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GOVERNMENT NOTICES

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice is hereby given that, pursuant to the provisions of Part 7, Division 3, of the *Canadian Environmental Protection Act, 1999*, Permit No. 4543-2-02891 is approved.

1. *Permittee*: 974120 N.W.T. Ltd., Sachs Harbour, Northwest Territories.
2. *Type of Permit*: To load and dispose of muskox offal, bones and heads.
3. *Term of Permit*: Permit is valid from January 11, 2006, to July 15, 2006.
4. *Loading Site(s)*: 71°59.00' N, 125°22.50' W, Martha Point, Banks Island, Northwest Territories.
5. *Disposal Site(s)*: 71°57.87' N, 125°22.50' W, on ice, over 10 to 20 m of water.
6. *Route to Disposal Site(s)*: Straight line track from Martha Point to the on-ice disposal site 2 km offshore.
7. *Equipment*: Front-end loaders or other equipment capable of loading waste material into trucks or other vehicles for transport to the on-ice disposal site.
8. *Method of Disposal*: Waste material will be allowed to freeze in piles near the abattoir site; it will then be loaded into trucks or toboggans for transport to the disposal site. Piles are not to exceed the volume of one truck load and will be spaced at a minimum of 50 m apart, at a minimum distance of 2 km from the shoreline.

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9. *Rate of Disposal*: As required by normal operations.

10. *Total Quantity to Be Disposed of*: Not to exceed 200 tonnes.

11. *Material to Be Disposed of*: Muskox offal, bones and heads.

12. *Requirements and Restrictions*:

12.1. It is required that the Permittee notify in writing the Manager, Northwest Territories Division, Environmental Protection Branch, Environment Canada, 5204 50th Avenue, Suite 301, Yellowknife, Northwest Territories X1A 1E2, (867) 873-8185 (fax), at least seven days prior to the start of the first disposal operation to be conducted under this permit.

12.2. A written report shall be submitted to the Northwest Territories Division Manager, Environmental Protection Branch, within 30 days of either the completion of the work or the expiry of the permit, whichever comes first. This report shall contain the following information:

(a) the number of trips to the disposal site;

(b) the GPS coordinates for each load within the disposal site;

(c) the quantity disposed of per load;

(d) the total area used for disposal (GPS coordinates on the four corners of the disposal site); and

(e) on-site expert verification that the slaughtered animals were brucellosis free.

12.3. It is required that the Permittee admit any enforcement officer designated pursuant to subsection 217(1) of the *Canadian Environmental Protection Act, 1999* to any place directly related to the loading or disposal at sea referred to under this permit, at any reasonable time throughout the duration of this permit.

12.4. No materials other than muskox offal, bones and heads may be disposed of under this permit.

12.5. The disposal of whole muskox is prohibited.

12.6. Diseased muskox shall not be disposed of in the ocean nor shall diseased muskoxen be disposed of in a manner which permits entry of diseased muskoxen into any water body or watercourse.

12.7. If evidence of *Brucella spp.* is found in the muskox herd, then no muskox harvest wastes shall be disposed of at sea nor in a manner which permits waste entry into any water body or watercourse.

12.8. A copy of the permit must be available at the loading site.

12.9. Records of all loading operations and all disposal operations shall be kept by the Permittee at all times and shall be available for inspection by any inspector designated under the *Canadian Environmental Protection Act, 1999*. These records will be submitted in partial fulfillment of reporting provisions required in paragraph 12.2 of this permit.

12.10. The Permittee shall submit a report by September 15, 2006, providing the details of any offal observed by community members floating in the ocean or washed up on the shoreline after ice breakup. If no floating or beached wastes are observed by August 31, 2006, the Permittee shall notify Environment Canada in writing of that fact by September 15, 2006.

P. BLACKALL
*Environmental Protection
Prairie and Northern Region*

[50-1-o]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice is hereby given that, pursuant to the provisions of Part 7, Division 3, of the *Canadian Environmental Protection Act, 1999*, Permit No. 4543-2-03374 is approved.

