Regulation* (AR 115/93 as amended or replaced), they shall include with the application a fee in the amount of \$ 700.
- (6) Where a person makes an application for a remediation certificate the fee payable is \$1,000.