

**89.2.** Every person who contravenes the first or second paragraph of section 4, the first paragraph of section 87.14.1 or the second paragraph of section 87.27 or 87.28 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

**89.3.** Every person who contravenes section 3.1, 6 or 11, the second paragraph of section 11.1, section 16.2, subparagraph *i* of the first paragraph of section 21, paragraph *d* of section 25.1, subparagraph *b* of the first paragraph of section 27, paragraph *d* of section 31.1, subparagraph *f* of the first paragraph or the second paragraph of section 34, subparagraph *i* of the first paragraph of section 37, paragraph *a* of section 39.2, subparagraph *k* of the first paragraph of section 41, the second paragraph of section 56, subparagraph *c* of the first paragraph of section 61, section 87.8, 87.14, the second paragraph of section 87.16, the second or third paragraph of section 87.22, the third or fourth paragraph of section 87.24 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

Every person who fails to ensure that

(1) a prefabricated septic tank complies with the BNQ standard prescribed by section 11,

(2) the systems referred to in section 11.1, 16.2, 87.8 or 87.14 comply with the NQ standards prescribed therein,

also commits an offence and is liable to the fines provided for in the first paragraph.

**89.4.** Every person who

(1) contravenes the first paragraph of section 3, section 11.4, 16.6, 87.12 or 87.18, the first paragraph of section 87.27 or 87.28, or section 87.29 or 87.30,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

**89.5.** Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this

Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”.

**3.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*

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Gouvernement du Québec

**O.C. 675-2013, 19 June 2013**

Environment Quality Act  
(chapter Q-2)

### **Pulp and paper mills — Amendment**

Regulation to amend the Regulation respecting pulp and paper mills

WHEREAS, under subparagraphs *c*, *d*, *e* and *h* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit and control sources of contamination, determine a maximum permissible quantity or concentration of emission of contaminants, define standards for the protection and quality of the environment and determine the methods for collecting, analysing and computing any emission, deposit, issuance or discharge of a contaminant;

WHEREAS, under paragraphs *c* and *g* of section 46 of the Act, the Government may make regulations to determine the maximum quantity or concentration of a contaminant the discharge of which is allowed into water and the mode of discharging and treatment of waste water;

WHEREAS, under section 53.30 of the Act, the Government may, by regulation, regulate the recovery and reclamation of residual materials;

WHEREAS, under section 70 of the Act, the Government may make regulations to regulate the elimination of residual materials;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting pulp and paper mills (chapter Q-2, r. 27);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting pulp and paper mills was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting pulp and paper mills, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

## **Regulation to amend the Regulation respecting pulp and paper mills**

Environment Quality Act  
(chapter Q-2, s. 31, 1st par., subpars. *c*, *d*, *e* and *h*, s. 46, pars. *c*, *f* and *g*, s. 53.30, 1st par., subpars. 4 and 5, s. 70, pars. 2, 5, 6 and 7, and ss. 115.27 and 115.34)

**1.** The Regulation respecting pulp and paper mills (chapter Q-2, r. 27) is amended by inserting “or mill” in subparagraph 1 of the second paragraph of section 26 after “if the complex”.

**2.** Section 28 is amended by replacing “RPR<sub>NP</sub>” in the third paragraph by “RPR<sub>NF</sub>”.

**3.** Section 29 is amended by replacing “RPR<sub>NP</sub>” in the third paragraph by “RPR<sub>NF</sub>”.

**4.** Section 30 is amended

(1) by striking out the second paragraph;

(2) by replacing “RPR<sub>NP</sub>” in the fourth paragraph by “RPR<sub>NF</sub>”;

(3) by striking out the fifth paragraph.

**5.** Section 31 is amended

(1) by striking out the second paragraph;

(2) by replacing “RPR<sub>NP</sub>” in the fourth paragraph by “RPR<sub>NF</sub>”;

(3) by striking out the fifth paragraph.

**6.** Section 70 is amended

(1) by replacing subparagraph 5 of the first paragraph by the following:

“(5) AOX

(a) once a week on a day on which bleached pulp is produced, where a chlorinated product is used as a pulp bleaching agent, for an effluent discharged into the environment, into a storm sewer or into a sewer system if, in the latter case, an effluent is also discharged into the environment or into a storm sewer;

(b) once a month, at an interval of at least 21 days, for an effluent discharged into a sewer system;”;

(2) by replacing “if all the standards” in the last paragraph by “if the standards provided for in subparagraphs 2 and 4 of the first paragraph”.

**7.** Section 71 is amended by replacing “of the first paragraph” in the last paragraph by “in subparagraphs 1 and 2 of the first paragraph”.

**8.** Section 75 is amended by adding the following paragraph:

“If the stored materials consist of treatment sludge, de-inking sludge or bark, the parameters referred to in section 104 must all be measured.”.

