

Draft Ministerial Order

Environment Quality Act
(chapter Q-2)

Fees payable under the Environment Quality Act — Amendment

Notice is hereby given, in accordance with sections 10 and 12 of the Regulations Act (chapter R-18.1), that the Order to amend the Ministerial Order concerning the fees payable under the Environment Quality Act, appearing below, may be made by the Minister on the expiry of 15 days following this publication.

The draft Order makes consequential amendments to the rate classes applicable to applications for authorization relating to projects subject to the environmental impact assessment and review procedure on the basis of the new list of projects that would be subject to that procedure as of 23 March 2018.

The new list is proposed by Schedule I to the Regulation respecting the environmental impact assessment and review of certain projects published in the *Gazette officielle du Québec* of 13 December 2017 and contains most of the list of projects currently subject to the procedure by regulations in force. Some classes of projects would be added to the list and the amendments proposed in the Order will set the fees payable for applications relating to those new projects.

The draft Order also makes a few other consequential amendments in view of the amendments made to the provisions of the Environment Quality Act (chapter Q-2) governing the environmental impact assessment and review procedure by the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4). As with the draft Regulation mentioned above, the legislative amendments will also come into force on 23 March 2018.

Since the current fees applicable to projects subject to the environmental assessment procedure are not increased, the draft Order will have no significant impact on enterprises, the public, the departments and bodies, and the municipalities that will file an application under the Environment Quality Act, except if the application concerns a project that, as of 23 March 2018, will no longer be subject to the assessment procedure or will become subject to it.

In accordance with sections 12 and 13 of the Regulations Act, the draft Order may be made within a shorter period than the 45-day period provided for in section 11 of that Act so that it may come into force on the same date as the Regulation respecting the environmental impact assessment and review of certain projects and the new provisions of the Environment Quality Act governing the environmental assessment procedure, that is, on 23 March 2018.

Further information on the draft Order may be obtained by contacting Michèle Dumais, Direction des dossiers horizontaux et des études économiques, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, Édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 29^e étage, boîte 97, Québec (Québec) G1R 5V7; telephone: 418-521-3929, extension 4089; email: michele.dumais@mddelcc.gouv.qc.ca; fax: 418-644-3386.

Any person wishing to comment on the draft Order is requested to submit written comments within the 15-day period to Michèle Dumais, at the above-mentioned contact information.

ISABELLE MELANÇON,
*Minister of Sustainable Development,
the Environment and the
Fight Against Climate Change*

Order to amend the Ministerial Order concerning the fees payable under the Environment Quality Act

Environment Quality Act
(chapter Q-2, s. 31.0.1)

1. The Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28) is amended in section 10

- (1) by replacing the first paragraph by the following:

“10. The following fees are payable by applicants for an authorization issued under section 31.5 of the Act, according to the rate class that applies to the project:

Steps in the environmental impact assessment and review procedure	Rate classes			
	1	2	3	4
1. Filing of the notice under section 31.2 of the Act	\$1,386	\$1,386	\$1,386	\$1,386
2. Filing of the impact assessment statement with the Minister	\$5,546	\$19,415	\$33,283	\$47,154
3. Public information stage under the first paragraph of section 31.3.5 of the Act	\$1,386	\$4,854	\$8,321	\$11,789
4. Public hearing	\$0	\$47,732	\$81,825	\$115,919
Total without public hearing	\$8,318	\$25,655	\$42,990	\$60,329
Total with public hearing	\$8,318	\$73,387	\$124,815	\$176,248

”;

- (2) by replacing “under Division IV.1 of Chapter I” in the third paragraph by “under section 31.1.1”.

2. Section 11 is amended

- (1) by replacing “a certificate of authorization” and “31.6” in the first paragraph by “an authorization” and “31.7.2”, respectively;

- (2) by striking out the last paragraph.

3. Section 12 is amended

- (1) by replacing “a certificate of authorization” in the first paragraph by “an authorization”;

- (2) by replacing “a certificate of authorization” and “31.6” in the second paragraph by “an authorization” and “31.7.2”, respectively.

4. Section 13 is amended

- (1) by replacing “122.2 of the Act to a certificate of authorization issued under section 31.5 or 31.6 of the Act” in the first paragraph by “31.7 of the Act to an authorization issued under section 31.5 or 31.7.2”;
- (2) by replacing “is subject to the procedure under Division IV.1 of Chapter I” in the third paragraph by “was subject to the procedure under section 31.1.1”.

