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**DU Québec**

**Part**

**2**

**No. 7**

14 February 2018

**Laws and Regulations**

Volume 150

**Summary**

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### Contents

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**PROVINCE OF QUÉBEC**

1ST SESSION

41ST LEGISLATURE

QUÉBEC, 23 NOVEMBER 2017

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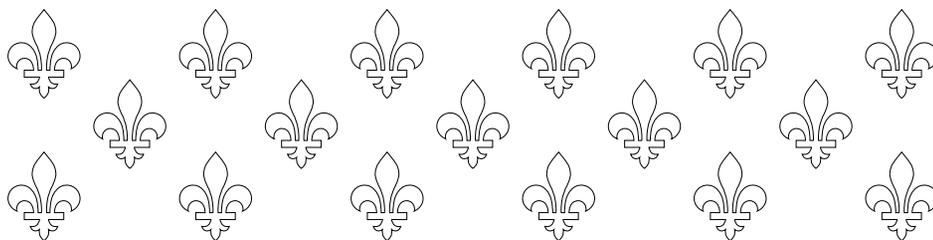
**OFFICE OF THE LIEUTENANT-GOVERNOR***Québec, 23 November 2017*

This day, at twenty minutes past three o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to assent to the following bills:

- 147 An Act concerning the prohibition against bringing certain actions related to the operation of off-highway vehicles on trails forming part of the interregional network
- 148 An Act to regulate generic medication procurement by owner pharmacists and to amend various legislative provisions

To these bills the Royal assent was affixed by His Excellency the Lieutenant-Governor.





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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 147  
(2017, chapter 25)

**An Act concerning the prohibition  
against bringing certain actions related  
to the operation of off-highway vehicles  
on trails forming part of the  
interregional network**

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**Introduced 31 October 2017  
Passed in principle 16 November 2017  
Passed 23 November 2017  
Assented to 23 November 2017**

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**Québec Official Publisher  
2017**

**EXPLANATORY NOTES**

*This Act proposes setting 1 January 2020 as the date on which the prohibition against bringing certain civil actions related to the operation of off-highway vehicles on trails forming part of the interregional network ceases to have effect.*

**LEGISLATION AMENDED BY THIS ACT:**

- Act respecting off-highway vehicles (chapter V-1.2).

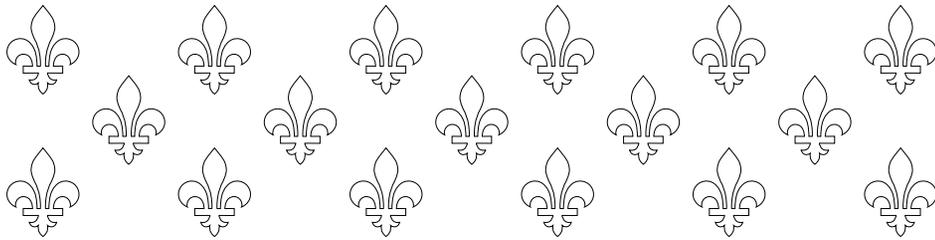
## **Bill 147**

### **AN ACT CONCERNING THE PROHIBITION AGAINST BRINGING CERTAIN ACTIONS RELATED TO THE OPERATION OF OFF-HIGHWAY VEHICLES ON TRAILS FORMING PART OF THE INTERREGIONAL NETWORK**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Section 87.1 of the Act respecting off-highway vehicles (chapter V-1.2) is amended by replacing “1 December 2017” in the first paragraph by “1 January 2020”.
- 2.** This Act comes into force on 23 November 2017.





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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 148  
(2017, chapter 26)

**An Act to regulate generic medication  
procurement by owner pharmacists and  
to amend various legislative provisions**

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**Introduced 5 October 2017  
Passed in principle 14 November 2017  
Passed 23 November 2017  
Assented to 23 November 2017**

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**Québec Official Publisher  
2017**

**EXPLANATORY NOTES**

*This Act provides that an owner pharmacist may not, in a calendar year, procure generic medications from the same manufacturer in excess of 50% of the monetary value of all the generic medications purchased by the pharmacist during that year; subject to certain exceptions. To that end, the Act enacts the Regulation to govern generic medication procurement by owner pharmacists.*

*The Act also requires every owner pharmacist to send the Régie de l'assurance maladie du Québec an annual report of purchases for each brand of generic medications purchased.*

*Penal sanctions are introduced for cases where an owner pharmacist fails to comply with these provisions.*

*Lastly, the Act includes technical and consequential provisions.*

**LEGISLATION AMENDED BY THIS ACT:**

- Act respecting prescription drug insurance (chapter A-29.01);
- Act respecting the Régie de l'assurance maladie du Québec (chapter R-5);
- Act to extend the powers of the Régie de l'assurance maladie du Québec, regulate commercial practices relating to prescription drugs and protect access to voluntary termination of pregnancy services (2016, chapter 28).

**REGULATION ENACTED BY THIS ACT:**

- Regulation to govern generic medication procurement by owner pharmacists (2017, chapter 26, section 13).

## Bill 148

### AN ACT TO REGULATE GENERIC MEDICATION PROCUREMENT BY OWNER PHARMACISTS AND TO AMEND VARIOUS LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING PRESCRIPTION DRUG INSURANCE

**1.** The Act respecting prescription drug insurance (chapter A-29.01) is amended by inserting the following section after section 8.1.2:

**“8.1.3.** An owner pharmacist must send the Board an annual report of purchases for each brand of generic medications entered on the list of medications purchased by the pharmacist during a calendar year. The report must be sent not later than 1 March of the following calendar year.”

**2.** Section 60.0.5 of the Act is amended by inserting the following sentence after the first sentence of the first paragraph: “The Minister may also, for the same reasons and in the same manner, suspend the application of the regulatory provisions enacted under paragraph 4.1 of section 80 governing generic medication procurement by owner pharmacists.”

**3.** Section 80 of the Act is amended by inserting the following paragraph after paragraph 4:

“(4.1) govern the procurement by owner pharmacists, from the same manufacturer, of generic medications entered on the list of medications; and”.

**4.** Section 80.2 of the Act is amended by replacing “a benefit authorized by regulation or a discount or, in the case of a wholesaler, a profit margin not provided for in the commitment” in paragraph 6 by “a discount, profit margin or other benefit authorized by regulation or provided for in the commitment, as the case may be”.

**5.** Section 80.5 of the Act, enacted by section 50 of chapter 28 of the statutes of 2016, is amended by replacing “or section 8.1.2” in the first paragraph by “, section 8.1.2 or section 8.1.3”.

**6.** Section 84.2.2 of the Act is amended by adding the following paragraph at the end:

“The same applies to an accredited manufacturer or wholesaler who contravenes section 60.0.6.”

**7.** The Act is amended by inserting the following section after section 84.3:

**“84.3.0.1.** An owner pharmacist who contravenes a provision of a regulation made by the Minister under paragraph 4.1 of section 80 is guilty of an offence and is liable to a fine of \$10,000 to \$100,000.”

**8.** Section 85 of the Act is amended by replacing “section 84.7” by “sections 84.3.0.1 and 84.7”.

#### ACT RESPECTING THE RÉGIE DE L'ASSURANCE MALADIE DU QUÉBEC

**9.** Section 2.0.13 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), enacted by section 65 of chapter 28 of the statutes of 2016, is amended

(1) in the second paragraph,

(a) by replacing “or mandates given to a third person” by “, mandates given to a third person, reports or other documents”;

(b) by inserting “or according to the appropriate model” after “on the appropriate form”;

(2) by inserting the following paragraph after the second paragraph:

“In addition, the Board may require that registers kept for the purposes of an Act, regulation or program referred to in the first paragraph be kept according to the model the Board provides.”;

(3) by inserting “and models” after “forms” in the third paragraph.

**10.** Section 20.1 of the Act is amended by replacing “or a drug manufacturer or wholesaler accredited by the Minister” by “, a drug manufacturer or wholesaler accredited by the Minister, or an intermediary”.

**11.** Section 40.1 of the Act is amended by striking out “section 22 or 70.0.1 of” in paragraph *d.3*.

ACT TO EXTEND THE POWERS OF THE RÉGIE DE L'ASSURANCE  
MALADIE DU QUÉBEC, REGULATE COMMERCIAL PRACTICES  
RELATING TO PRESCRIPTION DRUGS AND PROTECT ACCESS TO  
VOLUNTARY TERMINATION OF PREGNANCY SERVICES

**12.** Section 81 of the Act to extend the powers of the Régie de l'assurance maladie du Québec, regulate commercial practices relating to prescription drugs and protect access to voluntary termination of pregnancy services (2016, chapter 28) is amended by replacing “sixth” by “seventh”.

REGULATION TO GOVERN GENERIC MEDICATION PROCUREMENT  
BY OWNER PHARMACISTS

**13.** The Regulation to govern generic medication procurement by owner pharmacists, the text of which appears below, is enacted.

“REGULATION TO GOVERN GENERIC MEDICATION  
PROCUREMENT BY OWNER PHARMACISTS

**1.** Subject to the second paragraph, an owner pharmacist may not, in a calendar year, procure generic medications entered on the list of medications from the same manufacturer in excess of 50% of the monetary value of all the generic medications purchased by the pharmacist during that year.

The purchase limit may be exceeded by a maximum of 5 percentage points during a calendar year. In such a case, the 50% purchase limit is reduced accordingly the following calendar year. However, the 50% limit may not be exceeded the calendar year following the one in which it was reduced.”

MISCELLANEOUS AND FINAL PROVISIONS

**14.** The Regulation to govern generic medication procurement by owner pharmacists, enacted by section 13, is deemed to have been made by the Minister under paragraph 4.1 of section 80 of the Act respecting prescription drug insurance (chapter A-29.01), enacted by section 3.

**15.** This Act comes into force on 23 November 2017, except section 9, which comes into force on 7 December 2017.



## Regulations and other Acts

Gouvernement du Québec

### O.C. 44-2018, 30 January 2018

An Act respecting the Société des alcools du Québec  
(chapter S-13)

#### Purchase and Bottling of Spirits

##### —Amendment

Regulation to amend the Purchase and Bottling of  
Spirits Regulation

WHEREAS section 26 and subparagraph 1 of the first paragraph of section 37 of the Act respecting the Société des alcools du Québec (chapter S-13.1) provide that the Government, on the recommendation of the Minister of Finance and the Minister of Public Security, may make regulations in particular to determine the conditions or modalities of purchase, making, bottling, keeping, handling, storing, sale or shipping of alcoholic beverages;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Purchase and Bottling of Spirits Regulation was published in Part 2 of the *Gazette officielle du Québec* of 6 September 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance and the Minister of Public Security:

THAT the Regulation to amend the Purchase and Bottling of Spirits Regulation, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

#### Regulation to amend the Purchase and Bottling of Spirits Regulation

An Act respecting the Société des alcools du Québec  
(chapter S-13, ss. 26 and 37, 1st par., subpar. 1)

**1.** The Purchase and Bottling of Spirits Regulation (chapter S-13, r. 1) is amended in section 2 by replacing paragraphs 2 to 5 by the following:

- “(2) brandy;
- (3) cognac;
- (4) dry gin;
- (5) rum;
- (6) tequila or mescal;
- (7) vodka;
- (8) Scottish whisky;
- (9) Irish whisky.”

**2.** Section 4 is revoked.

**3.** Paragraph 3 of section 6 is replaced by the following:

“(3) the place of origin of the spirits identified as follows:

“product of (country of origin and name of spirits);”.

**4.** Section 7 is revoked.

**5.** Section 8 is replaced by the following:

“**8.** The holder of a distiller’s permit who indicates the origin of spirits in accordance with paragraph 3 of section 6 shall fulfil the following obligations:

(1) the permit holder shall keep, for later verification by the Régie des alcools, des courses et des jeux, identification of the seal affixed to the container of spirits at the time of shipping;

(2) the permit holder shall keep, for later verification by the board, upon arrival of the spirits in Québec, a government attestation of the country of origin indicating the origin, age and aging of the spirits;

(3) the permit holder shall be able to demonstrate, at the board's request, if the seal is broken, that the spirits correspond to the attestation accompanying them;

(4) the permit holder shall store the spirits in identified vats;

(5) the permit holder shall enter daily in a production register any activity of production, processing, mixing, decanting or bottling that involves spirits referred to in section 1;

(6) the permit holder shall be able to declare, at the board's request, before shipping the bottled spirits, the origin of the spirits and, in the case of a mixture of spirits from the same country, the proportion of each of the spirits used.”

**6.** Section 9 is amended by inserting “or the lot number” after “date of bottling”.

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

103332

Gouvernement du Québec

## O.C. 51-2018, 30 January 2018

An Act respecting the Québec correctional system (chapter S-40.1)

### Programs of activities for offenders —Amendment

Regulation to amend the Regulation respecting programs of activities for offenders

WHEREAS, under subparagraphs 15 to 26 of the first paragraph of section 193 of the Act respecting the Québec correctional system (chapter S-40.1), the Government may make regulations on the matters set forth therein;

WHEREAS the Government made the Regulation respecting programs of activities for offenders (chapter S-40.1, r. 3);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting programs of activities for offenders was published in Part 2 of the *Gazette officielle du Québec* of 14 June 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting programs of activities for offenders, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting programs of activities for offenders

An Act respecting the Québec correctional system (chapter S-40.1, s. 193, 1st par., subpars. 15 to 26)

**1.** The Regulation respecting programs of activities for offenders (chapter S-40.1, r. 3) is amended by replacing section 5 by the following:

“**5.** A fund may financially assist inmates by granting them a gift or an interest-free loan to

(1) assist them where they do not receive any outside financial assistance, have no financial resources and cannot perform remunerated work nor participate in another activity of the program of activities;

(2) promote participation in an activity of the program of activities, other than remunerated work; or

(3) support them in their search for employment in the community.

A request for financial assistance must be submitted to the fund by the facility director or a person designated by the facility director.”

**2.** Section 6 is amended by adding “or the person designated by the Minister” after “Minister” in the third paragraph.

**3.** Section 7 is amended by replacing paragraphs 4 and 5 by the following:

“(4) the obligations of third persons, in particular, communication to the fund of the amount of work performed or the number of hours worked by each inmate.”

**4.** Section 8 is amended by adding “or the person designated by the Minister” after “Minister” in the first paragraph.

**5.** Section 11 is amended

(1) by replacing the first, second and third paragraphs by the following:

“Inmates performing remunerated work under a program of activities of a fund are remunerated at an hourly rate corresponding to 35% of the minimum wage provided for in section 3 of the Regulation respecting labour standards (chapter N-1.1, r. 3).

A fund may grant a premium to inmates supervising other workers or performing complex tasks.”;

(2) by replacing “fourth” in the fifth paragraph by “third”.

**6.** Section 12 is amended by adding “or the person designated by the Minister” after “Minister” in the fourth paragraph.

**7.** Section 13 is amended by adding “or the person designated by the Minister” after the word “Minister” wherever it appears in the first and second paragraphs.

**8.** Section 17 is replaced by the following:

“**17.** The limits within which the Minister determines the assessment that a fund must pay annually to the central fund are not less than 5% and not more than 25% of the net operating revenues of the fund, calculated by subtracting from the sum of all its revenues the costs and charges paid to produce the revenues, without taking into account the disbursements made to finance the activities of its program of activities other than remunerated work.”.

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

103333

Gouvernement du Québec

## O.C. 79-2018, 7 February 2018

An Act respecting the lands in the domain of the State (chapter T-8.1)

### Sale, lease and granting of immovable rights on lands in the domain of the State —Amendment

Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State

WHEREAS, under subparagraph 3 of the first paragraph of section 71 of the Act respecting the lands in the domain of the State (chapter T-8.1), the Government may, by regulation, determine the general conditions and the rules for computing the prices, rentals, fees or other costs regarding sales, leases, exchanges, gratuitous transfers, occupation licences and the granting of any other right;

WHEREAS, under the second paragraph of section 71 of the Act, the Government may, by regulation, prescribe different conditions, prices and fees according to the categories of users and the zones or territories;

WHEREAS the Government made the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State (chapter T-8.1, r. 7);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State was published in Part 2 of the *Gazette officielle du Québec* of 23 August 2017 with a notice that it could be made by the Government on the expiry of 45 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 Energy and Natural Resources:

THAT the Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State

An Act respecting the lands in the domain of the State (chapter T-8.1, s. 71, 1st par., subpar. 3, and 2nd par.)

**1.** The Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State (chapter T-8.1, r. 7) is amended in section 3 by adding the following paragraph at the end:

“The Minister is to publish the result of the indexing in Part 1 of the *Gazette officielle du Québec* or by any other appropriate means.”

**2.** Section 35.4 is amended

(1) by replacing “lessee’s equipment;” in subparagraph 3 of the second paragraph by “lessee’s equipment. However, that amount is not added where a third person or a corporation affiliated with the lessee is a municipality or a non-profit organization or where the telecommunication equipment of a third person or corporation affiliated with the lessee is intended for purposes other than cellular telephones;”;

(2) by adding the following paragraph at the end:

“Where land is leased to a municipality, to a non-profit organization or where the telecommunication equipment is intended for purposes other than cellular telephones, the annual rent is that indicated in section 12.1 of Schedule I. The rent is adjusted in accordance with subparagraphs 3 and 4 of the second paragraph.”

**3.** Section 35.5 is replaced by the following:

“**35.5.** If, during the lease, another third person or corporation affiliated with the lessee adds or removes telecommunication equipment on the land or the lessee’s equipment, the lessee must first notify the Minister. The annual rent is adjusted in accordance with the provisions of section 35.4.

If the addition or removal of equipment entails a change in the amount of the annual rent stipulated in the lease, a new lease must be entered into between the Minister and the lessee.”

**4.** Schedule I is amended

(1) by replacing “\$1,000” by “\$1,018” and “\$328” by “\$334” in the first paragraph of section 2, wherever those amounts appear;

(2) by replacing “\$761” in the second paragraph of section 2 by “\$774”;

(3) by replacing “\$0.8159” by “\$0.8307” and “\$283” by “\$288” in section 5;

(4) by replacing “\$435” by “\$443” in section 6;

(5) by replacing “\$283” by “\$288” and “\$108” by “\$110” in section 7;

(6) by replacing “\$0.0652” by “\$0.0664”, “\$283” by “\$288” and “\$87” by “\$89” in section 8;

(7) by replacing “\$108” by “\$110” in section 9;

(8) by replacing “\$108” by “\$110” and “\$163” by “\$166” in section 10;

(9) by replacing “\$283” by “\$288” in section 11;

(10) by replacing “\$0.0098” by “\$0.0100” in section 12;

(11) by inserting the following after section 12:

“**12.1.** The annual rent referred to in the fourth paragraph of section 35.4 is \$1,528.”;

(12) by replacing “\$55” by “\$56” in section 13;

(13) by replacing “\$0.0328” by “\$0.0334” and “\$328” by “\$334” in section 16;

(14) by replacing the grid in section 18 by the following:

“

Reference rents per zone	Zone 1	Zone 2	Zone 3
Nearby Zone	\$7,127	\$5,090	\$3,054
Remote Zone	\$3,564	\$2,546	\$1,528

”.

**5.** This Regulation comes into force on 1 March 2018.

103336

## 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<sup>e</sup> étage, boîte 97, Québec (Québec) G1R 5V7; telephone: 418-521-3929, extension 4089; email: [michele.dumais@mddelcc.gouv.qc.ca](mailto: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*

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## 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**

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

<b>4. Port, wharf and port terminal</b>		<b>3</b>
(1) the construction or expansion of a port, wharf or port terminal;	- construction	
	- expansion	<b>1</b>
(2) in the case of a marina:	(a) the construction of a port for 150 boats or more;	<b>2</b>
	(b) any increase of the maximum capacity of a port to reach 150 boats or more;	<b>1</b>
	(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.	<b>1</b>
<b>5. Road infrastructures</b>		
(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;		<b>4</b>
(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;		<b>4</b>
(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	<b>1</b>
	- for a road planned over a length of 2 to 5 km	<b>3</b>
	- for a road planned over a length of more than 5 km	<b>4</b>
(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.		<b>3</b>
<b>6. Rail yard, railroad and shared transportation</b>		<b>4</b>

<p><b>7. Installation for natural gas or biomethane regasification or liquefaction</b></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 m<sup>3</sup> of liquefied natural gas;</p>		<b>4</b>
<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 m<sup>3</sup> of liquefied natural gas;</p>		<b>4</b>
<p>(3) any project to increase the maximum daily regasification capacity of a facility that would reach or exceed 4,000 m<sup>3</sup> of liquefied natural gas;</p>		<b>3</b>
<p>(4) any project to increase the maximum daily liquefaction capacity of a facility that would reach or exceed 100 m<sup>3</sup> of liquefied natural gas;</p>		<b>3</b>
<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>		<b>3</b>
<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>		<b>3</b>
<p><b>8. Oil pipelines and gas pipelines</b></p>		<b>4</b>
<p><b>9. Power transmission lines and transformer station</b></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>	(a) over a length of less than 5 km	<b>3</b>
	(b) over a length of 5 km or more	<b>4</b>
<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>		<b>2</b>
<p><b>10. Electric power generation</b></p>		
<p>(1) the construction for electric power generation;</p>	(a) of a hydro-electric power plant or a tidal energy farm of a capacity equal to or greater than 5MW;	<b>4</b>
	(b) of a fossil fuel power generating plant with a capacity equal to or greater than 5 MW;	<b>4</b>

	(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
<b>11. Nuclear transformation and radioactive waste management</b>		4
<b>12. Petroleum exploration and production</b>		4
<b>13. Fuel, gas and coal processing</b>		
(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
<b>14. Pulp and paper mills</b>		
(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;		<b>4</b>
(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;	<b>3</b>
	(b) any increase of that capacity that results in an expansion of 20% or more of the surface of the mill operation area.	<b>3</b>
<b>15. Rendering plant</b>		
(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;		<b>4</b>
(2) the increase of 10% or more of the maximum hourly reception capacity of such a plant;		<b>3</b>
(3) any increase of the maximum hourly capacity of a dismembering plant referred to in paragraph 1 to reach or exceed 1 metric ton.		<b>3</b>
<b>16. Extractive metallurgy</b>		
(1) the construction of an extractive metallurgy plant whose maximum annual production capacity would be equal to or greater than 20,000 metric tons;		<b>4</b>
(2) any increase of the maximum annual production capacity of such a plant to reach or exceed 20,000 metric tons;		<b>4</b>
(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 20,000 metric tons;		<b>3</b>
(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	<b>4</b>
	- increase of the capacity	<b>3</b>
(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	<b>4</b>
	- increase of the capacity	<b>3</b>

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

(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;		<b>3</b>
(3) any expansion of 50% or more of a treatment plant.		<b>3</b>
<b>23. Physical metallurgy</b>		
(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;		<b>4</b>
(2) any increase of the maximum annual production capacity of a plant to reach or exceed 20,000 metric tons;		<b>4</b>
(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;	<b>3</b>
	(b) any increase of that capacity that results in an expansion of more than 20% of the plant operation area.	<b>3</b>
<b>24. Manufacturing of materials derived from wood</b>		
(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 <sup>3</sup> ;		<b>4</b>
(2) any increase of the maximum annual production capacity of a plant that would reach or exceed 50,000 m <sup>3</sup> ;		<b>4</b>
(3) in the case of a plant whose maximum annual production capacity is equal to or greater than 50,000 m <sup>3</sup> :	(a) any increase of 50% or more of that capacity;	<b>3</b>
	(b) any increase of that capacity that results in an expansion of 20% or more of the surface of the plant operation area.	<b>3</b>
<b>25. Manufacturing of motor vehicles or others</b>		<b>3</b>
<b>26. Manufacturing of bricks</b>		
(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;		<b>4</b>

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

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

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;

CONSIDERING section 13 of that Act, which provides that the reason justifying the absence of such publication must be published with the regulation;

CONSIDERING section 17 of that Act, which provides that a regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation or in the Act under which it is made or approved;

CONSIDERING the first paragraph of section 18 of that Act, which provides that a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority making it is of the opinion that the urgency of the situation requires it;

CONSIDERING the second paragraph of section 18 of that Act, which provides that the reason justifying such coming into force must be published with the regulation;

CONSIDERING that, in the Minister's opinion, the urgency due to the date of the designations of the members of the board of directors of integrated health and social services centres and unamalgamated institutions warrants the making of the 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 and its coming into force on the date of its publication;

CONSIDERING that the urgency of the situation is also due to the fact that the implementation of the Regulation respecting the procedure for designating certain members of the board of directors of integrated health and social services centres and unamalgamated institutions requires the application of various preparatory measures within certain time limits spread over a 50-day period prior to the date of the designations;

CONSIDERING that it is expedient to make the Regulation and to set its coming into force on the date of its publication in the *Gazette officielle du Québec*;

ORDERS AS FOLLOWS:

The 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, appearing below, is hereby made.

GAÉTAN BARRETTE,  
*Minister of Health and  
Social Services*

## **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**

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, s. 12)

**1.** 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) is amended in section 4 by inserting the following after paragraph 4:

“(4.1) implement an electronic voting system and designate an independent expert to assist the officer in implementing the system;”.

**2.** Section 10 is amended by inserting the following after the first paragraph:

“When the officer refuses a candidacy, the president must indicate the reasons for the decision.”.

**3.** Section 13 is amended by inserting “, by electronic means” after “by mail”.

**4.** Section 14 is amended by inserting “the polling period,” in the first paragraph after “indicate”.

**5.** The following is added after section 18:

“1.1. POLL BY ELECTRONIC MEANS

**18.1.** Not later than 20 days before the date of the designations, the officer sends to each member of the department of general medicine a polling notice and a description of the voting procedure. The notice must indicate the polling period, the date, time and place of the vote count and a list of the candidates.

The polling notice given to each member is accompanied by the information sheet provided for in Schedule II and completed by each candidate.

The polling notice is also posted by the officer in each of the locations where the notice of the designation process was posted in accordance with section 8 and is published on the website of the institution.

**18.2.** The officer designates an independent expert to assist him or her in implementing the electronic voting system.

The expert must in particular satisfy the following conditions:

- (1) be certified in the field of information technology safety;
- (2) not be in a situation of conflict of interest;
- (3) have experience in the analysis of electronic voting systems.

The independent expert must take the oath in Schedule V.1.

**18.3.** The mandate of the independent expert includes

- (1) guaranteeing that the safety measures put into place are adequate and ensuring the secrecy, security and integrity of the vote;
- (2) monitoring the voting process and the stages subsequent to the vote, including the vote count, its conservation and the destruction of information; and
- (3) monitoring the management, during the poll, of the access to the voting systems.

**18.4.** As part of his or her mandate, the independent expert must, in particular,

- (1) provide the officer, before the poll, with a report dealing with
  - (a) intrusion risks;
  - (b) performance tests;
  - (c) the validation of algorithms; and
  - (d) the validation of the architecture of the electronic voting system;
- (2) implement means to ensure the traceability of the actions taken on servers and the applications for the electronic voting system; and
- (3) ensure that at any time during the voting process, including after the vote count, it is impossible for the institution to make a connection between a member's name and a member's vote.

**18.5.** The officer ensures that measures are taken to make sure that the electronic voting system is not the subject of unauthorized modifications at any time.

The officer also makes sure with the independent expert that the electronic voting system is able to demonstrate the following technical elements:

- (1) the secrecy of the vote;
- (2) the integrity of the list of the department's members eligible for voting;
- (3) the guarantee that the table of compilation of the votes contains the members' votes, but only their votes;
- (4) the absence of partial counting during the poll;
- (5) the possibility to count the registered votes again.

**18.6.** Not later than 20 days before the date of the designations, the officer provides the independent expert with an updated list of the department members.

The president must inform the independent expert of any change made to the list so that the independent expert may make the required changes.

**18.7.** The poll begins at 4:00 p.m. on the 19th day preceding the date of the designations and ends not later than 4:00 p.m. on the day prior to the date of the designations.

**18.8.** Members are given the ballot paper certified by the officer if, after verification by the electronic voting system, they are eligible for voting.

**18.9.** Members vote on the basis of the list of candidates. Members then submit their choice, which entails the casting of their vote in the vote compilation table.

Members receive confirmation that their votes have been cast.

As soon as the vote cast by a member is confirmed, the list of members is updated by the electronic voting system to indicate that the member has voted.

Only the votes compiled from the electronic voting system are considered.

**18.10.** The closing of the poll is immediately followed by a control to prevent any later alteration of the content of the electronic voting system and of the list of the members who have voted.”

**6.** Section 32 is amended by replacing “and of the designated member’s nomination paper” in the first paragraph by “, of the designated member’s nomination paper and of the information sheet completed by the designated member”.

**7.** The following is added after section 32:

**“3.1. VOTE COUNT FOLLOWING A POLL  
BY ELECTRONIC MEANS**

**32.1.** The independent expert counts the votes under the supervision of the officer or an assistant officer on the date and at the time and place indicated in the polling notice.

The vote count is public.

**32.2.** The officer or assistant officer rules immediately on any issue regarding the validity of the votes.

The number of rejected ballot papers is indicated in the report provided for in the vote count report provided for in Schedule V.

**32.3.** A candidate is designated in accordance with section 31.

**32.4.** The officer must complete the designation certificate provided for in Schedule IV and send a copy of that certificate, of the designated member’s nomination paper and of the information sheet completed by the designated member to the Minister within 3 business days.

Within the same period, the officer must send to the president and executive director of the institution the originals of those same documents, of the nomination papers of unelected candidates, of all information sheets completed by the candidates and of the vote count report.

The president and executive director must post a copy of the designation certificate in each of the institutions’s facilities, in a location accessible to the members of the regional department of general medicine. The president and executive director must also publish a copy of that certificate on the website of the institution. ”.

**8.** Section 39 is amended by inserting “, by electronic mail” after “by mail”.

**9.** Section 41 is amended by replacing “32” in the first paragraph by “32.4”.

**10.** Schedule I is replaced by the following:

**SCHEDULE I**  
**(Section 9)**

**DESIGNATION**  
**Nomination paper of a candidate**

Name of institution (or institutions)			
Designation college : _____			
<b>Section I – Nomination</b>			
Candidate's last and first name			
Sex	M <input type="checkbox"/> F <input type="checkbox"/>	Date of birth	Y M D
Address			
Municipality		Province	Postal code
Area Code	Home phone	Area Code	Work phone Extension
Area Code	Cell phone	Email address	
Occupation		Employer	
<b>Section II – Candidate's consent</b>			
<b>CONDITIONS REQUIRED TO BE A MEMBER OF AN INSTITUTION'S BOARD OF DIRECTORS</b>			
<ol style="list-style-type: none"> <li>1. Québec resident;</li> <li>2. Age of majority (18 or over);</li> <li>3. Not be under wardship or guardianship;</li> <li>4. Not found guilty in the past 5 years of a crime punishable by 3 or more years of incarceration;</li> <li>5. Not have been dismissed as the member of an institution's or health and social service agency's board of directors in the past 3 years;</li> <li>6. Not have been declared guilty in the past 3 years of an infraction of the Act respecting health services and social services or the regulations;</li> <li>7. For a designation by and from among the members of the institution's users' committee, not be employed by or practise a profession in the institution;</li> <li>8. Not be a member of the board of directors of an institution's foundation;</li> <li>9. May sit as a member of the board of directors at the college for which the nomination is made.</li> </ol>			
<p>I hereby acknowledge that I have read this information and declare that I meet the above conditions for candidacy. I also authorize the disclosure of the information on this form to the Ministère de la Santé et des Services sociaux (MSSS) if I am designated a member of the board of directors. Information disclosed to the MSSS is governed by the Act respecting Access to documents held by public bodies and the Protection of personal information.</p>			
<p>In _____ witness whereof, I have signed in _____ on _____</p> <p style="text-align: right;">_____ Candidate's signature</p>			
<b>Section III – Acceptance by designation officer</b>			
NOMINATION ACCEPTED <input type="checkbox"/>		NOMINATION REJECTED <input type="checkbox"/>	
Reason(s) for rejection:			
_____			
_____			
_____			
_____		_____	
Designation officer's signature		Date	
<small>PURSUANT TO SECTIONS 64 AND 65 OF THE ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION</small>			
<ol style="list-style-type: none"> <li>1. The information on this form is gathered for the institution concerned and, if the candidate is designated, for the Ministère de la Santé et des Services sociaux.</li> <li>2. The information transmitted to the MSSS is used to make up records for management and control purposes of the members of health and social service institution boards.</li> <li>3. The following persons will have access to this information: <ul style="list-style-type: none"> <li>• Employees of the institution in question and the MSSS in the performance of their duties;</li> <li>• Any other user meeting the requirements of the abovementioned Act.</li> </ul> </li> <li>4. All information on the form is required.</li> </ol>			

**II.** Schedule V is replaced by the following:

“

**SCHEDULE V**  
**(Section 18 and 32.3)**

**DESIGNATION**  
**Vote Count Report**

Institution(s) : \_\_\_\_\_

Designation college: \_\_\_\_\_

In accordance with the polling notice, the vote count took place on:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_

**Mail poll:**

Envelopes identified: \_\_\_\_\_

Envelopes containing no vote envelopes: \_\_\_\_\_

Envelopes containing more than one vote envelope: \_\_\_\_\_

Vote envelopes counted: \_\_\_\_\_

Uncounted vote envelopes: \_\_\_\_\_

Number of valid ballot papers: \_\_\_\_\_

Number of rejected ballot papers: \_\_\_\_\_

**Poll in person or by electronic means:**

Valid ballots: \_\_\_\_\_

Rejected ballots: \_\_\_\_\_

	<b>Candidates</b>	<b>Number of votes</b>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

Signed in \_\_\_\_\_, on \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of designation officer or assistant officer

\_\_\_\_\_  
Name(s) of scrutineer(s) or of the independent expert

”

**12.** The following Schedule is inserted after Schedule V:

“

**SCHEDULE V.1**  
**(Section 28.2)**

OATH

I, \_\_\_\_\_, solemnly declare that I will carry out the duties of my office with honesty, impartiality and fairness, and that I will not accept, except for any salary paid to me by \_\_\_\_\_ (name of the institution), any sum of money or consideration whatsoever for what I have done or may do, in carrying out the duties of my office.

I further solemnly declare that I will not reveal or make known, without authorization by law, any confidential information, including the name of the candidate for whom any person voted, if that information comes to my knowledge at the time of counting of the votes.

In witness whereof, I have signed at \_\_\_\_\_,  
this \_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Signature

Solemnly declared before me, at \_\_\_ this \_\_\_\_\_  
day of \_\_\_.

\_\_\_\_\_  
Signature of the commissioner for oaths

”

**13.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

103337



## Draft Regulations

### Draft Regulation

Environment Quality Act  
(chapter Q-2; 2017, chapters 4 and 14)

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the draft regulations mentioned hereinafter and appearing below may be made by the Government on the expiry of 60 days following this publication.

After 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) was assented to on 23 March 2017, several regulations must be amended, replaced or revoked to take into account the changes made to the Environment Quality Act.

The following amendments are made, in addition to the consequential amendments necessary for those regulations, as the case may be:

—*Draft Regulation respecting work related to a water management or treatment facility*

The draft Regulation replaces the Regulation respecting the application of section 32 of the Environment Quality Act (chapter Q-2, r. 2) to regulate the carrying out of work related to a water management or treatment facility.

—*Draft Regulation respecting ministerial authorizations and declarations of compliance in environmental matters*

The draft Regulation replaces the Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3). The draft Regulation specifies

– the general provisions applicable to activities that require a ministerial authorization under section 22 of the Environment Quality Act, a declaration of compliance or an exemption from ministerial authorization;

– the information and documents that must be provided in support of an authorization application in order for it to be considered, the terms and conditions governing an application for the amendment, renewal or suspension of an authorization, and the terms and conditions governing the transfer of an authorization or the cessation of an authorized activity;

– the activities requiring ministerial authorization pursuant to subparagraph 10 of the first paragraph of section 22 of the Environment Quality Act;

– the activities eligible for a declaration of compliance under section 31.0.6 of the Environment Quality Act, along with the information and documents that must be provided in support of a declaration of compliance and the terms and conditions governing a declaration of compliance;

– the activities exempted, under section 31.0.11 of the Environment Quality Act, from the requirement of obtaining prior authorization pursuant to section 22 of the Act, along with the terms and conditions applicable to those activities;

– certain conditions for the implementation of an activity to prevent, abate or stop the release of contaminants into the environment;

– the monetary administrative penalties and penal sanctions that apply to a failure to comply with the Regulation.

—*Draft Regulation to amend the Regulation respecting industrial depollution attestations*

The draft Regulation amends the Regulation respecting industrial depollution attestations (chapter Q-2, r. 5) to provide the new industrial sectors to which Division III of Chapter IV of Title I of the Environment Quality Act applies, in particular the expanded sectors of organic and inorganic chemistry, and submitted to an authorization under section 22 of the Act.

—*Draft Regulation to amend the Agricultural Operations Regulation*

The draft Regulation amends the Agricultural Operations Regulation (chapter Q-2, r. 26) to provide adjustments to the definition of certain terms and to add a definition of the expression “agricultural operations”. The draft Regulation also broadens the scope of the current Regulation and provides other technical adjustments.

—*Draft Regulation to amend the Regulation respecting hazardous materials*

The draft Regulation amends the Regulation respecting hazardous materials (chapter Q-2, r. 32) to determine in which case a characterization study may be required after an accidental discharge and in which cases a notice of contamination must be entered in the land register.

—*Draft Regulation to amend the Regulation respecting municipal wastewater treatment works*

The draft Regulation amends the Regulation respecting municipal wastewater treatment works (chapter Q-2, r. 34.1) to regulate the certification of operators when a treatment plant is altered. It also provides amendments regarding the conditions for those operators to obtain a qualification certificate. In addition, it proposes amendments in Schedule II to the Regulation on toxicity tests that must be carried out at the effluent of a treatment plant. A complementary analysis method is henceforth required where a trout toxicity test exceeds the toxicity criteria.

—*Draft Regulation to amend the Water Withdrawal and Protection Regulation*

The draft Regulation proposes terminology adjustments to the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2), in particular to the concept of “stratigraphic survey” and to the definitions of categories 1, 2 and 3 of water withdrawal. It also proposes adjustments to the requirements of information transmission and certain technical precisions.

The following draft Regulations are also proposed to regulate new sectors of activity:

—*Draft Fertilizing Residuals Regulation*

The draft Regulation establishes a classification of fertilizing residuals according to the environmental risk associated with their use and provides certain standards of use and storage of those residuals.

—*Draft Regulation respecting the extension of a storm water management system eligible for a declaration of compliance*

The draft Regulation determines the storm water management works that may be used and establishes the general design standards for the extension of a storm water management system. It sets standards that are largely inspired by the March 2017 edition of the *Manuel de calcul et de conception des ouvrages municipaux de gestion des eaux pluviales*, published on the department’s website, and whose purpose is to present various approaches and techniques to minimize the hydrological impact that may be associated with urban development.

