

A service attendant may also carry out road tests to verify the work done by the service attendant, as well as perform a road-ready or pre-delivery inspection (PDI) of new vehicles, certified pre-owned vehicles or vehicles under warranty by a manufacturer-automaker or any other company.

Service attendants may perform the tasks listed above only insofar as the work does not require the handling of other parts or other components of a system. Service attendants may also do the work of a washer to complete their tasks.

However, service attendants may not perform any other task that is included in the duties of a trade without holding an apprenticeship card for that trade, regardless of the proportion of such tasks in relation to all the tasks they are authorized to carry out;”.

**2.** Section 9.01 is amended

(1) by inserting “Semiskilled worker and” before “Service attendant” in paragraph 6 of the table in the first paragraph;

(2) by striking out “welder,” “machinist,” and “upholsterer” in the footnote of the table in the first paragraph.

**3.** Section 12.03 is amended by replacing the second sentence by the following:

“They may follow, for each year of apprenticeship, the theoretical courses provided for in a training program recognized by the parity committee.”.

**4.** The following is inserted after section 13.01:

**“DIVISION 13.1.00  
TRANSITIONAL**

**13.1.01.** As of (*insert the date of publication of this Decree in the Gazette officielle du Québec*), the parity committee ceases to issue qualification certificates for the trades of welder, machinist and upholsterer.

Employees who hold such a certificate retain the wage rate corresponding to their journeyman classification applicable on that date with the wage increases, where applicable, for as long as they continue to perform the duties related to their certificate.”.

**5.** This Decree comes into force on (*insert the date of publication of this Decree in the Gazette officielle du Québec*).

105708

## Draft Regulation

Environment Quality Act  
(chapter Q-2)

### Charges to promote the treatment and reclamation of excavated contaminated soils

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting charges to promote the treatment and reclamation of excavated contaminated soils, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The object of the draft Regulation is to promote the treatment and reclamation of excavated contaminated soils, by introducing charges for the management of contaminated soils that will guide the owners of contaminated soils towards sustainable solutions for land rehabilitation, and more specifically the treatment and reclamation of excavated contaminated soils rather than burial. Another goal of the draft Regulation is to reduce the use of contaminated soils as a cover material for residual materials following disposal, in order to preserve the capacity of landfill sites.

The draft Regulation provides that the charges are payable for soils transported from their site of origin by the owner of the soils or, if the soils are excavated during work on a linear infrastructure, by the project owner, or if the soils are excavated following the accidental release of hazardous materials, by the person responsible for the release, and in certain cases, if soils are transported from a receiving site, by the site manager.

The draft Regulation has an impact on enterprises, the public, government departments and bodies, and municipalities which excavate contaminated soils during other work. It will result in additional costs of some 20 million dollars for owners of contaminated soils which will encourage them to choose treatment of the soils rather than burial. The charges collected will be used, in particular, to support the Programme de redistribution aux centres de traitement de sols contaminés du Québec and various financial assistance programs for the rehabilitation of contaminated land.

Further information on the draft Regulation may be obtained by contacting Marie-Andrée Vézina, Director, Direction des lieux contaminés, Ministère de l’Environnement et de la Lutte contre les changements climatiques, 675, boulevard René-Lévesque Est, 9<sup>e</sup> étage, Québec (Québec) G1R 5V7; email: marie-andree.vezina@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Marie-Andrée Vézina at the above contact information.

BENOIT CHARETTE  
*Minister of the Environment and the Fight  
Against Climate Change*

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## Regulation respecting charges to promote the treatment and reclamation of excavated contaminated soils

Environment Quality Act  
(chapter Q-2, s. 95.1, 1st par., subpars. 11, 12 and 21,  
and ss. 115.27, 115.34 and 124.1)

### CHAPTER I GENERAL

**1.** The object of this Regulation is to prescribe the charges payable for the management of excavated contaminated soils in order to promote their treatment and reclamation.

**2.** This Regulation applies in particular in a reserved area or in an agricultural zone established in accordance with the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

**3.** The soils to which this Regulation applies are the soils to which the Regulation respecting the traceability of excavated contaminated soils (chapter Q-2, r. 47.01) applies.