5. Schedule 1 is replaced by the following:

“SCHEDULE 1

(ss. 10, 11, 12 and 13)

RATE CLASSES FOR PROJECTS SUBJECT TO THE ENVIRONMENTAL IMPACT ASSESSMENT AND REVIEW PROCEDURE PROVIDED FOR IN SUBDIVISION IV OF DIVISION II OF CHAPTER IV OF TITLE I OF THE ENVIRONMENT QUALITY ACT

Classes of projects for the application of the fee schedule Projects listed in Part II of Schedule 1 to the Regulation respecting the environmental impact assessment and review of certain projects	Subclasses of projects for the application of the fee schedule	Rate classes
1. Dam and dike		1
2. Work in wetlands and bodies of water		
(1) dredging, clearing, filling, or levelling off work, for any purpose whatsoever;		1
(2) clearing, filling, drainage or pipe work, for any purpose whatsoever other than agricultural;		1
(3) the construction of a dike for flooding operated by a cranberry farm.		2
3. Rerouting or diverting of a river or lake	- within the same watershed	1
	- towards another watershed	4

4. Port, wharf and port terminal		3
(1) the construction or expansion of a port, wharf or port terminal;	- construction	
	- expansion	1
(2) in the case of a marina:	(a) the construction of a port for 150 boats or more;	2
	(b) any increase of the maximum capacity of a port to reach 150 boats or more;	1
	(c) where the maximum capacity authorized by the Government under section 31.5 of the Act is 150 or more boats, each addition of at least 50 boats, whether that threshold is reached following one or more separate projects.	1
5. Road infrastructures		
(1) the construction, over a minimum length of 5 km, of a road designed for 4 lanes or more or the widening, over that distance, of a road increasing the number of lanes to 4 or more;		4
(2) the construction or widening of a road whose planned right of way has a width equal to or greater than 40 m over a minimum length of 5 km;		4
(3) the construction of a road designed for 4 lanes or more whose planned right of way has a width equal to or greater than 35 m over a minimum length of 1 km situated within an urbanization perimeter indicated in the land use planning and development plan applicable to the territory concerned;	- for a road planned over a length of less than 2 km	1
	- for a road planned over a length of 2 to 5 km	3
	- for a road planned over a length of more than 5 km	4
(4) the widening of a road designed for 4 lanes or more or whose right of way has a width equal to or greater than 35 m over a minimum length of 2 km situated within an urbanization perimeter indicated in the land use planning and development plan applicable to the territory concerned.		3
6. Rail yard, railroad and shared transportation		4

<p>7. Installation for natural gas or biomethane regasification or liquefaction</p> <p>(1) the construction of a facility for the liquefaction of natural gas or biomethane whose maximum daily capacity of liquefaction equipment is equal to or greater than 100 m³ of liquefied natural gas;</p>		4
<p>(2) the construction of a facility for the regasification of liquefied natural gas whose maximum daily capacity of regasification equipment is equal to or greater than 4,000 m³ of liquefied natural gas;</p>		4
<p>(3) any project to increase the maximum daily regasification capacity of a facility that would reach or exceed 4,000 m³ of liquefied natural gas;</p>		3
<p>(4) any project to increase the maximum daily liquefaction capacity of a facility that would reach or exceed 100 m³ of liquefied natural gas;</p>		3
<p>(5) any project to increase by 50% or more the maximum daily liquefaction capacity of a facility referred to in paragraphs 1 and 4;</p>		3
<p>(6) any project to increase by 50% or more the maximum daily regasification capacity of a facility referred to in paragraphs 2 and 3.</p>		3
<p>8. Oil pipelines and gas pipelines</p>		4
<p>9. Power transmission lines and transformer station</p>		
<p>(1) the construction, over a distance greater than 2 km, of an electric power transmission and distribution line of a voltage equal to or greater than 315 kV;</p>	<p>(a) over a length of less than 5 km</p>	3
	<p>(b) over a length of 5 km or more</p>	4
<p>(2) the construction of a control and transformer station of a voltage equal to or greater than 315 kV, including all the electric power transmission lines of the same voltage.</p>		2
<p>10. Electric power generation</p>		
<p>(1) the construction for electric power generation;</p>	<p>(a) of a hydro-electric power plant or a tidal energy farm of a capacity equal to or greater than 5MW;</p>	4
	<p>(b) of a fossil fuel power generating plant with a capacity equal to or greater than 5 MW;</p>	4