Other consequential amendments are also made to the following Regulations:

– Regulation respecting the framework for authorization of certain projects to transfer water out of the St. Lawrence River Basin (chapter Q-2, r. 5.1);

– Regulation respecting biomedical waste (chapter Q-2, r. 12);

– Regulation respecting the liquid effluents of petroleum refineries (chapter Q-2, r. 16);

– Regulation respecting the burial of contaminated soils (chapter Q-2, r. 18);

– Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19);

– Regulation respecting used tire storage (chapter Q-2, r. 20);

– Regulation respecting pulp and paper mills (chapter Q-2, r. 27);

– Regulation respecting snow elimination sites (chapter Q-2, r. 31);

– Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37);

– Regulation respecting contaminated soil storage and contaminated soil transfer stations (chapter Q-2, r. 46);

– Regulation respecting hot mix asphalt plants (chapter Q-2, r. 48).

While some of the proposed amendments have an impact on large businesses, study of the matter has revealed a little negative impact on small and medium-sized businesses, other than those related to the amendments made by 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.

Further information on the draft Regulations may be obtained by contacting Isabelle Olivier, director general of analysis and expertise for the Capitale-Nationale and Chaudière-Appalaches, Ministère du Développement durable, de l’Environnement et de la Lutte contre les changements climatiques, édifice Lebourgneuf, 8<sup>e</sup> étage, bureau 100, 1175, boulevard Lebourgneuf, Québec (Québec) G2K 0B7; telephone: 418 644-8844 extension 228; fax: 418 386-8080; email: isabelle.olivier@mddelcc.gouv.qc.ca

Any person wishing to comment on the draft Regulations may submit written comments before the expiry of the 60-day period to Isabelle Olivier using the above contact information.

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

## Regulation respecting work related to a water management or treatment facility

Environment Quality Act

(chapter Q-2, ss. 46, 95.1, 115.27 and 115.34; 2017, chapter 4)

### CHAPTER I

#### GENERAL

1. This Regulation applies to work carried out as part of the establishment, alteration or extension of a waterworks system, a sewer system, except a sewer system covered by the Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22), or a storm water management system.

It determines, in Chapter II, the standards applicable to work other than work carried out in a temporary industrial camp and, in Chapter III, the standards applicable to work other than work carried out in a temporary industrial camp.

It provides, in Chapter IV, the monetary administrative penalties and, in Chapter V, the penal sanctions.

It applies in particular to the immovables comprised 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).

2. In this Regulation, unless the context indicates otherwise,

“sewer system” means any works used to collect, store, transport and process wastewater, in whole or in part of domestic origin, before being discharged into the environment; all mains situated upstream from a service entrance of a building served by the system are not part of the system; (*système d’égout*)

“storm water management system” means any works used to collect, store, transport and process storm water, before being discharged into the environment; (*système de gestion des eaux pluviales*)

“temporary industrial camp” means all the facilities and their dependencies

(1) set up for not more than 6 months per 12-month period

(a) for carrying out forest management, mining exploration or transportation work or work related to electric power production, transportation or distribution facilities, if not more than 80 persons are housed in the camp;

(b) only for timber salvage following a forest fire;

- (2) situated in one of the following territories:
- (a) a territory not organized into a local municipality, including an unorganized territory amalgamated with one of the municipalities of Rouyn-Noranda, La Tuque or Senneterre, as it was delimited the day before the amalgamation;
- (b) the James Bay territory as described in the Schedule to the James Bay Region Development Act (chapter D-8.0.1);
- (c) the territory situated north of the 55th parallel;
- (d) the territories of the municipalities of Blanc-Sablon, Bonne-Espérance, Côte-Nord-du-Golfe-du-Saint-Laurent, Gros-Mécatina and Saint-Augustin and the territory of any other municipality constituted under the Act respecting the municipal reorganization of the territory of Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent (1988, chapter 55; 1996, chapter 2);
- (e) the territories that are not accessible at any time by road vehicles; (*campement industriel temporaire*)

“waterworks system” means a distribution system within the meaning of section 1 of the Regulation respecting the quality of drinking water (chapter Q-2, r. 40). (*système d’aqueduc*)

## **CHAPTER II**

### **WORK CARRIED OUT IN A SYSTEM**

#### **3. The project owner must entrust an engineer with the preparation**

- (1) of an operation and maintenance manual for treatment works of the system installed or altered;
- (2) of a descriptive document of the system installed or altered specifying
- (a) the description and location of water sampling, discharge, deposit, issuance or emission points of contaminants into the environment;
- (b) the nature, quantity, quality and concentration of each contaminant emitted, deposited, issued or discharged into the environment and coming from the operation of water treatment works;
- (c) the description of the equipment constituting the system;
- (d) in the case of a sewer system, the nature, origin and quality of waste water treated by municipal treatment works.

The requirement provided for in the first paragraph does not apply to the activities exempted from the application of section 22 of the Environment Quality Act (chapter Q-2) and to the activities related to the waterworks system or sewer system eligible for a declaration of compliance.

4. The project owner must entrust an engineer with the supervision of establishment, alteration or extension work of a waterworks system, a sewer system or a storm water management system.

The engineer who supervises the work must attest that the work has been carried out in accordance with the conditions provided for in the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*) or, as the case may be, in accordance with the conditions referred to in the authorization issued for the work under subparagraph 3 of the first paragraph of section 22 of the Environment Quality Act (chapter Q-2).

5. The project owner must, within 90 days following the end of the work, obtain the certificate referred to in the second paragraph of section 4 and, as the case may be, the operation and maintenance manual and the descriptive document of the system referred to in the first paragraph of section 3.

The project owner must keep the certificate and, where applicable, the operation and maintenance manual and the descriptive document of the system for a 10-year period following the performance of the work and provide them to the Minister on request.

6. Where a main of a storm water management system connected to a combined sewer system is replaced, the tests and application criteria for that main are those provided for in Clause 11.3 of Standardized Specification BNQ 1809-300 – Construction – General Technical Clauses – Water and Sewer Pipes.

The requirement provided for in the first paragraph applies to the activities exempted from the application of section 22 of the Environment Quality Act (chapter Q-2) and to the activities related to the sewer system or the storm water management system eligible for a declaration of compliance.

7. Any excavation carried out during the work may be filled using the soil excavated.

Despite the foregoing, the soils used for the bedding and backfilling around drinking water mains must be clean over a thickness of at least 30 cm.

### **CHAPTER III**

#### **TEMPORARY INDUSTRIAL CAMP**

8. The operator of a temporary industrial camp must send a notice to the Minister at least 4 weeks before the beginning of the work carried out for the establishment, alteration or extension of a waterworks system or a sewer system.

The notice provided for in the first paragraph must contain

- (1) the geographical coordinates of the camp;
- (2) the maximum number of persons that will be housed at the same time in the camp;

(3) the planned dates and period of time during which the camp is to be occupied.

The following must be attached to the notice:

(1) a certificate from a person who is a member of a professional order attesting that the installation of drinking water treatment apparatus or equipment or an increase in their production capacity will meet the requirements provided for in the Regulation respecting the quality of drinking water (chapter Q-2, r. 40);

(2) a certificate from a person who is a member of a professional order attesting that the treatment and disposal of wastewater and, if applicable, process water from a drinking water treatment apparatus or equipment are not likely to constitute a source of contamination within the meaning of section 1 of the Environment Quality Act (chapter Q-2).

If the temporary industrial camp must be used by a larger number of persons or for a longer period of time than the period provided for in the first paragraph, a new notice and new certificates must be sent to the Minister at least 4 weeks before the change.

**9.** The layout of a water withdrawal facility to serve a temporary industrial camp must be carried out in accordance with the following conditions:

- (1) no impounding structure may be set up in the watercourse or lake;
- (2) if applicable, after equipment burial below the bed of the watercourse or lake, its original profile must be restored;
- (3) the width of vegetation clearing necessary to install the main in the bank and littoral zone of a watercourse or the shore of a lake must be not more than 5 m;
- (4) appropriate measures, such as revegetation, must be carried out at the time of the layout to prevent sediments from being carried into the watercourse or lake from the bare or exposed soil on the littoral zone, lakeshore or riverbank; and
- (5) the pumping equipment must be installed outside the lakeshore, riverbank and littoral zone except for a submersible pump.

**10.** At no time may the quantity of water taken from the water intake to supply a temporary industrial camp exceed 15% of the instantaneous flow of the watercourse or lower the lake level by more than 15 cm.

**11.** The layout of an outfall intended to discharge process water from a drinking water apparatus or equipment or treated water from a sewer system must be carried out in accordance with the conditions referred to in paragraphs 2 to 4 of section 9.

**12.** During the permanent closing of a temporary industrial camp,

(1) the infrastructures constituting the water withdrawal facility, the outfall of the sewer or wastewater treatment systems or the outfall intended to discharge process water from a drinking water apparatus or equipment and the mains situated in the lakeshore, riverbank or littoral zone must be dismantled;

(2) the bed of the lake or watercourse must be restored according to its original profile;

(3) the lakeshore, riverbank and littoral zone must be stabilized and vegetated; and

(4) any sewer or treatment system that is abandoned must be emptied and removed or filled with gravel, sand, earth or inert material.

#### **CHAPTER IV**

#### **MONETARY ADMINISTRATIVE PENALTIES**

**13.** 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 keep for the period prescribed or to make available to the Minister, on request, the certificate or documents referred to in the second paragraph of section 5, in accordance with that section.

**14.** 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 entrust an engineer with the preparation of the documents referred to in the first paragraph of section 3, the supervision of the work provided for in the first paragraph of section 4 or to obtain from the engineer the certificate or documents required in accordance with the first paragraph of section 5;

(2) to comply with the standards provided for in section 6 regarding the acceptance tests and criteria for a main, in the case and for the main referred to therein;

(3) to send to the Minister the notices and the certificates referred to in section 8, within the period and on the conditions provided for therein.

**15.** 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 reuse or use the soil referred to in the first or second paragraph of section 7, in accordance with the conditions provided for therein;

(2) to comply with any of the standards prescribed by paragraphs 1 to 5 of section 9 for a water withdrawal facility intended to serve a temporary industrial camp;

(3) to ensure that the quantity of water taken from a water withdrawal facility referred to in section 10 complies with the standards prescribed therein;

(4) to comply with any of the standards prescribed by section 11 regarding the layout of the outfall.

**16.** 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 take any of the steps prescribed by section 12 in case of the permanent closing of a temporary industrial camp.

## **CHAPTER V**

### **PENAL SANCTIONS**

**17.** Every person who contravenes the second paragraph of section 5 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.

**18.** Every person who contravenes the first paragraph of section 3, the first paragraph of section 4, the first paragraph of section 5, section 6 or 8 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.

**19.** Every person who contravenes section 7, 9, 10 or 11 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.

**20.** Every person who contravenes section 12 or, 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.

**21.** 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 Chapter 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.

## **CHAPTER VI**

### **TRANSITIONAL AND FINAL**

**22.** This Regulation replaces the Regulation respecting the application of section 32 of the Environment Quality Act (chapter Q-2, r. 2).

**23.** A 5-year waterworks and sewer plan referred to in Chapter III of the Regulation respecting the application of section 32 of the Environment Quality Act (chapter Q-2, r. 2) as it read on (*insert the date preceding the date of coming into force of this Regulation*) authorized by the Minister before that date remains governed by the provisions of the Regulation as they read on (*insert the date preceding the date of coming into force of this Regulation*) for the unexpired term of the authorization.

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

## **Regulation respecting ministerial authorizations and declarations of compliance in environmental matters**

### **Environment Quality Act**

(chapter Q-2, ss. 22, 23, 23.1, 24, 28, 29, 30, 31, 31.0.2, 31.0.5, 31.5.5.1, 31.0.6, 31.0.7, 31.0.8, 31.0.12, 31.7.5, 31.16, 31.18, 31.22, 31.24, 31.26, 31.28, 31.79, 31.81, 31.83, 32, 46, 46.0.2, 46.0.11, 65, 70.8, 70.9, 70.14, 70.18, 70.19, 95.1, 115.27 and 115.34; 2017, chapters 4 and 14)

### **PART I**

#### **SCOPE, DEFINITIONS AND GENERAL PROVISIONS**

1. Part I of this Regulation contains general provisions applicable to activities that require a ministerial authorization under section 22 of the Act, a declaration of compliance or an exemption from ministerial authorization. Part II specifies the information and documents that must be provided in support of an authorization application in order for it to be considered, the terms and conditions governing an application for the amendment, renewal or suspension of an authorization, and the terms and conditions governing the transfer of an authorization or the cessation of an authorized activity.

Schedule I to this Regulation determines the activities requiring prior authorization pursuant to subparagraph 10 of the first paragraph of section 22 of the Act, in addition to the activities that already require prior authorization pursuant to subparagraph 1 to 9 of the first paragraph and the second paragraph of that section.

Schedule II to the Regulation determines the activities eligible for a declaration of compliance under section 31.0.6 of the Act, while Part III of the Regulation specifies the information and documents that must be provided in support of a declaration of compliance and the terms and conditions governing a declaration of compliance.

Schedule III to the Regulation determines the activities exempted, under section 31.0.11 of the Act, from the requirement of obtaining prior authorization pursuant to section 22 of the Act, while Part IV of the Regulation specifies the terms and conditions applicable to an exempted activity.

Part V of the Regulation specifies conditions for the implementation of an activity to prevent, abate or stop the release of contaminants into the environment, while Parts VI and VII determine monetary administrative penalties and penal sanctions.

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

3. In this Regulation, unless otherwise indicated by the context,

"accumulation area" means an accumulation area within the meaning of section 107 of the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2); (*aire d'accumulation*)

"Act" means the Environment Quality Act (chapter Q-2); (*Loi*)

"dwelling" means any construction intended for human habitation that is connected to an individual or collective system for the supply of drinking water and the treatment of waste water; (*habitation*)

"forest development activity" means an activity within the meaning of subparagraph 1 of the first paragraph of section 4 of the Sustainable Forest Development Act (chapter A-18.1); (*activité d'aménagement forestier*)

"marsh" means land flooded permanently or temporarily, and dominated by grass growing on a mineral or organic soil. Shrubs and trees, if any, cover less than 25% of the marsh's area. A marsh is usually riparian, that is, adjacent to a lake or watercourse, or isolated; (*marais*)

"mineral substances" means mineral substances within the meaning of section 1 of the Mining Act (chapter M-13.1); (*substances minérales*)

"Minister" means the minister responsible for the administration of the Environment Quality Act; (*ministre*)

"peatland" means a piece of land covered with moss, resulting from the accumulation of partially decomposed organic matter. The organic matter is at least 30 cm thick. The water table is usually at the same level as the soil or close to its surface. A peatland may be open (unwooded) or wooded; in the latter case, the trees are more than 4 m high with a cover equal to or greater than 25% of the peatland's area; (*tourbière*)

"professional" means a professional within the meaning of section 1 of the Professional Code (chapter C-26); (*professionnel*)

"project phase" means each phase in a project, including planning, construction, operation, closure and post-closure; (*phases d'un projet*)

"public establishment" means one of the following institutions, facilities or establishments:

"educational institution": any institution providing preschool, elementary or secondary education and governed by the Education Act (chapter I-13.3) or by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14), a private educational institution governed by the Act respecting private education (chapter E-9.1), an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Relations internationales

(chapter M-25.1.1), a general and vocational college, a university, a research institute, a superior school or an educational institution of which more than one-half of the operating expenditures are paid out of the appropriations voted by the National Assembly and, for the purposes of this Regulation, childcare centres and day care centres governed by the Educational Childcare Act (chapter S-4.1.1);

"correctional facility": any facility used for the detention of persons and governed by the Act respecting the Québec correctional system (chapter S-40.1);

"health and social services institution": any health and social services institution governed by the Act respecting health services and social services (chapter S-4.2) or by the Act respecting health services and social services for Cree Native persons (chapter S-5) and, for the purposes of this Regulation, any other place where lodging services are provided for senior citizens or for any users entrusted by a public institution governed by any of the aforementioned Acts;

"tourist establishment": an establishment which offers to the public restaurant services or sleeping accommodations, including the rental of camping spaces.

For the purposes of this Regulation, tourist information offices, museums, ski stations, holiday camps, outdoor recreation areas, public beaches, rest areas, golf courses, marinas and sites with guided tourist visits are deemed to be tourist establishments; (*établissement public*)

"public road" means a public highway within the meaning of the Highway Safety Code (chapter C-24.2); (*voie publique*)

"storm water management system" means a storm water management system within the meaning of section 2 of the Regulation respecting work related to a water management or treatment facility; (*système de gestion des eaux pluviales*)

"sewer system" means a sewer system within the meaning of section 2 of the Regulation respecting work related to a water management or treatment facility; (*système d'égout*)

"swamp" means land subject to seasonal floods or characterized by a soil permanently or temporarily saturated with water and dominated by a ligneous, shrub or arborescent vegetation growing on a mineral soil. The ligneous vegetal covers more than 25% of the marsh's area. A swamp may either be riparian, that is, adjacent to a lake or watercourse, or isolated. A swamp may be shrubbed or wooded; in the latter case, the trees are more than 4 m high with a cover equal to or greater than 25% of the swamp's area; (*marécage*)

"temporary industrial camp" means a temporary industrial camp within the meaning of section 2 of the Regulation respecting work related to a water management or treatment facility (*insert here the reference to the CQLR*); (*campement industriel temporaire*)

"unconsolidated deposit" means an unconsolidated deposit within the meaning of the second paragraph of section 108 of the Regulation respecting mineral substances other than petroleum, natural gas and brine; (*dépôt meuble*)

"waterworks system" means a distribution system within the meaning of section 1 of the Regulation respecting the quality of drinking water (chapter Q-2, r. 40). (*système d'aqueduc*)

4. For the purposes of this Regulation,

(1) drilling sludge is considered to be mine tailings;

(2) all phosphorous ( $P_2O_5$ ) production must be determined under section 50.01 of the Agricultural Operations Regulation (chapter Q-2, r. 26);

(3) the terms "high-water mark", "littoral zone", "floodplain" and "lakeshore or riverbank" have the meaning defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35). However, the term "floodplain" excludes the part of the floodplain that comprises the lakeshore, riverbank or littoral zone;

(4) the terms "livestock waste", "raising site" and "spreading site" have the meaning defined in the Agricultural Operations Regulation;

(5) the terms "biosolid", "green waste" and "agri-food plant waste" have the meaning defined in the Fertilizing Residuals Regulation (*insert here the reference to the CQLR*);

(6) the term "wetlands and bodies of water" has the meaning given in section 46.0.2 of the Act.

5. Every person or municipality that submits an application, declaration of compliance or activity report to the Minister under this Regulation must use the appropriate form made available on the website of the Minister's department, in order to submit the information and documents required by the Regulation in electronic form.

Any supplementary information or document submitted to the Minister during the analysis of an authorization application must also be sent in electronic form.

A person or municipality must keep the information and documents sent to the Minister and all the information and documents required for their production for a period beginning on the date they are created or sent and ending 7 years after the cessation of the activity concerned. Such information and documents must be made available to the Minister, at the Minister's request, within 10 days.

## **PART II**

### **MINISTERIAL AUTHORIZATION**

#### **CHAPTER I**

##### **GENERAL PROVISIONS**

6. Every person or municipality that submits an application to the Minister under this Part must, in accordance with section 23.1 of the Act, identify the information and documents provided in support of the application that the person or municipality considers to be a confidential industrial or trade secret, and justify that claim.

#### **CHAPTER II**

##### **ADMISSIBILITY OF AN APPLICATION**

##### **DIVISION I**

###### **GENERAL INFORMATION AND DOCUMENTS**

7. To ensure that an authorization application concerning a project that includes one or more activities referred to in section 22 of the Act is admissible for analysis, the applicant must provide to the Minister, in addition to the specific information and documents required by Divisions II to XXVIII of this Chapter depending on the type of activities included in the project, the following information and documents:

(1) information identifying the applicant, namely

(a) the applicant's name and contact information and, where applicable, those of the applicant's representative;

(b) if the applicant is not a natural person, the Québec business number (QBN) assigned to the applicant under the Act respecting the legal publicity of enterprises (chapter P-44.1);

(2) if the applicant is a municipality, a certified copy of the resolution of the municipal council or a copy of the by-law authorizing the mandatary to sign the application;

(3) when the applicant is not the owner of the place covered by the application, the name and contact information of the owner and a copy of the document evidencing the owner's consent to use of the place;

(4) where applicable, a statement that the project has been authorized under the environmental impact assessment and review procedure or one of the environmental and social impact assessment and review procedures applicable in the James Bay and northern Québec region;

(5) a list of all the activities referred to in section 22 of the Act that are included in the project and will be covered either by a subsequent authorization application or a declaration of compliance, or that are exempted from the requirement of obtaining prior authorization from the Minister;

(6) in accordance with subparagraph 1 of the first paragraph of section 23 of the Act, the location of each activity included in the project that requires authorization, in the form of

(a) the coordinates of the site covered by the application and the cadastral designation of the lots and boundaries within which the activity will be conducted, the municipal zoning that applies and its geographical coordinates;

(b) the environmental characteristics of the site affected by the activity, in particular in the case of contaminated land, a natural sector, or a place where threatened or vulnerable species of flora or fauna, or species likely to be designated, are present;

(c) a scale plan of the site within a radius of 300m from the limits of the place where the activity occurs, indicating where applicable

(i) the location of each activity included in the project and its components, namely buildings, facilities, works, equipment, operating and storage areas, and areas reserved for any purpose other than access roads;

(ii) places of all kinds and their type including, in particular, dwellings, businesses, recreational establishments, public establishments, facilities, campgrounds, industries and public roads;

(iii) the location of withdrawal facilities for water for human consumption and the inner and intermediate protection zones for those facilities delimited in accordance with the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);

(iv) the location of the observation wells used to monitor groundwater and underground gases;

(v) the location of the sampling points to be used for monitoring activities;

(vi) wetlands and bodies of water and their designation, if applicable;

(vii) any area protected under the Natural Heritage Conservation Act (chapter C-61.01), the Parks Act (chapter P-9), the Sustainable Forest Development Act (chapter A-18.1), the Mining Act (chapter M-13.1), the Act respecting the conservation and development of wildlife (chapter C-61.1) or the Cultural Heritage Act (chapter P-9.002), or protected by a municipality under its by-laws;

(viii) the habitat of any threatened or vulnerable species referred to in the Regulation respecting threatened or vulnerable wildlife species and their habitats (chapter E-12.01, r. 2) for which a chart has been prepared pursuant to the Regulation respecting wildlife habitats (chapter C-61.1, r. 18), and the habitat of any threatened or vulnerable species referred to in the Regulation respecting threatened or vulnerable plant species and their habitats (chapter E-12.01, r. 3);

(ix) the location of any threatened or vulnerable species of flora or fauna or species likely to be designated;

(7) a plan showing the interior layout of each building needed to pursue the activity, including production equipment, treatment facilities for water and atmospheric emissions, loading and unloading areas, storage areas and points of discharge;

(8) in accordance with subparagraph 1 of the first paragraph of section 23 of the Act, a description of each activity included in the project that requires authorization, including

(a) the nature and details of the activity, including its technical and operational characteristics, for each project phase;

(b) where applicable, a description of the processes, inputs, equipment, facilities and works that the applicant intends to use and that are required to comply with the applicable regulatory provisions, specifying their function, type, model and capacity or power rating;

(c) where applicable, a description of the energy sources and the type and quantity of fuel that the applicant intends to use;

(d) where applicable, the nature and quantity of the residual materials likely to be generated by the activity, along with the residual materials management and site rehabilitation measures;

(e) the planned duration of the project and of each project activity, and an implementation schedule;

(9) in accordance with subparagraph 2 of the first paragraph of section 23 of the Act, the nature, quantity, concentration and location of all contaminants likely to be released into the environment during each activity included in the project that requires authorization, in particular in the form of a plan locating the points at which contaminants are released into the environment;

(10) where applicable, the nature, quantity, concentration and location of effluents likely to be released into the environment, a sewer system or a rainwater management system during an activity requiring authorization and, if the contaminants are released into a sewer system or rainwater management system, the identification of the system concerned;

(11) in the cases referred to in subparagraph 9 of the first paragraph of section 22 and in section 31.54.1 of the Act, a characterization study of the land;

(12) a description of the expected impacts of the activity requiring authorization on the environment and on the health of human beings and other living species, and the proposed mitigation measures;

(13) a description of the proposed monitoring, supervision and control measures, where applicable, in particular using a maintenance and inspection program, a sampling and analysis program and an emergency measures program, and a description of the observation wells used for monitoring purposes;

(14) in the cases provided for and in accordance with Division XXVII on climate tests, information and documents on greenhouse gas emissions attributable to the activity requiring authorization;

(15) in the cases provided for and in accordance with Division XXVIII on prior record, the declaration referred to in section 115.8 of the Act;

(16) when required by the activity, a favourable decision from the Commission de protection du territoire agricole du Québec if the project is located in an agricultural zone within the meaning of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);

(17) when the applicant has used the services of professionals or other competent individuals to prepare the project or the authorization application, their names and contact information, a brief description of their mandate and a statement that the information and documents they have provided are accurate and complete;

(18) a statement by the applicant that all the information and documents provided are accurate and complete;

(19) the fee payable pursuant to the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28) for the processing of the application.

An applicant for an authorization that has already provided some of the information or documents on the activity listed in the first paragraph or in a division of this Chapter as part of the environmental impact assessment and review procedure or one of the environmental and social impact assessment

and review procedures applicable in the territories referred to in sections 133 and 168 of the Act, does not need to provide them again to ensure that the application is admissible.

**8.** The information and documents listed in section 7 and in Divisions II to XXVIII of this Chapter are public, with the exception of any information and documents concerning the location of threatened or vulnerable species or confidential industrial or trade secrets within the meaning of section 23.1 of the Act.

**9.** When the holder of an authorization intends to carry on a new activity referred to in section 22 of the Act, the authorization is amended accordingly. For this purpose, the authorization holder must send to the Minister all the information and documents required under the provisions of this Chapter that apply to the new activity.

**10.** When a hydrogeological study is required under this Chapter, the study must be signed by an engineer or geologist.

The study must contain the following minimum information:

(1) a description of the hydrography, geology, local hydrogeology and hydrologic properties of the site;

(2) the location and a description of the characterization work completed and the wells used for observation purposes;

(3) the area of influence of the contaminants likely to be released during the activity;

(4) a piezometric map.

## **DIVISION II**

### **INDUSTRIAL ESTABLISHMENTS**

**11.** Every authorization application for an activity referred to in subparagraph 1 of the first paragraph of section 22 of the Act in connection with the operation of an industrial establishment referred to in Division III of Chapter IV of Title I of the Act must contain the following supplemental information and documents:

(1) if different from the information provided for the applicant, the information listed in subparagraphs *a* and *b* of subparagraph 1 of the first paragraph of section 7 for the industrial establishment covered by the application;

(2) the nature of the industrial activities covered by the application;

(3) the daily and annual maximum capacity of the industrial establishment covered by the application, within the meaning of the third paragraph of section 0.1 of the Regulation respecting the operation of industrial establishments (*insert here the reference to the CQLR*);

(4) a summary description of the depollution measures that the applicant intends to implement, along with details on the objectives of the measures, their implementation schedule and their current state;

(5) the measures proposed to prevent the accidental release of a contaminant into the environment.

In the case of an existing industrial establishment within the meaning of the second paragraph of section 31.25 of the Act,

(1) the first paragraph applies, adapted as required;

(2) for the purposes of subparagraph 9 of the first paragraph of section 7, the information on the nature, quantity, concentration and location of all contaminants released must have been gathered at least 2 years prior to the date of the authorization application and does not need to be provided if it has already been sent to the Minister;

(3) the authorization application must contain a description of the measures, devices or equipment put in place and used to reduce or eliminate the release of a contaminant into the environment;

(4) the operator must send its authorization application to the Minister within 6 months from the date of coming into force of the regulation covering the category of industrial establishments to which the industrial establishment belongs.

### **DIVISION III**

#### **WATER WITHDRAWALS**

**12.** Every authorization application for a water withdrawal activity referred to in subparagraph 2 of the first paragraph of section 22 of the Act, including the related work and works made necessary by the water withdrawal, must contain the following supplemental information and documents:

(1) for each withdrawal site for which the location will remain the same for the valid term of the authorization, the plans and specifications of the water withdrawal facility and the planned layout or, if the application concerns a facility for the withdrawal of groundwater not intended for human consumption that is laid out in accordance with the provisions of Chapter III of this Regulation, the report provided for in section 21 of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);

(2) a technical report signed by an engineer or geologist containing the following information:

(a) a description of the scenario for the planned withdrawal of water for the total withdrawal and for each withdrawal site, including the withdrawal period or periods associated with the need for water and the volumes withdrawn, consumed and discharged;

(b) the maximum volume of water withdrawn and consumed per day compared to the needs to be met;

(c) the elements that show that the water withdrawal facility is suitable for the declared use;

(d) a description of the changes expected in the quality of the water when used and discharged into the environment, in particular with respect to any substances added to the water;

(3) if the authorization application concerns the withdrawal of water for human consumption or food processing,

(a) an indication, on the site plan required under subparagraph c of subparagraph 6 of the first paragraph of section 7, of the presence within a radius of 30 m around the withdrawal site, of a waste water treatment system referred to in the Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22);

(b) the initial characterization of water quality for the site of the withdrawal, signed by an engineer or geologist;

(c) an identification of the category of water withdrawal covered by the application as defined by section 51 of the Water Withdrawal and Protection Regulation;

(d) the location of the inner, intermediate and outer protection zones for the water withdrawals covered by the application, delimited in accordance with the Water Withdrawal and Protection Regulation when prepared by an engineer or geologist;

(e) an inventory of the activities performed in the inner protection zone delimited for the water withdrawal site covered by the application;

(f) an assessment of the intrinsic vulnerability of the groundwater, in accordance with section 53 of the Water Withdrawal and Protection Regulation when prepared by an engineer or geologist;

(g) an economic impact assessment for the activities performed in the protection zones of the withdrawal site with respect to the constraints imposed by the Water Withdrawal and Protection Regulation and, where agricultural activities are affected, the means the applicant has taken or intends to take to minimize the impact on the operators concerned, such as the signing of a financial assistance agreement;

(4) a hydrogeological study including the supplementary information listed in section 13 for the water withdrawals covered by that section.

**13.** The hydrogeological study referred to in paragraph 4 of section 12 is required for the following water withdrawals:

(1) groundwater withdrawals at a maximum rate of

(a) 379,000 litres or more per day when the water is withdrawn for agricultural or fish-farming purposes;

(b) 75,000 litres or more per day when the water is withdrawn for any other purpose;

(2) withdrawals in the St. Lawrence River Basin if the water is to be transferred outside that basin;

(3) withdrawals of water intended to be sold or distributed as spring water or mineral water.

The study must assess the following elements:

(1) the hydrological properties of the host environment, based in particular on testing in situ;

(2) the area of influence of the withdrawal;

(3) the ability of the aquifer to provide the required flow over the long term;

(4) the impact of the withdrawal on other users and on the environment.

In addition to the information listed in section 10, the hydrogeological study must include the following elements:

(1) a calculation of the expected piezometric reductions vertically aligned with the wells and for any pond, marsh, swamp or peatland present in the area of influence of the withdrawal;

(2) the hypotheses and equations used for the calculations;

(3) the reasons justifying each of the elements referred to in the second paragraph with respect to the work.

In the case referred to in subparagraph 1 of the first paragraph, when the average volume of water withdrawn, calculated in accordance with section 3 of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2), is 379,000 litres or more per day, or when the water withdrawal is a category 1 withdrawal as defined by section 51 of the Water Withdrawal and Protection Regulation, and in the cases referred to in subparagraphs 2 and 3 of the said first paragraph, the study must also include

(1) a description of the surrounding context, within a minimum radius of 1 km and for the whole area of influence of the withdrawal, with regard in particular to meteorology, topography, hydrography, hydrology, geology and hydrogeology;

(2) the completion and analysis of a pump test using a minimum of 3 wells constructed within the aquifer used for water withdrawal that may be used to observe groundwater, in addition to the pumped well;

(3) a calculation of aquifer recharge and hydrological balance;

(4) an analysis of the behaviour of the aquifer with and without withdrawals, including a sensitivity analysis.

**14.** If the water withdrawal is subject to the Regulation respecting the framework for authorization of certain projects to transfer water out of the St. Lawrence River Basin (chapter Q-2, r. 5.1), the authorization application must also contain

(1) if the applicant is a local municipality situated outside the St. Lawrence River Basin, the name of the regional county municipality that includes the local municipality;

(2) if the applicant is not a municipality,

(a) the name of the local municipality that will serve the population using a waterworks system supplied with the water whose transfer is planned. If the local municipality is situated outside the St. Lawrence River Basin, the name of the regional county municipality that includes the local municipality must be indicated;

(b) a copy of any agreement entered into with the municipality concerning the ownership or transfer of the waterworks system supplied by the water whose transfer is planned, or concerning the supply of the municipality's waterworks system;

(3) when the municipality that will serve the population, under the proposed transfer, with water transferred out of the St. Lawrence River Basin is not the applicant for authorization, the agreement entered into between the municipality and the applicant and pertaining to obligations related to measures for the efficient use or preservation of water or pertaining to the return of the water in the Basin;

(4) concerning the withdrawal site and transfer location:

(a) a map or aerial photograph of the withdrawal site and of the proposed location of the transfer;

(b) maps or photographs of the territory to be supplied by the proposed water transfer and of the place where the water will be discharged;

(5) concerning the total volume of the water transferred from a new or increased withdrawal:

(a) the maximum volume of water transferred each day during the authorization period applied for, established respectively on the basis of an average for the calendar year and on the basis of a period of 90 consecutive days corresponding to the period in which the volume of transferred water is the highest;

(b) the monthly average volume of the transfer, specifying whether the proposed use will be continuous, seasonal or temporary;

(c) the location of the equipment to measure the volume transferred and the technique used to measure the transfer flow;

(6) the total volume of all the withdrawals made for the purpose of transferring water out of the St. Lawrence River Basin to supply the waterworks system covered by the authorization application during the 10-year period preceding the application, as well as the volumes of water consumed by reason of those withdrawals;

(7) the maximum volume consumed per day by reason of the proposed transfer, estimated respectively on the basis of an average for the calendar year and on the basis of a period of 90 consecutive days corresponding to the period in which water consumption is the highest;

(8) the volume of transferred water that will be returned to the St. Lawrence River Basin after use or discharged outside that Basin, along with the following information concerning the returned water:

(a) an indication of when the water will be returned;

(b) the total volume of water returned per day established in the form of an average during a calendar year and a percentage of the water transferred, including the proposed measurement methods;

(c) an estimate of the percentage of water transferred from the St. Lawrence River Basin that will be returned to the Basin in relation to the water that is discharged in the Basin and that comes from outside the Basin;

(d) a description of the water returned, including the water's origin, the place where it will be returned and the methods used to reduce the use of water coming from outside the Basin;

(e) a description of the location or locations where the water will be discharged;

(9) if the proposed water transfer involves an average quantity of water of 379,000 litres or more per day that is intended to supply a waterworks system serving a municipality referred to in subparagraph a of subparagraph 1 of the first paragraph of section 31.91 of the Act:

(a) a description of the measures for the preservation and efficient use of the water that the applicant for authorization undertakes to carry out, including timetables;

(b) a description of the follow-up indicators that will be used to monitor those measures for preservation and efficient use;

(c) an explanation of why the water transfer is necessary, which must include an analysis of the efficiency of the current uses of water, including the application of preservation measures that are judicious in terms of environment protection and economically feasible with regard to existing water supplies so as to reduce as much as possible the volume of water to be transferred;

(d) the reasons explaining why the quantities of water whose transfer is proposed are reasonable in relation to the proposed use. To that end, the application must also include a water use plan that includes:

(i) the proposed use of the water and the population projections supporting the daily volumes for the period covered by the application;

(ii) a description of the capacity of the waterworks system in terms of water withdrawal, treatment and distribution;

(iii) an evaluation of the savings resulting from an efficient use of water;

(e) a study, designed and prepared using a scientific method, concerning the impact of the transfer on the quality and quantity of water in the St. Lawrence River Basin and of the depending natural resources, including wildlife and plant species that depend for their survival on wetlands and bodies of water and wildlife habitats forming part of the Basin, as well as about the maintenance of water uses;

(10) if the transfer of water out of the Basin is intended to supply a waterworks system serving a municipality referred to in subparagraph *b* of subparagraph 1 of the first paragraph of section 31.91 of the Act:

(a) the reasons explaining why no supply source, accessible within the basin where the local municipality concerned is situated, is capable of meeting drinking water needs;

(b) a technical report signed by an engineer or geologist about the impact of the proposed transfer on the integrity of the Basin's ecosystem.

#### **DIVISION IV**

#### **WATER MANAGEMENT OR TREATMENT**

**15.** Every authorization application for an activity referred to in subparagraph 3 of the first paragraph of section 22 of the Act in connection with the establishment, alteration or extension of any water management or treatment facility referred to in section 32 of the Act must contain the following supplemental information and documents:

(1) the plans and specifications needed for the completion of the project, signed and sealed by an engineer, including a maintenance program;

(2) a technical report, signed by an engineer, including all the information required by sections 16 to 19, depending on the nature of the activity covered by the application;

(3) the certificate from the clerk or secretary-treasurer of the municipality in whose territory the facility is located, in the cases and on the conditions specified in the first paragraph of section 32.3 of the Act;

(4) the name and number of each waterworks system or sewer system concerned by the project.

**16.** The technical report referred to in paragraph 2 of section 15 must contain the following information if the project involves a waterworks system:

(1) the capacity of the works, including its ability to supply water to the people served in sufficient quantities or, if that is not the case, the justifying reasons and the measures that will be taken to make the implementation of the project acceptable;

(2) the reasons, where applicable, that justify the fact that a project designed to serve a subdivision used for residential purposes or a currently inhabited sector does not include the establishment of a sewer system, with an outline of the layout of each lot with respect to the implementation of waste water disposal systems, in accordance with the Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22);

(3) if the application concerns a facility to produce water for human consumption:

(a) the plan of the whole of the waterworks system connected to the production facility;

(b) a description of the existing equipment that will be retained, and its planned use;

(c) the characteristics of the raw water withdrawn and the identity of all substances requiring treatment;

(d) the ability of the facility to treat water intended for human consumption in accordance with the requirements for that purpose set out in the Regulation respecting the quality of drinking water (chapter Q-2, r. 40);

(4) the information on residual materials, contaminants and effluents listed in subparagraph *d* of subparagraph 8 and subparagraphs 9 and 10 of the first paragraph of section 7.