1. *Permittee*: Artificial Reef Society of British Columbia, Richmond, British Columbia.

2. *Type of Permit*: To dispose of an airframe at sea.

3. *Term of Permit*: Permit is valid from January 9, 2006, to January 8, 2007.

4. *Loading Site(s)*: Chemainus, British Columbia, at approximately 48°56.11' N, 123°43.15' W.

5. *Disposal Site(s)*: Chemainus, British Columbia, at approximately 48°56.11' N, 123°43.15' W, at a depth of not less than 30 m.

6. *Route to Disposal Site(s)*: Direct.

7. *Method of Loading and Disposal*: Airframe will be scuttled by allowing water to enter the structure.

8. *Description of Vessel*:

Overall length: 32 m

Extreme breadth: 31 m

Overall height: 10 m

Deadweight tonnage: 20 tons

9. *Requirements and Restrictions:*

9.1. Prior to disposal, the Permittee must obtain all other necessary permits and approvals from other regulatory agencies in respect of the project described herein.

9.2. The Permittee must ensure that all floatables and all petroleum-based products (fuel oil, hydraulic fluids, lubricants, etc.) are removed from the vessel prior to disposal.

9.3. The vessel must be disposed of in a location and in a manner that will ensure a minimum of 10 m of water above the highest point of vessel at all tides once the vessel is sunk and in position. The airframe will be anchored by a four-point anchoring system weighing approximately 10 tonnes and supported on a pedestal system approximately 3 m in height.

9.4. The disposal must be done during weather conditions that will enable effective positioning or anchoring of the airframe on the ocean floor. The timing of disposal activities must be outside of any commercial fishery opening in the area.

9.5. The Permittee must provide on-site contingency measures and equipment to ensure the clean-up of any floatables and oil residues should the need arise during or after the disposal. The clean-up must be carried out to the satisfaction of the on-site enforcement officer or the permit-issuing office.

9.6. The Permittee is required to ensure the following:

(i) any materials or equipment used in the project are to be marked in accordance with the *Collision Regulations* of the *Canada Shipping Act* when located on or in the waterway;

(ii) the site shall be adequately marked during all phases of the project to safeguard marine navigation and ensure that equipment used in the project does not interfere with navigation;

(iii) cautionary buoys are required for this site in the configuration proposed by Terry Webber of the Department of Fisheries and Oceans, Aids to Navigation Program, in his letter to Transport Canada, Navigable Waters Protection Division, dated June 28, 2005. Lighting does not appear to be a requirement for navigational purposes; however, should the proponent wish to light the buoys in order to reduce the probability of them being struck at night, yellow lights displaying characteristics of (FI) 4s with a nominal range of three nautical miles are suggested;

(iv) all of the navigational aids are to display characteristics as outlined in the following publications: the 2001 edition of TP968E, *The Canadian Aids to Navigation System*, and

the 2001 edition of *An Owner's Guide to Private Aids to Navigation*;

(v) upon completion of the project, an appropriate notice shall be submitted with regard to the new aids to navigation, and the Canadian Hydrographic Service shall be advised so that appropriate chart corrections can be made;

(vi) in the event that the operation of the above project is terminated, it will be the proponent's responsibility to remove the works and associated equipment in its entirety;

(vii) the *Navigable Waters Works Regulations* apply;

(viii) Notice to Shipping action shall be taken by contacting the Canadian Coast Guard, Vessel Traffic Services, at least 10 days in advance of the intended date of commencement, at 2380– 555 West Hastings Street, Vancouver, British Columbia V6B 5G3, (604) 666-6011 (telephone), (604) 666-8453 (fax), rmic-pacific@pac.dfo-mpo.gc.ca (email);

(ix) on completion of the project and establishment of new private aids to navigation, contact will be made with the Marine Navigation Services, Canadian Coast Guard, Transport Canada, 25 Huron Street, Victoria, British Columbia V8V 4V9, (250) 480-2792; and

(x) on completion of the project and establishment of new private aids to navigation, contact will be made with the Navigation Information Officer of the Canadian Hydrographic Service, Fisheries and Oceans Canada, at (250) 363-6354, or the Database Information Officer at (250) 363-6360. This will ensure the correction of marine charts and publications.

