January 8, 2020

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [Our File #: MAE/249/2019]

On December 4, 2019, the Department of Municipal Affairs and Environment received your request for access to the following records/information:


I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Municipal Affairs and Environment to provide access to some of the requested information.

However, some information and records have been withheld in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act, 2015 (the Act):

Section 27(1)(i): “In this section, "cabinet record" means that portion of a record which contains information about the contents of a record within a class of information referred to in paragraphs (a) to (h).”

Section 27(2)(a): “The head of a public body shall refuse to disclose to an applicant a cabinet record.”

Section 29(1)(a): “The head of a public body may refuse to disclose to an applicant information that would reveal advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister.”

Section 30(1)(a): “The head of a public body may refuse to disclose to an applicant information that is subject to solicitor and client privilege or litigation privilege of a public body.”

Section 31(1)(a): “The head of a public body may refuse to disclose information to an applicant where the disclosure could reasonably be expected to interfere with or harm a law enforcement matter.”
Section 30(1)(b): “The head of a public body may refuse to disclose to an applicant information that would disclose legal opinions provided to a public body by a law officer of the Crown.”

Section 34(1)(a)(i): “The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to harm the conduct by the government of the province of relations between that government and the following or their agencies: the government of Canada or a province.”

Section 34(1)(b): “The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to reveal information received in confidence from a government, council or organization listed in paragraph (a) or their agencies.”

Section 35(1)(d) “The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose, the disclosure of which could reasonably be expected to result in the premature disclosure of a proposal or project or in significant loss or gain to a third party”

Section 35(1)(g) “The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose information, the disclosure of which could reasonably be expected to prejudice the financial or economic interest of the government of the province or a public body”

Section 35(1)(h) “The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose information, the disclosure of which could reasonably be expected to be injurious to the ability of the government of the province to manage the economy of the province.”

To clarify the responsive records enclosed, please note the following pages that are redacted in full:
- Page 4 in accordance with section 29(1)(a)
- Pages 9 and 17 in accordance with section 34(1)(a)(i), 29(1)(a)

You may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal. The appeal may be addressed to the Information and Privacy Commissioner is as follows:
Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone at 709-729-7183 or by e-mail at atippmae@gov.nl.ca.

Sincerely,

Desiree Newman

DESIREE NEWMAN
ATIPP Coordinator
Municipal Affairs and Environment
Enclosures
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).
Decision Note
Department of Municipal Affairs and Environment

Title: Bunyan’s Cove Fire Protection Vehicle

Decision Required: s.29(1)(a)

Background / Current Status:

- Bunyan’s Cove was approved for a fire protection vehicle (tanker) in 2017-18. Funding in the amount of $238,140 had initially been allocated to Cartwright; however, when that community was gifted a vehicle from Nalcor, the allocation was transferred to Bunyan’s Cove.

- The tender for the Bunyan’s Cove truck was awarded to Asphodel Fire Trucks which eventually went into receivership and orders went unfulfilled. The vehicle had to be retendered and MAE agreed to contribute an additional $9,998 to the provincial share to cover the increased cost since the initial tender.

- The fire protection vehicle slated to go to Bunyan’s Cove is currently in MAE’s facility at Clarenville where it has been since it was delivered in mid-June. The manufacturer has not yet been paid for the vehicle. Typically, fire protection vehicles are inspected by Fire Services staff to ensure the vehicles meet the required specifications. The town then arranges to meet the manufacturer’s agent at MAE’s location, provide payment, and take possession of the vehicle.

- Bunyan’s Cove Local Service District (LSD) Committee has recently been re-established after they were unable to conduct any business due to lack of members. Former Minister Dempster had appointed the two remaining members to act as quorum for the purpose of conducting the LSD business; however, these two individuals were unable to come to agreement and communicate effectively with each other. Minister Dempster subsequently called a meeting of the householders in September and a new committee was formed.

- The LSD is required to cover the municipal share ($62,035) and the HST rebate ($31,866), totaling approximately $93,900. The terms of the contract with the vendor was full payment ($342,038) upon delivery. The vendor has been in contact with the Fire Commissioner regarding the outstanding payment, but has thus far not taken action to reclaim the truck.