**17.** The technical report referred to in paragraph 2 of section 15 must include the following information in the case of a project for a sewer system:

(1) an updated flow diagram as far as the outfall, including pumping stations, overflows and the project location;

(2) a list and description of the overflows added, altered or affected by the project;

(3) performance records for the overflows altered or affected by the project and, when the project includes the addition of effluent flow or load, the records of the wastewater treatment plant for the 3 years preceding the year in which the application is submitted;

(4) a summary of the design data and the discharges of the wastewater treatment plant for the system;

(5) the hypotheses, the calculation methods and the records concerning the impacts of the project on the system, including, where applicable, the impacts on the wastewater treatment plant and on overflow events at the overflows affected by the project;

(6) if the implementation of the project results in an increase in system overflow events, a list of the work to be performed on the system to compensate for the additional effluent flow or load or, if no work has been planned, an indication, attested by the municipality concerned, of the implementation, by that municipality, of work under an overflow management plan to manage the increase in overflow events created by the project;

(7) the reasons, where applicable, that justify the fact that a project designed to serve a subdivision used for residential purposes or a currently built sector does not include the establishment of a waterworks system, with an outline of the layout of each lot with respect to the establishment of a water withdrawal facility, in accordance with the Chapter III of the Water Withdrawal and Protection Regulation;

(8) if the system includes the infiltration into the soil of more than 3,240 litres of water per day within the virological protection zone for groundwater withdrawals delimited in accordance with section 57 of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2), the elements that show that the operation of the system once the work is completed will not constitute a source of contamination for withdrawals of groundwater for human consumption or for food processing.

**18.** The technical report referred to in paragraph 2 of section 15 must include the following information and documents in the case of a project involving a rainwater management system:

(1) a description of the subsequent phases if the project is part of a more extensive development project;

(2) one or more maps showing the direction of flow of rainwater in the minor and major drainage networks for the system;

(3) an estimate of the peak flows from the place covered by the application for 2, 10 and 100 year flood recurrence intervals in pre-development and post-development conditions;

(4) a characterization study of the environment drained by the system;

(5) a description of the rainwater management works planned, a description of their design parameters, and calculation examples for the sizing of the works and the reasons justifying their design;

(6) in cases where water from the planned rainwater management system will be directed towards a combined system, an analysis of the impact of the work on the frequency of overflow events at each combined sewer overflow situated downstream from the connection point, or in the frequency of diversions at the wastewater treatment plant, and the measures that will be taken to prevent any increase in this frequency;

(7) an assessment of the risks presented by certain activities performed in the environment drained by the system that are likely to generate contaminated runoff;

(8) an assessment of the impact of rainwater discharges on the flooding risks for the 20 year and 100 year flood recurrence intervals;

(9) for each works where rainwater retention is planned, a description of the flow regulators and the reasons justifying their selection, and an indication of the water levels reached for the 2, 10 and 100 year flood recurrence intervals;

(10) the reasons, where applicable, that justify the fact that a project designed to serve a subdivision used for residential purposes or a currently built sector does not include the establishment of a waterworks system and sewer system, with an outline of the layout of each lot with respect to the establishment of a water withdrawal facility, in accordance with the Chapter III of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2), and the establishment of waste water disposal systems in accordance with the Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22);

(11) the information on residual materials, contaminants and effluents listed in subparagraph *d* of subparagraph 8, subparagraph 9 and subparagraph 10 of the first paragraph of section 7.

**19.** Every authorization application for an activity referred to in paragraph 3 of section 22 of the Act in connection with the installation and operation of any other water treatment apparatus or equipment, in particular to prevent, abate or stop the discharge of contaminants into the environment or into a sewer system, must contain the following information and documents:

(1) the plans and specifications for the project, signed and sealed by an engineer, including the maintenance program;

(2) a technical report, signed by an engineer, including all the information required by sections 16 to 19, depending on the nature of the activity covered by the application and comprising

(a) a plan for the treatment process;

(b) an assessment of the loads and water flows produced by the establishment and the criteria and hypotheses used for the design of the water treatment apparatus or equipment;

(c) the elements that demonstrate the ability of the apparatus or equipment to treat the water produced by the establishment before its discharge into the environment or a municipal sewer system;

(d) the characteristics of the equipment already on site;

(e) a updated diagram showing the outflow as far as the wastewater treatment plant.

**DIVISION V**  
**WETLANDS AND BODIES OF WATER**

**20.** Every authorization application for an activity referred to in subparagraph 4 of the first paragraph of section 22 of the Act with respect to work, structures or other interventions in wetlands and bodies of water referred to in Division V.1 of Chapter IV of Title I of the Act must contain the following supplemental information and documents:

(1) the information and documents required by section 46.0.3 of the Act;

(2) if the activity is to be carried out on a water retaining works, the consent of the owner of the works;

(3) if the application concerns a peat extraction project, the map of the site required by subparagraph c of subparagraph 6 of the first paragraph of section 7 delimiting vegetation buffer zones, the zones that will be preserved in order to rehabilitate the site, the zones where constraints apply and ditches;

(4) if the application concerns work completed as part of a peat extraction project or a project to establish or operate a cranberry or blueberry farm, the rehabilitation measures and steps that will be implemented once operations cease, including a timetable for the work and an estimate of the time required for the ecological functions of the site to be reinstated.

**21.** The characterization study of the wetlands and bodies of water covered by the application and required under paragraph 1 of section 46.0.3 of the Act must include, in addition to the information listed in that paragraph, the following information:

(1) a description of the human disturbances or pressures experienced by the sites affected by the project and their ability to recover naturally or the possibility of restoring them in whole or in part;

(2) in the case of a water withdrawal of the construction of a water retaining works in a lake or watercourse, an estimate of the reserved flow needed for ecosystem maintenance.

**DIVISION VI**  
**HAZARDOUS MATERIALS MANAGEMENT**

*§ 1.- General provisions*

**22.** Every authorization application for an activity involving hazardous materials management referred to in subparagraph 5 of the first paragraph of section 22 of the Act, must contain the following supplemental information and documents:

(1) an identification of the categories of hazardous materials the activity will involve, determined in accordance with the prescriptions of Schedule 4 to the Regulation respecting hazardous materials (chapter Q-2, r. 32);

(2) information showing that the activity will comply with the standards prescribed by the Regulation respecting hazardous materials governing either the possession of hazardous waste under section 70.8 of the Act or the activities referred to in section 70.9 of that Act;

(3) where applicable, a description of the storage methods and of the equipment, buildings, systems, infrastructures and measures taken or envisaged to ensure security at the storage site against intrusions or accidents.

*§ 2.- Possession extended for more than 24 months*

**23.** Every application for authorization to extend possession of a hazardous material referred to in the first paragraph of section 70.8 of the Act for more than 24 months must be submitted to the Minister at least 90 days before the expiry of the 24-month period.

Subparagraphs 1, 2, 4 and 5, subparagraph *a* of subparagraph 6 and subparagraphs 9, 11, 12 and 13 of the first paragraph of section 7 apply to an application for authorization to extend possession of a hazardous material referred to in the first paragraph of section 70.8 of the Act for more than 24 months for which a register must be kept pursuant to section 104 of the Regulation respecting hazardous materials (chapter Q-2, r. 32).

The application must contain the following supplemental information and documents:

(1) the following information and documents for each category of hazardous materials:

(a) the 24-month expiry date provided for in the first paragraph of section 70.8 of the Act and the quantity that will be stored on that date;

(b) the duration of the storage requested and the maximum quantity that will be stored each year during that period;

(c) the reasons making it necessary to extend possession of the hazardous materials for more than 24 months;

(2) the plan for managing the hazardous materials referred to in the second paragraph of section 70.8 of the Act, which must include the following information and documents:

(a) a characterization of the hazardous material concerned, including:

- (i) a sampling schedule;
  - (ii) the name and address of the laboratory accredited by the Minister under section 118.6 of the Act that did the analysis;
  - (iii) the properties referred to in section 3 of the Regulation respecting hazardous materials and the results of the chemical analyses;
  - (iv) in the case of a hazardous material referred to in section 4 of the Regulation respecting hazardous materials, the results of the chemical analyses and the characteristics of the material;
  - (v) where applicable, the grounds for which a chemical analysis or test has not been done in respect of the hazardous material;
- (b) when the hazardous materials are stored outside, a characterization of the land on the periphery of the storage site, conducted in accordance with the guide provided for in section 31.66 of the Act by an accredited professional, and the decontamination or alleviation measures that have been taken or that are envisaged;
- (c) the final destination of the hazardous material or, if the destination is not known, a description of the steps taken or envisaged including, where applicable, any research projects or experiments, to remove the hazardous material from the storage site and, in the latter case, the quantity of hazardous materials used in such projects;
- (d) the steps in the implementation of the management plan and the related schedule, and the measures that will be taken to inform the Minister;
- (e) a statement that the information provided is accurate and the signature of the person having possession of the hazardous materials or of a person authorized for that purpose in the case of a person other than a natural person or municipality.

*§ 3.- Activities referred to in the first paragraph of section 70.9 of the Act*

**24.** Every authorization application for an activity referred to in the first paragraph of section 70.9 of the Act must contain the following supplemental information and documents:

- (1) if the applicant is not the owner of the land covered by the application, a copy of any document confirming the right to use the land for the activity concerned;
- (2) when one of the activities referred to in this paragraph requires the storage of the hazardous materials:
  - (a) the storage method for each category of hazardous materials involved in the activity;

(b) to total capacity of the storage site;

(c) a scale plan of the storage site showing:

(i) the planned layout of each indoor and outdoor storage area for the hazardous materials and their maximum storage capacity;

(ii) the location of each storage area, the storage methods used in each area, and the categories of hazardous materials stored there;

(iii) the distances between the storage areas;

(d) where applicable, the number of tanks used for storage of hazardous materials, a description of each tank, and its capacity in litres;

(3) in the case of the operation of a final disposal site for hazardous materials:

(a) the total capacity of the final disposal site;

(b) the following programs, which must cover all project phases:

(i) a program for monitoring, supervising and following the quality of surface and underground water, leachates and biogases;

(ii) a maintenance program for the equipment and systems with which the site will be equipped;

(4) in the case of the operation of a treatment project for hazardous materials:

(a) the objective and hourly and daily capacity of the treatment process;

(b) the sources of supply and the characteristics of the hazardous materials that will be treated including, when known, their properties in accordance with sections 3 and 4 of the Regulation respecting hazardous materials (chapter Q-2, r. 32) and the nature of the contaminants present in the materials;

(c) a description of the monitoring programs that will be applied on receipt of the hazardous materials to ensure that the materials delivered are the materials authorized;

(d) a schedule for the sampling and analysis of the materials resulting from the treatment process and the manner in which they will be managed;

(5) in the case of the use hazardous materials for energy purposes, after they have been procured for that purpose:

(a) where applicable, the treatments that will be applied to the hazardous materials before burning;

(b) the hourly feed rate for each fuel used, including the feed rate for the hazardous materials, in metric tonnes or kilolitres;

(c) the proposed replacement rate for each conventional fuel, calculated using the heat value of the hazardous materials compared to the overall heat value for all the fuel used;

(d) in the case of used oil, the sources of supply and a description of the monitoring programs that will be applied on receipt of the oil to ensure that it meets the quality standards provided for in Schedule 6 to the Regulation respecting hazardous materials;

(e) in the case of hazardous materials other than used oil:

(i) the sources of supply and the characteristics of the hazardous materials that will be treated including, in particular, their properties in accordance with sections 3 and 4 of the Regulation respecting hazardous materials and the nature of the contaminants present in the materials and, where applicable, their concentration;

(ii) a description of the monitoring programs that will be applied on receipt of the hazardous materials to ensure that the materials delivered are the materials authorized;

(iii) a schedule for the sampling and analysis of process ash, particles and liquids, as well as sludge, and the management method for each material;

(6) a financial guarantee in accordance with sections 120 to 123 of the Regulation respecting hazardous materials, in the amount determined in Schedule 10 to that Regulation, except in the case of an authorization application for the use of used oil for energy purposes when the nominal hourly rate of use is below 1 metric tonne or 1 kl;

(7) a document from an insurer or insurance broker stating that the applicant holds a civil liability contract in accordance with sections 124 and 125 of the Regulation respecting hazardous materials.

Subparagraph 6 of the first paragraph of section 7 does not apply to the operation of a mobile facility.

**DIVISION VII****APPARATUS OR EQUIPMENT DESIGNED TO PREVENT, ABATE OR STOP THE RELEASE OF CONTAMINANTS INTO THE ATMOSPHERE**

**25.** Every authorization application for an activity referred to in subparagraph 6 of the first paragraph of section 22 of the Act in connection with the installation and operation of an apparatus or equipment designed to prevent, abate or stop the release of contaminants into the atmosphere must contain the following supplemental information and documents:

(1) a description of the process with which the apparatus or equipment is linked;

(2) the plans and specifications of the apparatus or equipment that will be installed and used;

(3) the nature of the contaminants concerned;

(4) the quantity and concentration of the contaminants that are or will be released into the environment without the use of the apparatus or equipment;

(5) an estimate of the quantity and concentration of the contaminants that will be released into the environment when the apparatus or equipment is operating;

(6) the operating parameters and the methods for using the apparatus or equipment.

**DIVISION VIII****RESIDUAL MATERIALS ELIMINATION FACILITIES**

**26.** Every authorization application for an activity referred to in subparagraph 7 of the first paragraph of section 22 of the Act in connection with the establishment and operation of a facility for the elimination of residual materials referred to in the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19) must include the following supplemental information and documents and those provided for in these subdivisions, depending on the type of facility covered by the authorization application:

(1) the plans and specifications for the facility and for any equipment or works designed to reduce, control, contain or prevent the deposit, release, emission or discharge of contaminants into the environment, signed and sealed by an engineer;

(2) for the location of the activity as required by subparagraph 6 of the first paragraph of section 7:

- (a) the current use of the land and zoning within a radius of 2 km;
  - (b) the location of every airport within a radius of 8 km;
  - (c) the location of rock outcrops and units of unconsolidated deposits as well as zones sensitive to erosion and ground movements;
  - (d) despite the radius determined in subparagraph c of this paragraph, a plan of the site within a radius of 1 km;
  - (e) the current drainage pattern and general topography of the land within a radius of 1 km;
- (3) in the description of the activity required by subparagraph 8 of the first paragraph of section 7:
- (a) the data on the client base for the project and on the nature and quantity of the residual materials whose elimination or transfer is planned;
  - (b) the maximum capacity of the facility;
  - (c) the estimated costs for the siting, operation, closure and post-closure management of the facility, in particular for monitoring and follow-up measures;
- (4) a descriptive specification for the operation of the facility, containing as a minimum:
- (a) the assignment of the workers required for the operation;
  - (b) the measures designed to ensure the maintenance and repair of machinery and its replacement, where applicable;
  - (c) the control measures for the residual materials accepted by nature, quality and origin, and the measures to be applied when the materials are unacceptable;
- (5) the information establishing that the activity will comply with the standards prescribed by the Regulation respecting the landfilling and incineration of residual materials.

*§ 1.- Engineered landfill and construction or demolition waste landfill*

**27.** In the case of an authorization application for the establishment or enlargement of an engineered landfill or a construction or demolition waste landfill, the authorization application must contain the following supplemental information and documents:

(1) any document or information required under the conditions, restrictions or prohibitions determined by the government when issuing an authorization pursuant to section 31.5 of the Act;

(2) a copy of the titles conforming the applicant's ownership of the lots or parts of lots covered by the application, and the location certificate for each lot or part of lot;

(3) a description of the local geology of the land covered by the application, including

(a) a detailed stratigraphy;

(b) a geological survey performed using a representative number of stratigraphic borings (a minimum of 4 borings for the first 5 ha of land and an additional boring for each additional 5 ha or 5-ha portion);

(c) a soil characterization using a representative number of samples;

(d) an estimate of the volumes of materials available for the establishment and operation of the landfill;

(4) a description of the physico-chemical and bacteriological characteristics of the surface water near any points of discharge into the environment, and the uses of the surface water;

(5) a topographical survey of the land showing the contour lines at intervals of not more than 1 m;

(6) a list of the servitudes encumbering the land and of the surface and underground equipment present;

(7) the plans and profiles of the drainage systems with cross sections of the various components, their description and location of the points of discharge into the environment;

(8) a hydrogeological study, containing the following information:

(a) the direction of flow and migration velocity of the groundwater;

(b) the relationship between the various hydrostratigraphic units and the surface hydrographic network;

(c) the groundwater susceptibility determined from a minimum of four observation wells for the first 5 ha of land and an additional well for each additional 5 ha or 5-ha portion;

(9) a determination and a description of the geotechnical properties of the unconsolidated deposits, rock and residual materials and an assessment of the geotechnical constraints associated with the work to establish and operate the site;

(10) the analysis results from the groundwater samples taken from the land covered by the application for the purpose of verifying the parameters and substances mentioned in sections 57 and 66 of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19);

(11) a study showing the integration of the landfill into the surrounding landscape;

(12) a technical report containing:

(a) a land development plan, at a scale between 1:1 000 and 1:1 500, showing among other things natural screens, the features to ensure integration into the landscape, the areas reserved for the removal or stockpiling of cover materials, the location of the buildings to be used by employees and for storing equipment, deforestation areas, vehicle traffic areas, weighing equipment, fences and gates, surface water, groundwater and biogas monitoring points and longitudinal and cross sections of the land showing its original and final contours;

(b) a description of the impermeable liner system for the disposal areas and of the leachate and water treatment system;

(c) a description of the final cover for the disposal areas, with cross sections of the components;

(13) the quality assurance and quality control programs to ensure the application of the provisions of sections 34 to 36 of the Regulation respecting the landfilling and incineration of residual materials;

(14) the descriptive specification referred to in paragraph 4 of section 26 must also contain:

(a) the control measures for the daily cover materials to ensure compliance with section 42 of the Regulation respecting the landfilling and incineration of residual materials;

(b) the systems inspection, maintenance and cleaning program to be implemented to ensure the application of section 44 of the Regulation respecting the landfilling and incineration of residual materials;

(c) the measures to monitor and supervise surface water, groundwater and biogas quality to ensure the application of sections 63 to 71 of the Regulation respecting the landfilling and incineration of residual materials, indicating in particular the location of the observation wells and the particulars of their installation.

### § 2.- Trench landfill

**28.** In the case of an authorization application for a trench landfill, the authorization application must contain the following supplemental information and documents:

(1) the documents and information referred to in paragraphs 3 to 10 and paragraphs 12 to 14 of section 27;

(2) if it is planned to establish the landfill entirely on a mine tailings site, any document or information showing that the physical constraints justify the implementation of substitution measures that meet the conditions set by section 89 of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19).

### § 3.- Northern landfill

**29.** In the case of an authorization application for a northern landfill, the authorization application must contain the following supplemental information and documents:

(1) a description of the soil at the place where the landfill will be established down to a minimum depth of 30cm below the planned level of the residual materials;

(2) the information referred to in paragraphs 2, 6 and 7 of section 27.

### § 4.- Residual materials transfer station and residual materials incineration facility

**30.** In the case of an authorization application for a residual materials transfer station or a residual materials incineration facility, the authorization application must contain the supplementary information mentioned in paragraph 2 of section 27.

## **DIVISION IX**

### **RESIDUAL MATERIALS RECLAMATION FACILITIES**

**31.** Every authorization application for an activity referred to in subparagraph 8 of the first paragraph of section 22 of the Act in connection with the establishment and operation of a residual materials reclamation facility, including any storage or treatment of such materials for the purpose of reclaiming them, must contain the following supplementary information and documents and those provided for in these subdivisions, depending on the type of facility covered by the application:

(1) the plans and specifications of any facility required for the establishment and operation of a residual materials reclamation facility, including any equipment or works to reduce, control, contain or prevent the

deposit, release, emission or discharge of contaminants into the environment, signed and sealed by an engineer;

(2) in the description of the activity required by subparagraph 8 of the first paragraph of section 7:

(a) the description, nature and origin of the residual materials treated by the facility;

(b) the maximum volume of each residual material stored or reclaimed;

(3) the measures taken to indicate the presence of the facility, the contact information for its operator, and its business hours;

(4) when a weighing apparatus is present, the location and the program for the use, maintenance and calibration of the apparatus in order to provide accurate data;

(5) the plans and profiles of the drainage systems, with cross sections of the various components, their description and the location of the points of discharge into the environment;

(6) an odour management plan for organic residual materials, except fertilizing residuals, including the following minimum information:

(a) a description of the weather conditions associated with episodes of odours perceptible in the vicinity and a determination of the impacts of weather patterns and, more specifically, during the reception, conditioning, mixing and storage of organic residual materials;

(b) a description of the measures put in place to limit the emission of odours that cause odour nuisances beyond the limits of the landfill;

(c) a description of the protocol for following up on complaints about odour, which must include as a minimum the logging of complaints, and measures for corrective action and follow up;

(d) a description of the optimal facilities and operations for limiting odours;

(e) a description of the odour follow-up protocol;

(7) a financial guarantee in compliance with the Regulation respecting financial guarantees payable for the operation of a residual organic materials reclamation facility (chapter Q-2, r. 28.1) for the facilities referred to in that regulation.

*§ 1.- Residual materials transfer station for reclamation purposes, except a transfer station for hazardous materials*

**32.** In the case of an authorization application for a residual materials transfer station for reclamation purposes, except a transfer station for hazardous materials, the authorization application must contain the following supplemental information and documents:

(1) notwithstanding the radius determined in subparagraph c of subparagraph 6 of the first paragraph of section 7, a plan of the site within a radius of 1 km;

(2) in the description of each activity required by subparagraph 8 of the first paragraph of section 7, the contact information of the recipient of the residual materials to be transferred and the nature of the recipient's activities;

(3) in the mitigation measures required by subparagraph 12 of the first paragraph of section 7, a description of the measures implemented

(a) to limit the wind dispersal or scattering of residual materials and the emission of dust visible in the atmosphere at more than 2 m from the emission source;

(b) to prevent or eliminate any infestation of pests on the site and in the immediate surroundings.

*§ 2.- Residual materials reclamation facility*

**33.** In the case of an authorization application for a residual materials reclamation facility, except for organic materials and hazardous materials, including any activity for the sorting, stockpiling, storing or conditioning of such materials, the authorization application must contain the following supplemental information and documents:

(1) in the description of each activity required by subparagraph 8 of the first paragraph of section 7:

(a) a diagram of processes at the facility;

(b) in the case of an activity to reclaim used tires, a description of the reclamation activity associated with the project;

(2) in the case of a sorting activity, the reclamation potential of each sorted material;

(3) when residual materials from sieving or crushing are used as a cover, a copy of the agreements signed with the operator of the engineered landfill authorized to receive such materials and the related monitoring parameters;

(4) in the case of an activity to reclaim used tires, a justification for the storage capacity requested and an emergency measures plan.

### § 3.- *Organic materials reclamation facility*

**34.** In the case of an authorization application for an organic materials reclamation facility, except in the case of fertilizing residuals, including any activity for the sorting, stockpiling, storing or conditioning of such materials, the authorization application must contain the following supplementary information and documents and those provided for in these subdivisions, depending on the type of reclamation facility:

(1) notwithstanding the radius determined in subparagraph c of subparagraph 6 of the first paragraph of section 7, a plan of the site within a radius of 500 m;

(2) in the description of the activity required by subparagraph 8 of the first paragraph of section 7, the general topography of the land within a radius of 500 m;

(3) a hydrogeological study;

(4) in the mitigation measures required by subparagraph 12 of the first paragraph of section 7, a description of the measures implemented

(a) to limit the wind dispersal or scattering of residual materials and the emission of dust visible in the atmosphere at more than 2 m from the emission source;

(b) to prevent or eliminate any infestation of pests on the site and in the immediate surroundings.

### 1. ORGANIC MATERIALS RECLAMATION BY COMPOSTING FACILITY

**35.** In the case of an authorization application for an organic materials reclamation by composting facility, except in the case of fertilizing residuals, the authorization application must contain the following supplemental information and documents:

(1) in the description of the activity required by subparagraph 8 of the first paragraph of section 7:

(a) a description of the storage and handling operations;

(b) the general topography of the land within a radius of 500 m;

(2) a technical composting report signed by an accredited professional, describing the steps in the composting process and the elements that demonstrate that aerobic conditions are maintained;

(3) a program for the sampling and quality analysis of the compost, specifying in particular the parameters analyzed and the analysis frequency;

(4) a hydrogeological study.

## 2. ORGANIC MATERIALS RECLAMATION BY BIOMETHANIZATION FACILITY

**36.** In the case of an authorization application for an organic materials reclamation by biomethanization facility, except in the case of fertilizing residuals, the authorization application must contain the following supplemental information and documents:

(1) in the description of the activity required by subparagraph 8 of the first paragraph of section 7:

(a) a diagram of processes at the facility;

(b) a description of storing and handling operations;

(c) a description of the digestates and biogases that will be produced by the facility, including their chemical composition, and an estimate of their volume, temperature and humidity;

(d) an identification of the biogases that will be used after being produced, and a description of their quality, temperature and humidity;

(e) an identification of the users of the biogases produced by the facility;

(2) a control and monitoring program for digestates and biogases;

(3) the elements that demonstrate the ability of a wastewater treatment plant operated by a municipality to treat effluent from the facility;

(4) an emergency measures plan.

**DIVISION X****INDUSTRIAL AND COMMERCIAL ACTIVITIES INCLUDING A CATCHMENT INSTALLATION FOR SURFACE OR GROUNDWATER INTENDED FOR HUMAN CONSUMPTION**

**37.** In the case of an authorization application for an industrial and commercial activity in one of the categories listed in Schedule IV to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37), the application must, when the activity includes a catchment installation for surface or groundwater intended for human consumption less than 1 km downstream from the land, include a groundwater monitoring program to ensure compliance with the requirements of the Land Protection and Rehabilitation Regulation, comprising

(1) a description of the hydrogeological conditions prevailing on the land;

(2) the designation of the substances referred to in paragraph 2 of section 5 of the said Regulation and the location on the land of the points of emission of the substances;

(3) a detailed description of the monitoring well system, indicating in particular the number and location of the monitoring wells;

(4) except where the program has been prepared by an engineer or geologist, it must be filed with a certificate from an engineer or geologist stating that the data is accurate and the monitoring well system allows groundwater quality to be monitored in compliance with the requirements of the said Regulation.

However, a monitoring program is not required if the applicant files, with the authorization application, a document showing that the industrial or commercial activity carried on on the land is not likely to alter the quality of the water referred to in the first paragraph by substances listed in Schedule V of the Land Protection and Rehabilitation Regulation. If that demonstration is based in whole or in part on the land's prevailing hydrogeological conditions, it must be signed by an engineer or a geologist.

**DIVISION XI****MINING ACTIVITIES**

**38.** Every authorization application for a mining activity referred to in Division II of Schedule I must contain the following supplemental information and documents:

(1) notwithstanding the radius determined in subparagraph c of subparagraph 6 of the first paragraph of section 7, a plan of the site within a radius of 1 km ;

(2) in the description of the activity required by subparagraph 8 of the first paragraph of section 7, where applicable:

(a) the maximum daily ore extraction capacity, or the total volume of ore extracted, in metric tonnes;

(b) the maximum daily ore treatment capacity;

(c) the volume of mine tailings produced, in metric tonnes, the way in which the tailings are managed and the justification for selection of that management approach;

(d) the area and capacity of the mine tailings accumulation areas, ore storage areas, overburden and concentrate areas, and water supply reservoirs, where applicable;

(e) the water management plan, including a summary of the water used and the water discharged;

(3) a characterization study of the ore deposit, ore, mine tailings and concentrates, where applicable;

(4) the plans and specifications needed for the implementation of the project;

(5) when the project includes the establishment of a mine tailings accumulation area:

(a) a hydrogeological study that includes an examination of possible hydrological links between the site and the receiving environments;

(b) a modelling study, signed by an engineer or geologist, showing that the impermeability measures in place will ensure that groundwater quality is not degraded;

(c) if a dike is to be built, the analyses concerning the stability of the dike, the load-bearing capacity of the underlying ground and an assessment of the settlement that may occur or, where applicable, the reasons why such analyses are not necessary;

(6) when the project includes an ore treatment plant, a hydrogeological study signed by an engineer or geologist establishing the hydrogeological characteristics and examining the possible hydrological links between the site and the receiving environments;

(7) if a dwelling or public establishment is located less than 1 km from the infrastructures, a predictive noise study prepared by a professional working in the field;

(8) a list of the mining titles obtained or in the process of being obtained under the Mining Act (chapter M-13.1).

The studies provided for in subparagraphs *a* and *b* of subparagraph 5 of the first paragraph may be replaced by a summary description of the surrounding hydrogeological context on the basis of the characterization study required by subparagraph 3 of the first paragraph.

## **DIVISION XII**

### **PITS AND QUARRIES**

**39.** Every authorization application for an activity referred to in Division III of Schedule I in connection with pits and quarries must contain the following supplemental information and documents:

(1) notwithstanding the radius determined in subparagraph *c* of subparagraph 6 of the first paragraph of section 7, a plan of the site within a radius of 600 m from the limits of the pit or quarry;

(2) in the description of the activity required by subparagraph 8 of the first paragraph of section 7:

(a) the nature of the surface mineral substances that will be extracted;

(b) the area of land that will be stripped for the operation;

(c) the quantity of topsoil and overburden to be stored;

(d) the average and maximum depth of the surface mineral substances to be extracted;

(e) the maximum quantities of surface mineral substances to be extracted and processed each year, expressed in cubic metres and metric tonnes;

(f) the piezometric level of the site of the pit or quarry or, if no operations are to take place below the water table, an estimate of that level;

(g) the maximum depth of the operation;

(3) a cross section showing the topography of the land, the surface mineral substances to be extracted and the level of the water table, where applicable;

(4) the date of the start of operations, including site preparation and layout activities, the date on which the operation of the pit or quarry will cease and the date of closure of the pit or quarry once rehabilitation or restoration activities have been completed;

(5) a plan for the rehabilitation or restoration of the pit or quarry in accordance with Chapter VI of the Regulation respecting sand pits and quarries (*insert here the reference to the CQLR*), depending on the option chosen, and including the schedule of work and, in the case of a project for a quarry located on the side of a hill, mountain, cliff or slope, a visual study to assess the integration of the quarry with the surrounding landscape;

(6) when the project for a pit or quarry involves the extraction of surface mineral substances below the water table, a hydrogeological study;

(7) a copy of the title of ownership, lease or other document giving rights to the surface mineral substance in the pit or quarry;

(8) when the planned site for a pit or quarry is located within a radius of 600 m, for a quarry, or 150 m, for a pit, from a dwelling or public establishment, a predictive noise study prepared by a professional working in the field;

(9) a financial guarantee in accordance with Chapter V of the Regulation respecting sand pits and quarries.

The plan required by subparagraph 1 of the first paragraph must be prepared and signed by a land surveyor, except if the operation is located on land in the domain of the State. The plan for an operation located on land in the domain of the State must be prepared using the geographical coordinates defined according to the North American Datum 1983 (NAD83), and its system of geodesic coordinates in effect, in compliance with the National Topographic System of Canada (NTS).

In the case of a pit from which several persons or municipalities wish to extract surface mineral substances, the authorization application must be submitted by the owner of the land.

### **DIVISION XIII**

#### **HYDROCARBONS**

**40.** Every authorization application for an activity referred to in Division IV of Schedule I in connection with hydrocarbons must contain the following supplemental information and documents:

(1) in the description of the activity required by subparagraph 8 of the first paragraph of section 7:

(a) the measures taken to manage traffic and road safety on the worksite;

(b) the road signs that will be put in place on the worksite;

(2) the technical program applicable to each project phase with respect to surveying, drilling, completion, fracturing, reconditioning, extraction tests, and use tests for underground reservoirs;

(3) the initial characterization study of the site carried out in accordance with sections 37 to 39 of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);

(4) the initial characterization study of the ground where the activity will take place;

(5) a program to detect and repair leaks of gasses and liquids able to quickly detect any leak presenting a risk for the environment and providing for the planning of inspections of equipment, conduits, tanks and ponds, including a program to detect, quantify and repair and leak of VOCs, methane or ethane;

(6) a soil protection program specifying, for each project phase, the areas at high risk of contamination and appropriate protection measures using, for example, the installation of a leak containment system and quality control measures, which must be kept by the operator;

(7) a predictive noise study prepared by a professional working in the field;

(8) an emergency response plan compliant with the CSA standard Z731-F03 (C2014), "Emergency Preparedness and Response", published by the Canadian Standards Association;

(9) a copy of the notice of public consultation required by section 41;

(10) a report summarizing the comments obtained during the public consultation required by section 41, along with any changes made to the project following the consultation;

(11) a copy of the permanent closure program for a well or reservoir required under the Regulation respecting petroleum, natural gas and underground reservoirs (chapter M-13.1, r. 1).

**41.** When the application concerns exploration work, the applicant must, before submitting the application, inform and consult the public. For this purpose, the applicant must publish a notice in a newspaper distributed in the municipality where the work will be carried out, indicating

(1) the cadastral designation of the lot or lots where the project will be implemented;

(2) a plan and a description of the perimeter of the project site;

(3) an identification of the place where the information specified in subparagraph 2 will be made public in the territory of the municipality or on the website of the project proponent;

(4) an identification of the place where any person may obtain a copy of the information specified in subparagraph 2, on payment of the related fee;

(5) a summary of the project, including in particular the information provided for in subparagraph c of subparagraph 6 and subparagraph 8 of the first paragraph of section 7 and in section 40;

(6) the date, time and place in the municipality where a public meeting will be held, which may not be less than 20 days following the publication of the notice.

The applicant must invite the Minister or a representative of the Minister to the public meeting. The Minister or representative may act as moderator and, for that purpose, intervene on any matter concerning the conduct of the meeting.

The applicant must send, to the municipality concerned, a copy of the report summarizing the comments obtained during the public consultation and of any changes made to the project following the consultation. The municipality may provide copies of the report to any person on payment of the related fee.

#### **DIVISION XIV**

##### **HOT MIX ASPHALT PLANT**

**42.** Every authorization application for an activity referred to in Division V of Schedule I in connection with a hot mix asphalt plant must contain the following supplemental information and documents:

(1) the nominal capacity of the hot mix asphalt plant and the estimated rate of production, expressed in metric tonnes per hour;

(2) a description of the site and the method of use or elimination of recovered dust and sludge;

(3) an estimate of the quantity, expressed in kilograms per hour, of the particulate matter that will be emitted into the atmosphere;

(4) an estimate of the maximum level of noise emitted into the environment from the hot mix asphalt plant as well as from the equipment attached to it, in the following cases:

(a) the hot mix asphalt plant, and any areas for the loading, unloading or discharge of aggregate materials used for the needs of such plant, are built or installed less than 300 m from any territory zoned by the municipal authorities for residential, commercial or mixed purposes;

(b) the hot mix asphalt plant, as well as areas for the loading, unloading, and discharge of aggregate materials used for the needs of such a plant, were built or installed after 28 November 1979 less than 150 m from a school or other educational institution, place of worship, campground or any institution to which the Act respecting health services and social services (chapter S-4.2) applies or within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5) or from any dwelling, unless the dwelling is owned by or rented to the owner or operator of the hot mix asphalt plant.

#### **DIVISION XV**

#### **SAWMILLS AND MILLS MANUFACTURING VENEER, PLYWOOD, PARTICLE BOARD OR OTHER PRESSED WOOD PRODUCTS**

**43.** Every authorization application for an activity referred to in Division XVI of Schedule I in connection with the construction and operation of a sawmill or mill manufacturing veneer, plywood, particle board or other pressed wood products must contain the following supplemental information and documents:

(1) in the plan of the site referred to in subparagraph c of subparagraph 6 of the first paragraph of section 7, the location

(a) of the ditches referred to in subparagraphs 2 to 4 of the second paragraph of section 103 of the Municipal Powers Act (chapter C-47.1) which will be used to drain water from the site;

(b) the sedimentation ponds that will be established;

(2) in the description of the activity referred to in subparagraph 8 of the first paragraph of section 7:

(a) the annual production capacity of the mill;

(b) a description of the work to be performed and the facilities to be established to manage and treat effluents discharged during operations;

(c) an identification and description of the water supply sources and an estimate of the daily quantities used;

(3) in the case of an enterprise with a production capacity of over 50,000 m<sup>3</sup>/year or the creation of an area for the permanent disposal of residual materials, if a facility for the withdrawal of water intended for human consumption is located less than 1 km downstream from the location of the activity, a hydrogeological study containing the following supplementary information:

- (a) an assessment of water vulnerability;
  - (b) an assessment of the permeability of the storage areas;
  - (c) an assessment of the potential migration of the contaminants produced by the activity;
- (4) the measures taken to protect the groundwater.

## **DIVISION XVI**

### **PESTICIDES**

**44.** Every authorization application for an activity referred to in subparagraphs 2 to 4 of the first paragraph of section 24 of Schedule I in connection with pesticides must contain the following supplemental information and documents:

- (1) the identification of the permit and certificate holders that will apply pesticides;
- (2) a map showing all the treatment zones;
- (3) a map with a scale of at least 1:10 000 showing the following:
  - (a) the features of the area covered by the treatment, such as land tenures, agricultural, forest and urban zones, and infrastructures;
  - (b) human activities;
  - (c) the larval habitats requiring treatment, where applicable;
- (4) in the description of the activity required by subparagraph 8 of the first paragraph of section 7:
  - (a) the identification of the problem;
  - (b) a presentation of the various possible solutions for eliminating the problem identified and a determination and assessment of the environmental impacts associated with each solution;
  - (c) the reasons justifying the use of pesticides to eliminate the problem identified, and the choice of the pesticides that will be used;

(d) a summary analysis of the compatibility of the activity with the applicable land use planning and development plans;

(e) a description of any later stages and related projects including, where applicable, the methods and measures applied to reduce the number of larval habitats in the area;

(5) a description of the pesticides used, their application, their storage, their recovery or elimination, in particular in terms of quantity, areas treated, dosage and equipment and methods used;

(6) if the activity is designed to control stinging insects:

(a) the methods chosen to reduce the number of larval habitats;

(b) the methods used to monitor larval development;

(c) a determination of the times scheduled for spraying;

(d) the methodology used to map larval habitats and determine the radius of action of each species of stinging insect targeted by the activity;

(7) if the activity involves aerial spraying:

(a) the methods used to verify weather conditions for the activity;

(b) a map showing the operational base, the flight corridors and the following zones within each corridor:

(i) the zones where human activities are conducted;

(ii) wetlands and bodies of water;

(iii) any area protected under the Natural Heritage Conservation Act (chapter C-61.01), the Parks Act (chapter P-9), the Sustainable Forest Development Act (chapter A-18.1), the Mining Act (chapter M-13.1) or the Act respecting the conservation and development of wildlife (chapter C-61.1), or by a municipality under its by-laws;

(iv) the habitats of a threatened or vulnerable species referred to in the Regulation respecting threatened or vulnerable wildlife species and their habitats (chapter E-12.01, r. 2) for which a plan is drawn up under the Regulation respecting wildlife habitats (chapter C-61.1, r. 18), and any habitat of a threatened or vulnerable species referred to in the Regulation respecting threatened or vulnerable plant species and their habitats (chapter E-12.01, r. 3);

(c) a description guidance system for the aircraft used for spraying;

(d) the measures established to reduce drifting;

(8) an emergency response plan in the event of a pesticide spill;

(9) a safety program to protect the health of persons exposed to the application of pesticides;

(10) the measures taken to raise public awareness about the application of pesticides.

#### **DIVISION XVII**

#### **AGRICULTURAL OPERATIONS, SPREADING, STORAGE AND COMPOSTING**

**45.** Every authorization application for an activity referred to in the first paragraph of section 25 of Schedule I in connection with agricultural operations, spreading, storage and composting must contain the supplemental information and documents provided for in the subdivisions of this Division.