9.7. The Permittee must ensure that a suitable plaque be placed on the aircraft or aircraft pedestal recognizing the granting of permission by the member Nations of the Hul'qumi'num Treaty Group to use the disposal site for the creation of an artificial reef in aid of developing marine habitat and dive tourism for the benefit of all the peoples of the region for generations to come.

9.8. The Permittee must ensure that arrangements are in place so that an enforcement officer designated pursuant to subsection 217(1) of the *Canadian Environmental Protection Act, 1999* is on site during the disposal operation by contacting Ken Wile, Head, Inspections Section, at (604) 666-3056, at least ten days in advance of the anticipated project commencement date.

9.9. The Permittee shall provide unimpeded access to the Minister of Fisheries and Oceans and the Minister of Transport and their representatives for inspection and monitoring processes.

9.10. The Permittee shall notify, in writing, the Regional Director, Environmental Protection Branch, Department of the Environment, and the Regional Hydrographer, Department of Fisheries and Oceans, of the final position of the airframe within two weeks of the completion of the disposal. This notification must include the date on which the disposal occurred, the exact latitude and longitude of the disposal site, a description of how the position was determined and its estimated accuracy, and a measurement of

the minimum depth over the sunken airframe. The notification to the Department of Fisheries and Oceans must be addressed to the Regional Hydrographer, Department of Fisheries and Oceans, Institute of Ocean Sciences, P.O. Box 6000, Sidney, British Columbia V8L 4B2.

9.11. Contact must be made with the Canadian Coast Guard, Regional Marine Information Centre (RMIC), regarding the issuance of a "Notice to Shipping." The RMIC is located at 2380– 555 West Hastings Street, Vancouver, British Columbia V6B 5G3, (604) 666-6012 (telephone), (604) 666-8453 (fax), rmic-pacific@pac.dfo-mpo.gc.ca (email).

9.12. The Permittee must ensure that all contractors involved in the disposal activity under this permit are made aware of its restrictions or conditions and of the possible consequences of any violation of these conditions. A copy of the permit and of the letter of transmittal must be on-site during the disposal activities.

M. D. NASSICHUK
*Environmental Protection
Pacific and Yukon Region*

[50-1-o]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice is hereby given that, pursuant to the provisions of Part 7, Division 3, of the *Canadian Environmental Protection Act, 1999*, Permit No. 4543-2-03385 is approved.

1. *Permittee*: BelPacific Excavating and Shoring Limited Partnership, Burnaby, British Columbia.

2. *Type of Permit*: To load waste and other matter for the purpose of disposal at sea and to dispose of waste and other matter at sea.

3. *Term of Permit*: Permit is valid from January 10, 2006, to January 9, 2007.

4. *Loading Site(s)*: Various approved sites in the lower mainland, at approximately 49°16.50' N, 123°06.50' W.

5. *Disposal Site(s)*: Point Grey Disposal Site: 49°15.40' N, 123°22.10' W, at a depth of not less than 210 m.

The following position-fixing procedures must be followed to ensure disposal at the designated disposal site:

(i) The vessel must inform the appropriate Marine Communications and Traffic Services (MCTS) Centre upon departure from the loading site that it is heading for a disposal site;

(ii) Upon arrival at a disposal site and prior to disposal, the vessel must again call the appropriate MCTS Centre to confirm its position. Disposal can proceed if the vessel is on the designated site. If the vessel is not within the disposal site boundaries, the MCTS Centre will direct it to the site and advise when disposal can proceed; and

(iii) The vessel must inform the appropriate MCTS Centre when disposal has been completed prior to leaving the disposal site.

6. *Route to Disposal Site(s)*: Direct.

7. *Method of Loading and Disposal*: Loading by conveyor belts or trucks and disposal by bottom dump scow or end dumping.

8. *Rate of Disposal*: As required by normal operations.

9. *Total Quantity to Be Disposed of*: Not to exceed 200 000 m³.

