

(2) to install a well system to monitor groundwater quality that complies with the requirements of section 6.

13.5. 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 to inform the Minister if a limit value has been exceeded in accordance with the second paragraph of section 8.”.

2. Section 14 is replaced by the following:

“**14.** Every person who contravenes the third paragraph of section 8 or the second paragraph of section 9 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.

14.1. Every person who contravenes the first paragraph of section 9 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.

14.2. Every person who contravenes section 7, the first paragraph of section 8 or section 11 or 13 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.

14.3. Every person who contravenes section 4 or 6 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.

14.4. Every person who

(1) contravenes the second paragraph of section 8,

(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.

14.5. 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 Regulation 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*.

2818

Gouvernement du Québec

O.C. 680-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

Quality of the atmosphere —Amendment

Regulation to amend the Regulation respecting the quality of the atmosphere

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), 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 the quality of the atmosphere (chapter Q-2, r. 38);

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 the quality of the atmosphere 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 the quality of the atmosphere, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the quality of the atmosphere

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting the quality of the atmosphere (chapter Q-2, r. 38) is amended by inserting the following after section 96.3:

“DIVISION XXX.1.1 MONETARY ADMINISTRATIVE PENALTIES

96.3.1. 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 duct or to treat the odours referred to in the second paragraph of section 16 by equipment for the treatment of gas;

(2) to comply with the conditions prescribed by the third paragraph of section 16 as to the operating areas for the processes and the stocking areas;

(3) to sample or to analyze a contaminant referred to in section 96 according to the method provided for in paragraph *i* of that section or according to an equivalent method.

96.3.2. 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 fails to comply with the conditions prescribed by the second paragraph of section 24 as to the location of a grain processing plant referred to in that section.

96.3.3. 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 fails

(1) to comply with the maximum quantities of organic compound emissions established by section 12 in the cases provided for in that section;

(2) to comply with the standards of reduction of organic compound emissions established by section 13 in the case provided for in that section;

(3) to comply with the values established by the first or second paragraph of section 16 as to the concentration of odours discharged into the atmosphere, in the cases provided for in that section;

(4) to take the necessary measures to ensure the purposes referred to in section 19 in the case of emission of dust in the cases provided for in that section;

(5) to comply with the hourly quantities of particulate matter emissions referred to in the first paragraph of section 24 or the concentration provided for in the first paragraph of section 25 for those matters in the cases and on the conditions provided for in those sections;

(6) to comply with the emission standards that apply to a gas turbine established by section 35 in the cases provided for in that section;

(7) to comply with the emission standards of particulate matters established

(a) by section 42 and applicable to a cement plant in the cases provided for in that section;

(b) by section 45 and applicable to a furnace or a boiler in the cases provided for in that section;

(c) by section 62 and applicable to certain operations related to the operation of a foundry in the cases provided for in that section.”.

2. The heading of Division XXX.2 is amended by replacing “PENALTIES” before section 96.4 by “PENAL SANCTIONS”.

3. Section 96.6 is replaced by the following:

“**96.6.** Every person who contravenes section 96.1 or 96.2 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.

96.7. Every person who

(1) contravenes the third paragraph of section 16 or paragraph *i* of section 96,

(2) fails to duct or to treat the odours referred to in the second paragraph of section 16 by equipment for the treatment of gas,

(3) 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 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.

96.8. Every person who contravenes the second paragraph of section 24 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.

96.9. Every person who

(1) contravenes section 12, 13 or 19, the first paragraph of section 24, section 25, 35, 42, 45 or 62,

(2) fails to comply with the values established by the first or second paragraph of section 16 as to the concentration of odours discharged into the atmosphere,

commits an offence and is liable, in the case of 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.”

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

2819

Gouvernement du Québec

O.C. 681-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Water quality in swimming pools and
other artificial pools
— Amendment**

Regulation to amend the Regulation respecting water quality in swimming pools and other artificial pools

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), 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 water quality in swimming pools and other artificial pools (chapter Q-2, r. 39);

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 water quality in swimming pools and other artificial pools 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 water quality in swimming pools and other artificial pools, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting water quality in swimming
pools and other artificial pools**

Environment Quality Act
(chapter Q-2, ss. 115.27 and 115.34)

1. The Regulation respecting water quality in swimming pools and other artificial pools (chapter Q-2, r. 39) is amended by inserting the following after section 22:

**“CHAPTER V.1
MONETARY ADMINISTRATIVE PENALTIES**

22.1. 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 who fails

(1) to enter the water monitoring results in the record in accordance with the first paragraph of section 21 or to do the certification required under the first or the second paragraph of that section;

(2) to post the record at the frequency or on the conditions prescribed in section 22.