#### *§ 1.- Establishment and operation of a raising site and increase in annual phosphorous production at a raising site*

**46.** In the case of an authorization application for the establishment and operation of a raising site or an increase in annual phosphorous ( $P_2O_5$ ) production at a raising site referred to in subparagraph 1 or 2 of the first paragraph of section 25 of Schedule I, the authorization application must contain the following supplemental information and documents:

(1) an assessment of the planned number of livestock units in accordance with the standards set out in section 29 of Part II of Schedule 1 to the Regulation respecting the environmental impact assessment and review of certain projects (*insert here the reference to the CQLR*);

(2) an agro-environmental fertilization plan in accordance with sections 23 and 24 of the Agricultural Operations Regulation (chapter Q-2, r. 26);

(3) a location grid, signed by an accredited professional, in the form of a table showing the shortest horizontal distances between the reference points for the location standards provided for in the Agricultural Operations Regulation and Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2) and from facilities for raising animals and existing or future storage facilities;

(4) for the raising site covered by the project, the plans and specifications, signed and sealed by an engineer, of storage facilities, yards and floors, gutters, temporary manure storage facilities and equipment to evacuate livestock waste from each facility for raising animals;

(5) for the raising site covered by the project, a technical report signed by an engineer showing that all the storage facilities, yards and floors, gutters, temporary manure storage facilities and equipment to evacuate livestock waste from each existing facility for raising animals is compliant with the Agricultural Operations Regulation and the Water Withdrawal and Protection Regulation;

(6) a description of the handling of the livestock waste produced on the raising site, including the documents and agreements provided for in the Agricultural Operations Regulation for that purpose;

(7) information on the reclamation of livestock waste or its elimination in accordance with the Agricultural Operations Regulation, including the documents and agreements provided for that purpose;

(8) any other information showing that the activity will comply with the standards prescribed by the Agricultural Operations Regulation.

#### § 2.- *Spreading and storage of certain substances*

**47.** In the case of an authorization application for the spreading and storage of certain substances referred to in subparagraphs 3 and 4 of the first paragraph of section 25 of Schedule I, the authorization application must contain the following supplemental information and documents:

(1) les certificats de analyse pour la substance concernée;

(2) the verification report for the substance drawn up in accordance with the Fertilizing Residuals Regulation (*insert here the reference to the CQLR*);

(3) an agro-environmental recycling plan signed by an agronomist that meets the requirements of the Fertilizing Residuals Regulation;

(4) a description of the handling of the substances covered by the application at the raising site or spreading site, where applicable, including the related documents and agreements provided for in the Agricultural Operations Regulation (chapter Q-2, r. 26);

(5) a copy of any agreement or lease for the use of a facility for raising animals or storage facility not owned by the applicant;

(6) the plans and specifications, signed and sealed by an engineer, for the facilities used for storage of the substance covered by the application;

(7) a technical report, signed by an engineer, showing compliance with the Agricultural Operations Regulation, the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2) and, where applicable, the Fertilizing Residuals Regulation;

(8) an odour management plan meeting the requirements of the Fertilizing Residuals Regulation;

(9) where applicable, a financial guarantee meeting the requirements of the Regulation respecting financial guarantees payable for the operation of a residual organic materials reclamation facility (chapter Q-2, r. 28.1);

(10) any other information showing that the activity complies with the Agricultural Operations Regulation, the Fertilizing Residuals Regulation and the Water Withdrawal and Protection Regulation.

*§ 3.- Installation, modification and operation, on a raising site or spreading site, of a vegetable washing system*

**48.** In the case of an authorization application for the installation, modification or operation, on a raising site or spreading site referred to in subparagraph 5 of the first paragraph of section 25 of Schedule I, of a vegetable washing system, the authorization application must contain the following supplemental information and documents:

(1) the plans and specifications signed and sealed by an engineer for the facilities used for the washing process and the treatment of effluent;

(2) a technical report signed by an engineer concerning the washing process and an assessment of the impact on the environment of the effluent discharged.

*§ 4.- Return of a parcel of land to cultivation and cultivation of a new parcel of land*

**49.** In the case of an application for authorization to return a parcel of land to cultivation or cultivate a new parcel of land referred to in subparagraphs 6 and 7 of the first paragraph of section 25 of Schedule I, the application for authorization must contain the following supplemental information and documents:

(1) the title of ownership of the parcel of land that is abandoned, where applicable, and the title of ownership of the parcel covered by the application;

(2) the cadastral designation of the parcel of land that is abandoned, where applicable, and the designation of the parcel covered by the application;

(3) a technical report signed by an agronomist containing the following information and documents:

(a) the area on which the cultivation of crops targeted by a prohibition is permitted under section 50.3 of the Agricultural Operations Regulation (chapter Q-2, r. 26);

(b) a historical record of the parcels of land currently under cultivation that are targeted by the project and the parcels of land that have been cultivated at least once since 1990 under the provisions of sections 50.1, 50.1.1 and 50.3 of the Agricultural Operations Regulation and a copy of the documents and information used to establish the historical record;

(c) a map or plan delimiting each parcel of land, indicating its area and the crops that may be cultivated;

(4) in the case of the cultivation of plants referred to in the third paragraph of section 50.3 of the Agricultural Operations Regulation,

(a) an agro-environmental fertilization plan compliant with sections 23 and 24 of that Regulation;

(b) confirmation that the production is organic, is covered by an organic pre-certification process by a recognized certification body, or uses no chemical pesticides, mineral fertilizers or fertilizing residuals.

## **DIVISION XVIII**

### **COMMERCIAL AQUACULTURE**

**50.** Every authorization application for an activity referred to in Division XXIV of Schedule I in connection with the construction and operation of an aquaculture site or commercial fishing pond must contain the following supplemental information and documents:

(1) the plans and specifications, signed and sealed by an engineer, of the planned buildings, works and facilities;

(2) in the description of the activity referred to in subparagraph 8 of the first paragraph of section 7:

(a) the information concerning the management of fish and their food;

(b) an identification and description of the water supplies required for the implementation of the project.

**DIVISION XIX**  
**SNOW ELIMINATION SITES**

**51.** Every authorization application for an activity referred to in Division XXVI of Schedule I in connection with a snow elimination site must contain the following supplemental information and documents:

(1) the plans and specifications of the facilities and equipment used, signed and sealed by an engineer;

(2) a hydrogeological study;

(3) if the place intended for the activity is on land:

(a) a groundwater and surface water monitoring program;

(b) the cleaning measures that will be established for the snow melt season;

(c) the identification of the site used for the disposal of the waste generated by the activity;

(d) the calculation of chloride dilution at the point of discharge;

(e) the measures established for the integration of the site into the landscape;

(f) a topographical survey of the land showing contour lines at intervals of not more than 1 m;

(g) an identification of the real and personal servitudes encumbering the land and the facilities on it;

(h) the site plan required by subparagraph c of subparagraph 6 of the first paragraph of section 7, at a scale between 1:1 000 and 1:5 000;

(i) the longitudinal and transversal sections of the land;

(j) the plans and profiles of the drainage system;

(4) if the activity requires the use of snow melters and discharges into a sewer system:

(a) a technical report signed by an engineer concerning the capacity of the treatment plant for the treatment of snow and snow melt;

(b) the measures put in place to integrate the site into the landscape;

(c) an identification of the real and person servitudes encumbering the land and the facilities on it;

(d) the site plan required by subparagraph c of subparagraph 6 of the first paragraph of section 7, at a scale between 1:1 000 and 1:5 000.

## **DIVISION XX**

### **CONTAMINATED SOIL BURIAL SITE**

**52.** Every authorization application for an activity referred to in Subdivision 1 of Division XXVII of Schedule I in connection with a contaminated soil burial site must contain the following supplemental information and documents:

(1) an identification of any gases likely to be present in the soil during the operation of the burial site;

(2) a program for sampling and analyzing gases, effluents, surface water and groundwater that includes:

(a) the sampling method, the number of samples required and the measurement frequency;

(b) a measurement of the concentration and flow of gases or liquid discharges from all capture systems at the burial site;

(c) the location of the sampling points for gases and all contaminants likely to be found in effluents, surface water or groundwater;

(3) the direction of flow of water from the wetlands and bodies of water identified under subparagraph iii of subparagraph c of subparagraph 6 of the first paragraph of section 7;

(4) the stratigraphy of the soil and rock at the planned burial site and their hydraulic conductivity;

(5) the presence of free groundwater having a high aquifer potential within the meaning of the second paragraph of section 8 of the Regulation respecting the burial of contaminated soils (chapter Q-2, r. 18);

(6) the plan referred to in subparagraph c of subparagraph 6 of the first paragraph of section 7 must

(a) identify the buffer zone referred to in section 10 of the Regulation respecting the burial of contaminated soils;

(b) identify the water withdrawal facilities within a radius of 1 km from the inner boundary of the buffer zone referred to in subparagraph a;

(7) a geotechnical study of the site for the planned burial site;

(8) the plans and specifications of the final cover planned for the burial site, in accordance with the conditions set out in sections 38 and 39 of the Regulation respecting the burial of contaminated soils;

(9) an assessment of the integration of the burial site into the surrounding environment;

(10) a financial guarantee that is compliant with sections 48 to 53 of the Regulation respecting the burial of contaminated soils;

(11) the information showing that the activity will comply with the standards prescribed by the Regulation respecting the burial of contaminated soils and governing such a site.

## **DIVISION XXI**

### **CONTAMINATED SOIL STORAGE SITE AND TRANSFER STATION**

**53.** The applicant for authorisation for an activity referred to in subdivision 2 of Division XXVII of Schedule I in connection with a contaminated soil storage site or transfer station must first inform the public.

For that purpose, the applicant must publish in a newspaper circulated in the municipality where the transfer centre will be located, a notice containing

(1) the designation of the land;

(2) the applicant's name and contact information;

(3) a summary of the project stating at a minimum the information required under paragraphs 2, 6 and 8 of section 52;

(4) the date, time and place in the municipality where the public information meeting will be held, which may not take place sooner than 10 days after publication of the notice;

(5) a statement that the full text of the document introducing the project referred to in subparagraph 3 may be examined at the office of the municipality.

A report of the observations made at the public meeting must be deposited for examination purposes at the office of the municipality.

**54.** Every authorization application for an activity referred to in section 53 must contain the following supplemental information and documents:

(1) an identification of the contaminants present in the soils to be accepted at the storage site or the contaminated soil transfer station, along with the maximum storage capacity;

(2) a characterization study showing:

(a) the quality of the soils that may be altered because of the operation of the storage site, based on the contaminants likely to be present in the soils to be accepted;

(b) the quality of the groundwater before the establishment of the storage site or transfer station;

(3) a program to monitor incoming and outgoing soils at the storage site or contaminated soil transfer station, in order to determine

(a) the chronology of incoming and outgoing contaminated soils;

(b) the quantities of incoming and outgoing soils;

(c) the origin and destination of the soils;

(d) the nature and concentration of contamination in the soils;

(4) the location of the sampling points and the frequency of sampling of gases for analysis purposes;

(5) the location and a description of the surface water drainage system;

(6) the mitigation measures referred to in subparagraph 12 of the first paragraph of section 7 must also include measures to prevent the dust dispersal inside and in the vicinity of the storage site or contaminated soil transfer station;

(7) in the case of a contaminated soil storage site, the mitigation measures referred to in subparagraph 12 of the first paragraph of section 7 must also include:

(a) measures to protect the contaminated soils from bad weather;

(b) measures to recover, analyze and, where applicable, decontaminate run-off liquid from the contaminated soils;

(8) in the case of a contaminated soil transfer station:

(a) the location of soils within the building;

(b) the manner in which the soils are to be handled on being received and shipped to their treatment destination;

(c) the monitoring and control elements required under Division V of the Regulation respecting contaminated soil storage and contaminated soil transfer stations (chapter Q-2, r. 46);

(d) the report on observations made during the public meeting required by section 53 and a copy of the notice published in accordance with that section;

(e) a geotechnical study of the site where the station will be established;

(9) information showing that the activity will comply with the standards prescribed by the Regulation respecting contaminated soil storage and contaminated soil transfer stations;

(10) the financial guarantee required under sections 26 and 63 of the Regulation respecting contaminated soil storage and contaminated soil transfer stations.

## **DIVISION XXII**

### **BIOMEDICAL WASTE TREATMENT FACILITY**

**55.** Every authorization application for an activity referred to in Division XXVIII of Schedule I in connection with a biomedical waste treatment facility must contain the following supplemental information and documents:

(1) if the applicant is the owner of the place covered by the application, a copy of the title of ownership;

(2) the plans and specifications, signed and sealed by an engineer, of

(a) the equipment and buildings, including any apparatus or works designed to prevent, abate or stop the emissions of contaminants into the environment;

(b) the equipment used to clean vehicles, containers and biomedical waste containers;

(3) the extent of the region served by the facility;

(4) the quantity of biomedical waste covered by the application and of other waste, including ash, to be generated by the facility;

(5) an emergency measures plan containing the following elements:

(a) the points within the biomedical waste treatment site at which a contaminant may be emitted into the environment;

(b) the measures to be taken to prevent spills of biomedical waste, contaminant emissions, fires, or other accidents liable to affect the environment;

(c) the measures to be taken to stop environmental contamination at its source, to eliminate environmental effects and to repair environmental damage;

(6) the measures to be taken in the event that operations are cut back or cease for longer than 4 days;

(7) when the application concerns a facility that treats biomedical waste by incineration, a description of the method of operating the facility and the equipment, and a description of the manner of disposing of the biomedical waste and of the other residual materials, including ash and liquid discharge;

(8) when the application concerns a facility that treats biomedical waste by incineration off its generation site:

(a) the guarantee provided for in section 56 of the Regulation respecting biomedical waste (chapter Q-2, r. 12);

(b) a declaration signed by an engineer attesting that the planned design and operation of the equipment comply with the Act and its regulations.

### **DIVISION XXIII**

#### **USED TIRE STORAGE**

**56.** Every authorization application for the activity referred to in paragraph 3 of section 12 of Schedule I in connection with the storage of used tires must contain the following supplemental information and documents:

(1) a fire prevention and emergency measures plan including the information and documents provided for in section 2 of the Regulation respecting used tire storage (chapter Q-2, r. 20);

(2) a guarantee in compliance with the provisions of sections 13 to 20 of the Regulation respecting used tire storage.

### **DIVISION XXIV**

#### **STORAGE, DISPOSAL AND TREATMENT OF RESIDUAL MATERIALS FROM A PULP AND PAPER MILL**

**57.** Every authorization application for an activity referred to in Division XXX of Schedule I in connection with the storage, disposal and treatment of residual materials from a pulp and paper mill must contain the following supplemental information and documents:

(1) if the applicant is the owner of the place covered by the application, a copy of the title of ownership;

(2) the plan of the site required by subparagraph c of subparagraph 6 of the first paragraph of section 7 must also show the current configuration of the drainage and the topography of the land within a radius of 2 km;

(3) in the case of a facility for final disposal by landfilling, a hydrogeological study containing the following supplemental information and documents:

(a) a map at a scale of 1:20 000 showing the location of all the wells or sources of drinking water, as well as any natural reservoirs of drinking water within a radius of 2 km;

(b) a geological map illustrating the rock outcrops and the units of unconsolidated deposits within a radius of 1 km;

(c) a map of the zone studied showing the location of stratigraphic drill holes at a scale between 1:2 000 and 1:5 000;

(d) geological sections of the stratigraphic drill holes;

(e) the results and conclusions of in-situ and laboratory tests and the calculation methods used;

(f) a piezometric map of the sector concerned at a scale between 1:2 000 and 1:5 000;

(g) the results of water analysis and a siting proposal for the reference well and the observation wells;

(h) a report establishing that the land complies with the standards set out in sections 100 to 102 of the Regulation respecting pulp and paper mills (chapter Q-2, r. 27), the quality and extent of the current and potential use of groundwater and the vulnerability of groundwater to pollution;

(4) the plans and specifications for the project signed and sealed by an engineer containing the following information and documents:

(a) in the case of a facility for final disposal by landfilling:

(i) a topographic survey of the land establishing the contour lines at a maximum interval of 1 m;

(ii) a list of the servitudes encumbering the land and of the surface and underground equipment located on the land;

(iii) a site planning map at a scale between 1:1 000 and 1:1 500 indicating natural screens, embankments and other concealment screens, deforested areas, vehicle circulation areas, cover materials storage areas and the location of observation wells;

(iv) longitudinal and transversal sections of the land showing its initial and final profiles and the stages in the redevelopment of closed sites as operations advance;

(v) the plans and profiles of the outside runoff drainage system;

(vi) where applicable, the plans and specifications for the equipment and works intended to collect and treat leachate and to measure its flow, and the plans and specifications for biogas collection systems;

(b) in the case of a mill residual materials storage or combustion treatment facility:

(i) a map showing the location of the storage and treatment site;

(ii) the plans and specifications for fixed equipment that will be used to treat the residual materials, including any apparatus or works to control, contain or prevent the discharge of contaminants into the environment;

(iii) the plans and profiles of the runoff drainage systems other than those in the storage areas.

## **DIVISION XXV**

### **AUTHORIZATION FOR RESEARCH AND EXPERIMENTAL PURPOSES**

**58.** In addition to the information and documents referred to in section 29 of the Act and section 7 of this Regulation, an authorization application for a research and experimentation project must contain the following supplementary information:

(1) a reference to any provision of the Act or one of the regulations under it from which the project derogates, along with the reasons justifying the derogation and a description of the mitigation measures and control measures that will be put in place to protect the environment and health;

(2) when a partner is associated with the project, the name and contact information of the partner and a description of the partner's involvement.

## **DIVISION XXVI**

### **GENERAL AUTHORIZATION**

**59.** The work provided for in section 31.0.5.1 of the Act for carrying out maintenance on a watercourse or in a lake to regulate the water level or maintain the lake bed may be covered by a general authorization to the extent that no activity referred to in the first paragraph of section 46.0.5 of the Act is carried out in a pond, marsh, swamp or peatland or on land listed in the register of protected area provided for in section 5 of the Natural Heritage Conservation Act (chapter C-61.01) or the register of designations provided for in section 24.1 of that Act.

**60.** Sections 46.0.3, 46.0.4 and 46.0.5 of the Act and subparagraphs 4 to 11 and 13 of the first paragraph of section 7 of this Regulation do not apply to an application for a general authorization, to the extent that the maintenance work on a watercourse or work in a lake to regulate the water level or maintain the lake bed aims only to maintain or restore the watercourse or lake to a dynamic balance, in particular by removing sediments, wood debris or residual materials, or to re-establish its ecological functions. In the case of a lake, the work planned must be scheduled at the mouth of an affluent or upstream from the outflow of the lake.

However, every municipality that applies for the issue of a general authorization for work under this section must submit to the Minister the following supplemental information and documents:

(1) a maintenance program for the sustainable management of the watercourses and lakes covered by the application including the following information:

(a) a description of the watercourses and lakes covered by the application, along with their characteristics and features;

(b) the identification and location of any sensitive environment such as a spawning ground and of any threatened or vulnerable species or species likely to be designated under the Act respecting threatened or vulnerable species (chapter E-12.01);

(c) the identification and location of any facility, works or equipment likely to be affected by the work, such as a bridge or water intake;

(d) the identification and location of the problems connected with the watercourses or lakes that require work;

(e) a description and the location of the planned maintenance work on a watercourse or work in a lake to regulate the water level or maintain the lake bed;

(f) where applicable, any work referred to in subparagraph e that was completed in the past;

(g) a technical description of the planned work including, when the work concerns the removal of sediments or the reprofiling of the lakeshore or riverbank, and the longitudinal and transversal sections of the land showing the current and planned profile of the watercourse or lake;

(h) the prioritization of the work based on the problems identified and a schedule of work;

(2) a declaration, signed by an accredited professional or the holder of a university diploma in biology or environmental science, attesting that the work will not be carried out in an environment referred to in section 61;

(3) a notice, signed by a professional or by the holder of a university diploma in geography, biology or environmental science who is qualified in the field of hydrogeomorphology, hydrology, hydraulics or the environment, showing that the planned work is suitable given the problems identified in the maintenance program and the characteristics and features of the watercourse or lake concerned, in particular as regards the sensitive environments it contains;

(4) in the case of a lake, a plan showing the current and planned bathymetry.

The information and documents provided for in subparagraphs 3 and 4 of the second paragraph are not required when the work covered by the application for a general authorization involves only the cleaning of a watercourse over a cumulative linear distance of less than 500 m or, in the case of a lake, over a cumulative area of less than 100 m<sup>2</sup>.

**61.** The maintenance program for the sustainable management of watercourses and lakes referred to in subparagraph 1 of the second paragraph of section 61 must be designed to take into account the hydrographical features of the watershed concerned.

A copy of the plan must be sent to any regional county municipality whose territory intersects the watershed concerned.

**62.** The information and documents provided for in subparagraphs *d*, *f* and *h* of subparagraph 1 and in subparagraphs 2, 3 and 4 of the second paragraph of section 60 are not required for an application for a general authorization for work to be completed before (*insert here the date occurring 2 years after the date of coming into force of this Regulation*).

## **DIVISION XXVII**

### **CLIMATE TEST**

**63.** For the purposes of this Chapter, "greenhouse gas" means a gas referred to in the second paragraph of section 46.1 of the Act, namely carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulphur hexafluoride (SF<sub>6</sub>), as well as nitrogen trifluoride (NF<sub>3</sub>) and the refrigerants listed in Table 1 of Schedule IV to this Regulation.

For the purposes of subparagraph 5 of the first paragraph of section 24 of the Act, the greenhouse gas emissions attributable to the project and the emissions reduction measures required by the project are taken into consideration in the analysis of an application referred to in section 64 or 65.

**64.** Every applicant intended to carry out one of the activities or use any equipment or process likely to emit greenhouse gases referred to in Schedule IV must provide, with the application, the following information and documents:

(1) the activity, equipment or process listed in Schedule II that is involved in the project;

(2) a report quantifying in detail the annual greenhouse gas emissions attributable to all the emission sources for the project covered by the application, for each project phase, completed by a person qualified in the field concerned;

(3) a description of the measures to reduce greenhouse gas emissions that the applicant intends to put in place for each phase of the activity along with a quantification of the resulting reductions in greenhouse gas emissions, carried out in accordance with the ISO 14 064 standard by a person qualified in the field concerned;

(4) possible variants for the activity and the associated greenhouse gas emissions, along with a detailed description of the variant chosen and the reasons justifying that choice;

(5) a demonstration that the reduction of greenhouse gas emissions was considered and optimized in the choice of the variant.

**65.** Every applicant not covered by section 64 that intends to use a combustion system for the activities must provide, with the application, the following information and documents:

(1) the technical specification sheet for the combustion system;

(2) the type of fuel used;

(3) an estimate of the annual consumption of each fuel used.

#### **DIVISION XXVIII** **PRIOR RECORD**

**66.** This Division does not apply to legal persons established in the public interest.

**67.** The declaration referred to in section 115.8 of the Act must include the following information:

(1) the information referred to in subparagraph 1 of the first paragraph of section 7 concerning the applicant or the holder of authorization;

(2) a description of any situation referred to in sections 115.5, 115.6 and 115.7 of the Act that applies to the applicant, the holder or, in the case of a legal person, one of its directors, officers or shareholders, along with the information referred to in paragraph 1 that concerns them;

(3) a declaration from the applicant or the holder of authorization attesting that all the information and documents provided are complete and accurate.

### **CHAPTER III**

#### **AMENDMENT OF AN AUTHORIZATION**

**68.** The holder of an authorization who applies for its amendment pursuant to under section 30 of the Act must submit to the Minister the following information and documents:

(1) the number and date of issue of the authorization for which an amendment is requested;

(2) a complete description of the planned change requiring the amendment of the authorization and a presentation of the reasons for the change;

(3) an assessment of the impacts of the change on the nature, quantity, location or concentration of contaminants discharged into the environment;

(4) an assessment of the impacts of the change on the quantity of greenhouse gas emissions attributable to the project;

(5) a description of the measures, apparatus or equipment needed to ensure that the project meets the conditions, restrictions, prohibitions and standards applicable to it;

(6) an update of the information and documents referred to in section 7 and of the specific provisions applicable to the activity concerned;

(7) if the information referred to in paragraph 6 consists of estimates of data provided for the purpose of the authorization application, the actual data collected in the course of the activity for which the change is requested, from less than 1 year prior to the application for amendment;

(8) in the cases provided for and in accordance with Division XXVIII concerning the applicant's prior record, the declaration referred to in section 115.8 of the Act;

(9) in the case of an authorization for research and experimental purposes, the updated protocol required under the second paragraph of section 31 of the Act;

(10) when the applicant has used the services of professionals or other qualified persons to prepare the application for amendment, their names and contact information, a brief description of their mandates and a declaration attesting that the information and documents they provide are complete and accurate;

(11) a declaration from the applicant attesting that all the information and documents provided are complete and accurate;

(12) the fee payable pursuant to the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28) for processing the application.

**69.** In the case of an application for the amendment of an authorization concerning the operation of an industrial establishment referred to in section 31.10 of the Act, sections 31.20 and 31.21 of that Act and section 69 of this Regulation, adapted as required, apply to cases in which the object of the application for amendment is

(1) to delay for more than six months the date of application of a standard concerning the release of contaminants established by the Minister pursuant to the first paragraph of section 26 of the Act;

(2) to obtain amendments to a standard concerning the release of contaminants established by the Minister pursuant to the first paragraph of section 26 of the Act.

## **CHAPTER IV**

### **RENEWAL OF AN AUTHORIZATION**

#### **DIVISION I**

##### **GENERAL PROVISION**

**70.** The holder of an authorization who applies for its renewal must send the Minister the following information and documents:

(1) the number and date of issue of the authorization for which renewal is requested;

(2) an update of the information and documents referred to in section 7 and of the specific provisions applicable to the activity referred to in the renewal;

(3) if the information referred to in paragraph 2 consists of estimates of data provided for the purpose of the authorization application, the actual data collected in the course of the activity for which the renewal is requested, from less than 1 year prior to the application for renewal;

(4) a declaration attesting that there has been no change in the authorized activities covered by the application for renewal;

(5) in the cases provided for and in accordance with Division XXVIII concerning the applicant's prior record, the declaration referred to in section 115.8 of the Act;

(6) when the applicant has used the services of professionals or other qualified persons to prepare the application for renewal, their names and contact information, a brief description of their mandates and a declaration attesting that the information and documents they provide are complete and accurate;

(7) a declaration from the applicant attesting that all the information and documents provided are complete and accurate;

(8) the fee payable pursuant to the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28) for processing the application.

**71.** Unless otherwise provided for in this Chapter, every application for renewal must be submitted to the Minister at least 120 days before the expiry of the valid term.

## **DIVISION II**

### **INDUSTRIAL ESTABLISHMENTS**

**72.** In the case of an application for the renewal of an authorization covering the operation of an industrial establishment referred to in section 31.10 of the Act, the holder of the authorization must submit the application for the renewal of the authorization to the Minister at least 180 days prior to the expiry of the valid term.

**73.** In the case provided for in section 31.20 of the Act, the Minister, within 90 days of sending the authorization proposal concerning the operation of an industrial establishment, must publish the notice required by that section to announce the holding of a public consultation on the renewal application, in a daily or weekly newspaper distributed in the region in which the industrial establishment is situated and on the website of the Minister's department.

The notice of consultation must contain the following information:

(1) the consultation period for the application for the renewal of an authorization;

(2) the Internet address where the application for the renewal of an authorization may be consulted;

(3) the address of the places where the file may be consulted and the days and hours when the places are open;

(4) to allow any group, person or municipality to submit comments on the application for renewal:

- (a) a postal address and E-mail address for submitting comments;
- (b) the time limit for submitting comments.

The file for the application for the renewal of an authorization which is submitted for public consultation must, in addition to the Minister's authorization proposal, contain the following information and documents:

(1) a copy of the notice referred to in the second paragraph;

(2) the application for the renewal of an authorization submitted to the Minister by the applicant, with the exception of the information referred to in sections 23.1 and 118.5.3 of the Act that is not public information;

(3) a list of the other information held by the Minister concerning the nature, quantity, quality and concentration of the contaminants discharged into the environment by the industrial establishment, which is available on request.

**74.** Sections 31.20 and 31.21 of the Act and section 69 of this Regulation also apply to any subsequent application for the renewal of an authorization intended

(1) to delay for more than six months the date of application of a standard concerning the release of a contaminant established by the Minister pursuant to the first paragraph of section 26 of the Act;

(2) to obtain amendments to a standard concerning the release of contaminants established by the Minister pursuant to the first paragraph of section 26 of the Act.

## **CHAPTER V**

### **TRANSFER OF AN AUTHORIZATION**

**75.** The holder of an authorization that intends to transfer an activity authorized in accordance with section 31.0.2 or 31.7.5 of the Act to a person or municipality must send to the Minister a notice of transfer containing the following information and documents:

(1) the number and date of issue of the authorization to be transferred;

(2) the scheduled date of the transfer;

(3) the name of the transferee and all the information listed in subparagraphs 1 and 2 of the first paragraph of section 7 in respect of the transferee;

(4) in the cases provided for and in accordance with Division XXVIII concerning the applicant's prior record, the declaration referred to in section 115.8 of the Act, completed by the transferor;

(5) where applicable, a declaration attesting that the transferee holds the guarantee or liability insurance required by a regulation made under the Act when carrying on the activity covered by the authorization;

(6) a declaration from the holder of the authorization attesting that all the information and documents provided are complete and accurate.

## **CHAPTER VI**

### **SUSPENSION OR REVOCATION OF AN AUTHORIZATION**

**76.** The holder of an authorization that applies for its suspension or revocation under section 122.2 of the Act must send to the Minister or, where applicable, to the government, the following information:

(1) the number and date of issue of the authorization for which suspension or revocation is requested;

(2) the reasons for the requested suspension or revocation;

(3) in the case of an application for suspension, the period for which suspension is requested;

(4) in the case of an application for revocation, the date on which revocation is requested;

(5) a declaration from the applicant attesting that all the information and documents provided are complete and accurate.

## **CHAPTER VII**

### **VALID TERM OF AN AUTHORIZATION**

#### **DIVISION I**

##### **WATER WITHDRAWALS**

**77.** Notwithstanding the first paragraph of section 31.81 of the Environment Quality Act (chapter Q-2), the valid term of an authorization issued for the withdrawal of water for the operation of a fish-farming site on land is fixed at 15 years when, for each tonne of annual production, the operation targets an annual discharge of phosphorous, in its effluents, of 4.2 kg or less and withdraws a volume of water of 10,000 litres per hour or less.

Similarly, the valid term of the first authorization issued for the withdrawal of water for sale or distribution as spring water or mineral water, or to be an ingredient identified as spring water or mineral water in the manufacture, conservation or treatment of food products within the meaning of the Food Products Act (chapter P-29), is fixed at 11 years.

## **DIVISION II**

### **CONTAMINATED SOIL TRANSFER STATIONS**

**78.** The valid term of an authorization issued for the establishment and operation of a contaminated soil transfer stations is 5 years.

The authorization may be renewed in accordance with Chapter IV.

Section 53, adapted as required, applies to the renewal of an authorization only when the application concerns the extension or modification of a transfer station.

## **CHAPTER VIII**

### **CESSATION OF AN ACTIVITY**

#### **DIVISION I**

##### **GENERAL PROVISIONS**

**79.** In addition to the activities for which a cessation of activities is provided for in the Act, this Division applies to the following activities:

- (1) the extraction of peat or the operation of a cranberry or blueberry farm;
- (2) biomethanization;
- (3) the recycling of out-of-service vehicles;
- (4) the operation of a hot mix asphalt plant;
- (5) the operation of a concrete plant;
- (6) the storage, crushing and sieving of concrete, brick and bituminous concrete;
- (7) the storage of used tires referred to in the Regulation respecting used tire storage (chapter Q-2, r. 20);
- (8) the operation of an enterprise using residual materials in its inputs;
- (9) the activities referred to in Schedule III to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37);

(10) the operation of aquaculture sites or commercial fishing ponds on land;

(11) the operation of a pit or quarry;

(12) the storage of treated wood;

(13) the operation of a composting site;

(14) any activity other than an activity referred to in subparagraph 13 in connection with the management of residual materials for reclamation purposes;

(15) the operation of a residual materials incineration facility referred to in Chapter III of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19);

(16) the operation of a northern landfill referred to in Chapter II of the Regulation respecting the landfilling and incineration of residual materials;

(17) the operation of a residual materials transfer station referred to in Chapter II of the Regulation respecting the landfilling and incineration of residual materials;

(18) livestock raising activities;

(19) activities involving the storage, treatment, reclamation and disposal of livestock waste on a raising site;

(20) activities connected with fertilizing residuals.

This Chapter also applies to all water withdrawal activities. However, when water is withdrawn to supply a waterworks system, section 32.7 of the Act, adapted as required, applies to a cessation of activities.

**80.** In accordance with section 31.0.5 of the Act, the holder of an authorization that intends to permanently cease an activity must inform the Minister no more than 30 days following the cessation of activities, by sending the Minister a notice containing the following information and documents:

(1) the number and date of issue of the authorization for the activity that has ceased;

(2) the date of cessation of the activity;

(3) the reasons for the cessation of the activity;

(4) a declaration from the holder of the authorization attesting that the holder will comply with the cessation measures prescribed by the Minister in the authorization, where applicable;

(5) a declaration from the holder of the authorization attesting that all the information and documents provided are complete and accurate.

### **PART III**

#### **DECLARATIONS OF COMPLIANCE**

#### **CHAPTER I**

##### **GENERAL PROVISIONS**

**81.** The following restrictions and prohibitions apply to the activities eligible for a declaration of compliance referred to in Schedule II:

(1) the activity must not be likely to destroy or cause any other harm to a threatened or vulnerable wildlife species referred to in the Regulation respecting threatened or vulnerable wildlife species and their habitats (chapter E-12.01, r. 2), to a threatened or vulnerable plant species referred to in the Regulation respecting threatened or vulnerable plant species and their habitats (chapter E-12.01, r. 3) or to a plant or wildlife species referred to in the List of plant and wildlife species which are likely to be designated as threatened or vulnerable (chapter E-12.01, r. 5);

(2) the activity must not be associated with a project subject to the Regulation respecting the environmental impact assessment and review of certain projects (*insert here the reference to the CQLR*), unless the order authorizing the project exempts the activity from authorization;

(3) the activity is not subject to the environmental and social impact assessment and review procedure applicable in the James Bay and northern Québec region, if it was authorized there in accordance with that procedure;

(4) the activity does not include the use of pesticides in Class 1 pursuant to the paragraph 2 of section 3 of the Regulation respecting permits and certificates for the sale and use of pesticides (chapter P-9.3, r. 2).

#### **CHAPTER II**

##### **CONTENT OF A DECLARATION**

**82.** Every declarant of an activity eligible for a declaration of compliance listed in Schedule II must include in the declaration of compliance, in addition to the specific information and documents required by that Schedule, the following information and documents:

(1) information identifying the declarant, namely:

(a) the declarant's name and contact information and, where applicable, those of the declarant's representative;

(b) if the declarant is not a natural person, the Québec business number (QBN) assigned under the Act respecting the legal publicity of enterprises (chapter P-44.1) to the legal person or partnership and, where applicable, to the establishment covered by the declaration;

(2) when the declarant has used the services of professionals or other competent individuals to prepare the project or the declaration, their names and contact information and a brief description of their mandate, along with a declaration attesting that all the information and documents provided are complete and accurate;

(3) a description of the activity covered by the declaration of compliance and the work involved in completing the activity, including in particular the number of the section in Schedule II that refers to the activity and the schedule for the implementation of the activity;

(4) information on the location of the activity, namely:

(a) the address of the place concerned;

(b) the cadastral lot number;

(c) the geographical coordinates;

(d) the municipal zoning;

(5) a declaration attesting that all the information and documents provided are complete and accurate;

(6) the fee payable pursuant to the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28).

### **CHAPTER III**

#### **MANNER AND FORM APPLICABLE**

**83.** Any person or municipality that continues an activity carried on by a declarant must inform the Minister in accordance with section 31.0.9 of the Act and submit, in addition to the attestation and the guarantee referred to in that section, the following information and documents:

(1) the identifying information provided for paragraph 1 of section 82 and, where applicable, the information on mandated persons referred to in paragraph 2 of that section, and the information on the previous declarant;

(2) the information provided for in paragraphs 3 and 4 of section 82 concerning the description and location of the activity;

(3) the written consent of the previous declarant;

(4) the date on which the new declarant will begin to carry on the activity;

(5) the fee payable pursuant to the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28).

## **PART IV** **EXEMPTIONS**

### **CHAPTER I** **GENERAL PROVISIONS**

**84.** The restrictions and prohibitions provided for in section 81 apply to the exempted activities referred to in Schedule III.

**85.** In the case of a project that includes an activity exempted from part of section 22 of the Act and an activity subject to another part of that section, the project will be analyzed on the basis of the subject activity only.

### **CHAPTER II** **DECLARATION OF ACTIVITIES**

**86.** For the purposes of Schedule III, a person or municipality that carries on an exempted activity for which a declaration of activities is required must send to the Minister, not later than 30 days after beginning the activity, a declaration including the following information and documents:

(1) the information identifying the person or municipality, namely:

(a) the person's or municipality's name and contact information and, where applicable, those of the person's or municipality's representative;

(b) if the person or municipality is not a natural person, the Québec business number (QBN) assigned under the Act respecting the legal publicity of enterprises (chapter P-44.1) to the legal person or partnership and, where applicable, to the established covered by the declaration;

(2) when the person or municipality has used the services of professionals or other competent individuals to prepare the project or the declaration, their names and contact information and a brief description of their mandate, along with a declaration attesting that all the information and documents provided are complete and accurate;

(3) a summary description of the activity covered by the declaration of activities, indicating in particular the number of the section in Schedule II that refers to the activity and the schedule for the implementation of the activity;

(4) information on the location of the activity, namely:

(a) the address of the place concerned;

(b) the cadastral lot number;

(c) the geographical coordinates;

(d) the municipal zoning.

## **PART V**

### **GENERAL CONDITION FOR OPERATION**

**87.** All apparatus, equipment, facilities and works used in carrying on an activity referred to in this Regulation must be in good operating condition and maintained in accordance with the manufacturer's recommendations.

They must also allow compliance, at all times, with the standards for the discharge of contaminants prescribed by the Act and its regulations.

**88.** The following operations are prohibited when carried out on a lakeshore or riverbank, in a floodplain or in the littoral zone of a lake or watercourse:

(1) management work on a watercourse as part of a construction project for fewer than 8 dwelling units;

(2) beach rebuilding work that is not a protection measure against erosion unless it is carried out for public access purposes or for commercial, industrial, municipal or public purposes.

## **PART VI**

### **MONETARY ADMINISTRATIVE PENALTIES**

**89.** 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 keep, for the prescribed period, or to make available to the Minister on request, within the required time, the information and documents referred to in the third paragraph of section 5 in accordance with that section.