- Following the establishment of the new committee in September, it was discovered that the LSD only has approximately $223,000 remaining in the bank account. s.31(1)(a) The local fire department has indicated that it has $32,000 in a separate account for use toward the truck payment. However, in order to contribute their share and replace the missing funds, the LSD would need to
borrow approximately $87,000. Two banks have been approached but have turned Bunyan’s Cove down for a loan.

- **s.31(1)(a)**

**Analysis:**

- **s.29(1)(a)**

- **s. 30(1)(a), s. 30(1)(b)**

- **s.29(1)(a)**

- **s.29(1)(a)**

- **The Public Procurement Agency requires notification when a public body acquires a commodity directly from another public body.**

- **s.29(1)(a)**

- **s.29(1)(a)**

- **Bunyan’s Cove would not likely be interested in finalizing the purchase for the express purpose of handing the truck over to another community. However, if it defaults on the payment and the manufacturer takes back the truck, there is a possibility that the manufacturer may sue the LSD and likely name government as a party as well.**

- **s.29(1)(a)**
The fire department also has another pumper truck that was funded in 2011; however, they have the expectation that government should also provide funding for a vehicle for the regional service which they are providing. The Town is looking to purchase a pickup until they receive funding from government for a new tanker to serve the area. There is a risk that without additional funding, they will withdraw the regional service.

Some members of the new LSD Committee have indicated that they may be unwilling to serve on the Committee once they were made aware of the financial issues. If the committee resigns, the Minister may appoint a departmental staff member as an administrator, at which point it may be easier to transfer the truck to the department or other public body.
Prepared by / Approved by:  T. Kelly / T. King [pending]
Ministerial Approval:  Received from Minister Derrick Bragg [pending]

October 24, 2019
Title: Response to Federal Request for Information Regarding Carbon Taxation post April 1, 2020. (Annex A)

Background and Current Status:
- The Province’s carbon pricing plan submitted to the Government of Canada on September 14, 2018. An annual report is required to be provided to the Federal Government on how the Province will implement the plan in a manner consistent with federal legislation. The 2020 report was requested by the Federal Government in June 2019 and was responded to on August 5, 2019 (Annex B).

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Analysis:

- Currently, the province is compliant as federal carbon tax rates (based on $20 per tonne of greenhouse gas emissions) are not subject to increase until April 1, 2020. The current 2019 carbon tax rate on gasoline is 4.42 cents per litre (cpl) and the rate on diesel is 5.37 cpl. The 2020 rates increase to $30 per tonne, or 6.67 cpl on gasoline and 8.05 cpl on diesel.

- The full application of federal carbon taxes would also result in the federal carbon tax applying to activities currently exempted from provincial carbon tax (e.g., home heating fuel, mining and petroleum exploration, and municipal operations).

Action Being Taken:

- The Deputy Minister of MAE, in consultation with the Deputy Ministers of FIN and IIAS, will convey the province’s position to the Director General of ECCC, substantively along the lines attached as Annex C.

- FIN will continue to monitor changes to tax rates in other Atlantic provinces.
Prepared by: G. Crane/S. Squires (MAE); D. Haynes/ D. Trask (FIN) in consultation with IIAS
Approved by: T. King (MAE); D. Hanrahan (FIN)

Ministerial Approval: Received from Hon. Derrick Bragg

Received from Hon. Tom Osborne

Date: November 14, 2019
Note to readers: Please see responses for the row “Stringency” and “Tax and charge rates”.