**4.** In this Regulation, “linear infrastructure”, “receiving site”, “project owner”, “receiving site manager” and “site of origin” have the meaning assigned in the Regulation respecting the traceability of excavated contaminated soils (chapter Q-2, r. 47.01).

### CHAPTER II CHARGES

**5.** For soils transported from their site of origin, except those referred to in section 3 of the Regulation respecting the traceability of excavated contaminated soils (chapter Q-2, r. 47.01), charges of one third of the charges referred to in the first paragraph of section 3 of the Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) are payable, for each metric ton, by the owner of the soils, by the project owner if the soils are excavated during work on a linear infrastructure,

or by the party responsible for the accidental release of hazardous materials if the soils are excavated following such a release,

(1) when the soils contain contaminants whose concentration exceeds the limit values set out in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37), except if the concentration is equal to or lesser than the limit values set out in Schedule II to that Regulation and if the soils are intended for reclamation in a contaminated soil burial site, a site for the final disposal of hazardous materials or a mine tailings site or are intended as a drainage layer in an engineered landfill or as a cover material in a trench landfill or a northern landfill, within the meaning of the third paragraph of section 94 of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19);

(2) when the soils contain contaminants whose concentration is equal to or lesser than the limit values set out in Schedule I to the Land Protection and Rehabilitation Regulation and are disposed of in a contaminated soil burial site or mine tailings site, sent to a contaminated soil stockpiling site, used for daily covering in an engineered landfill in accordance with section 41 of the Regulation respecting the landfilling and incineration of residual materials, monthly covering in a construction or demolition waste landfill in accordance with section 105 of the Regulation respecting the landfilling and incineration of residual materials or the construction of access roads in residual materials disposal areas in either type of landfill, or sent outside Québec.

When the soils are intended for a contaminated soil processing site or contaminated soil transfer station, the charges payable are one half of the charges provided for in the first paragraph.

**6.** For soils referred to in section 3 of the Regulation respecting the traceability of excavated contaminated soils (chapter Q-2, r. 47.01) that are transported from a receiving site, charges of one third of the charges referred to in the first paragraph of section 3 of the Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) are payable, for each metric ton, by the manager of that site

(1) when the soils contain contaminants whose concentration exceeds the limit values set out in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37), except if the concentration is equal to or lesser than the limit values set out in Schedule II to that Regulation and if the soils are intended for reclamation in a contaminated soil burial site, a site for the final

disposal of hazardous materials or a mine tailings site or are intended as a drainage layer in an engineered landfill or as a cover material in a trench landfill or a northern landfill, within the meaning of the third paragraph of section 94 of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19);

(2) when the soils contain contaminants whose concentration is equal to or lesser than the limit values set out in Schedule I to the Land Protection and Rehabilitation Regulation and are disposed of in a contaminated soil burial site or mine tailings site, sent to a contaminated soil stockpiling site, used for daily covering in an engineered landfill in accordance with section 41 of the Regulation respecting the landfilling and incineration of residual materials, monthly covering in a construction or demolition waste landfill in accordance with section 105 of the Regulation respecting the landfilling and incineration of residual materials or the construction of access roads in residual materials disposal areas in either type of landfill, or sent outside Québec.

When the soils are intended for a contaminated soil treatment site or contaminated soil transfer station, the charges payable are one half of the charges provided for in the first paragraph.

**7.** For soils buried in a contaminated soil burial site situated on their site of origin, charges of one third of the charges referred to in the first paragraph of section 3 of the Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) are payable, for each metric ton, by the owner of the soils.

Each year, not later than 31 January, for the preceding period from 1 July to 31 December, and not later than 31 July, for the preceding period from 1 January to 30 June, the owner of the soils must send the following information to the Minister of Sustainable Development, Environment and Parks, using the form supplied by the Minister:

- (1) the owner's name and contact information;
- (2) the nature of the substances present in the soils and their concentration value;
- (3) the quantity of soils buried, in metric tons.

**8.** The soils must be weighed on arrival at the receiving site by the manager to determine the quantity to which charges apply.

For soils buried at a place on the site of origin, the owner of the soils must weigh them before burial.