The penalty provided for in the first paragraph may also be imposed on any person or municipality that fails to send to the municipality concerned a copy of the report referred to in the third paragraph of section 41 or to send to the regional county municipality referred to in the second paragraph of section 61 a copy of the plan concerned.

**90.** 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

(1) fails to send to the Minister a notice of transfer of authorization in accordance with section 75;

(2) fails to inform the Minister of the permanent cessation of its activities, in the manner and within the time prescribed by section 80;

(3) fails to send to the Minister a declaration of activities including all the information and documents prescribed by section 86 or Schedule III.

**91.** 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

(1) uses or installs apparatus or equipment referred to in section 87 that is not in good operating condition;

(2) fails to maintain apparatus or equipment referred to in section 87 in accordance with the manufacturer's recommendations;

(3) uses, during production hours, apparatus or equipment referred to in section 87 that is not functioning in a way that complies with the prescribed discharge standards.

## **PART VII**

### **PENAL SANCTIONS**

**92.** Every person who contravenes the third paragraph of section 5 or section 41 or the second paragraph of section 12 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.

**93.** Every person who contravenes section 75 or section 80 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.

**94.** Every person who contravenes section 87 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.

**95.** Every person who, 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, notwithstanding article 231 of the Code of Civil 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.

**96.** 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 Part or the Act, 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.

#### **PART VIII** TRANSITIONAL PROVISIONS

**97.** In the case of an activity referred to in Schedule I for which no ministerial authorization was required under the Environment Quality Act (chapter Q-2) prior to (*insert here the date of coming into force of this Regulation*) but for which an authorization referred to in section 22 of that Act is required after that date, the operator does not need to submit an application to continue the operation, but must submit an application for authorization

(1) to enlarge or replace a building, facility or works necessary to the implementation of the activity;

(2) to enlarge the site where the activity is carried on;

(3) to add a new process or new equipment or make changes to those already in use if this leads to an increase in the maximum annual production capacity.

**98.** Every person or municipality that, on (*insert here the date of coming into force of this Regulation*), holds a certificate of authorization issued in the name of another person must send to the Minister, within 90 days, a notice containing the information provided for in subparagraphs 1 and 2 of the first paragraph of section 7.

#### **PART IX** FINAL PROVISIONS

**99.** This Regulation replaces the Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3).

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

**SCHEDULE I****OTHER ACTIVITIES REQUIRING PRIOR AUTHORIZATION**

(s. 1)

1. The activities listed in this Schedule require prior authorization pursuant to subparagraph 10 of the first paragraph of section 22 of the Act.

2. In particular, an authorization under section 22 of the Act is required for any activity authorized following the environmental impact assessment and review procedure or one of the environmental and social impact assessment and review procedures applicable in the territories referred to in sections 133 and 168 of the Act, unless the government, in its authorization, exempts all or part of the activity from that obligation, in accordance with the requirements prescribed for that purpose in section 31.6 of the Act.

**DIVISION I****WATER WITHDRAWAL**

3. An authorization is required for any withdrawal of water for human consumption, despite the fact that the water is withdrawn at a maximum rate of less than 75,000 litres per day, to serve

(1) a temporary industrial camp for over 80 persons, when the facilities of the camp are authorized under subparagraph 3 of the first paragraph of section 22 of the Act;

(2) any other establishment, facility or waterworks system supplying over 20 persons.

**DIVISION II****MINING ACTIVITIES**

4. An authorization is required for any mining activity.

**DIVISION III****PITS AND QUARRIES**

5. An authorization is required for the following activities in connection with pits and quarries:

(1) establishing a pit or quarry within the meaning of the Regulation respecting sand pits and quarries (*insert here the reference to the CQLR*), and operating it;

(2) extending the operating site of a pit or quarry or extending a pit or quarry beyond the boundaries prescribed in an authorization, and operating it;

(3) extending a pit or quarry established before 17 August 1977 on a lot or part of lot that did not belong, on that date, to the owner of the place where the pit or quarry is located, and operating it;

(4) beginning the treatment of surface mineral substances in a pit or quarry;

(5) storing and treating concrete, brick other than refracting brick, or a bituminous coated material from construction or demolition work in a pit or quarry;

(6) as part of the rehabilitation or restoration of a pit or quarry:

(a) backfilling a quarry with soil from land containing contaminants from a human activity in a concentration at or below the limit values prescribed in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37);

(b) vegetating land stripped for the operation of a pit or quarry by adding fertilizing residuals to the topsoil;

(c) laying out a pond, marsh, swamp or peatland;

(d) laying out a burial site for residual materials;

(e) laying out a recreational space or completing a construction.

#### **DIVISION IV** **HYDROCARBONS**

**6.** An authorization is required for the following activities in connection with hydrocarbons:

(1) stratigraphic survey work;

(2) well drilling or re-entry work;

(3) well completion work;

(4) fracturing work;

(5) hydrocarbon extraction tests and use tests for underground reservoirs;

(6) well reconditioning work;

(7) the construction or use of a pipeline;

(8) any other activity connected with hydrocarbon extraction.

**DIVISION V**  
HOT MIX ASPHALT PLANT

7. An authorization is required for the construction and operation of a hot mix asphalt plant within the meaning of the Regulation respecting hot mix asphalt plants (chapter Q-2, r. 48).

**DIVISION VI**  
CONCRETE PLANT

8. An authorization is required for the construction and operation of a concrete plant.

**DIVISION VII**  
STORAGE, CRUSHING AND SIEVING OF CONCRETE, BRICK AND BITUMINOUS COATED MATERIALS

9. An authorization is required for the storage, crushing and sieving of concrete, brick and bituminous coated materials outside a pit or quarry.

**DIVISION VIII**  
PETROLEUM, GAS AND COAL PROCESSING

10. An authorization is required for the construction and operation of:

- (1) a petroleum refinery;
- (2) a plant for the manufacture and processing of petrochemical products;
- (3) a plant for the manufacture and processing of industrial gases;
- (4) a plant for the processing of petroleum;
- (5) a plant for the manufacture and processing of coal.

**DIVISION IX**  
PLASTIC AND POLYSTYRENE

11. An authorization is required for the construction and operation of:

- (1) a plant for the manufacture of plastics and any product composed of plastic;
- (2) a plant for the manufacture of polystyrene products.

**DIVISION X**  
TIRES AND RUBBER

- 12.** An authorization is required for the construction and operation of:
- (1) a plant for the manufacture of rubber products;
  - (2) a plant for the manufacture of tires;
  - (3) an outdoor storage site for used tires when the site contains at least 2,000 used tires, or at least 136 m<sup>3</sup> of used tires.

**DIVISION XI**  
CHEMICAL PRODUCTS AND EXPLOSIVES

- 13.** An authorization is required for the construction and operation of:
- (1) a plant for the manufacture of chemical products;
  - (2) a plant for the manufacture of explosives.

**DIVISION XII**  
PAINT, ADHESIVES AND LIQUID COATINGS

- 14.** An authorization is required for the construction and operation of:
- (1) a plant for the manufacture of paint, adhesives and liquid coatings;
  - (2) a shop for the application of paint or liquid coatings referred to in section 27, 30, 34 or 35 of the Clean Air Regulation (chapter Q-2, r. 4.1).

**DIVISION XIII**  
CAR WASH

- 15.** An authorization is required for the operation of a car wash.

**DIVISION XIV**  
TEXTILES

- 16.** An authorization is required for the construction and operation of a textile manufacturing establishment.

**DIVISION XV**  
AGRI-FOOD

17. An authorization is required for the construction and operation of:
- (1) a plant for the manufacture of agri-food products;
  - (2) a slaughterhouse.

**DIVISION XVI**  
SAWMILLS AND MILLS MANUFACTURING VENEER, PLYWOOD,  
PARTICLE BOARD OR OTHER PRESSED WOOD PRODUCTS

18. An authorization is required for the following activities:
- (1) the construction and operation of a sawmill;
  - (2) the construction and operation of a mill manufacturing veneer, plywood, particle board or other pressed wood products;
  - (3) the creation, enlargement or operation of a site for the final disposal of residual materials connected with an activity referred to in paragraph 1 or 2.

**DIVISION XVII**  
STORAGE AND CONDITIONING OF WOOD

19. An authorization is required for the following activities:
- (1) the storage of treated wood;
  - (2) the conditioning of wood.

**DIVISION XVIII**  
ROAD INFRASTRUCTURES

20. An authorization is required for the following activities:
- (1) the construction, widening, straightening or reconstruction of a road infrastructure located less than 60 m from a lake, watercourse, marsh, swamp or peatland over a length of 300m or more;
  - (2) the construction, widening, straightening or reconstruction of any other road infrastructure located outside the urbanization perimeter if
    - (a) the planned roadway will have more than four lanes;

- (b) the planned right-of-way will be more than 35 m wide;
- (c) the infrastructure will be more than 1 km long.

**DIVISION XIX**

## TRANSMISSION, TRANSFORMATION AND STORAGE OF ELECTRICITY

**21.** An authorization is required for the following activities:

(1) the construction, relocation or operation of an electric power control or transformer station or an electricity storage system with a voltage above 120 kV;

(2) the construction or relocation of electricity transmission and distribution lines with a voltage above 120 kV and lines with a higher voltage longer than 2 km.

**DIVISION XX**

## ELECTRICITY PRODUCTION

**22.** An authorization is required for the construction, operation or increase in capacity of

- (1) a wind farm or wind generator with a capacity of 100 kW or more;
- (2) a solar energy facility with a nominal capacity of 10 kW or more;
- (3) a power station burning fossil fuels;
- (4) a hydroelectric power station.

For the purposes of this section, the replacement or modification of technical equipment connected to such a hydroelectric power station that does not affect its management approach is not included in the operation of the power station.

**DIVISION XXI**

## DITCHES

**23.** Prior authorization under section 22 of the Act is required for work to lay out a ditch, drain or sewer to catch runoff or divert groundwater if carried out less than 30 m from a pond, marsh, swamp or peatland.

**DIVISION XXII****PESTICIDES**

**24.** An authorization is required for the following activities:

(1) the construction, replacement and operation of a plant manufacturing pesticides referred to in the Pesticides Act (chapter P-9.3);

(2) work involving the use of Class 1 pesticides as defined in paragraph 2 of section 3 of the Regulation respecting permits and certificates for the sale and use of pesticides (chapter P-9.3, r. 2);

(3) work involving the use of a phytocide or insecticide whose sole active ingredient is *Bacillus thuringiensis* (variety *Kurstaki*), by aerial spraying in a forest environment or for non-agricultural purposes;

(4) work involving the use of pesticides in an aquatic environment having a surface outlet into a drainage basin.

**DIVISION XXIII****AGRICULTURAL OPERATIONS, SPREADING, STORAGE AND COMPOSTING**

**25.** An authorization is required for the following activities:

(1) the establishment and operation of a raising site;

(2) the increase of the annual phosphorus ( $P_2O_5$ ) production of a raising site, and the subsequent operation of the site, to raise the annual phosphorus ( $P_2O_5$ ) production to more than 1,600 kg or to make the production equal to or above one of the following production thresholds: 2,100 kg, 2,600 kg, 3,100 kg, 3,600 kg or 4,100 kg, or the 4,200 kg production threshold increased by 1,000 kg or a multiple of 1,000 kg, calculated according to the following formula:  $[4,200 \text{ kg} + (1,000 \text{ kg} \times 1, 2, 3, 4, \text{ etc.})]$ ; however, where an increase is such that more than one threshold will be reached or exceeded, only the highest threshold reached or exceeded will require authorization. In addition, an authorization issued for reaching or exceeding a threshold is valid until an authorization for an increase to reach or exceed a subsequent higher threshold is required;

(3) the spreading and storage on a spreading or raising site of matters other than

(a) livestock waste;

(b) wastewater from farm dairies;

(c) crop residues from agricultural operations within the meaning of the Agricultural Operations Regulation;

(d) mineral fertilizers;

(e) fertilizing substances certified compliant with the CAN/BNQ 0413-200, CAN/BNQ 0413-400 or BNQ 0419-090 standard;

(f) compost prepared on a raising site or spreading site using only livestock waste, farm products, crop residues, peat-based growing mediums or a mixture of such materials in accordance with the Agricultural Operations Regulation;

(g) pesticides in accordance with the Pesticides Act (chapter P-9.3);

(4) the spreading and storage in any place not referred to in subparagraph 3 of substances other than

(a) mineral fertilizers;

(b) fertilizing substances certified compliant with the CAN/BNQ 0413-200, CAN/BNQ 0413-400 or BNQ 0419-090 standard;

(5) the establishment, modification or operation, on a raising site or spreading site, of a vegetable washing system;

(6) the return of a parcel of land to cultivation or the cultivation of a new parcel of land following the moving, by the owner, of a raising site or spreading site referred to in subparagraph 1, 2 or 2.1 of the second paragraph of section 50.3 of the Agricultural Operations Regulation;

(7) the cultivation of plants in the territory of a municipality listed in Schedules II to V to the Agricultural Operations Regulation and referred to in the third paragraph of section 50.3 of that regulation.

For the purposes of subparagraph 2 of the first paragraph:

(1) in the case of a raising site that existed before 1 January 2011 for which the operator is required to establish an agro-environmental fertilization plan under section 22 of the Agricultural Operations Regulation, the increase is calculated by subtracting from the annual phosphorus ( $P_2O_5$ ) production provided for in the project, the production resulting from the number of animals present and planned on the site and specified in the yearly phosphorus report for the first growing season following that date. The latter report is used to calculate whether any subsequent threshold has been reached or exceeded, for the entire lifetime of the raising site; and

(2) in the case of a raising site established after 1 January 2011 for which the operator is required to establish an agro-environmental fertilization plan under section 22 of the Agricultural Operations Regulation, the increase

is calculated by subtracting from the annual phosphorus ( $P_2O_5$ ) production provided for in the project, the production resulting from the number of animals present and planned on the site and specified in the yearly phosphorus report for the first growing season of the raising site. The latter report is used to calculate whether any subsequent threshold has been reached or exceeded, for the entire lifetime of the raising site.

However, an increase in the annual phosphorous production within the limits authorized in an authorization issued before 5 August 2010 is not covered by this section.

#### **DIVISION XXIV** COMMERCIAL AQUACULTURE

**26.** An authorization is required for the establishment and operation of an aquaculture site or commercial fishing pond.

#### **DIVISION XXV** MUNICIPAL WASTEWATER TREATMENT WORKS

**27.** An authorization is required for the following activities in connection with the operation of a municipal wastewater treatment works within the meaning of the Regulation respecting municipal wastewater treatment works (chapter Q-2, r. 34.1) when, to allow an intervention lasting more than 24 hours to modify, repair or maintain the works,

(1) an overflow event or diversion with an expected volume of more than 10,000 m<sup>3</sup> will occur within the inner or intermediate protection zone of a water withdrawal facility delimited pursuant to the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2); or

(2) an overflow event or diversion with an expected volume of more than 100,000 m<sup>3</sup> will occur elsewhere than in the inner or intermediate protection zone of a water withdrawal facility delimited pursuant to the Water Withdrawal and Protection Regulation.

#### **DIVISION XXVI** SNOW ELIMINATION SITES

**28.** An authorization is required for the establishment and operation of a snow elimination site.

For the purposes of this section, a snow elimination site is a place to which snow is moved after being collected for the purpose of being eliminated.

**DIVISION XXVII**  
CONTAMINATED SOIL

§1. – *Contaminated soil burial site*

**29.** An authorization is required for the establishment and operation of a contaminated soil burial site.

§2. – *Contaminated soil storage site or transfer station*

**30.** An authorization is required for the establishment and operation of a contaminated soil storage site or transfer station within the meaning of section 2 of the Regulation respecting contaminated soil storage and contaminated soil transfer stations (chapter Q-2, r.46).

§3. – *Treatment of contaminated soils*

**31.** An authorization is required for the establishment and operation of a treatment site and for the in-situ treatment of contaminated soil on the site of origin.

**DIVISION XXVIII**  
BIOMEDICAL WASTE

**32.** An authorization is required for the operation of a transportation system, storage facility, or treatment facility by disinfection or incineration for biomedical waste referred to in the Regulation respecting biomedical waste (chapter Q-2, r. 12).

**DIVISION XXIX**  
CEMETERIES, MAUSOLEUMS AND CREMATORIUMS

**33.** An authorization is required for the following activities:

- (1) the establishment and operation of a cemetery or mausoleum;
- (2) the construction and operation of a crematorium.

**DIVISION XXX**  
STORAGE, DISPOSAL AND TREATMENT OF RESIDUAL MATERIALS  
FROM A PULP AND PAPER MILL

**34.** An authorization is required for the establishment of a facility for the storage, final disposal by landfilling or treatment by combustion of residual materials from a pulp and paper mill within the meaning of section 1 of the Regulation respecting pulp and paper mills (chapter Q-2, r. 27).

**DIVISION XXXI**  
**COMBUSTION SYSTEM**

**35.** An authorization is required for the installation and use of the following combustion systems:

(1) a system having a capacity of 3,000 kW or more (10,238,535 BTU/hour);

(2) a system using used oil or substances other than fossil fuels, wood, wood waste within the meaning of section 55 of the Clean Air Regulation (chapter Q-2, r. 4.1) or granules produced from lignocellulosic crops.

**SCHEDULE II****ACTIVITIES ELIGIBLE FOR A DECLARATION OF COMPLIANCE**

(ss. 1 and 81 to 83)

**DIVISION I****GENERAL PROVISION**

1. The activities listed in this Schedule are eligible for a declaration of compliance under section 31.0.6 of the Act provided they meet the conditions prescribed for each activity.

A declaration of compliance must include, in addition to the information and documents listed in section 81 of this Regulation, the supplemental information and documents provided for in this Schedule for each activity.

**DIVISION II****WATER MANAGEMENT OR TREATMENT FACILITY**§1.- *Waterworks system*

2. The following activities in connection with a waterworks system operated by a municipality are eligible for a declaration of compliance:

(1) the establishment or extension of a waterworks system used to distribute water intended for human consumption, on the conditions set out in the second paragraph;

(2) the following modifications to a waterworks system, on the conditions set out in the third paragraph:

(a) the addition of a pumping station;

(b) the addition of a booster station;

(c) the addition of superchlorination station ;

(d) the addition of a reservoir or basin;

(e) the replacement of a reservoir or basin by a reservoir or basin of greater capacity.

The specifications for the work referred to in subparagraph 1 of the first paragraph must be prepared in accordance with the standardized technical specification BNQ 1809-300 – Construction – General Technical Clauses – Water and Sewer Pipes or meet the requirements set out in the standardized technical specification.

The completion of the work referred to in subparagraph 2 of the first paragraph must not result in a modification to the treatment of the water or an increase in the production capacity of the water withdrawal facility.

## §2.- Sewer system

3. The following activities in connection with a sewer system are eligible for a declaration of compliance, on the general conditions set out in section 4 of this Schedule and, where applicable, of the specific conditions set out in sections 5 and 6 of this Schedule:

(1) the establishment and extension of a sewer system used to collect and transport wastewater, when connected to a wastewater treatment plant;

(2) the following modifications to a sewer system:

(a) a modification to a wastewater treatment plant;

(b) the establishment of equipment to treat septic tank sludge on the site of a wastewater treatment plant.

4. The following general conditions apply to the activities referred to in section 3 of this Schedule:

(1) the sewer system must be subject to the Regulation respecting municipal wastewater treatment works;

(2) the activity must not be likely to cause an overflow of wastewater into the environment.

5. The following specific conditions apply to the activities referred to in paragraph 1 of section 3 of this Schedule:

(1) the specifications for the work must be prepared in accordance with the standardized technical specification BNQ 1809-300 – Construction – General Technical Clauses – Water and Sewer Pipes or meet the requirements set out in the standardized technical specification;

(2) no overflow or diversion works is added to the sewer system;

(3) the sewer system is of the separate system type;

(4) the sewer system is the property of the municipality concerned or is in the process of becoming the property of the municipality concerned under a transfer agreement;

(5) the work does not entail an increase in the frequency of overflow events for any of the overflows situated downstream from the connection point, or in the frequency of diversions at the wastewater treatment plant or, if the work does entail such an increase, it is carried out under a plan to manage overflow events and diversions adopted by the municipality concerned and filed with the Minister, which plan must, once carried out, have the effect of not increasing the frequency of overflow events or diversions, and must include as a minimum

- (a) a delimitation of the sectors concerned;
- (b) a list of the overflows and diversion works concerned; and
- (c) a work schedule covering a maximum period of five years after the date the plan is filed with the Minister.

6. The following specific conditions apply to the activities referred to in paragraph 2 of section 3 of this Schedule:

(1) the work will not lead to a decrease or increase in the treatment capacity of the wastewater treatment plant or, as the case may be, will not modify the conditions, restrictions and prohibitions listed in the depollution attestation issued to the operator of the wastewater treatment plant;

(2) in the case of the activity referred to in subparagraph *b*, the residual water from sludge dewatering will be treated by a wastewater treatment plant covered by a depollution attestation issued to its operator.

### §3.- *Rainwater management system*

7. The following activities in connection with a rainwater management system are eligible for a declaration of compliance on the general conditions set out in section 8 of this Schedule and, where applicable, on the specific conditions set out in section 9 of this Schedule:

(1) the establishment of a rainwater management system dependent on a combined sewer system;

(2) the extension of a rainwater management system.

8. The following general conditions apply to the activities referred to in section 7 of this Schedule:

(1) the specifications for the work must be prepared in accordance with the standardized technical specification BNQ 1809-300 – Construction – General Technical Clauses – Water and Sewer Pipes or meet the requirements set out in the standardized technical specification;

(2) the implementation of the activity is not likely to cause the discharge of wastewater into the environment;

(3) the rainwater drained by the system does not come from sites where activities referred to in subparagraphs 1, 5, 7, 8 and 9 of the first paragraph of section 22 and subparagraphs 1, 2 and 3 of the second paragraph of that section are carried on, from a service station site, vehicle recycling or cleaning site, loading zone, marina or storage or handling area for hazardous materials, salts, sands or aggregates;

(4) if rainwater is infiltrated into the soil, the bottom of the works used for infiltration is situated at least one metre above bedrock level and above the seasonal peak groundwater level established on the basis of the oxidation-reduction level observed.

When the system is dependent on a combined sewer system, the sewer system must be connected to a wastewater treatment plant operated by a municipality. The general conditions set out in section 4 of this Schedule and the specific conditions set out in paragraphs 1, 2, 4 and 5 of section 5 of this Schedule also apply.

**9.** The following specific conditions apply to the activities referred to in paragraph 2 of section 7 of this Schedule:

(1) the design of the extension to the rainwater management system must be carried out in accordance with the Regulation respecting the extension of a storm water management system eligible for a declaration of compliance (*insert here the reference to the CQLR*) and must make it possible

(a) to reduce annually, for the surfaces drained by the rainwater management system, the concentration of suspended matters in the rainwater before its discharge to the receiving lakes or watercourses by at least 80%, for 90% of annual precipitation events;

(b) to minimize the accelerated erosion of receiving lakes and watercourses;

(c) not to increase the frequency of flooding of the receiving lakes and watercourses and to not reduce the level of service of the infrastructures crossing the lakes and watercourses located in the zone of influence of the project to extend the rainwater management system;

(2) to achieve the objectives mentioned in paragraph 1, only the rainwater management works determined by the Regulation respecting the extension of a storm water management system eligible for a declaration of compliance may be used.

#### §4.- *Additional content of the declaration of compliance*

**10.** The declaration of compliance for the activities referred to in this Division must include the following supplemental information and documents:

(1) a declaration from an engineer attesting compliance with the conditions set out in this Division and the restrictions and prohibitions set out in section 80 of this Regulation and, where applicable, compliance with the regulatory standards;

(2) the impacts of the work on the environment and the measures planned to reduce the impacts;

(3) the name and number of each waterworks system or sewer system concerned by the activity;

(4) a summary of the steps taken to transfer the facilities to a municipality.

#### §5.- *Special provision*

**11.** The activities referred to in this Division must be completed outside the boundaries of

(1) a wildlife habitat, except a fish habitat, referred to in the Regulation respecting wildlife habitats (chapter C-61.1, r. 18), the habitat of a threatened or vulnerable wildlife species referred to in the Regulation respecting threatened or vulnerable wildlife species and their habitats (chapter E-12.01, r. 2), or the habitat of a threatened or vulnerable plant species referred to in the Regulation respecting threatened or vulnerable plant species and their habitats (chapter E-12.01, r. 3);

(2) a protected area under the Natural Heritage Conservation Act (chapter C-61.01), a park established under the Parks Act (chapter P-9), an exceptional forest ecosystem or a biological refuge classified or designated under the Sustainable Forest Development Act (chapter A-18.1), an outstanding geological site classified under the Mining Act (chapter M-13.1) or a wildlife preserve established under the Act respecting the conservation and development of wildlife (chapter C-61.1);

(3) the territory of a regional park under the authority of a regional county municipality, unless the activities are authorized by the regional county municipality;

(4) the inner protection zone for groundwater withdrawals delimited in accordance with section 54 of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);

(5) the littoral zone or the shore or bank of a lake or watercourse, or a pond, marsh, swamp or peatland, unless a point of discharge is established in the cases that so permit;

(6) a floodplain, unless all the volumes of fill removed for the completion of the work are disposed of outside the floodplain and the site is returned to its initial state, to the extent that the work is compliant with paragraphs *c* and *d* of section 4.2.1 and section 4.3 of the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

### **DIVISION III**

#### **HAZARDOUS MATERIALS**

**12.** The following activities are eligible for a declaration of compliance on the conditions set out in the second paragraph if they are connected with hazardous materials:

(1) the operation of a service for the transportation of hazardous materials;

(2) the transportation of hazardous materials by the person who generated the waste to a site belonging to a third person.

The following conditions apply to the activities referred to in the first paragraph:

(1) the carrier must be registered in the Registre des propriétaires et des exploitants de véhicules lourds and have a satisfactory safety rating;

(2) the declarant must hold a guarantee of \$100,000 in accordance with sections 120 to 123 of the Regulation respecting hazardous materials (chapter Q-2, r. 32);

(3) the declarant must hold civil liability insurance of \$1,000,000 in accordance with sections 124 and 125, adapted as required, of the Regulation respecting hazardous materials.

The declaration of compliance for an activity referred to in the first paragraph must include the following supplemental information and documents:

(1) the contact information of the carrier and the carrier's identification number in the Registre des propriétaires et des exploitants de véhicules lourds assigned by the Commission des transports du Québec under the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3);

(2) the number and type of vehicles used;

(3) the address and place where the vehicles will be stored;

(4) where applicable, the address of the place belonging to a third party where the materials will be transported and the name and contact information of the third party;

(5) the categories of hazardous materials, determined in accordance with the prescriptions of Schedule 4 of the Regulation respecting hazardous materials, that the declarant plans to transport;

(6) the guarantee referred to in subparagraph 2 of the first paragraph;

(7) a declaration from an insurer or insurance broker attesting that the declarant holds the insurance policy referred to in subparagraph 3 of the first paragraph.

**13.** The storage of hazardous materials is eligible for a declaration of compliance, after possession has been taken of them, on the following conditions:

(1) the hazardous materials must not result from a manufacturing process or a purification process for air emissions, effluents or residues used in a sector referred to in Schedule 3 of the Regulation respecting hazardous materials (chapter Q-2, r. 32), or from the maintenance of those process;

(2) the quantities of hazardous materials stored must comply with the following thresholds, for each place indicated:

(a) in the case of a collection site under the responsibility of a municipality, the quantity stored must be equal to or more than 3,000 kg but less than 40,000 kg;

(b) in the case of a place for the collection and storage of electronic products referred to in Division 1 of Chapter VI of the Regulation respecting the recovery and reclamation of products by enterprises (chapter Q-2, r. 40.1), where the products are managed exclusively for the purpose of a recovery and reclamation program under that Regulation, the quantity stored must be equal to or more than 3,000 kg but less than 40,000 kg;

(c) in the case of a place for the collection and storage of products referred to in the Regulation respecting the recovery and reclamation of products by enterprises, other than those referred to in subparagraph *b*, where the products are managed exclusively for the purposes of a recovery and reclamation program under that Regulation, the quantity stored must be equal to or more than 1,000 kg but less than 40,000 kg;

(d) in the case of any other place, the quantity stored must be equal to or more than 1,000 kg but less than 5,000 kg;

(3) the hazardous materials do not contain PCBs and are not contaminated by PCBs, unless they are fluorescent lamp ballasts containing PCBs in a collection site under the responsibility of a municipality and the quantity of ballasts stored is less than 100 kg;

(4) the hazardous materials must be entrusted to carriers accredited for the purpose under the Act and its regulations;

(5) the storage of the hazardous materials must comply with the standards applicable under the Regulation respecting hazardous materials and, where applicable, in accordance with the recovery and reclamation program under the Regulation respecting the recovery and reclamation of products by enterprises that is applicable to those materials.

The declaration of compliance for an activity referred to in the first paragraph must include the following supplemental information and documents:

(1) the type of site covered by the declaration;

(2) an identification of each category of hazardous materials that will be stored, determined in accordance with the prescriptions of Schedule 4 of the Regulation respecting hazardous materials (chapter Q-2, r. 32);

(3) an estimate of the maximum quantity of hazardous materials that will be stored;

(4) the name and contact information of the carriers whose services will be used by the declarant.

#### **DIVISION IV**

##### **RESIDUAL MATERIALS ELIMINATION FACILITY**

**14.** The construction and operation of an incineration facility is eligible for a declaration of compliance if its nominal capacity is equal to or less than one tonne per hour and if it incinerates only inedible meat in accordance with the provisions of the Regulation respecting food (chapter P-29, r.1).

**15.** A declaration of compliance for the activities referred to in this Division must include a declaration from an engineer attesting that the facility complies with the Act and the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19).

#### **DIVISION V**

##### **BIOMEDICAL WASTE**

**16.** The following activities in connection with the transportation of biomedical waste are eligible for a declaration of compliance:

(1) the transportation of 5 kg or more of biomedical waste referred to in subparagraphs *a* and *a.1* of paragraph 3 of section 1 of the Regulation respecting biomedical waste (chapter Q-2, r. 12) by an operator not referred to in paragraph 2 or 3 of section 41 of Schedule III;

(2) the transportation of 100 kg or more of biomedical waste per month by an operator referred to in paragraph 2 or 3 of section 41 of Schedule III.

A declaration of compliance for the activities referred to in the first paragraph must include the following supplemental information and documents:

(1) the type of biomedical waste to be transported;

(2) the type and number of vehicles and containers that the applicant plans to use;

(3) a copy of the registration certificate and the serial number of each vehicle used;

(4) the capacity of each vehicle and container used, by weight and volume;

(5) the type of refrigeration equipment in each vehicle used;

(6) the materials of which the inside of each vehicle compartment is made and a description of the collecting basin for leaks;

(7) the address at which the vehicles used are to be stored; and

(8) a declaration attesting that:

(a) a sign is affixed to each vehicle used, in accordance with section 38 of the Regulation respecting biomedical waste (chapter Q-2, r. 12);

(b) the vehicles used are equipped with the equipment referred to in section 39 of the Regulation respecting biomedical waste;

(c) the vehicles used are equipped with a locking system to prevent public access to the compartments containing biomedical waste.

**17.** The storage of biomedical waste off its generation site is eligible for a declaration of compliance, unless it is exempted under section 46 of Schedule III.

A declaration of compliance for an activity referred to in the first paragraph must include the following supplemental information and documents:

(1) the date on which the operation of the storage facility begins;

(2) the location and capacity of the waste storage areas;

(3) a declaration attesting that

(a) a locking system is installed at the entry of the storage site to limit access to persons duly authorized and identified in the register;

(b) the building used for storage is designed in such manner that waste is loaded and unloaded directly from inside the building to the vehicle and from the vehicle to inside the building;

(c) facilities for cleaning the containers and vehicles used to transport biomedical waste are set up on the storage site;

(d) the storage site has a cold chamber to maintain biomedical waste at a temperature of less than 4 °C.

## **DIVISION VI**

### **HOT MIX ASPHALT PLANTS**

**18.** The establishment, relocation and subsequent operation of a hot mix asphalt plant located more than 800 m from a dwelling or place referred to in the second paragraph of section 9 of the Regulation respecting hot mix asphalt plants (chapter Q-2, r. 48) are eligible for a declaration of compliance on the following conditions:

(1) the plant uses only liquid or gaseous fossil fuels other than used oil;

(2) the plant and any area for the loading, unloading or discharge of aggregate materials, and any sedimentation pond used by the plant, are not located in a wetland or body of water;

(3) the plant does not use residual materials in its manufacturing process, except aggregate from recycled asphalt or dust recovered from a dust collector system;

(4) there is no other hot mix asphalt plant located within a radius of 800 m from the plant.

The relocation of a hot mix asphalt plant to a place located 800 m or less, but more than 300 m, from a dwelling or place referred to in the second paragraph of section 9 of the Regulation respecting hot mix asphalt plants is also eligible for a declaration of compliance on the following conditions:

(1) an authorization under section 22 of the Act has been issued within the last 5 years for the establishment and operation of the plant and the issue of the authorization was, in particular, based on an air dispersion study for emissions from the plant performed by a qualified person in accordance with Schedule H of the Clean Air Regulation (chapter Q-2, r. 4.1) showing that the concentration of contaminants in the atmosphere, at a distance of 300 m or more from the plant, complied with the standards of Schedule K of that Regulation and also, where applicable, with the air quality criteria prescribed by the Minister in the authorization, which standards and criteria remain applicable to the relocated plant;

(2) the conditions set out in the first paragraph are met.

A declaration of compliance for an activity referred to in the first or second paragraph must include the following supplemental information and documents:

(1) a declaration attesting that the conditions set out in the first paragraph and, where applicable, in the second paragraph are met;

(2) a declaration attesting that the location standards set out in sections 13 and 14 of the Regulation respecting hot mix asphalt plants (chapter Q-2, r. 48) are met.

A hot mix asphalt plant whose establishment and subsequent operation are eligible for a declaration of compliance under this section cannot be established at the site concerned for a period of more than 12 months.

The provisions of the Regulation respecting hot mix asphalt plants remain applicable to a hot mix asphalt plant referred to in this section, subject to sections 4 and 5 of this Regulation.

## **DIVISION VII**

### **MINING ACTIVITIES**

**19.** Drilling work in wetlands and bodies of water to explore for mineral substances is eligible for a declaration of compliance on the general conditions set out in section 20 of this Schedule and, where applicable, on the specific conditions set out in sections 21 and 22 of this Schedule.

**20.** The following general conditions apply to the activities referred to in section 19 of this Schedule:

(1) measures must be in place to prevent the discharge of suspended matter into lakes and watercourses;

(2) the sludge generated by the work must be managed in a manner that prevents its discharge into wetlands and bodies of water.

**21.** The following specific conditions apply to the activities referred to in section 19 of this Schedule when carried out in a pond, marsh, swamp or peatland:

(1) the work must be performed without removal of fill and without the permanent addition of fill;

(2) the passage of the machinery needed to perform the work must not cause rutting.

**22.** The following specific conditions apply to the activities referred to in section 19 of this Schedule when carried out on the shore or bank of a lake or watercourse or in a lake or watercourse:

(1) the hydraulic fluids and drilling grease used must be 60% biodegradable over 28 days by micro-organisms likely to be present in the water or soil;

(2) the wastewater generated by the work must be collected and reused using a water recirculation system and must not be discharged onto the shore or bank of a lake or watercourse or into a lake or watercourse;

(3) at the end of the work, the drill holes must be sealed;

(4) if the work is carried out in a lake or watercourse, the casing must, at the end of the work, be removed or cut back to the level of the bed of the lake or watercourse;

(5) if the work is carried out on the shore or bank of a lake or watercourse, the casing must, at the end of the work, be removed or cut back to ground level.

**23.** A declaration of compliance for the activities referred to in section 18 must include the following supplemental information and documents:

(1) a description of the measures put in place to prevent the discharge of suspended matter into lakes and watercourses;

(2) in relation to the management method for the drilling sludge:

(a) if the sludge is reclaimed, a description of the reclamation method selected and the destination of the sludge;

(b) if the sludge is deposited close to the drilling site, a description of the measures selected to prevent its movement toward wetlands and bodies of water;

(c) if the sludge is deposited in an accumulation area, the name and geographic coordinates of the area and of the mine site where the sludge is sent;

(3) where applicable, the name of the product and the name of the manufacturer of the hydraulic fluids and drilling grease used.

### **DIVISION VIII**

#### **AGRICULTURAL OPERATIONS, SPREADING, STORAGE AND COMPOSTING**

##### *§1.- Agricultural operations*

**24.** The following activities in connection with a raising site are eligible for a declaration of compliance on the conditions set out in section 25 of this Schedule:

(1) the establishment and operation of a new raising site with management of liquid livestock waste where the annual phosphorous ( $P_2O_5$ ) production is less than 4,200 kg;

(2) the establishment and operation of a new raising site with management of solid livestock waste where the annual phosphorous ( $P_2O_5$ ) production is more than 1,600 kg but less than 4,200 kg;

(3) the increase of the annual phosphorus ( $P_2O_5$ ) production of a raising site, and the subsequent operation of the site, to raise the annual phosphorus ( $P_2O_5$ ) production to more than 1,600 kg or to make the production equal to or above one of the following production thresholds: 2,100 kg, 2,600 kg, 3,100 kg, 3,600 kg or 4,100 kg without reaching 4,200 kg; however, where an increase is such that more than one threshold will be reached or exceeded, only the highest threshold reached or exceeded needs to be declared. In addition, the declaration made for reaching or exceeding a threshold is valid until a declaration of compliance for an increase to reach or exceed a subsequent higher threshold is required;

(4) a change in a facility for raising animals, from solid livestock waste management to liquid livestock waste management.

For the purposes of subparagraph 3 of the first paragraph:

(1) in the case of a raising site that existed before 1 January 2011 for which the operator is required to establish an agro-environmental fertilization plan under section 22 of the Agricultural Operations Regulation, the increase is calculated by subtracting from the annual phosphorus ( $P_2O_5$ ) production provided for in the project, the production resulting from the number of animals present and planned on the site and specified in the yearly phosphorus report for the first growing season following that date. The latter report is used to calculate whether any subsequent threshold has been reached or exceeded, for the entire lifetime of the raising site; and

(2) in the case of a raising site established after 1 January 2011 for which the operator is required to establish an agro-environmental fertilization plan under section 22 of the Agricultural Operations Regulation, the increase is calculated by subtracting from the annual phosphorus ( $P_2O_5$ ) production provided for in the project, the production resulting from the number of animals present and planned on the site and specified in the yearly phosphorus report for the first growing season of the raising site. The latter report is used to calculate whether any subsequent threshold has been reached or exceeded, for the entire lifetime of the raising site.

**25.** The following conditions apply to the activities referred to in section 24 of this Schedule:

(1) the facilities for raising animals and the existing and planned storage facilities must be located outside the inner and intermediate protection zones for a category 1, 2 or 3 groundwater withdrawal site as delimited under the Water Withdrawal and Protection Regulation;

(2) the facilities for raising animals and the existing and planned storage facilities must be located outside the inner protection zone for a category 1 or 2 surface water withdrawal site as delimited under the Water Withdrawal and Protection Regulation;

(3) wastewater from farm dairies must flow to a watertight storage facility or, when permitted, to a sewer system, where applicable.