<table>
<thead>
<tr>
<th>Theme</th>
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<th>Newfoundland and Labrador Response</th>
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<tbody>
<tr>
<td>Timely introduction</td>
<td>Legislation and regulations</td>
<td>The system is being implemented through three Acts and five regulations, as follows:</td>
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<td>Carbon tax component (Revenue Administration Act (RAA)); Act: <a href="https://www.assembly.nl.ca/Legislation/sr/statutes/r15-01.htm">https://www.assembly.nl.ca/Legislation/sr/statutes/r15-01.htm</a> (see Parts III.1 and III.2) Revenue Administration Regulations: <a href="https://assembly.nl.ca/Legislation/sr/regulations/rc110073.htm">https://assembly.nl.ca/Legislation/sr/regulations/rc110073.htm</a> (see Parts IV, VI.1 and VI.2)</td>
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<td>The federal and provincial governments amended the Atlantic Accord Implementation Acts in 2018 to facilitate the application of the MGGA to the offshore area. The provincial Accord Act is located here: <a href="https://www.assembly.nl.ca/Legislation/sr/statutes/c02.htm#159_1">https://www.assembly.nl.ca/Legislation/sr/statutes/c02.htm#159_1</a> (see sections 29.2, 159.1 and 159.2).</td>
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<td>This legislative approach is consistent with the provincial commitment in its September 14, 2018 carbon pricing framework submitted to the federal government that was approved by the federal government on October 23, 2018.</td>
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<td>Coming into force dates</td>
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<td>The Reporting Regulations and Administrative Regulations, including the relevant sections in the MGGA to implement these regulations, were brought into force in 2017.</td>
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<td>All remaining sections of the RAA and MGGA, and all remaining regulations, were brought into force on January 1, 2019.</td>
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<td>The coming into force date (January 1, 2019) is consistent with the provincial commitment in its September 14, 2018 carbon pricing framework.</td>
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<tr>
<td><strong>Scope</strong></td>
<td>Greenhouse gases</td>
<td>The RAA approach is consistent with the federal approach and incorporates carbon content from CO₂, CH₄ and N₂O.</td>
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<td>The MGGA includes CO₂, CH₄, N₂O, 19 HFCs, nine PFCs, SF₆ and NF₃. Please see Schedules A to C in the Reporting Regulations for further detail.</td>
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<td>The provincial approach is consistent with the provincial commitment in its September 14, 2018 carbon pricing framework submitted to the federal government that was approved by the federal government on October 23, 2018.</td>
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<td><strong>Fuels</strong></td>
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<td>The specific fuels covered by the RAA are listed in sections 72.1(1) and 72.1(2) of the RAA.</td>
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<td>The specific fuels covered by the MGGA include those consumed for prescribed sources as covered by the Western Climate Initiative methodology and as referred to in sections 5(2) and 6(2) of the Reporting Regulations.</td>
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<td>The provincial approach is consistent with the provincial commitment in its September 14, 2018 carbon pricing framework submitted to the federal government that was approved by the federal government on October 23, 2018.</td>
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<td><strong>Global Warming Potential</strong></td>
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<td>The global warming potentials used are consistent with federal methodologies and are contained in Schedule C of the Reporting Regulations.</td>
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<td><strong>Emission sources</strong></td>
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<td>The RAA defines specific fuels covered and not specific sources covered. The specific fuels covered by the RAA are listed in sections 72.1(1) and 72.1(2) of the RAA. Exemptions are outlined below.</td>
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<td>The specific sources covered by the MGGA include those covered by the Western Climate Initiative methodology as referred to in section 5(1) of the Reporting Regulations. Exemptions are outlined below.</td>
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<td>The provincial approach is consistent with the provincial commitment in its September 14, 2018 carbon pricing framework submitted to the federal government that was approved by the federal government on October 23, 2018.</td>
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<td><strong>Exemptions</strong></td>
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<td>The RAA Regulations includes a list of exemptions to the carbon tax. These are identified in sections 16.1, 16.2 and 19.1 of the RAA Regulations.</td>
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<td>The MGGA Regulations also include a list of exempted sources and activities for the purpose of establishing performance standards. Exempted sources identified in sections 4(1) to (3) and 6(1) and (2) of the MGGA Regulations include biomass, all sources referred to in sections 5(1)(f) to (i) and venting emissions and fugitive emissions as referred to in section 5(1)(j) of the Reporting Regulations. Exempted activities include offshore petroleum exploration activity as referred to in sections 4(5) to (7) of the Regulations.</td>
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<td>Stringency</td>
<td>Tax and charge rates</td>
<td>The provincial approach is consistent with the provincial commitment in its September 14, 2018 carbon pricing framework submitted to the federal government that was approved by the federal government on October 23, 2018. Carbon tax rates for 2019 are listed in section 72.1(1) of the RAA and are consistent with federal rates. S. 29(1)(a)</td>
