



**SUBJECT: POLICY ON STORAGE OF
PETROLEUM PRODUCTS ON
CROWN LANDS**

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1.0 Purpose

The purpose of this policy is to establish criteria for the storage of petroleum products on Crown lands.

2.0 Objectives

The objective of this policy is to ensure the safe storage of petroleum products on Crown lands.

3.0 Definitions

The following definitions apply when used in this policy:

Disposition holder

Holder of a Crown lease (lessee), licence (licensee), easement, or other legal tenure agreement with the Crown as the landowner.

Marina

A premises at which a petroleum product is put or intended to be put into the fuel tank of watercraft or aircraft equipped to float on water¹

Petroleum product

A mixture of hydrocarbons or their by-products, of any kind and in any form, including airplane fuel, asphalt, bunker "C" oil, crude oil, diesel fuel, engine oil, fuel oil, gasoline, kerosene, lubricants, mineral spirits, naphtha, petroleum based solvents regardless of specific gravity, transformer oil and waste petroleum products and excluding propane and paint¹.

4.0 Scope and Application

4.1 Where policy applies

This policy applies to all disposition holders on Crown lands where the total storage capacity is greater than 1 000 litres, except in the case of a marina, where the total storage capacity is 200 litres or greater.

¹ Source: *Petroleum Product Storage and Handling Regulation - Clean Environment Act, N.B. Reg. 87-97*

5.0 Requirements

5.1 Public liability and environmental impairment insurance

Notwithstanding Schedule A in subsection 7(1) of the *Petroleum Product Storage and Handling Regulation – Clean Environment Act* (Regulation 87-97), where the total storage capacity of petroleum products on Crown lands is greater than 1 000 litres, or 200 litres or greater in the case of a marina, the disposition holder will be required to carry:

- \$2,000,000 public liability insurance; and,
- \$250,000 environmental impairment insurance.

Her Majesty the Queen in Right of the Province of New Brunswick must be named as an “additional-insured” in the insurance policy(s). A copy of the policy and a certificate of insurance must be provided to the Department of Natural Resources (DNR) upon request.

5.2 Compliance with legislation

All relevant provincial and federal legislation must be adhered to, and the disposition holder must obtain all the necessary approvals, permits, licences or authorizations prior to storing petroleum products on Crown lands. This includes but is not limited to the following:

- Where the total storage capacity of petroleum products on Crown lands is
 - 2 000 litres or more, except in the case of a marina, or,
 - 200 litres or more in the case of a marina,

the disposition holder must obtain the appropriate licence from the Department of Environment as specified in the *Petroleum Product Storage and Handling Regulation – Clean Environment Act* (Regulation 87-97).

A copy of the licence issued by the Department of Environment must be forwarded to DNR every year.

- *Wellfield Protected Area Designation Order - Clean Water Act*
 - *Watershed Protected Area Designation Order - Clean Water Act*
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6.0 Authority

- Sections 24, 25 and 26 of the *Crown Lands and Forests Act*
 - *Regulation 2009-62, Lands Administration Regulation - Crown Lands and Forests Act*
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7.0 Inquiries

7.1 Written Inquiries

Inquiries concerning this policy may be made in writing to:

Director, Crown Lands Branch
Department of Natural Resources
P.O. Box 6000
Fredericton, New Brunswick
Canada, E3B 5H1

7.2 Phone Inquiries

Telephone inquiries concerning this policy may be made by calling the Land Use Application Service Centre at 1-888-312-5600.

7.3 E-mail Inquiries

E-mail inquiries concerning this policy may be made by e-mailing the Land Use Application Service Centre at CL_TCweb@gnb.ca.