A declaration of compliance by a declarant for an activity referred to in the first paragraph must include a declaration from an agronomist or engineer attesting that the project is compliant with the provisions of the Agricultural Operations Regulation and the Water Withdrawal and Protection Regulation.

*§2.- Return of a parcel of land to cultivation and cultivation of a new parcel of land*

**26.** The return of a parcel of land to cultivation or the cultivation of a new parcel of land in the territory of a municipality listed in Schedule II, III or V of the Agricultural Operations Regulation (chapter Q-2, r. 26) is eligible for a declaration of compliance on the following conditions:

(1) the owner must abandon an equivalent area belonging to the owner in a municipality listed in Schedule II, III or V of the Agricultural Operations Regulation;

(2) the abandoned parcel must not have included one or more infrastructures for more than one year, or be forested. This period is calculated from the time when work begins;

(3) the new cultivated parcel must be located outside the inner and intermediate protection zones for a category 1, 2 or 3 groundwater withdrawal site as determined under the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);

(4) the new cultivated parcel must be situated outside the inner protection zone for a category 1 or 2 surface water withdrawal site as determined under the Water Withdrawal and Protection Regulation.

The declaration of compliance of the declarant for the activity referred to in the first paragraph must include the following supplemental information and documents:

(1) the cadastral designation and area in hectares of the parcel of land that will no longer be used for the cultivation of prohibited crops;

(2) the cadastral designation and area in hectares of the new parcel;

(3) the date on which cultivation work will begin;

(4) a declaration from an agronomist or engineer attesting to compliance with the provisions of the Agricultural Operations Regulation and the Water Withdrawal and Protection Regulation.

### §3.- *Washing of root vegetables*

**27.** The installation, modification or operation of a system to wash root vegetables on a raising site or spreading site is eligible for a declaration of compliance for a cumulative area of market production of more than 5 ha, on the following conditions:

(1) 50% or more of the root vegetables washed must have been harvested by the operator;

(2) water discharged into the environment must have a suspended matter content equal to or less than 50 mg/l (instantaneous measurement);

(3) the washing process and effluent treatment must be carried out in accordance with the plans and specifications of an engineer;

(4) the plans and specifications of the engineer must be kept by the operator while the activity is carried on and for a minimum period of 5 years after the activity ceases. The operator must provide the plans and specification to the Minister on request.

The declaration of compliance of the declarant of the activity must include a declaration from an engineer attesting that the planned work is compliant with the provisions of the Agricultural Operations Regulation (chapter Q-2, r. 26) and the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2).

### §4.- *Storage of livestock waste*

**28.** Work on a raising site to build or modify a storage facility for animal waste or to increase the capacity of a storage facility for animal waste is eligible for a declaration of compliance where, if applicable, wastewater from farm dairies flows to a watertight storage facility or sewer system.

The declaration of compliance of the declarant of the activity must include a declaration from a person who attests that the planned work is compliant with the provisions of the Agricultural Operations Regulation (chapter Q-2, r. 26) and the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2).

### §5.- *Composting*

**29.** The composting, on a raising site or spreading site, of livestock waste, farm products, crop residues, peat-based growing mediums or a mixture of such substances stored directly on the ground in a pile of between 500 m<sup>3</sup> to 1,000 m<sup>3</sup> inclusively on a cultivated parcel is eligible for a declaration of compliance on the following conditions:

- (1) the substances in the pile must come from agricultural activities;
- (2) the total volume must include the substances to be composted and the finished compost;
- (3) the minimum dryness of the pile must be 25%;
- (4) contaminated water from the pile must not come into contact with surface water;
- (5) water runoff must not come into contact with the pile;
- (6) the pile must be located more than 30 m from wetlands and bodies of water;
- (7) the pile must be completely removed and spread on parcels of land under cultivation within 12 months from the end of the treatment;
- (8) the pile must be built on a parcel of land under cultivation at least 100 m from the site of a pile removed less than 12 months previously;
- (9) the treatment must follow a composting schedule, signed by an agronomist or engineer, including in particular the following information:
  - (a) a description of the composting process;
  - (b) a plan for mitigation measures to deal with the expected impacts;
  - (c) a protocol for environmental monitoring, compost quality control and compost turning.

The composting schedule must be kept by the operator while the activity is carried on and for a minimum period of 5 years after the activity ceases. The operator must provide the composting schedule to the Minister on request.

The declarant's declaration of compliance must include a declaration from an agronomist or engineer attesting that the project is compliant with the provisions of the Agricultural Operations Regulation (chapter Q-2, r. 26) and the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2).

**30.** The erection or operation, on a raising site or spreading site, of a watertight composting area with a capacity of 1,000 m<sup>3</sup> or less to compost livestock waste, farm products, crop residues, peat-based growing mediums or a mixture of such substances is eligible for a declaration of compliance on the following conditions:

- (1) the substances to be composted must come from agricultural activities;

(2) the total volume must include the substances to be composted and the finished compost;

(3) the minimum dryness of the pile must be 25%;

(4) contaminated water from the composting area must not come into contact with the surface water;

(5) water runoff must not come into contact with the composting area;

(6) the composting area must be located more than 30 m from wetlands and bodies of water;

(7) the compost must be completely removed and spread on parcels of land under cultivation within 12 months from the end of the treatment;

(8) the treatment must follow a composting schedule, signed by an agronomist or engineer, including in particular the following information:

(a) a description of the composting process;

(b) a plan for mitigation measures to deal with the expected impacts;

(c) a protocol for environmental monitoring, compost quality control and compost turning.

The composting schedule must be kept by the operator while the activity is carried on and for a minimum period of 5 years after the activity ceases. The operator must provide the composting schedule to the Minister on request.

The declarant's declaration of compliance must include a declaration from an agronomist or engineer attesting that the project is compliant with the provisions of the Agricultural Operations Regulation (chapter Q-2, r. 26) and the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2).

#### §6.- *Treatment of livestock waste*

**31.** The establishment, modification and operation of a process for the mechanical treatment of livestock waste on a raising site or spreading site without the addition of exogenic products and with no discharge into the natural environment are eligible for a declaration of compliance on the following conditions:

(1) the substances resulting from the treatment must be used only for spreading on parcels of land under cultivation;

(2) the mechanical treatment process must be performed using only

(a) a centrifuge;

(b) a press; or

(c) a sieve;

(3) the mechanical treatment must be carried out in accordance with the plans and specifications of an engineer;

(4) the plans and specifications of the engineer must be kept by the operator while the activity is carried on and for a minimum period of 5 years after the activity ceases. The operator must provide the plans and specifications to the Minister on request.

The declaration of compliance of the declarant must include a declaration from an engineer attesting that the process for the mechanical treatment of livestock waste is compliant with the Agricultural Operations Regulation (chapter Q-2, r. 26) and the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2).

#### §7.- *Special provision*

**32.** Within 60 days of the completion of an activity referred to in this Division, the declarant must send to the Minister a declaration from an engineer or agronomist attesting to the compliance of the work with the Agricultural Operations Regulation (chapter Q-2, r. 26).

### **DIVISION IX** **FERTILIZING RESIDUALS**

**33.** The spreading, on a raising site or spreading site, of a fertilizing residual that has been stored for 12 months or less is eligible for a declaration of compliance on the conditions set out in the second paragraph, if the fertilizing residual results from one of the following storage activities:

(1) the incorporation, with the livestock waste stored in a storage facility for animal waste in accordance with the Agricultural Operations Regulation (chapter Q-2, r. 26), of a maximum of 5% of the volume of the waste actually present in the works of

(a) green waste;

(b) a residual agri-food plant matter; or

(c) milk, milk serum protein, a milk serum protein derivative or cheese factory wastewater that are not farm products;

(2) the storage, in a storage facility for animal waste that contains no animal waste, or the storage directly on the ground of a pile of

(a) compost that meets the CAN/BNQ 0413-200 standard as attested by an accredited professional;

(b) a calcium or magnesium amendment that meets the BNQ 0413-090 standard as attested by an accredited professional. If the amendment is not ash or deinking residue used for liming purposes, it must result from a production site that produces less than 5,000 tonnes of the amendment per year;

(c) a paper mill biosolid, a deinking residue, a municipal biosolid, septic tank sludge or a biomethanization digestate classified as C1, C2 or C2 alternative, P1 or P2, O1, O2 or O3, or E1 or E2, in accordance with the Fertilizing Residuals Regulation (*insert here the reference to the CQLR*);

(d) a fertilizing residual with a dryness level equal to or more than 25%, classified as C1, C2 or C2 alternative, P1 or P2, O1, O2 or O3, or E1 or E2, in accordance with the Fertilizing Residuals Regulation, and which is

(i) green waste;

(ii) an agri-food biosolid free of all animal matter;

(iii) compost; or

(iv) a calcium or magnesium amendment that meets the BNQ 0413-090 standard; or

(e) a fertilizing residual with a dryness level equal to or more than 25%, classified as C1, C2 or C2 alternative, P1 or P2, O1, O2 or O3, or E1 or E2, in accordance with the Fertilizing Residuals Regulation, and that is made up of several substances named in subparagraphs c and d of this paragraph;

(3) the encapsulation of one of the following substances, classified as O1:

(a) a mature commercial compost;

(b) a paper mill biosolid with a carbon/nitrogen ratio over 70;

(c) de-inking sludge with a carbon/nitrogen ratio over 70.

The declaration of compliance for an activity referred to in the first paragraph must include

(1) a declaration from an agronomist attesting that the project is compliant with the Fertilizing Residuals Regulation, the Agricultural Operations Regulation and the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);

(2) a declaration from an engineer, for an activity referred to in subparagraphs 1 and 2 of the first paragraph, attesting that the storage facility for animal waste is compliant with the Agricultural Operations Regulation.

**34.** The storage and spreading as mulch of leaves stored for 12 months or less, on a raising site or spreading site or as part of a forest development activity, are also eligible for a declaration of compliance on the following conditions:

(1) the leaves result from a collection, in bulk or in paper bags, during the fall;

(2) the maximum volume of leaves is

(a) 500 m<sup>3</sup>, in the case of leaves stored directly on the ground in a raising site or spreading site;

(b) 50 m<sup>3</sup>, in the case of leaves stored directly on the ground in a place other than a raising site or spreading site;

(c) 4,000 m<sup>3</sup>, in the case of leaves stored in a storage facility;

(3) the maximum volume of leaves that may be spread as mulch on a parcel of land under cultivation is 250 m<sup>3</sup> per hectare per year;

(4) the maximum volume of leaves that may be spread as mulch as part of a forest development activity is 100 m<sup>3</sup> per hectare per year.

The declaration of compliance for an activity referred to in the first paragraph must include a declaration from an agronomist attesting that the project is compliant with the Fertilizing Residuals Regulation (*insert here the reference to the CQLR*), the Agricultural Operations Regulation (chapter Q-2, r. 26) and the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2).

**35.** Notwithstanding section 31.0.6 of the Act, a declaration of compliance referred to in sections 33 and 34 of this Schedule must be sent to the Minister at least 10 days before the start of the activity.

**36.** The classification of a fertilizing residual according to its olfactory characteristics must be carried out in accordance with section 13 of the Fertilizing Residuals Regulation (*insert here the reference to the CQLR*).

**SCHEDULE III****ACTIVITIES EXEMPTED FROM AUTHORIZATION**

(ss. 1 and 84 to 86)

**DIVISION I****GENERAL PROVISION**

1. The activities listed in this Schedule are exempted, pursuant to section 31.0.11 of the Act, from the application of all or part of section 22 of the Act to the extent provided for in this Schedule and, where applicable, provided they meet the conditions that apply.

**DIVISION II****GENERAL EXEMPTIONS****§1.- Protected areas**

2. The work, constructions and activities that must be carried out on land included in an aquatic reserve, biodiversity reserve or ecological reserve or on land set aside for that purpose, when covered by an authorization issued by the Minister pursuant to the Natural Heritage Conservation Act (chapter C-61.01) are exempted from the application of section 22 of the Act, with the exception of

(1) a water withdrawal, including the work and works required by the withdrawal, to the extent provided for in Division V of the Act;

(2) the establishment, modification or extension of a water management or treatment facility referred to in section 32 of the Act as well as the installation and operation of an apparatus or equipment intended to treat water, in particular to prevent, abate or stop the release of contaminants into the environment or into a sewer system;

(3) constructions, work or any other intervention in wetlands and bodies of water when carried out on land in an aquatic reserve or biodiversity reserve or on land set aside for that purpose.

**§2.- Forest development activities**

3. The following activities are exempted from the application of section 22 of the Act:

(1) work to maintain, repair or close a forest road;

(2) constructions, work or activities that are not referred to in one of the sections of this Schedule but that are subject to the Regulation respecting the sustainable development of forests in the domain of the State (*insert here the reference to the CQLR*).

### §3.- *Recreational activities*

4. The following recreational activities, as well as any related work, constructions and works, are exempted from the application of section 22 of the Act:

(1) shows or events requiring the use of a device or apparatus for sound reproduction or amplification;

(2) pyrotechnic shows;

(3) races, tests or shows involving motorized vehicles;

(4) shooting events.

However, the exemption does not extend to work, constructions and works relating to an activity carried out in a wetland or aquatic environment.

### §4.- *Halocarbons*

5. Work to recover and reclaim halocarbons referred to in the Regulation respecting halocarbons (chapter Q-2, r. 29) from an extinguisher, fire extinguishing system or refrigeration or air conditioning unit is exempted from the application of section 22 of the Act.

### §5.- *Preliminary work*

6. Preliminary investigation, drilling, exploration, experiments outside a mill or technical readings prior to any project that are not covered by this Schedule are exempted from the application of section 22 of the Act.

However, the exemption does not extend to work carried out in wetlands or bodies of water, unless specifically exempted pursuant to this Schedule.

### §6.- *Dust control products*

7. The use of a dust control product certified as complying with the BNQ 2410-300 standard is exempted from the application of section 22 of the Act.

### §7.- *Storage of petroleum products*

8. The storage of new petroleum products in accordance with Chapter VIII of the Construction Code (chapter B-1.1, r. 2) and Chapter VI of the Safety Code (chapter B-1.1, r. 3) are exempted from the application of section 22 of the Act.

**§8.- Contaminated soil**

**9.** The voluntary rehabilitation of contaminated land is exempted from the application of section 22 of the Act on the following conditions:

(1) the activity is not expressly referred to in Division IV of Chapter IV of Title I of the Act;

(2) the rehabilitation of the land is carried out only by excavating the soil;

(3) all the excavated soil and any water contaminated beyond the standards set out in the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37) are sent to a place authorized pursuant to that Regulation;

(4) the rehabilitation does not involve in situ or on-site treatment of the contaminated land.

**§9.- Mechanical maintenance**

**10.** The activities specific to dealers in new or second-hand automobiles and repair and maintenance workshops for motor vehicles or heavy vehicles, including similar activities carried on for non-commercial purposes, are exempted from the application of section 22 of the Act.

This exemption does not apply to the application of paint carried out by such dealers and workshops.

**§10.- Aerial transmission or distribution systems for electricity, telecommunications and cable delivery**

**11.** Work to maintain, rebuild, repair or demolish the components of aerial transmission or distribution systems for electricity, telecommunications or cable delivery, including the lines of those systems and their rights-of-way, is exempted from the application of section 22 of the Act if the work does not entail

(1) the use of pesticides on a riverbank or lakeshore or, in a floodplain, the use of the pesticides referred to in section 24 of Schedule I;

(2) backfilling, trench digging, excavation, removal of topsoil or any other type of intervention likely to disturb the soil, the air or the hydraulic regime.

### **DIVISION III**

#### **WATER WITHDRAWALS**

**12.** The following water withdrawals, and the related work and works, are exempted from the application of subparagraph 2 of the first paragraph of section 22 of the Act:

(1) water withdrawals that use a ditch, drain or sewer to catch runoff or divert groundwater if the withdrawal is made for the cultivation of a parcel of land, the extraction of peat, the drainage of a public or private road, the drainage of a building, or drainage carried out for silvicultural purposes on forest land in the domain of the State;

(2) the work and works required by a water withdrawal referred to in paragraph 1, with the exception of the work and works required to lay out a ditch, drain or sewer less than 30 m from a lake, watercourse, pond, marsh, swamp or peatland;

(3) water withdrawals, including the work and works required for the withdrawal, made by a permanent facility installed for civil security purposes;

(4) water withdrawals from a naturally-fed irrigation pond, including the work and works required by the withdrawal, on the following conditions:

(a) the irrigation pond is of human origin;

(b) the irrigation pond is no more than 6 m deep;

(c) the irrigation pond is more than 30 m from a pond, other than an irrigation pond, marsh, swamp, peatland, lake or watercourse;

(d) the irrigation pond is more than 100 m from a site where groundwater is withdrawn on a neighbouring property for human consumption;

(e) the water withdrawal is not made to flood land for harvesting purposes;

(f) the water withdrawal is made outside the St. Lawrence River Basin described in section 31.89 of the Act or, if it is made within the basin, does not exceed an average volume of 379,000 litres per day;

(5) temporary and non-recurring water withdrawals, including the required work and works, made

(a) as part of exploration activities for mineral substances other than gas or petroleum, unless it is made for the purpose of dewatering or keeping dry open pits, excavations or underground galleries;

(b) as part of civil engineering or contaminated site rehabilitation work, if they do not exceed 180 days;

(c) to analyze the performance of a groundwater withdrawal facility or establish the properties of an aquifer, if

(i) the duration of the water withdrawal does not exceed 30 days; and

(ii) the water withdrawal is made for the purposes of a test the implementation and interpretation of which are compliant with a scientific method recognized in the field of hydrogeology;

(d) to analyze the quality of water for human consumption, if the withdrawal does not exceed 200 days;

(6) work to establish a groundwater withdrawal facility subject to Chapter III of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);

(7) temporary water withdrawals made using a coffer dam;

(8) work and works for the installation, addition or replacement of conduits to connect a withdrawal facility for groundwater intended for distribution or sale as spring water or mineral water, or to be an ingredient identified as spring water or mineral water on a product within the meaning of section 1 of the Food Products Act (chapter P-29) or on the packaging, recipient or label of such a product;

(9) work and works for the installation, addition or replacement of reservoirs used to store the groundwater referred to in paragraph 8 or devices for the bottling system;

(10) work and works for the establishment of a water withdrawal facility in a temporary industrial camp if the conditions set out in section 9 of the Regulation respecting work related to a water management or treatment facility (*insert here the reference to the CQLR*) are met;

(11) a water withdrawal made using a water retention works.

#### **DIVISION IV**

#### **WATER MANAGEMENT OR TREATMENT FACILITY**

##### **§1.- *Waterworks system***

**13.** The following activities in connection with a waterworks system are exempted from the application of subparagraph 3 of the first paragraph of section 22 of the Act, on the general conditions set out in section 14 of this Schedule and, where applicable, on the specific conditions set out in section 15 of this Schedule:

(1) the installation of conduits and treatment devices

(a) in a temporary industrial camp; or

(b) to supply a single building on a single lot;

(2) the following modifications to a waterworks system:

(a) the replacement of conduits in a system that is not subject to the Regulation respecting private waterworks and sewer services (*insert here the reference to the CQLR*);

(b) the replacement of a pumping station, booster station, rechlorination station or any other equipment, device or accessory in a system that is not subject to the Regulation respecting waterworks and sewer services;

(c) the replacement of a reservoir by another reservoir of the same capacity in a system that is not subject to the Regulation respecting waterworks and sewer services;

(3) the following extensions to a waterworks system:

(a) the addition of conduits and equipment for water treatment:

(i) in a system serving 20 or fewer persons;

(ii) in a system situated in a temporary industrial camp;

(b) the addition of equipment, devices or accessories to a system.

**14.** The following general conditions apply to the activities referred to in section 13 of this Schedule:

(1) the specifications for the work must be prepared in accordance with the standardized technical specification BNQ 1809-300 – Construction – General Technical Clauses – Water and Sewer Pipes or meet the requirements set out in the standardized technical specification;

(2) the products and materials used for the work that will be in contact with drinking water must meet the safety requirements set out in the standard BNQ 3660-950 — Safety of Products and Materials in Contact with Drinking Water or the standard NSF/ANSI 61 — Drinking Water System Components — Health Effects, except for poured-in-place concrete produced by a plant certified as being compliant with the standard BNQ 2621-905 if the equipment built using the concrete is cleaned and disinfected.

**15.** The following specific conditions also apply to certain activities:

(1) when the activity involves installing conduits, the conduits will not be used for the elimination of micro-organisms in accordance with section 5 or 6 of the Regulation respecting the quality of drinking water (chapter Q-2, r. 40);

(2) for an activity referred to in paragraph 2 of section 13 of this Schedule, when the activity involves replacing equipment, a device or an accessory the replacement must not result in a modification to the treatment of the water or an increase in the production capacity of the water withdrawal facility;

(3) for an activity referred to in subparagraph i of subparagraph a of paragraph 3 of section 13 of this Schedule, the addition must not result in an increase in the number of persons served by the facility to more than 20.

## §2.- Sewer system

**16.** The following activities in connection with a sewer system are exempted from the application of subparagraph 3 of the first paragraph of section 22 of the Act on the general conditions set out in section 18 of this Schedule and, where applicable, on the specific conditions set out in sections 19 and 20 of this Schedule:

(1) the establishment of a sewer system in a temporary industrial camp;

(2) the following modifications to a sewer system:

(a) the installation of manholes, drains or catch basins;

(b) the replacement or modification of conduits, drains, manholes or catch basins;

(c) the replacement or modification of a pumping station, overflow or retention basin;

(d) the replacement of a combined sewer by separate sewers;

(e) the installation of sludge dewatering equipment connected to a wastewater treatment plant.

**17.** The installation and modification of a system for the disposal and treatment of wastewater, grey water or water from a toilet subject to the Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22) are exempted from the application of subparagraph 3 of the first paragraph of section 22 of the Act.

**18.** The following general conditions apply to the activities referred to in section 16 of this Schedule:

(1) the specifications for the work must be prepared in accordance with the standardized technical specification BNQ 1809-300 – Construction –

General Technical Clauses – Water and Sewer Pipes or meet the requirements set out in the standardized technical specification;

(2) the implementation of the activity is not likely to cause the discharge of wastewater into the environment.

**19.** The following specific conditions apply to the activities referred to in subparagraphs *a* to *d* of subparagraph 2 of section 16 of this Schedule:

(1) the sewer system concerned is not subject to the Regulation respecting private waterworks and sewer services (*insert here the reference to the CQLR*);

(2) the work carried out as part of the activity does not entail an increase in the frequency of overflow events for any of the overflows situated downstream from the connection point, or in the frequency of diversions at the wastewater treatment plant;

(3) if the work is carried out on a pumping station, overflow or retention basin,

(a) the work must not be likely to modify the wastewater pumping capacity in the mains or the regulator weir capacity of an overflow; and

(b) the storage capacity of the retention basin must not be reduced and its discharge capacity must not be increased.

**20.** The following specific conditions apply to the activities referred to in subparagraph *e* of subparagraph 2 of section 16 of this Schedule:

(1) the sewer system concerned is not subject to the Regulation respecting private waterworks and sewer services (*insert here the reference to the CQLR*);

(2) the work is carried out in the operation area of the wastewater treatment plant;

(3) only sludge from the wastewater treatment plant is dewatered;

(4) the process water from sludge dewatering is treated by the wastewater treatment plant.

### §3.- *Rainwater management system*

**21.** The following activities in connection with a rainwater management system are exempted from the application of subparagraph 3 of the first paragraph of section 22 of the Act on the general conditions set out in section 22 of this Schedule in the cases referred to in paragraphs 1 to 3 and, where applicable, on the specific conditions set out in sections 23 and 24 of this Schedule:

(1) the establishment of a rainwater management system meeting one of the following conditions:

(a) the area of the surfaces drained is less than 2 ha;

(b) it is located on a single lot;

(c) it is located outside the urbanization perimeter of the municipality, as defined in the land use planning and development plan of a local municipality required to maintain such a plan pursuant to the Act respecting land use planning and development (chapter A-19.1);

(2) the following modifications to a rainwater management system:

(a) the installation of manholes or catch basins;

(b) the installation of conduits in a drainage ditch;

(c) the replacement of conduits, manholes or catch basins;

(d) the replacement of a point of discharge by a conduit with the same or a smaller diameter;

(e) work carried out on a ditch;

(f) work carried out on a retaining works equipped with a flow monitoring device;

(3) the extension of a rainwater management system;

(4) the establishment, modification or extension of rainwater management system for agricultural purposes.

**22.** The following general conditions apply to the activities referred to in paragraphs 1, 2 and 3 of section 21 of this Schedule:

(1) the specifications for the work must be prepared in accordance with the standardized technical specification BNQ 1809-300 – Construction – General Technical Clauses – Water and Sewer Pipes or meet the requirements set out in the standardized technical specification;

(2) the implementation of the activity is not likely to cause a discharge of wastewater into the environment;

(3) the rainwater drained by the system does not come from sites where activities referred to in subparagraphs 1, 5, 7, 8 and 9 of the first paragraph of section 22 and subparagraphs 1, 2 and 3 of the second paragraph of that section are carried on, from a service station site, vehicle recycling or cleaning site, loading zone, marina or storage or handling area for hazardous materials, salts, sands or aggregates;

(4) if rainwater is infiltrated into the soil, the bottom of the works used for infiltration is situated at least one metre above bedrock level and above the seasonal peak groundwater level established on the basis of the oxidation-reduction level observed.

**23.** The following specific conditions apply to the activities referred to in paragraph 1 of section 21 of this Schedule:

(1) in the case of the activity referred to in subparagraph a:

(a) the system has a single point of discharge located in a watercourse or ditch and, if the conduit constitutes the point of discharge, its inner diameter is less than 310 mm;

(b) the system is less than 250 m long to the point of discharge;

(2) for an activity referred to in subparagraph b, the rainwater is infiltrated into the soil or discharged into a ditch or a sewer system connected to a wastewater treatment plant operated by a municipality;

(3) for an activity referred to in subparagraph c, the system comprises only ditches and culverts.

**24.** The following specific conditions apply to the activities referred to in subparagraph 2 and subparagraph 3 of section 21 of this Schedule:

(1) in the case of the activity referred to in subparagraph b of paragraph 2 and in paragraph 3:

(a) the runoff water is not diverted towards another watershed;

(b) the land area of the watershed of the receiving watercourse, as determined at the site of the existing outflow on the basis of the Base de données topographiques du Québec à l'échelle 1:20 000, is more than 65% forest cover as assessed on the basis of the most recent forest cover maps appearing in the information system called the "système d'information écoforestière", and less than 10% is included within urbanization perimeters of the municipalities concerned as defined in the land use planning and development plans of a local municipality required to maintain a plan pursuant to the Act respecting land use planning and development (chapter A-19.1);

(c) the outflow of the system is located in a watercourse, except Rivière des Mille-Îles, or in a ditch;

(d) no outflow is added to the system;

(e) the outflow of the system is not modified;

(2) for an activity referred to in subparagraph *f* of paragraph 2, the work does not reduce the water storage capacity of the rainwater management works or increase its discharge capacity.

**§4.- Other water treatment apparatus or equipment**

**25.** The following activities in connection with a water treatment apparatus or equipment, in particular to prevent, abate or stop the discharge of into the environment or into a sewer system, are exempted from the application of subparagraph 3 of the first paragraph of section 22 of the Act:

(1) the installation and operation of any type of oil separator the effluent from which is

(a) discharged into a sewer system connected to a wastewater treatment plant operated by a municipality;

(b) discharged into a treatment system subject to the Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22); or

(c) destined for treatment during a subsequent phase;

(2) the installation and operation of an oil separator, for fire protection purposes, beneath power transformers in stations operated by Hydro-Québec.

**§5.- Special provision**

**26.** The activities referred to in this Division must be carried on outside

(1) a wildlife habitat, except a fish habitat, referred to in the Regulation respecting wildlife habitats (chapter C-61.1, r. 18), the habitat of a threatened or vulnerable wildlife species referred to in the Regulation respecting threatened or vulnerable wildlife species and their habitats (chapter E-12.01, r. 2), or the habitat of a threatened or vulnerable plant species referred to in the Regulation respecting threatened or vulnerable plant species and their habitats (chapter E-12.01, r. 3);

(2) a protected area under the Natural Heritage Conservation Act (chapter C-61.01), a park established under the Parks Act (chapter P-9), an exceptional forest ecosystem or a biological refuge classified or designated under the Sustainable Forest Development Act (chapter A-18.1), an outstanding geological site classified under the Mining Act (chapter M-13.1) or a wildlife preserve established under the Act respecting the conservation and development of wildlife (chapter C-61.1);

(3) the territory of a regional park under the authority of a regional county municipality, unless the activities are authorized by the regional county municipality;

(4) the inner protection zone for groundwater withdrawals delimited in accordance with section 54 of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);

(5) the littoral zone or the shore or bank of a lake or watercourse, or a pond, marsh, swamp or peatland, unless a point of discharge is established in the cases that so permit;

(6) a floodplain, unless all the volumes of fill removed for the completion of the work are disposed of outside the floodplain and the site is returned to its initial state, to the extent that the work is compliant with paragraphs *c* and *d* of section 4.2.1 and section 4.3 of the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

## **DIVISION V**

### **WETLANDS AND BODIES OF WATER**

**27.** The following interventions, except those carried out in a pond, marsh, swamp or peatland located outside the littoral zone of a lake or watercourse, are exempted from the application of subparagraph 4 of the first paragraph of section 22 of the Act:

(1) work to construct or modify a works for the mechanical stabilization of a slope on a lakeshore or riverbank or in the littoral zone of a lake or watercourse, except if there is a gravel bank in the littoral zone of the lake or watercourse, when the length of the works, once the work has been completed, is equal to the lesser of

(a) no more than 5 times the width of the lake or watercourse;

(b) no more than 30 m;

(2) work to construct or modify a works for the stabilization of a slope using phytotechnologies on a lakeshore or riverbank or in the littoral zone of a lake or watercourse, when the lengths of the works, once the work has been completed, is equal to or less than 50 m;

(3) work to construct, maintain, repair or demolish a permanent walkway or bridge when the works does not include an abutment or pillar in the littoral zone of a lake or watercourse;

(4) work to construct, maintain, repair or demolish an ice bridge;

(5) work to construct, maintain, repair or demolish a culvert, when

(a) the culvert has no more than two parallel conduits;

(b) the culvert has an opening of 4 m or less and a length of 24 m or less;

(c) the culvert is covered by fill to a depth of 3 m or less;

(d) the cross-sectional flow of the watercourse, measured at the high-water mark, is reduced by no more than 20%.

Notwithstanding subparagraph 5 of the first paragraph, the conditions set out in subparagraphs *a* to *d* of that subparagraph apply only from 1 January 2019.

**28.** The following interventions, when carried out in the floodplain of a lake or watercourse, are exempted from the application of subparagraph 4 of the first paragraph of section 22 of the Act:

(1) work to clear, drain or prepare the ground for the cultivation of a new parcel of land or a parcel that has been uncultivated for more than 5 years;

(2) work to maintain land and work to maintain, repair or demolish an existing construction or works, not connected to a public road, when the work does not result in an increase in the area of the parcel or land or in the size of the construction or works exposed to flooding;

(3) work on the existing layout of land, except a golf course, campground or trail for motorized all-terrain vehicles;

(4) work to install an underground public utility infrastructure other than a hydrocarbon transportation infrastructure, when carried out 30 m or more from a pond, marsh, swamp or peatland;

(5) work to construct or maintain an artificial lake, other than a commercial fishing pond or irrigation basin, when it

(a) has no hydrological link with a lake, watercourse, pond, marsh, swamp or peatland;

(b) is located 30 m or more from a pond, marsh, swamp or peatland;

(6) work to install, repair, maintain or remove a fishing pool, when performed outside the flood period and provided the pool is removed before flooding occurs.

The first paragraph does not apply to interventions carried out in a pond, marsh, swamp or peatland located in the floodplain of a lake or watercourse, except the interventions mentioned in subparagraph 2.

**29.** The following interventions are exempted from the application of subparagraph 4 of the first paragraph of section 22 of the Act:

(1) drainage work carried out on the shore or bank or in the floodplain of a lake or watercourse and at least 30 m from a pond, marsh, swamp or peatland;

(2) work to construct, maintain, repair or demolish a building of 4 m<sup>2</sup> or less with no foundations and not supplied with water or electricity;

(3) work to construct, maintain, repair or demolish existing residential buildings and their accessory buildings located on the shore or bank or in the floodplain of a lake or watercourse;

(4) work to install, repair or remove equipment used for mollusc culture in a marine environment in the form of a suspended culture;

(5) mollusc culture in a marine environment with no addition of feed;

(6) work to install, repair or remove fishing gear such as fish corrals and hoop nets in a lake or watercourse;

(7) work to clear a vista or lay out a trail or staircase giving access to a lake or watercourse, without stump removal, paving or concreting, except if

(a) the vista, trail or staircase is more 5 m wide;

(b) the layout results in the creation of more than one vista, trail or staircase on the lot concerned; or

(c) in the case of a trail, its placement is planned on the shore or bank of a lake or watercourse with a slope of more than 30%;

(8) the removal of residual materials or wood debris and the cutting of branches, trees, shrubs and herbaceous plants that hinder the flow of water;

(9) a sanitation cut of trees;

(10) work to seed or plant herbaceous plants, shrubs or trees, that are not invasive exotic species, to re-establish the permanent vegetative cover of the shore, bank or floodplain of a lake or watercourse;

(11) interventions to gather information on a given environment such as the use of measuring instruments to conduct a land survey, limnometric survey or electric resistivity tomography survey, the installation of a pH or temperature gauge, snowfall station or weather station, or the sampling of vegetation, water, sediments or soil;

(12) work to construct, install, repair, maintain or remove floating wharves or wharves built on piles, stakes or wheels with a cumulative area of less than 20 m<sup>2</sup>;

(13) work to construct, install, repair, maintain or remove a movable boathouse;

(14) work to maintain or repair viewpoints, sidewalks, unloading docks, walkways or boat launching ramps;

(15) interventions, without the use of pesticides, to control vegetation on retaining works;

(16) work involving the use of phytocides applied from the ground in a wooded peatland or an isolated marsh located in an electricity transmission corridor, north of the St. Lawrence River, in the bioclimatic domains of fir stands with white birch and spruce-moss stands;

(17) work involving the use of an insecticide whose sole active ingredient is *Bacillus thuringiensis* (variety *Kurstaki*) applied from the air in the forest environment for non-agricultural purposes;

(18) work to maintain or repair a culvert located in a pond, marsh, swamp or peatland;

(19) unless carried out in a pond, marsh, swamp or peatland,

(a) work involving the use of pesticides in the unwatered portions of the shore, bank, or floodplain of a lake or watercourse;

(b) work to lay out, repair or maintain a ford 7 m wide or less in a rectilinear section of a watercourse, provided that the bank and the littoral zone of the watercourse are stabilized with gravel;

(20) when the establishment, extension or modification of a sewer system in a temporary industrial camp or the establishment of a rainwater management system is referred to in Schedule II or Schedule III of this Regulation, work to create the required outfall, on the conditions set out in the Regulation respecting work related to a water management or treatment facility (*insert here the reference to the CQLR*);

(21) interventions on a rainwater management system;

(22) interventions in a pond, marsh, swamp or peatland of human origin when it

(a) is situated more than 30 m from a lake or watercourse, or another pond, marsh, swamp or peatland;

(b) has an area of less than 300 m<sup>2</sup>;

(c) has existed for less than 5 years;

(23) when planned in a forest other than a forest in the domain of the State, the following forest management work:

(a) the spreading of timber harvest residues on the shore, bank or floodplain of a lake or watercourse, or in a wooded swamp or wooded peatland;

(b) work to reconstruct or widen an existing forest road on the shore or bank of a lake or watercourse, and work to construct, reconstruct or widen a forest road in a floodplain, except if the work is also carried out in the littoral zone or a watercourse or in a pond, marsh, swamp or peatland;

(c) the laying out of a winter road within the meaning of the Regulation respecting the sustainable development of forests in the domain of the State (*insert here the reference to the CQLR*) in a wooded swamp or wooded peatland, when the soil is frozen to a depth of more than 35 cm;

(d) work to maintain, repair or close a forest road;

(e) work to reforest a wooded swamp or wooded peatland when carried out on an area of less than 4 ha, and work to reforest the shore, bank or floodplain of a lake or watercourse;

(f) a timber harvest carried out in the floodplain of a lake or watercourse, except if the work is also carried out in a pond, marsh, swamp or peatland;

(g) a partial cut on the shore or bank of a lake or watercourse, except if it is carried out in a pond, marsh, shrubby swamp or open peatland, and a partial cut in a wooded swamp or wooded peatland, provided it meets the following conditions:

(i) the cut affects no more than 50% of stems with a diameter of 10 cm or more;

(ii) forest cover of at least 50% is retained, including felling and skidding trails;

(iii) the trees left standing are evenly spread;

(h) a total cut on an area of less than 4 ha in a wooded swamp or wooded peatland, except if it is carried out in a wooded strip 20 m wide around an open peatland, marsh or riparian wooded swamp in accordance with the provisions of section 145 and the first and second paragraphs of section 153 of the Regulation respecting the sustainable development of forests in the domain of the State;

(24) until 31 December 2018, the construction or demolition of a culvert in a pond, marsh, swamp or peatland.

**30.** The following wildlife management work is exempted from the application of subparagraph 4 of the first paragraph of section 22 of the Act:

(1) work to construct, repair, maintain or demolish a weir 30 cm high or less, designed to assist in the movement of fish during low water flows, on the following conditions:

(a) the weir is equipped with an overfall gap;

(b) the basin downstream from the weir is at least twice as deep as the height of the waterfall created by the weir;

(c) the weir is located in a section of the watercourse where the littoral zone is less than 4 m side, measured from the high-water mark;

(2) the establishment of a spawning ground, provided that the area of the lake or watercourse where it is established is not modified;

(3) work to install an incubation box;

(4) work to install a beaver screen or a device to control the water level behind a beaver dam;

(5) work to dismantle a beaver dam;

(6) work to construct, install, repair, maintain, demolish or remove a shelter, nesting box or perch;

(7) work to seed or plant herbaceous plants, shrubs or trees that are not invasive exotic species.

**31.** Interventions which, pursuant to sections 27 to 30 of this Schedule, are exempted from the application of subparagraph 4 of the first paragraph of section 22 of the Act, must be carried out in accordance with the following conditions:

(1) fill is neither added nor removed, except for the interventions referred to in subparagraphs 1, 4 and 5 of the first paragraph of section 28, paragraphs 1, 3, 10 and 18, subparagraph *b* of paragraph 19, and subparagraphs *b* and *c* of paragraph 23 of section 29, and paragraphs 2, 3, 5 and 7 of section 30;

(2) pesticides are not used, except for the interventions referred to in paragraphs 16 and 17 and subparagraph *a* of paragraph 19 of section 29;

(3) heavy machinery is not used, except for the interventions referred to in subparagraphs *b* to *d* and *f* to *h* of paragraph 23 of section 29;

(4) blasting is not used;

(5) an access road is not created, except for the interventions referred to in subparagraphs *b* to *d* and *f* to *h* of paragraph 23 of section 29;

(6) the ground is not rutted, except for the interventions referred to in subparagraphs *b* and *d* of paragraph 23 of section 29;

(7) the free flow of the water is not impeded;

(8) the movement of fish is not impeded, except for the interventions referred to in paragraphs 3, 4 and 5 of section 30;

(9) natural materials are used, along with treated wood certified for use in the natural environment, metal and concrete.