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<td>With respect to the MGGA, payment rates to the Greenhouse Gas (GHG) Reduction Fund, as established in section 6 of the MGGA, are outlined in section 12(2) of the MGGA Regulations. These rates are consistent with federal rates. The provincial approach is consistent with the provincial commitment in its September 14, 2018 carbon pricing framework submitted to the federal government that was approved by the federal government on October 23, 2018.</td>
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<td>Sectors and facilities included in an output-based pricing system (OBPS)</td>
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<td>Provincial industrial sector regulations are based on an historical facility-specific performance standard as outlined in Sections 4 to 6 of the MGGA Regulations, and not an OBPS approach. Section 7 of the MGGA regulations, however, establishes provision for a facility to opt to be regulated according to a performance benchmark which is conceptually similar to the OBPS approach utilized by the federal government. No facility requested to be regulated under a performance benchmark for 2019. Section 2(h) of the MGGA defines which sectors are covered and include manufacturing and processing facilities (NAICS 31-33), mining, quarrying and oil and gas extraction (NAICS 21) and electricity generation (NAICS 22). These sectors are further defined in sections 2(b), (i) and (j). Section 4 of the MGGA further defines which facilities within these sectors are regulated for GHG reporting purposes by the MGGA, and establishes that facilities that have emitted 15,000 tonnes of GHG emissions in any year after the coming into force of the MGGA (i.e., reporting year 2016) are regulated for GHG reporting purposes by the MGGA. Section 10(1) of the MGGA requires these facilities to report their GHGs on an annual basis as per section 11 of the MGGA. Section 11 requirements are detailed in the Reporting Regulations. There were 15 reporting facilities in 2018, excluding facilities that did</td>
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<td>not meet GHG reporting thresholds but which reported on a voluntary basis.</td>
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<td>Section 5(1) of the MGGA provides authority to establish targets for facilities in these sectors that have emitted 25,000 tonnes of GHG emissions in any year after the coming into force of the MGGA (i.e., reporting year 2016). Section 5.1 of the MGGA provides provision and requirements for facilities that have emitted over 15,000 but no more than 25,000 tonnes of GHG emissions in any year after the coming into force of the MGGA to opt be regulated as per section 5(1) of the MGGA. The Opted-In Facilities Regulation provides further detail on this provision. Facilities not regulated by section 5(1) of the MGGA are subject to the carbon tax provisions of the RAA (see Section 16.2 of the RAA Regulations).</td>
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<td>Sections 8(1) to 8(4) of the MGGA Regulations establishes targets for facilities regulated under Section 5 of the MGGA starting January 1, 2019. These targets are further detailed below. On the basis of 2017 GHG emissions, there are currently 14 facilities covered by Section 5(1) and 5.1 of the MGGA of which 13 have a GHG reduction target in 2019 under sections 8(1), 8(2) or 8(3) of the MGGA Regulations. The remaining facility commenced operations in 2017 and its targets will be established according to the provisions of section 8(2) of the MGGA Regulations.</td>
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<td>The provincial approach is consistent with the provincial commitment in its September 14, 2018 carbon pricing framework submitted to the federal government that was approved by the federal government on October 23, 2018.</td>
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<td>All sector or facility output-based allocations (OBPS)</td>
<td>Provincial industrial sector regulations are based on an historical facility-specific performance standard as described above. Sections 4 to 6 of the MGGA regulations establish the baseline for setting historical facility-specific performance standards and sections 8(1) to 8(3) of the MGGA Regulations establishes targets for facilities subject to an historical facility-specific performance standard, and section 8(4) establishes targets for facilities that opt to, and with the agreement of the minister, be subject to a performance benchmark.</td>
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<td>For 2019, the baseline period is 2016 and 2017 and the target is to reduce GHG emissions by 6 percent from the baseline. For 2020 and subsequent years, the baseline period will be 2016 to 2018. The targeted reduction increases by 2 percentage points per year, or to 8 percent below the baseline in 2020, 10 percent below the baseline in 2021 and 12 percent below the baseline in 2022 and subsequent years. The target is intensity-based for onshore facilities (measured against production) and mobile offshore drilling units (measured against hours of operation as these units do not produce output), and absolute level-based for offshore petroleum production fields. New facilities will have a phased-in baseline approach with targets established in the fourth year of commercial operation. Section 7 of the MGGA regulations establishes the baseline for setting a performance benchmark (as noted above, no facility has opted for a performance benchmark in 2019).</td>
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<td>Description of how output-based standards drive improved performance in carbon intensity over 2019-2022</td>
<td>The provincial approach is consistent with the provincial commitment in its September 14, 2018 carbon pricing framework submitted to the federal government that was approved by the federal government on October 23, 2018. The approach of Sections 8(1) to 8(3) of the MGGA Regulations is to establish increasingly stringent targets from 2019 to 2022 as described above. Further, sections 9(4) to (6) of the MGGA Regulations require that access to purchased GHG reduction credits (these credits are described further below) be reduced over time for onshore facilities. In 2019, an onshore facility may use purchased GHG reduction credits to meet 100 percent of its compliance obligation. In 2020, this share is reduced to 90 percent, in 2021 it is further reduced to 85 percent, and in 2022 and subsequent years, this share is further reduced to 80 percent.</td>