10. *Material to Be Disposed of*: Inert, inorganic geological matter comprised of clay, silt, sand, gravel, rock and other material typical to the excavation site. All wood, topsoil, asphalt and other debris are to be segregated for disposal by methods other than disposal at sea.

11. *Requirements and Restrictions*:

11.1. The Permittee must notify the permit-issuing office in writing and receive written approval for each loading site prior to any loading or disposal. The written notification must include the following information:

(i) the coordinates of the proposed loading site;

(ii) a site map showing the proposed loading site relative to known landmarks or streets;

(iii) a figure showing the legal water lots impacted by the proposed dredging or loading activities, giving the spatial delineations of the proposed dredge site within these water lots;

(iv) all analytical data available for the proposed loading site;

(v) the nature and quantity of the material to be loaded and disposed of;

(vi) the proposed dates on which the loading and disposal will take place; and

(vii) the site history for the proposed loading site.

Additional requirements may be requested by the permit-issuing office.

11.2. The Permittee must ensure that all contractors involved in the loading or disposal

activity for which the permit is issued are made aware of any restrictions or conditions identified in the permit and of the possible consequences of any violation of these conditions. A copy of the permit and of the letter of transmittal must be carried on all towing vessels and loading platforms or equipment involved in disposal at sea activities. A copy of the written approval for the appropriate loading site must be displayed with each copy of the permit posted at the loading sites.

11.3. The fee prescribed by the *Ocean Dumping Permit Fee Regulations (Site Monitoring)* shall be paid by the Permittee in accordance with those Regulations.

11.4. Contact must be made with the Canadian Coast Guard, Regional Marine Information Centre (RMIC), regarding the issuance of a "Notice to Shipping." The RMIC is located at 2380– 555 West Hastings Street, Vancouver, British Columbia V6B 5G3, (604) 666-6012 (telephone), (604) 666-8453 (fax), rmic-pacific@pac.dfo-mpo.gc.ca (email).

11.5. Any enforcement officer designated pursuant to subsection 217(1) of the *Canadian Environmental Protection Act, 1999* shall be permitted to mount an electronic tracking device on any vessel that is engaged in the disposal at sea activities authorized by this permit. The Permittee shall take all reasonable measures to ensure that there is no tampering with the tracking device and no interference with its operation. The tracking device shall be removed only by an enforcement officer or by a person with the written consent of an enforcement officer.

11.6. The Permittee must report to the Regional Director, Environmental Protection Branch, Pacific and Yukon Region, on the first day of each month, the nature and quantity of material disposed of pursuant to the permit and the dates on which the activity occurred.

11.7. The Permittee must submit to the Regional Director, Environmental Protection Branch, within 30 days of the expiry of the permit, a list of all work completed pursuant to the permit, the nature and quantity of material disposed of and the dates on which the activity occurred.

M. NASSICHUK
*Environmental Protection
Pacific and Yukon Region*

[50-1-o]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Order 2005-87-10-02 Amending the Non-domestic Substances List

Whereas, pursuant to subsections 87(1) and (5) of the *Canadian Environmental Protection Act, 1999* ([see footnote a](#)), the Minister of the Environment has added the substances referred to in the annexed Order to the *Domestic Substances List*,

Therefore, the Minister of the Environment, pursuant to subsections 87(1) and (5) of the *Canadian Environmental Protection Act, 1999* ([see footnote b](#)), hereby makes the annexed *Order 2005-87-10-02 Amending the Non-domestic Substances List*.

Ottawa, November 30, 2005

STÉPHANE DION
Minister of the Environment

ORDER 2005-87-10-02 AMENDING THE NON-DOMESTIC SUBSTANCES LIST

AMENDMENTS

1. Part I of the *Non-domestic Substances List* ([see footnote 1](#)) is amended by deleting the following:

5719-73-3	52320-66-8	126990-35-0
13587-19-4	70983-77-6	145417-44-3
15217-42-2	74499-71-1	216439-38-2
17865-32-6	82168-31-8	
38783-61-8	84434-11-7	

2. Part II of the List is amended by deleting the following:

14424-6	Rosin, maleated, polymer with an alkylphenol, formaldehyde, pentaerythritol and polymerized rosin Colophane maléatée, polymérisée avec un alkylphénol, le formaldéhyde, le pentaérythritol et la colophane polymérisée
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COMING INTO FORCE

3. This Order comes into force on the day on which *Order 2005-87-10-01 Amending the Domestic Substances List* comes into force.