The first paragraph does not apply to the interventions referred to in paragraphs 20, 21 and 22 of section 29.

#### **DIVISION VI** **HAZARDOUS MATERIALS**

**32.** The operation, for commercial purposes, of the following processes to treat hazardous materials, is exempted from the application of subparagraph 5 of the first paragraph of section 22 and subparagraph 2 of the first paragraph of section 70.9 of the Act, on the prescribed conditions:

(1) the operation of a commercial treatment process to recycle or reuse hazardous materials referred to in paragraphs 3, 4 and 8 of section 4 of the Regulation respecting hazardous materials (chapter Q-2, r. 32);

(2) the operation of a commercial treatment process to crush, sieve or sort solid hazardous materials, other than materials or objects containing PCBs or contaminated with PCBs, on the following conditions:

(a) the quantity of material stored at the operating site is less than 100,000 kg;

(b) the materials are treated within 90 days of receipt;

(c) the materials treated are not destined for disposal or use for energy purposes.

**33.** The storage of hazardous materials is exempted from the application of subparagraph 5 of the first paragraph of section 22 and subparagraph 3 of the first paragraph of section 70.9 of the Act, after possession has been taken of them for that purpose, on the following conditions:

(1) the hazardous materials do not result from a manufacturing process or a purification process for air emissions, effluents or residues used in a sector referred to in Schedule 3 of the Regulation respecting hazardous materials (chapter Q-2, r. 32), or from the maintenance of those process;

(2) the quantities stored must be below the following thresholds, for each place indicated:

(a) in the case of a collection site under the responsibility of a municipality or regional county municipality, the quantity stored must be below 3,000 kg;

(b) in the case of a place for the collection and storage of electronic products referred to in Division 1 of Chapter VI of the Regulation respecting the recovery and reclamation of products by enterprises (chapter Q-2, r. 40.1), where the products are managed exclusively for the purpose of a recovery and reclamation program under that Regulation, the quantity stored is below 3,000 kg;

(c) in the case of a place for the collection and storage of products referred to in the Regulation respecting the recovery and reclamation of products by enterprises, other than those referred to in subparagraph *b*, where the products are managed exclusively for the purposes of a recovery and reclamation program under that Regulation, the quantity stored must be below 1,000 kg;

(d) in the case of any other place, the quantity stored is below 1,000 kg;

(3) the hazardous materials do not contain PCBs and are not contaminated by PCBs;

(4) the hazardous materials are entrusted to a carrier accredited for the purpose under the Act and its regulations;

(5) the storage of the hazardous materials will comply with the standards applicable under the Regulation respecting hazardous materials and, where applicable, in accordance with the recovery and reclamation program under the Regulation respecting the recovery and reclamation of products by enterprises that is applicable to those materials.

## **DIVISION VII**

### **APPARATUS OR EQUIPMENT DESIGNED TO PREVENT, ABATE OR STOP THE RELEASE OF CONTAMINANTS INTO THE ATMOSPHERE**

**34.** The installation and operation of an apparatus or equipment designed to prevent, abate or stop the release of contaminants into the atmosphere on a motor vehicle, aircraft, ship, locomotive or motor-powered boat are exempted from the application of subparagraph 6 of the first paragraph of section 22 of the Act.

**DIVISION VIII**  
**RESIDUAL MATERIALS ELIMINATION FACILITY**

**35.** The establishment and operation of the following places are exempted from the application of subparagraph 7 of the first paragraph of section 22 of the Act, on condition that a declaration of activities is filed with the Minister:

(1) a remote landfill referred to in section 112 of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19);

(2) a low capacity transfer station where 30 metric tonnes or less of residual materials are transferred weekly, referred to in the second paragraph of section 139.2 of the Regulation respecting the landfilling and incineration of residual materials;

(3) a place where only inedible meat as provided for in section 7.3.1 of the Regulation respecting food (chapter P-29, r. 1) is buried.

The declaration of activities referred to in the first paragraph must also be sent to the regional county municipality concerned.

The obligation to file a declaration of activities referred to in the first paragraph does not apply to the burying of inedible meat at an agricultural operation in accordance with the provisions of paragraph 5 of section 7.3.1 of the Regulation respecting food (chapter P-29, r. 1).

**DIVISION IX**  
**RESIDUAL MATERIALS RECLAMATION FACILITIES**

**36.** The following are exempted from the application of subparagraph 8 of the first paragraph of section 22 of the Act:

(1) when the activity is commercial in nature or when it is carried out by a registered charity, the storage of the following materials:

(a) used construction materials that have already been sorted and are ready for re-use such as: doors and windows, mouldings, sinks, bathtubs and other plumbing accessories, hardwood flooring, pieces of timber and other similar materials;

(b) clothing, textiles, household appliances, electric or electronic devices, kitchen articles, furniture, toys, sports articles and other similar materials, which must be sheltered from bad weather;

(2) when the activity is carried on in a plant nursery, garden centre or other similar place, or when the activity is carried on on-site during construction work, landscaping work or earthwork, the bulk storage or storage in bags of mulch, clean non-contaminated wood chips, and "all-purpose" compost made from fertilizing residuals or mature compost, when the materials have already been conditioned so as to be ready for sale.

(3) the storage, on a single lot and within a radius of 500 m when stored by the same operator, of less than 60 m<sup>3</sup> of metals destined for reclamation, on the following conditions:

(a) the height of the materials must not exceed 3 m;

(b) the following materials cannot be stored:

(i) materials that are contaminated or contain hazardous materials or halocarbons;

(ii) amalgam separators;

(4) household composting of a total volume of less than 4 m<sup>3</sup> per lot, when the compost produced is used for the household needs of the owners.

The activities referred to in the first paragraph must be carried on outside the boundaries of the following places:

(1) a wildlife habitat referred to in the Regulation respecting wildlife habitats (chapter C-61.1, r. 18), the habitat of a threatened or vulnerable wildlife species referred to in the Regulation respecting threatened or vulnerable wildlife species and their habitats (chapter E-12.01, r. 2), or the habitat of a threatened or vulnerable plant species referred to in the Regulation respecting threatened or vulnerable plant species and their habitats (chapter E-12.01, r. 3);

(2) a protected area under the Natural Heritage Conservation Act (chapter C-61.01), a park established under the Parks Act (chapter P-9), an exceptional forest ecosystem or a biological refuge classified or designated under the Sustainable Forest Development Act (chapter A-18.1), an outstanding geological site classified under the Mining Act (chapter M-13.1) or a wildlife preserve established under the Act respecting the conservation and development of wildlife (chapter C-61.1);

(3) the territory of a regional park under the authority of a regional county municipality, unless the activities are authorized by the regional county municipality;

(4) the inner protection zone for groundwater withdrawals delimited in accordance with section 54 of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);

(5) the littoral zone or the shore or bank of a lake or watercourse, or a pond, marsh, swamp or peatland;

(6) a floodplain, unless all the volumes of fill removed for the completion of the work are disposed of outside the floodplain and the site is returned to its initial state, to the extent that the work is compliant with paragraphs *c* and *d* of section 4.2.1 and section 4.3 of the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2. r. 35).

## **DIVISION X**

### **ACTIVITIES COVERED BY SCHEDULE I**

#### *§1.- Mining activities*

**37.** The following activities, when carried out as part of exploration activities for mineral substances, are exempted from the application of subparagraph 10 of the first paragraph of section 22 of the Act and section 4 of Schedule I:

(1) staking;

(2) geophysical, geological or geochemical surveying;

(3) drilling, except if carried out in wetlands and bodies of water;

(4) stripping and excavation, except if carried out in or less than 30 m from a wetland or body of water, with the exclusion of drilling, if

(a) for the project as a whole,

(i) less than 10,000 m<sup>2</sup> of land is stripped or excavated;

(ii) less than 5,000 m<sup>3</sup> of unconsolidated deposits are moved;

(iii) less than 500 metric tonnes of mineral substances are extracted or moved for geological or geochemical sampling purposes;

(b) the unconsolidated deposits moved are deposited more than 30 m from a wetland or body of water;

(c) no accumulation area is laid out.

#### *§2.- Hydrocarbons*

**38.** The following activities are exempted from the application of subparagraph 10 of the first paragraph of section 22 of the Act and section 6 of Schedule I:

(1) the installation of gas distribution conduits with a nominal standard inner diameter of less than 300 mm, designed for pressures below 4,000 kPa;

(2) geophysical, geological or geochemical surveys;

(3) a temporary or permanent closure subject to the standards set out in the Petroleum Resources Act (*insert here the reference to the CQLR*) and the regulations under it.

**§3.- *Sawmills and mills manufacturing veneer, plywood, particle board or other pressed wood products***

**39.** The operation of a mobile sawmill is exempted from the application of section 18 of Schedule I on the following conditions:

(1) the mill is operated more than 60 m from a lake or watercourse, measured from the high-water mark;

(2) the mill is operated for less than 6 consecutive months on the same lot and the sawmill is not permanently present on the site;

(3) the particles emitted into the atmosphere during the transfer, free fall or handling of wood do not exceed a concentration of 50 mg/Rm<sup>3</sup> of dry gas;

(4) the particles emitted into the atmosphere during the transfer, free fall or handling of the wood are not visible more than 2 m from the point of emission;

(5) the areas used to pile wood or wood waste are outside the floodplain with a 0-20 year recurrence interval.

**§4.- *Storage and conditioning of timber***

**40.** The storage of less than 50 m<sup>3</sup> of treated wood is exempted from the application of section 19 of Schedule I if the wood is sheltered from bad weather.

**§5.- *Agricultural operations, spreading, storage and composting***

**41.** The agricultural activities defined by the Agricultural Operations Regulation (chapter Q-2, r. 26) are exempted from the application of the second paragraph of section 22 of the Act.

## 1. AGRICULTURAL OPERATIONS, SPREADING AND WASHING OF VEGETABLES

**42.** The following activities are exempted from the application of subparagraph 10 of the first paragraph of section 22 of the Act and section 25 of Schedule I:

(1) the establishment and operation of a new raising site with solid manure management if the annual phosphorous ( $P_2O_5$ ) production is 1,600 kg or less;

(2) the spreading, in accordance with the provisions of the Agricultural Operations Regulation, of livestock waste mixed with wastewater from a toilet in accordance with section 8.1 of the Agricultural Operations Regulation (chapter Q-2, r. 26);

(3) the establishment, modification or operation, on a raising site or spreading site, of a vegetable washing system for a cumulative area of market production of 5 ha or less, provided more than 50% of the vegetables were harvested by the operator.

## 2. STORAGE OF WASTEWATER

**43.** The storage of wastewater from a toilet in accordance with the Agricultural Operations Regulation is exempted from the application of section 22 of the Act, provided a declaration of activities is sent to the Minister.

In addition to the information listed in section 85 of this Regulation, the declaration of activities must include the volume of livestock waste produced annually at the raising site and the number of persons likely to use the toilet in the raising facility each day.

## 3. CULTIVATION OF NEW PARCELS OF LAND

**44.** The following activities are exempted from the application of section 22 of the Act:

(1) the cultivation of new parcels of land in areas not covered by Schedules II, III and V of the Agricultural Operations Regulation;

(2) the cultivation of new parcels of land for the planting of trees other than fruit trees, conifers cultivated for ornamental purposes and harvested without roots, shrubs, blueberries, cranberries, strawberries, raspberries or grapevines.

The activities referred to in the first paragraph cannot be carried out in wetlands and bodies of water, with the exception of their floodplain, or less than 3 m from a lake or watercourse or less than the distance established by the municipal by-laws if more than 3 m.

#### 4. COMPOSTING

**45.** The composting, on a raising site or spreading site, of livestock waste, farm products, crop residues, peat-based growth mediums or a mixture of such substances stored directly on the ground in a pile of less than 500 m<sup>3</sup> on each raising site or spreading site is exempted from the application of section 22 of the Act on the following conditions:

- (1) the substances in the pile must come from agricultural activities;
- (2) the total volume must include the substances to be composted and the finished compost;
- (3) the minimum dryness of the pile must be 25%;
- (4) contaminated water from the pile must not come into contact with surface water;
- (5) water runoff must not come into contact with the pile;
- (6) the pile must be located more than 30 m from wetlands and bodies of water and comply with the provisions of the Water Withdrawal and Protection Regulation;
- (7) the pile must be completely removed and spread on parcels of land under cultivation within 12 months from the first contribution made to the pile;
- (8) the pile must be built on a parcel of land under cultivation at least 100 m from the site of a pile removed less than 12 months previously.

#### §6.- *Fertilizing residuals*

**46.** The following activities in connection with fertilizing residuals classified under the provisions of the Fertilizing Residuals Regulation (*insert here the reference to the CQLR*), with the exception of section 13 of that Regulation, are exempted from the application of section 25 of Schedule I on the conditions set out in section 48 of this Schedule, where applicable:

- (1) the spreading of green waste as mulch, after being stored for 12 months or less, on a raising site or spreading site or as part of a forest development activity;
- (2) the storage of a maximum volume of 50 m<sup>3</sup> of one of the following fertilizing residuals:
  - (a) compost certified as compliant with the standard CAN/BNQ 0413-200, having a dryness level of more 40%, a percentage of organic materials of more than 50% on a dry basis, and containing no sharp-edged foreign objects;

(b) green waste having a carbon/nitrogen ratio above 30, a dryness level of more than 40% and a percentage of organic materials of more than 50%, classified as E1 and containing no sharp-edged foreign objects;

(c) compost not derived from municipal biosolids or septic sludge or deinking residue, classified as C1 or C2, P1, O1 and E1, having a dryness level of more than 40% and a percentage of organic materials of more than 50% on a dry basis, and containing no sharp-edged foreign objects;

(d) a fertilizing residual classified as C1 or C2, P1, O1 and E1 not derived from municipal biosolids or septic sludge, having a dryness level of more than 40% and a percentage of organic materials of more than 50% on a dry basis, and containing no sharp-edged foreign objects;

(3) the spreading, on a raising site, of a maximum volume of 50 m<sup>3</sup> of one of the fertilizing residuals referred to in paragraph 2, when used as litter to absorb liquids;

(4) the storage and use of an "all-purpose" type compost made from fertilizing residuals the manufacture of which is authorized under the Act and which comes from a facility for the reclamation of fertilizing residuals authorized under the Act;

(5) the storage of a maximum volume of 500 m<sup>3</sup> of a fertilizing residual which is not classified as uncategorized and which meets all the following criteria:

(a) the minimum guaranteed total content of total nitrogen, available phosphorous expressed as P<sub>2</sub>O<sub>5</sub> and water-soluble potassium expressed as K<sub>2</sub>O is at least 5% on a dry basis;

(b) the organic content is less than 15% on a dry basis;

(c) the fertilizing residual is a fertilizer referred to in the Fertilizers Regulation (C.R.C. c. 666) and complies with that Regulation;

(6) the spreading, on a raising site or spreading site or as part of a forest development activity, of a maximum volume of 500 m<sup>3</sup> of a fertilizing residual referred to in paragraph 5;

(7) the spreading, on a raising site or spreading site, of a fertilizing residual derived from one of the following composting activities:

(a) the composting of a maximum volume of 150 m<sup>3</sup> of green waste or agri-food plant waste; the volume includes the materials to be composted, the materials undergoing composting and the finished compost;

(b) the composting of a maximum volume of 500 m<sup>3</sup> of a mixture of livestock waste and a maximum of 150 m<sup>3</sup> of leaves from a collection, in bulk or in paper bags, during the fall, or resulting from a sorting process by a green waste sorting station;

(8) the spreading, in any place, of a maximum volume of 150 m<sup>3</sup> of a fertilizing residual in recipients or bags of 50 litres, or in a load of recipients or bags of 50 litres or less each, protected from bad weather and compliant with the Fertilizers Act (R.S.C., 1985, c. F-10) and the regulations under it;

(9) the spreading, in any place, of a maximum volume of 1,000 m<sup>3</sup> of a fertilizing residual certified as compliant with a BNQ standard when the spreading occurs on a raising site or spreading site or as part of a forest development activity, or the spreading of a maximum volume of 500 m<sup>3</sup> of such a fertilizing residual in any other place;

(10) the spreading, in any place, of a maximum volume of 1,000 m<sup>3</sup> of a compost classified as C1, P1, O1 or E1 from a facility for the reclamation of fertilizing residuals by composting, authorized under the Act, producing less than 5,000 tonnes of the compost per year, when the spreading occurs on a raising site or spreading site or as part of a forest development activity, or the spreading of a maximum volume of 500 m<sup>3</sup> of such a fertilizing residual when the spreading occurs in any other place;

(11) the spreading of a maximum volume of 500 m<sup>3</sup> of biochar derived from the treatment of green waste or agri-food plant waste, in accordance with the Fertilizers Act (R.S.C., 1985, c. F-10) and the regulations under it;

(12) the spreading of one of the following fertilizing residuals:

(a) sanitary waste from compost toilets;

(b) septic sludge biosolids from sanitary facilities in remote hunting and fishing camps;

(c) peat-based filter materials for sanitary wastewater, from sanitary facilities in a remote location;

(13) the storage and spreading, during roadside layout work under the responsibility of the Minister responsible for transport or a municipality, of a compost classified as C1 or C2, P1, O1 or E1 or E2 from a facility for the reclamation of fertilizing residuals by composting authorized under the Act.

**47.** The following conditions apply to an activity referred to in section 46:

(1) for an activity referred to in paragraph 1,

(a) the green waste used must derive from wood or leaves sorted by a green waste sorting station;

(b) when the residue is stored directly on the ground on a raising site or spreading site, a maximum volume of 500 m<sup>3</sup> may be stored;

(c) when the residue is stored directly on the ground in a place other than a raising site or spreading site, a maximum volume of 50 m<sup>3</sup> may be stored;

(d) when the residue is stored in a watertight storage facility, a maximum volume of 4,000 m<sup>3</sup> may be stored;

(e) the maximum volume that may be spread on a parcel of land under cultivation may not exceed 250 m<sup>3</sup> per hectare per year;

(f) the maximum volume that may be spread as part of a forest development activity may not exceed 1,000 m<sup>3</sup> per hectare per year;

(g) the residue must have the ability to absorb liquids;

(2) for an activity referred to in paragraph 3,

(a) the materials stored must be protected against bad weather;

(b) the materials stored must, before being spread, be covered by a notice from a veterinarian attesting that they are not liable to compromise animal wellbeing or safety;

(3) for an activity referred to in paragraph 7, the dryness of the fertilizing residuals to be composted, undergoing composting or composted must be 25% or more;

(4) for an activity referred to in paragraph 13:

(a) the spreading must not exceed 2 kg/m<sup>2</sup> per year;

(b) the spreading must be carried out on land belonging to the person who generates the materials or on land where the owner has given written consent to the spreading of the materials on the land;

(c) the spreading must be carried out more than 10 m from wetlands and bodies of water and more than 100 m from the site of a groundwater withdrawal facility;

(d) the materials must be incorporated into the soil no more than one hour after being spread and vegetation must be re-established in the soil;

(e) the vegetation re-established in the soil:

(i) must not be intended for human consumption;

(ii) must not be used for grazing;

(f) no new vegetation intended for human consumption may be planted on the spreading site for a minimum period of 36 months after the spreading;

(g) no use of the spreading site for grazing may occur for a minimum period of 12 months after the spreading.

**48.** The composting, in a storage facility on a raising site or spreading site, of green waste or agri-food plant waste with a dryness level of 25% or more is exempted from the application of subparagraph 10 of the first paragraph of section 22 of the Act and from the application of section 25 of Schedule I on the following conditions:

(1) the maximum volume of the residue is 150 m<sup>3</sup> and includes the materials to be composted, the materials undergoing composting and the finished compost;

(2) the dryness of the materials undergoing composting and the finished compost must be 25% or more;

(3) the composting must be completed no more than 24 months after it begins.

#### §7.- *Commercial aquaculture*

**49.** The following activities are exempted from the application of subparagraph 10 of the first paragraph of section 22 of the Act and section 25 of Schedule I, provided a declaration of activities is sent to the Minister:

(1) the operation of a temporary commercial fishing pond for a period of less than 21 consecutive days annually, with no feeding;

(2) the operation of a mobile commercial fishing pond for a period of no more than 12 months, with no feeding and provided the pond is moved at least once during the period of operation.

A person or municipality wishing to carry out one of the activities referred to in the first paragraph must send to the Minister, on request, a copy of the fishing pond licence issued by the Minister responsible for agriculture, in accordance with section 2 of the Commercial Aquaculture Regulation (chapter A-20.2, r. 1).

**50.** The spreading of aquaculture sludge in accordance with the provisions of the Agricultural Operations Regulation (chapter Q-2, r. 26) is exempted from the application of subparagraph 10 of the first paragraph of section 22 of the Act and section 25 of Schedule I, provided a declaration of activities is sent to the Minister.

In addition to the information listed in section 86 of this Regulation, the declaration of activities must

(1) identify the operator of the aquaculture site or commercial fishing pond where the aquaculture sludge is sourced;

(2) state the area, in hectares, of the parcels of land under cultivation where the aquaculture sludge will be spread.

A person of municipality wishing to carry out the activity referred to in the first paragraph must send to the Minister, on request, a copy of the spreading agreement referred to in section 21 of the Agricultural Operations Regulation.

**51.** The establishment and operation of a mollusc culture site in a marine environment are exempted from the application of subparagraph 10 of the first paragraph of section 22 of the Act and section 25 of Schedule I, provided a declaration of activities is sent to the Minister.

In addition to the information listed in section 86 of this Regulation, the declaration of activities must state the production objective in metric tonnes for each species of mollusc produced.

**§8. –Biomedical waste**

**52.** The following biomedical waste transportation activities are exempted from the application of section 22 of the Act:

(1) the transportation of less than 5 kg of biomedical waste referred to in subparagraphs *a* and *a.1* of paragraph 3 of section 1 of the Regulation respecting biomedical waste (chapter Q-2, r. 12);

(2) the transportation of less than 100 kg of biomedical waste per month, if carried out by the producer of the waste;

(3) the transportation of less than 100 kg per month of waste referred to in subparagraph *a.1* of paragraph 3 of section 1 of the Regulation respecting biomedical waste (chapter Q-2, r. 12), on the following conditions:

(a) the transportation is carried out by the operator of a recovery site referred to in subparagraph 2 of the first paragraph of section 42;

(b) the waste is waste referred to in paragraph 2 of the first paragraph of section 42;

(c) the waste is transported from the recovery site to a site where it will be stored or treated.

**53.** The following biomedical waste storage activities are exempted from the application of section 22 of the Act:

(1) the storage of biomedical waste on the site where the waste is produced;

(2) the recovery and storage of biomedical waste on the following conditions:

(a) the recovery site is established in a pharmacy, a place administered by a community organization providing support for drug addiction, or a biomedical waste generation site;

(b) the biomedical waste set to the recovery site consists exclusively of biomedical waste referred to in subparagraph *a.1* of paragraph 3 of section 1 of the Regulation respecting biomedical waste (chapter Q-2, r. 12);

(3) the storage, at a biomedical waste generation site governed by the Regulation respecting biomedical waste (chapter Q-2, r. 12), of biomedical waste from a recovery site referred to in subparagraph *a* of paragraph 2 that consists of biomedical waste referred to in subparagraph *b* of that paragraph;

(4) the storage of biomedical waste by a biomedical waste generation site at a health and social services institution when the biomedical waste comes from health and social services institutions that each send a maximum of 100 kg of biomedical waste per month.

**54.** The treatment of biomedical waste by disinfection is exempted from the application of section 22 of the Act when carried out in an autoclave in the following situations:

(1) the biomedical waste is treated on the site where it is generated;

(2) the biomedical waste is treated at a biomedical waste generation site and comprises only biomedical waste referred to in subparagraph *a.1* of paragraph 3 of section 1 of the Regulation respecting biomedical waste (chapter Q-2, r. 12);

(3) the treatment is carried out by a biomedical waste treatment facility at a health and social services institution when the biomedical waste comes from health and social services institutions that each send a maximum of 100 kg of biomedical waste per month.

#### §9.- *Paint*

**55.** Any facility, equipment or apparatus used for activities that use less than 100 ml of paint, varnish and primer and a maximum of 20 litres of such products per year is exempted from the application of subparagraph 10 of the first paragraph of section 22 of the Act and paragraph 2 of section 14 of Schedule I, if the activities are referred to in that section.

#### §10.- *Car wash*

**56.** The operation of a car wash the effluent from which is discharged into a sewer system connected to a wastewater treatment plant operated by a municipality is exempted from the application of subparagraph 10 of the first paragraph of section 22 of the Act and section 15 of Schedule I, on the following conditions:

(1) the cleaning products used have a phosphorous concentration of less than 2.2%;

(2) the products used do not contain nonylphnols.

§11.- *Textiles*

**57.** The operation of establishment manufacturing textiles with no washing or fibre dyeing activities is exempted from the application of subparagraph 10 of the first paragraph of section 22 of the Act and section 16 of Schedule I.

§12.- *Storage, crushing and sieving of concrete, brick and bituminous coated materials*

**58.** The following activities are exempted from the application of subparagraph 10 of the first paragraph of section 22 of the Act and section 9 of Schedule I:

(1) the storage, crushing and sieving of concrete, brick and bituminous coated materials during dismantling or construction work;

(2) the storage, outside the boundaries of a pit or quarry, of a total volume of 60 m<sup>3</sup> or less of concrete, brick and bituminous coated materials on the same site as part of a reclamation activity.

**SCHEDULE IV****ACTIVITIES, EQUIPMENT AND PROCESSES SUBJECT TO THE CLIMATE TEST**

(s. 64)

Section 64 applies to the following activities, equipment and processes:

(1) an incinerator within the meaning of section 101 of the Clean Air Regulation (chapter Q-2, r. 4.1) that is not subject to the Regulation respecting the environmental impact assessment and review of certain projects (*insert here the reference to the CQLR*) and that has a maximum hourly capacity of

(a) 0.3 metric tonnes or more, in the case of hazardous materials;

(b) 0.8 metric tonnes or more, in the case of any other residual material;

(2) one or more combustion systems or ovens with a cumulative nominal power of

(a) 4.5 MW or more, if the only fuel used is natural gas;

(b) 3 MW or more, in the case of any other fuel;

(3) any equipment or process referred to in one of the protocols in Schedule A.2 of the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15), with the exception of protocols QC.1, QC.16, QC.17 and QC.27;

(4) the establishment of a mine with a maximum daily extraction capacity of 2,000 metric tonnes of ore or more;

(5) the construction of an ore treatment plant with a maximum daily treatment capacity of 2,000 metric tonnes of ore or more;

(6) equipment, a process or a facility used to explore for hydrocarbons;

(7) one or more pieces of equipment or processes using a total refrigerant charge equal to or exceeding the charge indicated in Table 1 of this Schedule;

(8) equipment or a process used for geological CO<sub>2</sub> sequestration;

(9) equipment or a fixed or mobile process used for the thermal treatment of contaminated soils;

(10) equipment or a process used to produce hydrogen from natural gas or other fossil fuels;

(11) equipment used to treat natural gas;

(12) the establishment or enlargement of a burial site or landfill that is not subject to a prior environmental impact assessment and review procedure, when the place is intended, in whole or in part, for the burial of 2,500 metric tonnes or more of organic materials per year;

(13) the composting activities of a project when the facility has an authorized annual treatment capacity of 40,000 metric tonnes or more of organic residual materials;

(14) biogas production and treatment activities when the maximum daily total capacity of the equipment is 30,000 m<sup>3</sup> of CH<sub>4</sub> or more.

**Table 1- Refrigerant charge**

Refrigerant	Charge equal to or in excess of (kg)
R-424A - Blend	19 100
R-422B - Blend	18 500
R-422D - Blend	17 100
R-402A - Blend	16 700
R-422C - Blend	15 100
R-422A - Blend	14 800
R-408A - Blend	14 800
R-227ea - HFC	14 500
R-125 - HFC	13 300
R-404A - Blend	11 900
R-507A - Blend	11 700
R-143a - HFC	10 400
R-502 - Blend	10 000
R-14 - PFC	6 300
R-218 - PFC	5 300
R-318c - PFC	4 500
R-116 - PFC	3 800
R-508B - Blend	3 500
R-23 - HFC	3 200

## **Regulation to amend the Regulation respecting industrial depollution attestations**

Environment Quality Act

(chapter Q-2, ss.31.0.6, 31.10, 31.28, 95.1, 115.27 and 115.34; 2017, chapter 4)

1. The Regulation respecting industrial depollution attestations (chapter Q-2, r. 5) is amended by replacing the title by the following:

### **"Regulation respecting the operation of industrial establishments".**

2. Section 0.1 is replaced by the following:

**"0.1.** Division III of Chapter IV of Title I of the Environment Quality Act (chapter Q-2) and this Regulation apply to the following industrial establishments, on the basis of their primary activity, defined in particular under the North American Industry Classification System (NAICS 2017):

(1) an establishment manufacturing pulp intended for sale or a paper product within the meaning of section 1 of the Regulation respecting pulp and paper mills (chapter Q-2, r. 27), other than an establishment whose maximum annual production capacity is less than 40,000 metric tons and all its process water is discharged into a system or is recirculated;

(2) an establishment operating a mine if the maximum annual ore mining capacity is equal to or greater than 2,000,000 metric tons;

(3) an ore dressing establishment if the maximum annual processing capacity is equal to or greater than 50,000 metric tons;

(4) an establishment manufacturing clay building material or refractory products (32712) if the maximum annual production capacity of clay or refractory bricks is equal to or greater than 20,000 metric tons;

(5) an establishment manufacturing glass (327214) if the maximum annual production capacity is equal to or greater than 50,000 metric tons;

(6) an establishment manufacturing Portland cement (32731);

(7) an establishment manufacturing quicklime or hydrated lime (32741);

(8) an establishment manufacturing other non-metallic mineral products if it manufactures silicon and the maximum annual production capacity is equal to or greater than 20,000 metric tons of silicon;

(9) a smelting establishment (33111) if the maximum annual production capacity is equal to or greater than 20,000 metric tons of one or more of the following:

(a) pig iron;

(b) steel;

(c) stainless steel;

(d) ferro-alloys;

(10) an establishment engaged in the primary production of alumina and aluminum (331313) if the maximum annual production capacity is equal to or greater than 20,000 metric tons;

(11) an establishment smelting and refining non-ferrous metals (33141) if the maximum annual production or refining capacity is equal to or greater than 20,000 metric tons;

(12) a petroleum refining establishment;

(13) an establishment manufacturing petrochemicals if the maximum annual production capacity is equal to or greater than 50,000 metric tons;

(14) an establishment manufacturing organic chemicals if the total maximum annual production capacity is equal to or greater than 50,000 metric tons of one or more of the following:

(a) terephthalic acid;

(b) linear alkylbenzene;

(c) ethanol;

(d) methanol;

(15) an establishment manufacturing inorganic chemicals if the total maximum annual production capacity of chemicals is equal to or greater than 50,000 metric tons of one or more of the following:

(a) alkali or chlorine (325181);

(b) hydrogen peroxide;

(c) sodium chlorite and sodium chlorate;

(d) titanium dioxide based pigments;

(16) an establishment manufacturing chemical fertilizer if granular urea is manufactured and the total maximum annual production capacity is equal to or greater than 50,000 metric tons;

(17) an establishment processing oilseed (311224) by chemical extraction if the maximum annual production capacity is equal to or greater than 50,000 metric tons;

(18) an establishment manufacturing tires (326210) if the maximum annual production capacity is equal to or greater than 20,000 metric tons, other than an establishment primarily engaged in retreading or rebuilding tires;

(19) an establishment manufacturing explosive preparations, detonators for explosives, or explosive devices, except ammunition (325920);

(20) an establishment producing or processing a chemical element, metal compounds or chemicals from rare earth concentrate or radioactive elements;

(21) an establishment producing or processing a chemical element, metal compounds or chemicals from a lithium concentrate if the maximum annual production capacity is equal to or greater than 20,000 metric tons.

For the purposes of this section, related activities carried out in connection with the operation of an industrial establishment described in the first paragraph are considered to be part of that establishment.

In addition, the expression "maximum capacity", as qualified in this section, means the type of capacity associated with an activity referred to in this section, corresponding,

(1) for a new establishment, to the theoretical maximum capacity attainable in optimal operating conditions with full utilization of material and technical resources; and

(2) for an existing establishment, to the maximum capacity authorized under the Act or, if applicable, to the actual capacity if construction of the establishment, its operation and, if applicable, any addition to it, did not require prior authorization under the Act.

For the purposes of subparagraph 3 of the first paragraph, "ore dressing" means all activity beneficiating ore, a concentrate or mine tailings using a mineralogical process enabling the minerals to be separated from the ore. In addition, agglomerate manufacturing operations are included in ore dressing operations."

**3.** Chapters I and II are revoked.

**4.** The Regulation is amended by replacing all that portion in Chapter III before section 11 by the following:

**"CHAPTER III**  
**"ANNUAL DUTIES".**

**5. Section 12 is amended**

(1) by replacing "a depollution attestation include a fixed amount of \$2,976" in the portion before subparagraph 1 of the first paragraph by "an authorization to operate an industrial establishment include a fixed amount of \$2,976";

(2) by replacing "depollution attestation" in subparagraphs *a* and *b* of subparagraph 2 of the first paragraph by "authorization";

(3) by replacing "1 April" in the third paragraph by "1 June".

**6. Section 14 is amended**

(1) by replacing "a depollution attestation" and "31.15" in the first paragraph respectively by "an authorization to operate an industrial establishment" and "26";

(2) by replacing "a depollution attestation" in the third paragraph by "an authorization";

(3) by replacing "2" in the fourth paragraph by "5".

**7. Section 14.1 is amended by replacing "a depollution attestation" by "an authorization to operate an industrial establishment".**

**8. Section 15 is amended**

(1) by replacing "a depollution attestation" and "1 April" in the portion before paragraph 1 respectively by "an authorization to operate an industrial establishment" and "1 June";

(2) by replacing "depollution attestation" in paragraph 1 by "authorization";

(3) by replacing paragraph 2 by the following:

"(2) any amendments to the information concerning identification furnished under subparagraph 1 of the first paragraph of section 7 of the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*) as well as to the measures, apparatus and equipment installed to abate or stop the release of contaminants into the environment furnished under subparagraph *b* of subparagraph 8 of the second paragraph of that section;"

(4) by replacing "depollution attestation under the second paragraph of section 31.15" in paragraph 3 by "authorization under the second paragraph of section 26"

(5) by replacing "under section 31.15.1 of the Act at the time of issue of the depollution attestation" in paragraph 4 by "under section 31.27 of the Act at the time of issue of the authorization";

(6) by replacing paragraph 5 by the following:

"(5) information on progress made in the studies required under section 31.12 of the Act."

**9.** Section 16 is revoked.

**10.** Section 17 is replaced by the following:

**"17.** In accordance with section 31.16 of the Act, in the case of any event or incident resulting in derogation from the provisions of the holder's authorization, the holder must so inform the Minister in writing with an explanation of the reasons for the derogation, and also inform the Minister of the measures described in that section that have been taken and, if applicable, of the implementation timetable,

(1) without delay if the event or incident causes the accidental occurrence of a contaminant in the environment; or

(2) within 30 days after becoming aware of any other event or incident resulting in derogation from the provisions of the authorization."

**11.** Section 18 is revoked.

**12.** Section 19 is replaced by the following:

**"19.** Where a holder of an authorization to operate an industrial establishment to which this Regulation applies uses apparatus or equipment designed to treat wastewater or to prevent, abate or stop the release of contaminants into the environment and the apparatus or equipment is subject to contaminant release standards set out in the authorization, and the holder wishes to replace or modify the apparatus or equipment without the replacement or modification constituting a change referred to in the first paragraph of section 30 of the Act, the holder must first send the Minister a technical opinion containing the following information and documents:

(1) a technical description of the replacement or modification of the apparatus or equipment and of its implementation, as well as the work schedule;

(2) the location on the site of the industrial establishment of the apparatus or equipment to be replaced or modified;

(3) confirmation, with supporting explanations, that the replacement or modification does not constitute a change referred to in the first paragraph of section 30 of the Act; and

(4) a certificate from an engineer attesting that the replacement or modification of the apparatus or equipment referred to in subparagraph 1 would allow the applicable regulatory standards and the conditions, restrictions, prohibitions or special standards prescribed in the holder's authorization to operate the industrial establishment to be met.

Not later than 60 days after the apparatus or equipment has been replaced or modified, the holder must send the Minister a certificate from an engineer attesting that all the following conditions are met:

(1) the work was carried out in compliance with the technical description required under subparagraph 1 of the first paragraph;

(2) the performance of the apparatus or equipment is equivalent or superior to that of the previous apparatus or equipment in terms of contaminant release and treatment efficiency; and

(3) the replaced or modified apparatus or equipment meets the applicable regulatory standards and the conditions, restrictions, prohibitions or special standards prescribed in the holder's authorization to operate the industrial establishment."

**13.** Section 20 is replaced by the following:

**"20.** A holder of an authorization to operate an industrial establishment to which this Regulation applies must, as required by section 31.24 of the Environment Quality Act (chapter Q-2), give the Minister notice of any partial or total cessation of operation of the industrial establishment covered by the authorization not later than 30 days after the date of the cessation.

The notice must contain the following information and documents:

(1) the number and issue date of the authorization pertaining to the activity that will cease;

(2) the location and description of the activity that will cease and the prerequisite cessation measures to be implemented;

(3) the monitoring measures the holder intends to implement to prevent the release of contaminants into the environment and to ensure, among other things, site cleaning and decontamination, and equipment and facility dismantling;

(4) the date of cessation of the activity;

(5) the reason for cessation of the activity; and

(6) a statement from the holder of the authorization certifying that all cessation measures, if any, prescribed by the Minister in the authorization will be complied with."

**14. Section 20.1 is amended**

(1) by striking out paragraph 1;

(2) by replacing "report" in paragraph 5 by "opinion";

(3) by replacing paragraph 6 by the following:

"(6) comply with the time limit prescribed by section 20 to give the Minister notice of the partial or total cessation of operation of the industrial establishment covered by the authorization."

**15. Section 20.4 is amended by striking out "section 5,".****16. Schedule I is amended**

(1) in Table I,

(a) by replacing "totales" in the French text of the first column of the line beginning by "Dioxines et furanes – totales (PCDD-PCDF)" by "totaux";

(b) by replacing "Radium (ra)" in the first column of the line beginning by "Radium (Ra)" by "Radium (Ra) 226";

(2) in Table II, by replacing "totales" in the French text of the first column of the line beginning by "Dioxines et furanes – totales (PCDD-PCDF)" by "totaux".