**9.** Section 104 is amended by replacing the title of the right column “Average concentration” by “Standards”.

**10.** Section 122 is amended by striking out “taken before treatment” in the first paragraph.

**11.** Section 131 is amended by replacing “à stocker” in paragraph 10 of the French text by “à entreposer”.

**12.** The following is inserted after the heading of Chapter VII and before section 138:

**“DIVISION I  
MONETARY ADMINISTRATIVE PENALTIES**

**137.1.** A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person, in contravention of this Regulation, who fails to keep any log, result, measurement or any information for the period provided for in the Regulation.

**137.2.** 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,

(1) under this Regulation, fails to set up a log or, where applicable, to keep it up to date;

(2) fails to send to the Minister or provide the Minister with the report provided for in section 65 or the first paragraph of section 113 in accordance with those sections.

**137.3.** 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 send to the Minister, within the time and on the conditions provided for in this Regulation,

(a) a prevention and intervention program for accidental discharge or the update of such a program in accordance with section 2;

(b) one of the notices referred to in section 3;

(c) an estimation of the interim reference production rate along with supporting documents in accordance with the second paragraph of section 7;

(d) any other data or measurement or any report or analysis report required by this Regulation, in cases where no other monetary administrative penalties are provided for such failure;

(2) to use an interim reference production rate in the cases and on the conditions provided for in section 9;

(3) to comply with the conditions provided for in section 11 as to the surface of a watercourse receiving the discharge;

(4) to perform a test or an inspection in accordance with the third paragraph of section 62, section 63 or 64;

(5) to correct any malfunction or inaccuracy in the primary element in accordance with section 66;

(6) to comply with the conditions to take, perform, keep or transport the analyses provided for in any of sections 76 to 79, section 85 or the first or second paragraph of section 105;

(7) to have the analyses referred to in section 79, the third paragraph of section 85 or section 105 or the second paragraph of section 112 performed by a laboratory accredited by the Minister in accordance with those sections;

(8) to install, calibrate or maintain in working order a system or device referred to in section 81, in the cases and on the conditions provided for in that section;

(9) to install, maintain in working order, inspect or test a measurement and recording system in accordance with the second paragraph of section 105;

(10) to carry out any measurement or analysis, any calculation or recording or to take any sample, within the time and on the conditions provided for in this Regulation, in cases where no other monetary administrative penalties are provided for such failure.

**137.4.** A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to comply with the conditions of final effluent discharge provided for in section 10;

(2) to treat or discharge scrubbing water referred to in section 23 on the conditions provided for in that section;

(3) to separate cooling water from other process water in accordance with section 42;

(4) to treat or discharge sanitary wastewater in accordance with section 43 or 44;

(5) to install or maintain in working order a sampling station or a measurement system according to the conditions prescribed by any of sections 46 to 49 or the first or second paragraph of section 62, or fails to ensure access to those stations or systems for monitoring purposes in accordance with section 50;

(6) to install or maintain a drainage system for runoff water in the cases and on the conditions provided for in section 52 or 108;

(7) to ensure that an outdoor storage area is watertight or to collect water from the storage area in the cases and on the conditions provided for in the first or second paragraph of section 53;

(8) to comply with the sampling conditions provided for in section 67;

(9) to install or maintain a water collection system in accordance with section 102 or to treat the water in the cases and on the conditions provided for in that section;

(10) to comply with the conditions of elevation, grade, cover, landfill or storage of residual materials provided for in section 109, 114, 115, 116 or 118;

(11) to prohibit public access to a landfill site in accordance with section 110;

(12) to lay out water table observation wells in accordance with section 111;

(13) to comply with the requirements provided for in section 121 in respect of a permanently closed landfill site;

(14) to respect the frequencies and terms of sampling or measurements provided for in the first, second or third paragraph of section 122 in the cases and on the conditions provided for in that section;

(15) to respect the volumes of stored residual materials prescribed by section 127 or to treat excess residual materials in accordance with that section;

(16) to ensure that the storage area is watertight or to collect water from the storage area in accordance with section 128.

**137.5.** A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails

(1) to comply with the conditions provided for in section 22 as to the treatment of wastewater or sludge referred to in that section;

(2) to close a landfill site or to immediately notify the Minister thereof in the cases and on the conditions provided for in section 119;

(3) to obtain from an independent expert a closure report of a landfill site that complies with section 120 or to send it to the Minister within the period provided for in that section.

**137.6.** A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who

(1) empties with the effluents the solids accumulated in any process water treatment equipment in contravention of section 21;

(2) establishes or alters an outdoor storage area referred to in section 51 without complying with the siting standards prescribed by that section;

(3) fails to install or maintain an emergency basin in a state of readiness in accordance with section 55;

(4) accepts residual materials other than those provided for in section 96, 117 or 129;

(5) establishes or enlarges a landfill facility in a prohibited place pursuant to section 99;

(6) landfills residual materials without complying with the conditions prescribed by section 100 or 101;

(7) deposits mill residual materials into the water in contravention of section 103;

(8) directs to a landfill site residual materials, sludge or residues that do not meet the conditions provided for in the first or second paragraph of section 106 or section 107.