	(c) of a wind farm or any other type of power generating plant with a capacity equal to or greater than 10 MW;	4
(2) the reconstruction of a work referred to in subparagraph 1;		4
(3) any increase of the capacity of an electric power generating plant or farm, as the case may be, if the capacity of the plant or farm, before the increase or following the increase, is equal to or greater than:	(a) 5 MW in the case of a hydro-electric power plant or a tidal energy farm;	3
	(b) 5 MW in the case of a fossil fuel power generating plant;	3
	(c) 10 MW in the case of a wind farm or any other type of power generating plant;	3
(4) the addition of a turboalternator to a combustion system that had not been previously used to produce electric power if the capacity of the alternator is equal to or greater than:	(a) 5 MW in the case of a combustion system burning fossil fuels;	1
	(b) 10 MW in the other cases covered by this section.	1
11. Nuclear transformation and radioactive waste management		4
12. Petroleum exploration and production		4
13. Fuel, gas and coal processing		
(1) the construction of an oil refinery, a petrochemical plant, a liquid petroleum gas fractionating plant, a plant that processes or synthesizes energy-producing gas or a plant that processes or synthesizes coal products;		4
(2) any increase of 25% or more of the maximum daily production or transformation capacity of such a refinery or plant;		3
(3) any increase of the maximum daily production or transformation capacity that results in an expansion of more than 20% of the surface of the operation area of such a refinery or plant.		3
14. Pulp and paper mills		
(1) the construction of a mill within the meaning of the Regulation respecting pulp and paper mills (chapter Q-2, r. 27) whose maximum annual production capacity would be equal to or greater than 40,000 metric tons;	(a) de-inking plant	3
	(b) other pulp and paper mills	4

(2) any increase of the maximum annual production capacity of a mill to reach or exceed 40,000 metric tons;		4
(3) in the case of a mill whose maximum annual production capacity is equal to or greater than 40,000 metric tons:	(a) any increase of 50% or more of that capacity;	3
	(b) any increase of that capacity that results in an expansion of 20% or more of the surface of the mill operation area.	3
15. Rendering plant		
(1) the establishment of a dismembering plant, "rendering plant" category, within the meaning of section 1.3.4.2 of the Regulation respecting food (chapter P-29, r. 1), whose maximum hourly reception capacity would be equal to or greater than 1 metric ton;		4
(2) the increase of 10% or more of the maximum hourly reception capacity of such a plant;		3
(3) any increase of the maximum hourly capacity of a dismembering plant referred to in paragraph 1 to reach or exceed 1 metric ton.		3
16. Extractive metallurgy		
(1) the construction of an extractive metallurgy plant whose maximum annual production capacity would be equal to or greater than 20,000 metric tons;		4
(2) any increase of the maximum annual production capacity of such a plant to reach or exceed 20,000 metric tons;		4
(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 20,000 metric tons;		3
(4) the construction of an extractive metallurgy plant for the production of rare earth or rare earth compound, any increase of the maximum annual production capacity or any expansion of the operation area of such a plant;	- construction	4
	- increase of the capacity	3
(5) the construction of an extractive metallurgy plant for the production of radioactive elements or radioactive compounds, or uranium refining or enrichment and any increase of the maximum annual production capacity or expansion of the operation area of such a plant.	- construction	4
	- increase of the capacity	3

17. Cement and quicklime manufacturing (1) the construction of a cement or quicklime plant;	(a) construction of a cement plant	4
	(b) construction of a quicklime plant	3
(2) any increase of 50% or more of the maximum daily capacity for the production of cement or quicklime of such a plant;		3
(3) any increase of the maximum daily capacity for the production of cement or quicklime that results in an expansion of 20% or more of the operation area of such a plant.		3
18. Explosives manufacturing		
(1) the construction of a plant for the manufacturing of explosives, explosive detonators or explosive devices;		4
(2) the increase of the maximum daily production capacity of 10% or more of such a plant;		3
(3) the increase of the maximum daily production capacity that results in an expansion of 20% or more of the operation area of such a plant.		3
19. Manufacturing of chemicals		
(1) the construction of a chemical plant whose maximum annual production capacity would be equal to or greater than 50,000 metric tons;		4
(2) any increase of the maximum annual production capacity of a chemical plant to reach or exceed 50,000 metric tons;		4
(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 50,000 metric tons:	(a) any increase of 50% or more of that capacity;	3
	(b) any increase of that capacity that results in an expansion of 20% or more of the plant operation area.	3
20. Heavy water production		4
21. Mining activity		4
22. Ore treatment		4
(1) the construction of a treatment plant;		4