The devices used to weigh the soils must be used and maintained so as to provide reliable data and be calibrated at least once a year.

This section does not apply when the receiving site is a landfill site reserved for the exclusive use of an industrial, commercial or other establishment, if data on the quantity of soils buried there may be obtained otherwise.

**9.** The increase provided for in section 4 of the Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) must be included in the calculation of the charges prescribed by this Regulation.

The Minister of Sustainable Development, Environment and Parks must publish, on 1 January of each year, the results of the calculation by any means the Minister considers appropriate.

**10.** Charges payable under this Regulation must be paid in full within 30 days after the Minister notifies a notice of claim stating the amount owed.

The charges are payable in cash, by cheque or postal order made out to the Minister of Finance, or by electronic means.

**11.** In addition to interest, the following amounts are added to the amount owed:

- (1) 7% of the amount of unpaid charges if the delay does not exceed 7 days;
- (2) 11% of the amount of unpaid charges if the delay exceeds 7 days but does not exceed 14 days;
- (3) 15% of the amount of unpaid charges in other cases.

The first paragraph does not apply when the unpaid charges for the applicable period concern less than 1% of the total quantity of contaminated soils for which charges are payable pursuant to the Minister's notice of claim.

In addition, no unpaid charge, no interest under the first paragraph, and no amount referred to in the second paragraph is payable when it is less than \$5.

If the total of all charges, interest and amounts referred to in the second paragraph that are paid exceed the amount actually owed by more than \$5, a credit equivalent to the difference may be applied against the payment of the charges owed following the notification of a future notice of claim. On request, the difference may also be refunded.

### CHAPTER III PENALTIES

**12.** A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails to send the information listed in the second paragraph of section 7 to the Minister, within the time and on the conditions set out in that paragraph.

**13.** A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to pay the charges prescribed in section 5 or 6 or in the first paragraph of section 7 or to pay the charges within the time and on the conditions set out in section 10;

(2) to weigh soils as prescribed in the first and second paragraphs of section 8;

(3) to comply with the conditions for using or maintaining devices referred to in the third paragraph of section 8.

**14.** Every person who contravenes the second paragraph of section 7 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 and, in other cases, to a fine of \$6,000 to \$600,000.

**15.** Every person who fails

(1) to pay the charges prescribed in section 5 or 6 or in the first paragraph of section 7 or to pay the charges within the time and on the conditions set out in section 10,

(2) to weigh soils as prescribed in the first and second paragraphs of section 8,

(3) to comply with the conditions for using or maintaining devices referred to in the third paragraph of section 8, commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 and, in other cases, to a fine of \$7,500 to \$1,500,000.

### CHAPTER IV FINAL

**16.** This Regulation comes into force on 1 January 2023.

105702

### Draft Regulation

Animal Welfare and Safety Act  
(chapter B-3.1)

#### Welfare and safety of domestic companion animals and equines

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the welfare and safety of domestic companion animals and equines, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation mainly sets health, safety and welfare standards for the keeping of domestic companion animals and equines. It also determines the classes of permits and the conditions on and manner in which they are to be issued or renewed and sets the related fees and costs. Lastly, it provides that the holder of a permit or the person having custody of a cat or dog as part of commercial breeding or raising operations must keep a register and determine its minimum content.

The draft Regulation replaces the Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1) currently in force.

Study of the matter has shown that the new Regulation could result in a shortfall estimated at \$94,200 in average gross annual income per commercial dog breeding operation which, after five years, will be required to comply with the 50 adult dog ceiling which it currently exceeds, namely, an overall impact of about \$1,000,000. The remainder of the clientele affected by the draft Regulation would see a reduction of the costs of administrative formalities of \$2,059, compared to the current situation, except places where equines are taken in, which would be required to obtain a permit.

Further information on the draft Regulation may be obtained by contacting Émilie Pelletier, veterinary surgeon, Direction adjointe à la réglementation et des programmes, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 11e étage, Québec (Québec) G1R 4X6; email: [reglementationBEA@mapaq.gouv.qc.ca](mailto:reglementationBEA@mapaq.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Christine Barthe, Assistant