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<td>Compliance options for facilities included in the OBPS</td>
<td>Section 5(3) of the MGGA establishes GHG reduction credits that may be used for compliance purposes. These are defined in section 2(g) of the MGGA to include: (i) GHG Reduction fund credits that may be purchased from the province and that must be submitted in the same reporting period in which they are purchased; (ii) performance credits that are earned by a facility regulated under section 5(1) of the MGGA and that may be traded to another regulated facility and/or submitted by that facility in within a seven year period; and (iii) offsets credits that may be generated from projects in sectors of the economy not regulated by the MGGA. The specific credit categories are further defined in sections 2(e), (f) and (n) of the MGGA. Section 9 of the MGGA Regulations outlines general provisions for GHG reduction credits. Specific provisions for performance credits are outlined in sections 10 and 11 of the MGGA Regulations, and specific provisions for Fund credits are outlined in section 12 of the MGGA Regulations. Offset regulations are not established at this time.</td>
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<td>Scope of carbon offset system</td>
<td>Offset regulations are not established at this time.</td>
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<td>Projections of incremental GHG emissions reductions from 2019 to 2022</td>
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<td>Reporting</td>
<td>Requirements for public reporting of outcomes and impacts</td>
<td>The province will continue to rely on the federal National Inventory Report (NIR) for economy-wide GHG emissions estimates. Carbon tax revenues will be reported on through the annual provincial budget process. Further details are included below. Section 10(2) of the MGGA provides authority for the Minister to publicly disclose non-identifying information for regulated facilities under the MGGA. This provision will be subject to confidentiality requirements of the Access to Information and Protection of Privacy Act. Reports released to date are outlined below.</td>
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<tr>
<td>Revenue generated</td>
<td>Budget 2019 estimated that $8 million was collected in 2018-19 and projects that about $66.5 million will be collected in 2019-20 (see <a href="https://www.gov.nl.ca/budget/2019/wp-content/uploads/sites/2/2019/04/estimates.pdf">https://www.gov.nl.ca/budget/2019/wp-content/uploads/sites/2/2019/04/estimates.pdf</a> (Statement II)). GHG Reduction Fund revenues for 2019 will not be known until 2019 compliance reports are submitted by November 1, 2020. Section 20.1(1) of the Reporting Regulations require that compliance reports be submitted by November 1 of the year following the reporting period.</td>
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<td>Monitoring, reporting and verification requirements</td>
<td>For the carbon tax, existing RAA authorities (Part II) contain inspection and compliance authorities that will apply to implementation of a carbon tax. For the large industrial sector, the Reporting Regulations outline these requirements. Sections 3 to 6 of the Reporting Regulations outline general quantification procedures. Sections 7 to 10 outline requirements for an annual facility-specific emissions report, due by June 1 of the year following the reporting year. Sections 11 to 20 outline requirements for an annual facility-specific verification report of an emissions report, due by September 1 of the year following the</td>
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<td>reporting year.</td>
<td>Section 20.1 outlines requirements for an annual facility-specific compliance report, due by November 1 of the year following the reporting year. The Canada-Newfoundland and Labrador Offshore Petroleum Board, through a 2019 Memorandum of Agreement with the province, will receive and approve these reports on behalf of the province for facilities in the offshore region.</td>
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<td>The Administrative Penalty Regulations outline penalties for non-compliance with the Reporting Regulations. To date, no penalty has been levied for non-compliance.</td>
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<td>The provincial approach is consistent with the provincial commitment in its September 14, 2018 carbon pricing framework submitted to the federal government that was approved by the federal government on October 23, 2018.</td>
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<td>Environmental integrity assurances, including registries</td>
<td>The MGGA (section 30(1)(i)) makes provision to establish a registry to assist in the implementation of the MGGA. Section 15 of the MGGA Regulations provides for the establishment of a registry to enable the tracking of performance and Fund credits established under sections 10 to 12 of the MGGA Regulations. Development of the registry is ongoing.</td>
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</table>
|       | Public reports on the pricing system | Reported GHG emissions for MGGA regulated facilities for 2016 and 2017, including the Holyrood Generating Station which reported on a voluntary basis for those years, are available at the links provided. Summary information from 2018 emissions reports will be posted after verification reports are submitted by September 1, 2019.  
|       | The province will continue to rely on NIR estimates for economy-wide GHG emissions estimates as noted above. The province will report on carbon tax revenues through the annual budget process, as noted above, and will produce an annual summary report of compliance activities under the MGGA consistent with Section 10(1) of the MGGA. The 2019 summary report will be produced after 2019 compliance reports are received. |
Title: Call Verification/Limited Dispatch in Call Transfer Protocol