[50-1-o]

DEPARTMENT OF INDUSTRY

RADIOCOMMUNICATION ACT

Notice No. DGTP-004-05 — Proposals and changes to the spectrum in certain bands below 1.7 GHz

The purpose of this notice is to announce a consultation paper which makes provisional and proposed changes to allocations in the *Canadian Table of Frequency Allocations*,

and to the spectrum utilization of certain frequency bands below 1.7 GHz for several radio applications.

On several of the provisional changes and proposals, the Department received strong support after extensive industry debate. In particular, the band 220-222 MHz has been given significant attention.

Industry Canada invites public comment on the provisional changes and proposals outlined in the consultation paper that cover radio applications such as multi-use radios (MURS), trunked mobile and fixed wireless access applications, medical telemetry and utility telemetry applications.

Interested parties should submit their comments by January 25, 2006, for provisional decisions and by April 19, 2006, for all policy proposals. Shortly after the close of the comment period, all comments received will be posted on Industry Canada's Spectrum Management and Telecommunications Web site at <http://strategis.gc.ca/spectrum>.

Submitting comments

Respondents are requested to provide their comments in electronic format (WordPerfect, Microsoft Word, Adobe PDF or ASCII TXT) along with a note specifying the software, version number and operating system used to the following email address: wireless@ic.gc.ca.

Written submissions should be addressed to the Director General, Telecommunications Policy Branch, Industry Canada, 300 Slater Street, Ottawa, Ontario K1A 0C8.

All submissions should cite the *Canada Gazette*, Part I, the publication date, the title, and the notice reference number (DGTP-004-05).

Obtaining copies

Copies of this notice and documents referred to are available electronically on the Spectrum Management and Telecommunications Web site at <http://strategis.gc.ca/spectrum>.

Official printed copies of *Canada Gazette* notices can be obtained from the *Canada Gazette* Web site at <http://canadagazette.gc.ca/publication-e.html> or by calling the sales counter of Canadian Government Publishing at (613) 941-5995 or 1-800-635-7943.

November 29, 2005

LARRY SHAW
Director General
Telecommunications Policy Branch

[50-1-o]

SUPREME COURT OF CANADA

SUPREME COURT ACT

Session advanced

The session of the Supreme Court of Canada which would normally begin on Tuesday, January 24, 2006, will be advanced and shall begin on Monday, January 9, 2006.

December 10, 2005

ANNE ROLAND
Registrar

[50-1-o]

DEPARTMENT OF TRANSPORT

CANADA MARINE ACT

Fraser River Port Authority — Supplementary letters patent

BY THE MINISTER OF TRANSPORT

WHEREAS Letters Patent were issued by the Minister of Transport for the Fraser River Port Authority (the "Authority"), under the authority of the *Canada Marine Act*, effective May 1, 1999;

WHEREAS the Authority wishes to acquire the real property described in Annex A hereto;

WHEREAS Schedule B of the Letters Patent describes the federal real property managed by the Authority;

WHEREAS the Board of Directors of the Authority has requested the Minister of Transport to issue Supplementary Letters Patent to add to Schedule B of the Letters Patent the real property described in Annex A hereto;

NOW THEREFORE under the authority of section 9 of the *Canada Marine Act*, the Letters Patent of the Authority are amended by adding to Schedule B of the Letters Patent, the real property described in Annex A hereto.

These Supplementary Letters Patent are to be effective on the date of registration in the New Westminster Land Title Office of the transfer documents evidencing the transfer of the real property described in Annex A hereto from the Vendor to the Authority.

Issued under my hand to be effective the 25th day of November 2005.