**137.7.** A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who

(1) contravenes a standard related to an effluent prescribed by any of sections 12 to 17;

(2) dilutes an effluent or combines it with another effluent in contravention of any of sections 18 to 20;

(3) fails to respect a daily or monthly limit of loss or discharge prescribed by section 24 or 25, any of sections 27 to 33 or 35 to 41 on the conditions provided for therein;

(4) contravenes a concentration standard provided for in section 45, the first or second paragraph of section 53, any of sections 57 to 59 or section 104;

(5) dilutes water referred to in section 89 before it is discharged into the environment or into a storm sewer.”.

**13.** The following is inserted before section 138:

**“DIVISION II  
PENAL SANCTIONS”.**

**14.** Sections 138 to 141 are replaced by the following:

**“138.** Every person who fails to keep any log, result or measurement for the period provided for, in accordance with the fourth paragraph of section 62, section 64, the third paragraph of section 80, section 86, the third paragraph of section 98, the sixth paragraph of section 105 or the third paragraph of section 112 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

**139.** Every person who

(1) fails to keep the log provided for in the fourth paragraph of section 62, section 64 or the third paragraph of section 80,

(2) contravenes section 65 or the first paragraph of section 113,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

**140.** Every person who contravenes section 2 or 3, the second paragraph of section 7, section 9 or 11, the third paragraph of section 62, section 63, 64 or 66, any of sections 68 to 79, the first or second paragraph of section 80, any of sections 81 to 85, section 87, the first or second paragraph of section 98, the first, second, third, fourth or fifth paragraph of section 105, the first or second paragraph of section 112, the second paragraph of section 113 or the fourth paragraph of section 122 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

**141.** Every person who

(1) contravenes section 10 or 23, any of sections 42 to 44 or 46 to 50, section 52, the first or second paragraph of section 62, section 67 or 102, any of sections 108 to 111 or 114 to 116, section 118, the second paragraph of section 121, the first, second or third paragraph of section 122 or section 127 or 128,

(2) fails to ensure that the outdoor storage area referred to in section 53 is watertight or to collect water from those areas,

commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

**141.1** Every person who

(1) contravenes section 22, 119 or 120,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

**141.2.** Every person who contravenes section 21, 51, 55 or 96, any of sections 99 to 101, section 103, the first or second paragraph of section 106, section 107, 117 or 129 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

**141.3.** Every person who contravenes

(1) any of sections 12 to 20, section 24 or 25, any of sections 27 to 33 or 35 to 41, section 45, any of sections 57 to 59, section 89 or 104,

(2) the standards applicable to water from stored materials in accordance with section 53,

commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

**141.4.** Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”.

**15.** The heading of Schedule II is amended by striking out “monthly” before “report”.



**16.** The heading of Schedule III is amended by striking out “monthly” before “report”.

**17.** Schedule XVI is amended by replacing “(μhmos/cm)” in the table under “Conductivity” by “(μS/cm)”.

**18.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

## **O.C. 676-2013, 19 June 2013**

Environment Quality Act  
(chapter Q-2)

### **Halocarbons —Amendment**

Regulation to amend the Regulation respecting halocarbons

WHEREAS, under subparagraphs *c* and *e* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit and control sources of contamination and define standards for the protection and quality of the environment;

WHEREAS, under paragraphs 14, 15, 16 and 18 of the first paragraph of section 70.19 of the Act, the Government may, by regulation, control hazardous materials and prescribe the preparation of registers, reports or other documents related to the materials;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting halocarbons (chapter Q-2, r. 29);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting halocarbons was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting halocarbons, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

### **Regulation to amend the Regulation respecting halocarbons**

Environment Quality Act  
(chapter Q-2, s. 31, 1st par., subpars. *c* and *e*, s. 70.19, 1st par., subpars. 14, 15, 16, 18, and ss. 115.27 and 115.34)

**1.** The Regulation respecting halocarbons (chapter Q-2, r. 29) is amended by replacing section 20 by the following:

“**20.** No person may refill a refrigeration or air conditioning unit with a CFC.

No person may repair, transform or modify a unit designed to operate with a CFC, except to enable it to operate with a halocarbon other than a CFC or a substance other than a halocarbon.”.

**2.** Section 27 is amended by striking out “As of 23 December 2005,” in the second paragraph.

**3.** Section 34 is replaced by the following:

“**34.** No person may charge or recharge a portable fire extinguisher with halon.”.

**4.** Section 35 is revoked.

**5.** Section 41 is amended

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