Decision/Direction Required:

- s.29(1)(a)

- s.29(1)(a)

Background and Current Status:

- NL 911 is a not-for-profit corporation that was established in March 2015 and operates independently from the Provincial Government. NL911 is overseen by an independent Board of Directors (Board). The Board is appointed by the Lieutenant-Governor in Council.

- As per Section 10 of the Emergency 911 Act (the Act), NL 911 is mandated to establish, implement and operate an emergency 911 telephone service and ensure that the service: protects personal information; provides accurate and current information to primary and secondary PSAPs; integrates civic addressing where available; is efficient and cost-effective; and is flexible and responsive to changing technologies.

- NL 911 is currently operating a basic 911 service, which is an emergency contact system, via telephone, that directs a caller to an appropriate PSAP based on their location. PSAP operators answer and transfer a caller to the appropriate emergency responder, based on the location provided by the caller or by call trace, through the caller’s telecommunications provider.

- The NL 911 service does not include dispatch. Dispatching involves capturing specific details needed for dispatching resources, identifying resources required and requesting and tracking the response of the responding agency. This would involve a direct communications link between the PSAP and the first responders.

- Newfoundland and Labrador does not currently have a province-wide public safety radio communications system, which would allow for centralized full dispatch services. On October 1, 2019, the Provincial Government announced they are seeking qualifications from businesses interested in designing, building, operating, and maintaining a single, province-wide public safety radio system to be used by government and first responders; however, this is still in the early stages.

- The St. John’s Regional Fire Department (SJRFD) PSAP provides full dispatch service for the SJRFD, and also dispatch for surrounding fire departments under a separate fee-for-service contract arrangement. The proposal for call verification/limited dispatch does not
impact this contract arrangement, as the protocol will only apply to fire departments with no live dispatchers.

Analysis:

- All of the police and emergency management services have live dispatchers; however, a large number of smaller fire departments have automated answer and pager systems.

- Both PSAPs currently meet the National Emergency Number Association (NENA) Standard, which requires that 95 per cent of all calls are answered within 15 seconds. Their answer time has been consistently an average of 10 seconds. In addition, both PSAPs consistently maintain a rate of availability of 92 per cent at each PSAP. This means that there is an average of 92 per cent of their shift that the call takers are waiting for calls. Thus, the limited dispatch/call verification should not impact their ability to answer calls within the NENA Standard.

- The Newfoundland and Labrador Association of Fire Services (NLAFS) requested the GNL to implement province-wide dispatching. Specifically, they noted that “implementation of a basic 911 system was a tremendous step forward for emergency response in our province however, we must face our challenges if we are to continue to make significant and meaningful steps forward. A vital but missing component in the process is the dispatching that must accompany the call taking to ensure an accurate and appropriate response to a call for emergency help. We therefore ask that: Government provide a province-wide dispatching component to the 911 system to ensure that appropriate resources are mobilized in a timely fashion when an emergency response is required”.

- In the September NLAFS annual convention, a resolution was passed for the Fire and Emergency Services Divisions to work with the NL 911 Board to develop a comprehensive response protocol.

- The NL911 Board must approve all changes in call-taking protocol.

The Minister can further discuss the protocol with NL 911 at the upcoming Board meeting to be scheduled in the next few weeks.
s.29(1)(a)

Prepared/Approved by: D. Simmons, C. Orsborn/ E. Thompson /T. Kelly / T. King (Pending)
Ministerial Approval: Received from Hon. Derrick Bragg (Pending)

October 9, 2019

ANNEX A
Limited Dispatch Protocol