(2) any increase of the maximum daily treatment capacity of a plant referred to in subparagraph <i>c</i> or <i>d</i> of subparagraph 1 of the second paragraph to reach or exceed, as the case may be, any of the treatment thresholds provided for therein;		3
(3) any expansion of 50% or more of a treatment plant.		3
23. Physical metallurgy		
(1) the construction of a physical metallurgy plant for the processing, shaping or treatment of metal products whose maximum annual production capacity would be equal to or greater than 20,000 metric tons;		4
(2) any increase of the maximum annual production capacity of a plant to reach or exceed 20,000 metric tons;		4
(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 20,000 metric tons:	(a) any increase of 50% or more of that capacity;	3
	(b) any increase of that capacity that results in an expansion of more than 20% of the plant operation area.	3
24. Manufacturing of materials derived from wood		
(1) the construction of a plant that produces chipboard from wood fibre or manufactures other composite materials derived from wood whose annual maximum production capacity would be equal to or greater than 50,000 m ³ ;		4
(2) any increase of the maximum annual production capacity of a plant that would reach or exceed 50,000 m ³ ;		4
(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 50,000 m ³ :	(a) any increase of 50% or more of that capacity;	3
	(b) any increase of that capacity that results in an expansion of 20% or more of the surface of the plant operation area.	3
25. Manufacturing of motor vehicles or others		3
26. Manufacturing of bricks		
(1) the construction of a clay brick or fire brick plant whose maximum annual production capacity would be equal to or greater than 20,000 metric tons;		4

(2) any increase of the maximum annual production capacity of a plant to reach or exceed 20,000 metric tons;		4
(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 20,000 metric tons:	(a) any increase of 50% or more of that capacity;	3
	(b) any increase of that capacity that results in an expansion of 20% or more of the surface of the plant operation area.	3
27. Manufacturing of glass		
(1) the construction of a glass plant whose maximum annual production capacity would be equal to or greater than 50,000 metric tons;		4
(2) any increase of the maximum annual production capacity of a plant to reach or exceed 50,000 metric tons;		4
(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 50,000 metric tons:	(a) any increase of 50% or more of that capacity;	3
	(b) any increase of that capacity that results in an expansion of 20% or more of the surface of the plant operation area.	3
28. Manufacturing of tires		
(1) the construction of a tire plant whose maximum annual production capacity would be equal to or greater than 20,000 metric tons;		4
(2) any increase of the maximum annual production capacity of a plant to reach or exceed 20,000 metric tons;		4
(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 20,000 metric tons:	(a) any increase of 50% or more of that capacity;	3
	(b) any increase of that capacity that results in an expansion of 20% or more of the surface of the plant operation area.	3
29. Livestock production		2
30. Application of pesticides		4
31. Construction of storage tanks		2

32. Incineration of residual materials other than hazardous materials		4
33. Landfill site		4
34. Site for the final disposal of hazardous materials		4
35. Treatment and incineration of residual hazardous materials		4
36. Final disposal and thermal treatment of contaminated soils		4
37. Emissions of certain greenhouse gases		4

6. This Ministerial Order comes into force on 23 March 2018.

103338

M.O., 2018

Order number 2018 002 of the Minister of Health and Social Services dated 2 February 2018

An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2)

Regulation to amend the Regulation respecting the procedure for designating certain members of the board of directors of integrated health and social services centres and unamalgamated institutions

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING the first paragraph of section 12 of the Act to amend the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2), which provides that the Minister determines, by regulation, the procedure for designating the persons referred to in paragraphs 1 to 6 of sections 9 and 10;

CONSIDERING that the Minister made the Regulation respecting the procedure for designating certain members of the board of directors of integrated health and social services centres and unamalgamated institutions (chapter O-7.2, r. 1) and that the Regulation was amended by Minister's Order 2015-014 dated 1 October 2015;

CONSIDERING that the Minister set the date to designate members of the boards of directors of integrated health and social services centres and unamalgamated institutions on 26 March 2018;

CONSIDERING that the Regulation makes no provision for a poll by technological means to designate members;

CONSIDERING that the addition of a poll by technological means to designate certain members would make the designation procedure easier and make it more efficient and reliable;

CONSIDERING that it is expedient to amend the Regulation;

CONSIDERING section 11 of the Regulations Act (chapter R-18.1), which provides that a proposed regulation may not be made or submitted for approval before the expiry of 45 days from its publication in the *Gazette officielle du Québec*, or before the expiry of the period indicated in the notice accompanying it or in the Act under which the proposed regulation may be made or approved, where the notice or the Act provides for a longer period;

CONSIDERING section 12 of that Act, which provides that a proposed regulation may be made without prior publication, in particular where the authority making it is of the opinion that the urgency of the situation requires it;