The Honourable Jean-C. Lapierre, P.C., M.P.
Minister of Transport

Annex A

NUMBER	DESCRIPTION
013-203-932	Parcel "One" (Plan with Crown Grant deposited L98223) Water Lot Fronting Section 6 Block 5 North Range 1 West New Westminster District.
013-203-983	Parcel "2" (Plan with Crown Grant deposited L98223) Water Lot Fronting Section 6 Block 5 North Range 1 West and Section 1 Block 5 North Range 2 West New Westminster District.

[50-1-o]

DEPARTMENT OF TRANSPORT

MOTOR VEHICLE SAFETY ACT

Notice of publication of Revision 4 of Technical Standards Document No. 105, "Hydraulic and Electric Brake Systems," and Revision 2 of Technical Standards Document No. 135, "Light Vehicle Brake Systems"

Notice is hereby given, pursuant to section 12 of the *Motor Vehicle Safety Act* and sections 16 and 17 of the *Motor Vehicle Safety Regulations*, that the Department of Transport has revised Technical Standards Document (TSD) No. 105, "Hydraulic and Electric Brake Systems," and Technical Standards Document No. 135, "Light Vehicle Brake Systems."

TSDs No. 105 and No. 135 reproduce U.S. Federal Motor Vehicle Safety Standards No. 105, "Hydraulic and Electric Brake Systems," and No. 135, "Light Vehicle Brake Systems," respectively, and the TSDs are incorporated by reference in sections 105 and 135 of the *Motor Vehicle Safety Regulations*. The new revisions replicate the regulatory text of the Final Rule issued by the National Highway Traffic Safety Administration of the U.S. Department of Transportation that was published in the *Federal Register* on June 30, 2005 (Vol. 70, No. 125, p. 37706).

Revision 4 of TSD No. 105 extends the current minimum performance requirements and associated test procedures for parking brake systems to all multipurpose passenger vehicles, buses, and trucks with a gross vehicle weight rating (GVWR) greater than 4 536 kg that are equipped with hydraulic or electric brake systems. Currently, the only vehicles with GVWRs greater than 4 536 kg to which the current TSD's parking brake requirements apply are school buses. This revision also updates the reference to the Society of Automotive Engineers' Recommended Practice J972, "Moving Barrier Collision Tests." The new revision will become mandatory on June 30, 2006, which is the effective date of the U.S. changes.

Revision 2 of TSD No. 135 corrects an error in the description of the conditions that may be indicated by a common brake warning light used in vehicles equipped with split service brake systems. Revision 2 is effective as of the date of publication of this notice with a Mandatory Compliance Date six months later. Vehicles manufactured during the six-month interim period may conform to the requirements of either Revision 1 or Revision 2 of TSD No. 135.

In addition to the aforementioned regulatory changes, both TSDs were revised in order to correct a number of small errors of an editorial nature.

Copies of Revision 3 and Revision 4 of TSD No. 105 and Revision 2 of TSD No. 135 are available on the Internet at [www. tc.gc.ca/RoadSafety/mvstm_tsd/index_e.htm](http://www.tc.gc.ca/RoadSafety/mvstm_tsd/index_e.htm). Any inquiries regarding these new revisions should be directed to Winson Ng, Senior Regulatory Development Engineer, at the following address: Standards and Regulations Division, Road Safety and Motor Vehicle Regulation Directorate, Department of Transport, 330 Sparks Street, Ottawa, Ontario K1A 0N5, (613) 998-1949 (telephone), (613) 990-2913 (fax), ngwk@tc.gc.ca (email).

Y. IAN NOY
Director
Standards Research and Development

For the Minister of Transport

[50-1-o]

[Footnote a](#)

S.C. 1999, c. 33

[Footnote b](#)

S.C. 1999, c. 33

[Footnote 1](#)

Supplement, *Canada Gazette*, Part I, January 31, 1998

NOTICE:

The format of the electronic version of this issue of the *Canada Gazette* was modified in order to be compatible with hypertext language (HTML). Its content is very similar except for the footnotes, the symbols and the tables.

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