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

## Regulation to amend the Agricultural Operations Regulation

### Environment Quality Act

(chapter Q-2, ss. 53.30, 70, 95.1, 115.27 and 115.34; 2017, chapter 4)

1. The Agricultural Operations Regulation (chapter Q-2, r. 26) is amended by replacing section 2 by the following:

“2. This Regulation applies to certain agricultural activities, the raising facilities, the storage facilities for livestock waste, the spreading and treatment of livestock waste, and to the use of fertilizers.

This Regulation does not apply to the raising of canidae and felidae, except for fox farming, silviculture and seedling production for reforestation, and aquaculture sites, commercial fishing ponds, zoos, parks and zoological gardens.”.

2. Section 3 is amended

(1) by inserting the following definitions in alphabetical order:

““agricultural activities” means the raising of livestock, tilling of soil to cultivate crops, plant and mushroom cultivation, storage, drying and washing of crops harvested at more than 50% by the operator of a raising site or the operator of a spreading site, and the manufacture of food on a raising site to feed the livestock on the raising site; (*activités agricoles*)

“farm product” means any product resulting from an agricultural activity; (*produit de ferme*)”;

(2) by replacing the definitions of “livestock waste”, “solid manure management” and “parcel” by the following:

““livestock waste” means animal urine and fecal matter and includes bedding used as absorbents, water that came into contact with livestock waste and wastewater from farm dairies stored in a storage facility. Livestock waste also includes farm products, peat moss-based growing substrates, silage leachate, greenhouse nutrient feedwater, crop residues and mineral fertilizers where those substances are stored with livestock waste produced on the raising site in a proportion of no more than 5% of the total volume of the storage facility; (*déjections animales*)

“parcel” means a portion of land forming a single block, planted with the same crop and requiring the same fertilization, belonging to the same owner; (*parcelle*)

“solid livestock waste management” means a method of removing livestock waste in a solid state, with the liquids having been absorbed by the solid matter through the use of bedding in sufficient quantity or through other means to increase the dryness of the waste to a value greater than 15% at the outlet of a livestock building; (*gestion sur déjection animale solide*)”.

3. Section 4 is amended by replacing the second paragraph by the following:

“Except for fording watercourses, it is prohibited to allow livestock to access a pond, peatbog, lake or watercourse within a distance of 3 m, or at a distance established by municipal by-law if it is greater than 3 m.

The relative distance from a lake or watercourse is measured from the high-water mark and, where there is a slope, that distance must include a width of at least 1 m at the top of the slope. The relative distance from a pond or a peatbog is measured from the limit of the pond or peatbog.”.

4. Section 6 is replaced by the following:

“6. It is prohibited to erect, lay out or expand a raising or storage facility less than 15 m from wetlands and bodies of water within the meaning of section 46.0.2 of the Environment Quality Act (chapter Q-2), other than floodplains and shores.

The erection or reconstruction of a raising facility or a storage facility is also prohibited in a 20-year and 100-year floodplain, except, in the latter case, if the infrastructures are flood-proofed.

The relative distance from a lake and watercourse is measured from the high-water mark and, where there is a slope, that distance must include a width of at least 1 m at the top of the slope. The relative distance from a pond, marsh, swamp and peatbog is measured from the limit of the latter.”.

5. The title of Division II of Chapter III is replaced by “STORAGE OF FERTILIZERS”.

6. The following is inserted after section 8:

“8.1. Wastewater from toilets laid out in a raising facility may be stored in a watertight storage facility of the raising site if the volume of wastewater is equal to or lower than 0.1% on a dry basis of the volume of livestock waste produced annually on the raising site.”.

7. The following is inserted after section 9.3:

“9.4. The operator of a raising or spreading site may store piles on ground of farm products, crop residues and peat moss-based growing substrates on the following conditions:

- (1) the volume of the pile may not exceed 150 m<sup>3</sup> per raising or spreading site;
- (2) the dryness of the pile is at least 15%;
- (3) contaminated water from the pile must not enter the surface water;
- (4) runoff must not reach the pile;
- (5) the pile must be located more than 30 m from wetlands and bodies of water; and
- (6) the pile must be completely removed and spread on cultivated parcels within 12 months of the first input forming the pile.

The operator of a raising or spreading site must keep a storage register for each pile and record in the register the location of the pile, the date of the first input forming the pile and the date the pile is completely removed.

The operator of a raising or spreading site must be in possession of a copy of that register and keep it for a minimum of 5 years from the date on which the pile is completely removed. The operator must provide the copy to the Minister upon request within the time indicated by the Minister.”.

**8.** Section 22 is amended by adding the following at the end of the second paragraph:

(4) operators of spreading sites or raising sites where crop cultivation referred to in the third paragraph of section 50.3 takes place.”.

**9.** Section 29.1 is amended by adding the following subparagraph at the end of the first paragraph:

“(3) human waste.”.

**10.** Section 30 is replaced by the following:

**“30.** The spreading of fertilizers is prohibited

(1) less than 3 m from wetlands and bodies of water, other than floodplains, or at the distance established by municipal by-law if it is greater than 3 m;

(2) less than 1 m from ditches along public or private roads, common ditches and drainage ditches, as defined in subparagraphs 2 to 4 of the first paragraph of section 103 of the Municipal Powers Act (chapter C-47.1) and, where there is a slope, that distance must include a width of at least 1 m at the top of the slope.

The spreading of fertilizers must be spread in such manner that there is no runoff from the fertilizers into the areas described in the first paragraph.

The relative distance from a lake and watercourse is measured from the high-water mark and, where there is a slope, that distance must include a width of at least 1 m at the top of the slope. The relative distance from a pond, marsh, swamp and peatbog is measured from the limit of the latter.

For the purposes of this section, floodplains do not include shores”.

**11.** Section 32 is amended by replacing the fourth paragraph by the following:

“Livestock waste from solid livestock waste management from cattle raising referred to in the third paragraph may also be spread by means of equipment provided for in the second and third paragraphs, provided that the waste’s dryness is equal to or lower than 15% before spreading, by being exposed to natural precipitations, by adding water until the dryness is reached, or by a combination of both methods.”.

**12.** The following is inserted after section 34:

“**34.1.** The operator of a raising or spreading site who carries out composting on a raising or spreading site must keep a storage register for each compost pile and record in the register the location of the pile, the date of the first input forming the pile and the date the pile is completely removed.

The operator of a raising or spreading site must be in possession of a copy of that register and keep it for a minimum of 5 years from the date on which the pile is completely removed. The operator must provide the copy to the Minister upon request within the time indicated by the Minister.”.

**13.** Chapter IV is revoked.

**14.** Section 43.1 is amended

(1) by inserting “, the second and third paragraphs of section 9.4 or section 34.1” in paragraph 3 after “section 9.2”;

(2) by striking out paragraphs 14 and 15.

**15.** Section 43.4 is amended by adding the following paragraph at the end:

“(18) to comply with the volume of wastewater from toilets that may be stored in a storage facility, in accordance with section 8.1.”.

**16.** Section 43.5 is amended

(1) by replacing “watercourses and bodies of water and their riparian strip in accordance with” in paragraph 1 by “a pond, peatbog, lake or watercourse at the distance established in”;

(2) by inserting the following after paragraph 4:

“(4.1) to comply with the conditions provided for in the first paragraph of section 9.4 to store piles on ground of farm products, crop residues and peat moss-based growing substrates;”;

(3) by striking out paragraphs 7, 8 and 10.

**17.** Section 43.6 is amended by replacing “in a watercourse, lake, swamp, natural marsh or pond and the 15 m area on each side or around those areas” in paragraph 1 by “at less than 15 m from wetlands and bodies of water or of erecting or reconstructing a raising facility or a storage facility in a 20-year and 100-year floodplain”.

**18.** Section 44 is amended

(1) by inserting “the second and third paragraphs of section 9.4,” after “section 9.2,”;

(2) by replacing “33 or 34” by “33, 34 or 34.1”;

(3) by replacing “section 35.2 or 36, the fifth paragraph of section 39 or the third paragraph of section 40” by “section 35.2 or 36”.

**19.** Section 44.4 is amended by replacing paragraph 1 by the following:

“(1) contravenes the second paragraph of section 4, the first paragraph of section 9, section 9.1 or 9.3, the first paragraph of section 9.4, section 14 or 22 or the first paragraph of section 50.3;”.

**20.** Section 44.6 is amended

(1) by inserting “8.1,” after “5,”;

(2) by replacing “third paragraph of section 30” by “second paragraph of section 30”.

**21.** Section 50.01 is amended by striking out “, 39”.

**22.** Section 50.3 is amended by adding the following paragraph at the end:

“This section does not apply to crop cultivation authorized under section 22 of the Environment Quality Act (chapter Q-2) where it is done in the following manner:

(1) it does not involve the stripping of the soil in the case of large crops (corn, cereals or soy);

(2) it is done at 15 m or more from wetlands and bodies of water within the meaning of section 46.0.2 of the Environment Quality Act, other than floodplains and shores;

(3) it is done in accordance with an agro-environmental fertilization plan required under section 22, the plan being restricted to the maximum annual deposits provided for in the charts in Schedule I for each cultivated parcel;

(4) it is done as part of biological production certified by a recognized certification body, production in the process of being pre-certified as biological by such a body or as part of production not using synthetic pesticides;

(5) it is done in a sub-watershed where the water quality at the outlet of the watercourse does not exceed 0.03mg/l of phosphorus content.”.

**23.** Section 50.4 is revoked.

**24.** Schedule VI is amended by inserting “Female fox and its offspring” and “0.962” in the columns “Category” and “Factor” of the Type of animal “Fur animals” after “Adult mink — male” “0.502”.

**25.** Schedule VII is amended by inserting “Female fox and its offspring” and “0.802” in the columns “Category” and “Factor” of the Type of animal “Fur animals” after “Adult mink — male” “0.418”.

**26.** The Regulation is amended by replacing “manure” wherever it appears by “livestock waste”.

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

## Regulation to amend the Regulation respecting hazardous materials

### Environment Quality Act

(chapter Q-2, ss. 31.0.6, 31.0.7, 46, 70.5.1, 70.5.2, 70.5.4, 70.5.5, 70.6, 70.7, 70.8, 70.9, 70.14, 70.18, 70.19, 95.1, 115.27, 115.34 and 124.1; 2017, chapter 4)

1. The Regulation respecting hazardous materials (chapter Q-2, r. 32) is amended in section 1 by replacing “paragraph 21” by “the first paragraph”.

2. Section 2 is amended by adding the following paragraphs:

“(22) emery, graphite, kaolin, talc, montmorillonite, carbon black, non-corrosive sodium silicate within the meaning of section 3, silicon dioxide and titanium dioxide, unless those materials contain a hazardous material in such a concentration that the material acquires a property of hazardous materials referred to in section 3 or by a material considered to be a hazardous material under section 4;

(23) ceramic fibres, slag wool, rock wool, glass wool and mineral wool, unless those materials contain a hazardous material in such a concentration that the material acquires a property of hazardous materials referred to in section 3 or by a material considered to be a hazardous material under section 4;

(24) alcoholic beverages.”.

3. Section 5 is amended

(1) by striking out the definition of “residual hazardous materials”;

(2) by replacing the definition of “hazardous materials disposal site” by the following:

“hazardous materials disposal site” means any site for the final disposal of hazardous materials as well as any site for incineration, gasification, pyrolysis or plasma treatment and any other thermal treatment site the main result of which is to transform residual hazardous materials into gas, ash or coal or pyrolytic oil; (*lieu d'élimination de matières dangereuses*)

4. Section 6 is amended by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“6. The list of the following materials is established for the purposes of subparagraph 4 of the first paragraph of section 70.6 of the Environment Quality Act (chapter Q-2), to the extent that the materials are hazardous within the meaning of section 1 of the Act:”.

**5.** Section 8 is replaced by the following:

**“8.** No one may release a hazardous material into the environment or into a sewage system, or allow such release, unless the operation is made in accordance with the Environment Quality Act (chapter Q-2).”

**6.** Section 9 is replaced by the following:

**“9.** Subject to section 9.1, where the person responsible for an accidental release of hazardous materials has, in accordance with section 70.5.1 of the Environment Quality Act (chapter Q-2), taken all the appropriate measures to recover those materials and remove or clean the contaminated materials, the person shall, if unable to recover, remove or clean all the materials, conduct without delay a characterization study of the site where the materials were released, which must include, in particular, the volume of hazardous materials or materials contaminated by such material that are present in the land.

The characterization study required under this section shall be carried out according to the guide referred to in section 31.66 of the Environment Quality Act and be certified by an expert in accordance with section 31.67 of the Act. The study shall also be provided to the Minister and owner of the land as soon as it is completed, in accordance with the second paragraph of section 70.5.2 of the Environment Quality Act, but not later than 90 days after the release.

This section does not apply to the release of gaseous halocarbons.

**9.1.** Where the treatment of all or part of the hazardous materials or materials contaminated by such material that are present in the land is possible, the person responsible shall, not later than 90 days after the release, apply for an authorization to the Minister under section 22 of the Environment Quality Act (chapter Q-2) with a view to treating the materials on site, in particular soils.

That application for an authorization to treat contaminated materials shall be accompanied by the site characterization study referred to in the first paragraph of section 9, as well as by the other information and documents required under the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).

Within 30 days of the completion of the treatment work, the person responsible for the release shall send to the Minister a characterization study intended to determine whether the hazardous materials in the release or the materials contaminated by such material are still present in the land, as well as a notice from a qualified and independent professional in the field of soil or groundwater treatment confirming that the treatment process has been applied in optimum conditions to its technological limit.

The second paragraph of section 9 also applies to the characterization study referred to in the third paragraph.

**9.2.** Where the treatment of all or part of the hazardous materials or materials contaminated by such material present in the land proves impossible, the person responsible for the release shall, to maintain the materials in the land, provide to the Minister, not later than 90 days after the release,

(1) a technical opinion from an engineer member of the Ordre des ingénieurs du Québec showing that removing all or part of the hazardous material or material contaminated by the release cannot be carried out by reason of structural constraints, the layout of the site or the risks that the excavation walls collapse. That opinion shall also indicate at what time and on what conditions the recovery or treatment of the materials may be carried out or completed;

(2) a technical opinion from a qualified and independent professional in the field of soil or groundwater treatment stating the reasons for which the treatment on site that would be appropriate according to the situation prevailing in the land affected by the release and according to the hazardous materials released is impracticable on all or part of the land affected;

(3) on the basis of the characterization study referred to in the first paragraph of section 9 and, if applicable, the application for an authorization to treat the hazardous materials or materials contaminated by such material on site, the volume of materials that cannot be treated and that will be left in the land.

The person responsible for the release shall provide to the Minister, along with the opinions provided for in the first paragraph, a financial guarantee of \$150 per cubic metre of hazardous materials or materials contaminated by such material maintained on site, unless the determined amount is less than \$50,000. That guarantee shall be maintained until the recovery, removal and treatment work is carried out in accordance with section 9.3.

The provisions of Division 2 of Chapter VIII apply to the financial guarantee required under the second paragraph, with the necessary modifications.

**9.3.** Any hazardous material or material contaminated by such material maintained in the land in accordance with section 9.2 shall be recovered, removed or treated on site where the problems identified in the engineer's technical opinion no longer exist. The person responsible for the release or the owner of the land shall then inform the Minister not later than 30 days after the disappearance of the problems. The provisions of section 9.1 apply, with the necessary modifications, to the treatment of hazardous materials and materials contaminated by such material.

Until the hazardous materials or materials contaminated by such material maintained in the land are recovered or treated, the person responsible for the release shall take all the necessary measures to keep them confined in the same place and to avoid that they adversely affect the life, health, safety, well-being or comfort of human beings, ecosystems, live species in general and property.

**9.4.** The person responsible for the release must require the entry of a contamination notice in the land register in accordance with section 70.5.4 of the Environment Quality Act (chapter Q-2) in the following cases:

(1) if the concentration of contaminants identified in the characterization study referred to in the first paragraph of section 9 or the third paragraph of section 9.1 exceeds the limit values prescribed by Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37); or

(2) regardless of the concentration of contaminants, if the hazardous materials or materials contaminated by such material are maintained in the land in accordance with section 9.2.

**9.5.** The summary of the characterization study referred to in section 70.5.4 of the Environment Quality Act (chapter Q-2) shall be certified by an expert referred to in section 31.65 of the Act.”.

**7.** Section 11 is amended

(1) by replacing “authorized” in the first paragraph by “empowered”;

(2) by replacing “that meets the conditions mentioned in subparagraph 4 of the first paragraph of section 118 of this Regulation” in the third paragraph by “that was the subject of a declaration of compliance or exempt from an authorization under the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*)”.

**8.** Section 12 is amended by replacing the first paragraph by the following:

“**12.** Every person who ships residual hazardous materials shall entrust them to a carrier empowered for that purpose under section 117.”.

**9.** Section 13 is amended

(1) by replacing “a permit holder” in the first paragraph by “an authorization holder”;

(2) by adding “and all the residual hazardous materials stored in the course of those activities shall be shipped to a site authorized for that purpose” at the end of the second paragraph.

- 10.** Section 23 is amended by striking out “, a permit application”.
- 11.** Section 32 is amended by striking out subparagraphs 1 and 2 of the first paragraph.
- 12.** Section 39 is amended by replacing “a permit holder carrying on one of the activities referred to in paragraphs 1, 2 and 3” in the second paragraph by “an authorization holder carrying on one of the activities referred to in subparagraphs 1, 2 and 3 of the first paragraph”.
- 13.** Section 70 is amended
- (1) by inserting “and independent” in the first paragraph after both occurrences of “qualified”;
- (2) by replacing the second paragraph by the following:
- “The owner or operator sends to the Minister of Sustainable Development, Environment and Parks, once the installation is completed, an attestation prepared and signed by the professional referred to in the first paragraph to the effect that that the installation complies with the applicable standards or indicating that those standards have not been complied with.”.
- 14.** Section 74 is replaced by the following:
- 74.** The operator shall submit to the Minister of Sustainable Development, Environment and Parks, once the layout is completed, an attestation prepared and signed by a qualified and independent professional to the effect that the installation, including the network of wells monitoring the quality of underground water, complies with the applicable standards. If the installation does not comply, the professional shall indicate the correctional measures to be taken.”.
- 15.** Section 75 is amended by replacing the third paragraph by the following:
- “As soon as the operator notices that groundwater has been contaminated, the operator shall take all the correctional measures required to stop the release of contaminants into that water and so inform the Minister of Sustainable Development, Environment and Parks.”.
- 16.** Section 81 is amended by replacing “a permit holder carrying on an activity under” in paragraph 1 by “an authorization holder carrying on an activity referred to in the first paragraph of”.
- 17.** Section 85 is amended
- (1) by replacing “permit holder carrying on an activity under” in the part preceding subparagraph 1 of the first paragraph by “authorization holder carrying on an activity referred to in the first paragraph of”;

(2) by replacing “permit” in the second paragraph by “authorization”;

**18.** Section 86 is amended by replacing “permit holder” by “authorization holder carrying on an activity referred to in the first paragraph of section 70.9 of the Environment Quality Act (chapter Q-2)”.

**19.** Section 93 is amended

(1) by replacing “the permit referred to in” in the first paragraph by “an authorization carrying on an activity referred to in the first paragraph of”;

(2) by replacing “referred to in section 144 of this Regulation” in the second paragraph by “closed before 1 December 1997”;

(3) by adding the following paragraph at the end:

“Sections 95 and 96 do not apply to final disposal sites in operation on 1 December 1997.”.

**20.** Section 104 is amended

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

“**104.** The requirement to keep a register in respect of the residual hazardous materials referred to in the second paragraph of section 70.6 of the Environment Quality Act (chapter Q-2) applies.”;

(2) by replacing “a certificate of authorization” in subparagraph 1 of the second paragraph by “an authorization”.

**21.** Chapter VII is revoked.

**22.** Sections 115 and 116 are revoked.

**23.** Section 117 is replaced by the following:

“**117.** Any person who operates a transportation service for residual hazardous materials or who carries residual hazardous materials generated by the person to a site owned by a third party shall first make a declaration of compliance, in accordance with the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).

The carrier shall also, at all times,

(1) be entered in the register of owners and operators of heavy vehicles and maintain a satisfactory safety rating;

(2) hold security of \$1,000,000 complying with sections 120 to 123, with the necessary modifications; and

(3) hold civil liability insurance of \$1,000,000 complying with sections 124 and 125, with the necessary modifications.”.

24. Section 118 is revoked.

25. The heading of Division 2 of Chapter VIII is replaced by the following:

**“DIVISION 2  
FINANCIAL GUARANTEE”.**

26. Section 119 is revoked.

27. Section 120 is replaced by the following:

**“120.** Any guarantee required under the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*) or this Regulation to carry on an activity related to the management of hazardous materials is intended to ensure, while the activity is carried on and upon cessation of the activity, the performance of the obligations incumbent on the operator under the Environment Quality Act (chapter Q-2), its regulations, an order or an authorization. Should the operator fail to do so, that guarantee is to be used to pay the expenses incurred by the Ministère du Développement durable, de l’Environnement et des Parcs under sections 113, 114, 115, 115.0.1 and 115.1 of that Act.”.

28. Section 121 is amended by replacing “by the applicant or by a third party on that person’s behalf” in the part preceding paragraph 1 by “by the person or the municipality that carries on the activity or by a third party on behalf of them”.

29. Section 122 is amended by replacing “permit” by “authorization”.

30. Section 124 is amended

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

**“124.** The amount of any liability insurance exigible from an operator under the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*) to carry on an activity related to the management of residual hazardous materials is determined in accordance with Schedule 11 to this Regulation.”;

(2) by replacing “The applicant of a transportation permit” in the second paragraph by “However, the carrier of residual hazardous materials referred to in section 117”;

- (3) by replacing the third paragraph by the following:

“The operator shall keep his liability insurance contract in force for as long as the activity is carried on. To that end, the operator shall send to the Minister of Sustainable Development, Environment and Parks, 15 days before the insurance contract expires, an attestation signed by the insurer, confirming that the insurance contract is renewed and that it complies with section 125.”.

- 31.** Section 125 is amended

(1) by replacing “permit holder” in subparagraph 1 of the first paragraph by “operator”;

(2) by replacing “holder” in the second paragraph by “operator”.

- 32.** Sections 127 to 129 are revoked.

- 33.** The heading of Division 3 of Chapter VIII is amended by striking out “KEPT OR DRAWN UP BY A PERMIT HOLDER”.

**34.** Section 130 is amended by replacing “permit holder carrying on an activity referred to in section 70.9 of the Environment Quality Act (chapter Q-2), except the transportation of hazardous materials,” by “authorization holder carrying on an activity referred to in subparagraphs 1 to 4 of the first paragraph of section 70.9 of the Environment Quality Act (chapter Q-2)”.

**35.** Section 132 is amended by replacing “the permit holder” in the part preceding paragraph 1 by “the holder of an authorization referred to in the first paragraph of section 70.9 of the Environment Quality Act (chapter Q-2)”.

**36.** Section 133 is amended by replacing “the permit holder” by “the holder of an authorization referred to in the first paragraph of section 70.9 of the Environment Quality Act (chapter Q-2)”.

- 37.** Section 134 is amended

(1) by replacing “permit holder” by “holder of an authorization referred to in the first paragraph of section 70.9 of the Environment Quality Act (chapter Q-2)”;

(2) by adding the following paragraph:

“The operator of a transportation service for residual hazardous materials referred to in section 117 shall prepare an annual report containing the information indicated in section 137.”.

**38.** Section 135 is amended in paragraph 2 of the second hyphen:

(1) by replacing “Column III of List II of Schedule II to the Transportation of Dangerous Goods Regulations (SOR/85-77)” in the second hyphen by “Column 1 of Schedule 1 to the Transportation of Dangerous Goods Regulations (SOR/2017-137)”;

(2) by replacing “Column II of Parts I, II, III or IV of Schedule 3 to the Export and Import of Hazardous Waste Regulations (SOR/92-637)” in the third hyphen by “Column 1 of Schedule 3 or according to Column 1 of Parts 1 and 2 of Schedule 4 to the Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations (SOR/2005/149)”.

**39.** Section 137 is amended

(1) by striking out “to a disposal site” in the part preceding paragraph 1;

(2) by replacing “columns I and III of List II of Schedule II” in paragraph 1 by “Column I of Schedule I”.

**40.** The following is inserted after section 138:

“**138.0.1.** The provisions of this Division apply, with the necessary modifications, to any operator carrying on an activity that was the subject of a declaration of compliance, in accordance with the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).”.

**41.** Section 138.2 is amended by striking out paragraph 9.

**42.** Section 138.5 is amended

(1) by striking out subparagraph a of paragraph 1;

(2) by replacing paragraph 6 by the following:

“(6) transports residual hazardous materials without complying with the conditions set out in the second paragraph of section 117.”.

**43.** Section 138.6 is amended by replacing paragraph 2 by the following:

“(2) entrusts residual hazardous materials to a carrier who is not empowered for that purpose under section 117, in contravention of the first paragraph of section 12;”.

**44.** Section 138.7 is amended by replacing paragraphs 1 and 2 by the following:

“(1) releases or allows the release of a hazardous material into the environment or into a sewage system, in contravention of the requirements of section 8;

(2) in the case of accidental release of hazardous materials, fails to

(a) carry out a characterization study in accordance with section 9 or the third and fourth paragraphs of section 9.1 or to provide those studies to the Minister, in contravention of those sections;

(b) provide the Minister with the documents or information required under the first paragraph of section 9.2 to maintain materials in land;

(c) recover, remove or treat materials on site when the problems that prevented it no longer exist, in contravention of the first paragraph of section 9.3;

(d) take all the necessary measures referred to in the second paragraph of section 9.3 where materials are maintained in land;

(e) require the registration of a contamination notice, in contravention of section 9.4;

(f) to have the summary of the characterization study certified by an expert, in contravention of section 9.5;”.

**45.** Section 140 is amended by replacing “, section 108 or 111, the second or third paragraph of section 118, or section 130, 133, 134 or 138” by “or section 108, 111, 130, 133, 134 or 138”.

**46.** Section 143 is amended by replacing paragraph 1 by the following:

“(1) contravenes section 13, any of sections 24 to 27, the first paragraph of section 71, the third paragraph of section 75, the first paragraph of section 103 or the second paragraph of section 117;”.

**47.** Section 143.2 is amended by replacing “subparagraph 3 of the first paragraph of section 9” by “any of sections 9 to 9.5”.

**48.** Section 143.3 is amended by striking out “, subparagraph 1 of the first paragraph of section 9”.

**49.** Schedule 4 is amended by replacing “in section 70.9” in the heading of categories N and O of hazardous materials by “in the first paragraph of section 70.9”.

- 50.** Schedule 5 is amended by striking out the line “Maximum water content\*\*” and its corresponding footnote.
- 51.** Schedule 6 is amended by striking out the line “Water\*\*\*” and its corresponding footnote.
- 52.** Schedule 10 is amended
- (1) by replacing the heading by the following:
- “FINANCIAL GUARANTEE”;
- (2) by striking out “by the permit application” in the note under the table.
- 53.** Schedule 11 is amended by striking out “by the permit application” in the note under the table.
- 54.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

## Regulation to amend the Regulation respecting municipal wastewater treatment works

Environment Quality Act

(chapter Q-2, ss. 31.32, 31.41, par. 3 and s. 95.1, 1st par., subpar. 7; 2017, chapter 4)

1. The Regulation respecting municipal wastewater treatment works (chapter Q-2, r. 34.1) is amended in section 1

(1) by inserting “in whole or in part” in the first paragraph after “situated”;

(2) by inserting “or into a storm water management system” in the second paragraph after “being discharged into the environment”.

2. Section 2 is amended

(1) by replacing the definition of “annual average flow rate” by the following:

“**annual average flow rate**” means the flow rate identified for that purpose in a depollution attestation; (*débit moyen annuel*);

(2) by inserting the following definitions in alphabetical order:

“**overflow**” means any discharge of untreated wastewater into the environment or into a storm water management system; (*débordement*)

“**diversion**” means any discharge of partially treated wastewater into the environment due to the bypass of a stage of the treatment plant; (*dérivation*)”

(3) by inserting the following definitions in alphabetical order:

“**outfall**” means a main that receives the effluent from a treatment plant, where the effluent is subject to the monitoring provided for in section 6, and that transports the effluent to the point of discharge; (*émissaire*)

“**diversion point**” means a point subject to the monitoring provided for in section 9 installed to bypass a stage of the treatment plant; (*ouvrage de dérivation*)

“**overflow point**” means a point subject to the monitoring provided for in section 9 installed to discharge untreated wastewater into the environment or into a storm water management system; (*ouvrage de surverse*)

(4) by adding the following definition at the end:

“**dry weather**” means any period beginning 24 hours after the end of rain. (*temps sec*”).

3. Section 3 is replaced by the following:

“3. The Minister issues a depollution attestation to the operator of municipal wastewater treatment works referred to in section 1. ”.

4. Section 6 is amended by inserting “at the outfall” in the second paragraph after “discharge”.

5. The heading of Division III is replaced by the following:

“STANDARDS RELATING TO OVERFLOWS AND DIVERSIONS”.

6. Section 8 is replaced by the following:

“8. Any overflow or diversion of wastewater from municipal wastewater treatment works elsewhere than at an outfall or elsewhere than in an overflow point or diversion point is prohibited.

8.1. Overflows of wastewater in an overflow point and diversions of wastewater at a diversion point or at an outfall are prohibited in dry weather unless one of the following events occurs:

(1) a case of emergency;

(2) the melting of snow or spring thaw;

(3) the carrying out of work to alter, repair or maintain works that, as the case may be, is authorized under section 22 of the Environment Quality Act or is the subject of a notice to the Minister under section 15.

8.2. The diversions caused by the melting of snow or spring thaw are prohibited for any flow running to the diversion point that is lower than the capacity of the works downstream, as indicated in the depollution attestation.”.

7. Section 9 is amended

(1) by replacing “overflows of wastewater that occur at the operator’s treatment works” in the first paragraph by “discharges of wastewater that occur at the overflow points and diversion points”;

(2) in the second paragraph

(a) by replacing “When an overflow” by “When an overflow point or a diversion point”;

(b) by replacing “at the overflow” and “of the overflow” by “at the discharge” and “of the discharge”.

**8.** Section 10 is replaced by the following:

“**10.** A valid qualification certificate issued for the relevant class of treatment plant concerned under a vocational training and qualification program established by the Minister of Employment and Social Solidarity under section 29.1 of the Act respecting workforce vocational training and qualification (chapter F-5) must be held by any natural person who

(1) operates a treatment plant and monitors its operation;

(2) takes the samples required by this Regulation, unless the person is employed by a laboratory accredited under section 118.6 of the Environment Quality Act (chapter Q-2) to perform such sampling; or

(3) takes a measurement or a reading required by this Regulation.  
The holder of the certificate must show it on request.”.

**9.** Section 11 is replaced by the following:

“**11.** A natural person who carries out one of the tasks listed in section 10 in a plant that will change classes in relation to the class of treatment plant referred to in its initial certificate must obtain a new certificate covered by section 10.

The steps to obtain such a certificate must begin not later than 3 months after one of the following dates, as the case may be:

(1) the date of issue of the authorization required for the work carried out at the treatment plant;

(2) the date of transmission of the declaration of compliance required for the work performed at the treatment plant;

(3) the date of amendment of the municipal depollution attestation.

Until the natural person obtains a new certificate, the natural person must show, on request, the apprenticeship card given to the natural person during the natural person's admission to the training program.”.

**10.** Section 12 is amended by inserting “and diversion” after “overflow”.

**11.** Section 13 is amended, in the part preceding subparagraph a of subparagraph 2 of the first paragraph

(1) by inserting “and flow rate” after “pH”;

(2) by inserting “and diversion” after “overflow”;

(3) by replacing “discharge and overflow standards” by “discharge overflow and diversion standards”.

**12.** Section 15 is amended

(1) in subparagraph 2 of the first paragraph

(a) by inserting “shutdown or” after “equipment”;

(b) by adding "or diversions" at the end;

(2) by replacing the second paragraph by the following:

“The notice must contain

(1) the date corresponding to the beginning of the event;

(2) the location of the discharge by indicating in particular its geographical coordinates;

(3) the uses of the receiving environment that could be affected;

(4) the real or estimated volumes of wastewater that are discharged;

(5) the measures taken or planned by the operator to limit or minimize the effects of the event;

(6) the estimated date of the end of the discharge;

(7) the cleaning measures that will be set up after the event;

(8) the measures set up to communicate to the public the information relating to a planned discharge.

The notice is filed immediately after the event has occurred if it is an event referred to in subparagraphs 1 and 2 of the first paragraph or 45 days before the event provided for in subparagraph 3 of the first paragraph.”;

(3) by adding “and notify the Minister as soon as the event has ended” at the end of the fourth paragraph.

**13.** Section 17 is amended

(1) by striking out “, in addition to the elements referred to in section 31.34 and, where applicable, those referred to in section 31.35 of the Environment Quality Act (chapter Q-2),” in the part preceding paragraph 1;

(2) by replacing “section 31.37” in paragraph 10 by “section 31.34”;

(3) by adding the following paragraphs at the end:

“(11) the nature, quantity, quality and concentration of each contaminant emitted, deposited, released or discharged into the environment by the works;

(12) the nature, origin and quality of the wastewater treated by the works;

(13) the applicable corrective programs, if any;

(14) the master plans of municipal water management that apply, if any;

(15) the standards, conditions, restrictions or prohibitions imposed by the Minister under section 31.37 of the Environment Quality Act;”.

**14.** Section 19 is amended by replacing “required under section 11” by “required under the first paragraph of section 10 or his or her apprenticeship card required under the third paragraph of section 11”.

**15.** Section 21 is amended by replacing paragraph 4 by the following:

“(4) to have one of the tasks listed in the first paragraph of section 10 carried out by a person who does not hold the qualification certificate required by section 10 or 11 or, as the case may be, who does not hold his or her apprenticeship card required by section 11;”.

**16.** Section 24 is amended by adding the following at the end:

“Any person who fails to comply with section 10 or 11 commits an offence and is liable to the fine provided for in the first paragraph applicable to a natural person.”.

**17.** Section 25 is amended by replacing paragraph 4 by the following:

“(4) to have one of the tasks listed in the first paragraph of section 10 carried out by a person who does not hold the qualification certificate required by section 10 or 11 or, as the case may be, who does not hold his or her apprenticeship card required by section 11;”.

**18.** The following is inserted after section 31:

**31.1.** The obligations contained in section 9 in respect of diversion points only apply as of 1 January 2020.

**31.2.** Despite section 10, a natural person who, on (*insert the date of coming into force of this Regulation*), holds an apprenticeship card to obtain one of the certificates covered by section 10 of this Regulation may carry out the tasks listed in the first paragraph of section 10.

Until the natural person obtains his or her certificate, the natural person must show his or her apprenticeship card on request.

This section ceases to have effect on 30 June 2020.

**31.3.** If, on (*insert the date of coming into force of this Regulation*), no depollution attestation has been issued to a municipal wastewater treatment works, the annual average flow rate of the works corresponds, as the case may be,

(1) to the highest flow rate among the annual average flow rates measured at the affluent or effluent during the 3 calendar years of operation 2011, 2012 and 2013 of the municipal wastewater treatment works;

(2) in the case of new works or during the enlargement of works in operation, their flow rate design, that is the flow rate of wastewater that the works are able to collect.

This section ceases to have effect on the date of issue of the depollution attestation.”.

**19.** Schedule II is amended

(1) by striking out “carried out according to the single-concentration or multi-concentration procedure, as the case may be” in paragraph 1 of subsection 1;

(2) by replacing subsection 3 by the following:

“(3) Where a positive result is obtained as part of an acute toxicity test for one of the species concerned, the frequency of the tests provided for in subsection 2 is replaced, for that species, by the following:

### “High-frequency requirements of acute toxicity tests

Class of treatment plant	Acute toxicity tests	Frequency of acute toxicity tests
Medium	- Rainbow trout - <i>Daphnia magna</i>	Monthly <sup>1</sup>
Large	- Rainbow trout - <i>Daphnia magna</i>	Monthly <sup>1</sup>
Very large	- Rainbow trout - <i>Daphnia magna</i>	Bimonthly <sup>2</sup>

1. MONTHLY TESTS MUST BE AT INTERVALS OF AT LEAST 3 WEEKS.

2. BIMONTHLY TESTS MUST BE AT INTERVALS OF AT LEAST 7 DAYS.

If a positive result was obtained for a test concerning rainbow trout, the Procedure for pH stabilization EPS 1/RM/50, Procedure for pH Stabilization During the Testing of Acute Lethality of Wastewater Effluent to Rainbow Trout, published by Environment Canada, must be used in combination with the biological test method provided for in paragraph 1 of subsection 1.

After 3 consecutive tests that show no acute toxicity, the tests may be conducted in accordance with subsection 2 of this Schedule.

This section does not apply to municipal wastewater treatment works of which the depollution attestation contains a corrective program for toxicity at the effluent.

**(4)** If, for 12 consecutive months, all the results obtained for the acute toxicity tests required under section 2 show no acute toxicity for a species concerned, the tests may be conducted at the following frequencies:

**Low-frequency requirements of acute toxicity tests**

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<b>Class of treatment plant</b>	<b>Acute toxicity tests</b>	<b>Frequency of acute toxicity tests</b>
Medium	- Rainbow trout - <i>Daphnia magna</i>	Annually <sup>1</sup>
Large	- Rainbow trout - <i>Daphnia magna</i>	Annually <sup>1</sup>
Very large	- Rainbow trout - <i>Daphnia magna</i>	Quarterly <sup>2</sup>

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1. ANNUAL TESTS MUST BE CONDUCTED IN THE MONTHS OF JANUARY, FEBRUARY AND MARCH.
2. QUARTERLY TESTS MUST BE AT INTERVALS OF AT LEAST 2 MONTHS.”.

**20.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 19 which comes into force on 1 January 2020.

## Regulation to amend the Water Withdrawal and Protection Regulation

### Environment Quality Act

(chapter Q-2, s. 46, pars. 15 and 16, s. 95.1, par. 7, and ss. 115.27 and 115.34; 2017, chapter 4)

1. The Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2) is amended in section 2

(1) by replacing “Regulation respecting the application of section 32 of the Environment Quality Act (chapter Q-2, r. 2)” in the definition of “temporary industrial camp” by “Regulation respecting the application of the Environment Quality Act (*insert the reference to the CLRQ*)”;

(2) by inserting the following definition in the first paragraph after the definition of “ditch”:

“drilling site” means the zone grouping the drilling well or wells used to explore for or produce petroleum, natural gas or brine, or to explore for or operate an underground reservoir and the land laid out in the immediate vicinity of the well or wells to receive the equipment and infrastructures necessary for the interventions performed on the well or wells, such as storage areas, soil mound and waste water storage or treatment basins; (*site de forage*)”;

(3) by inserting the following definition in the first paragraph after the definition of “raising facility”:

“stratigraphic survey” means an operation to collect data on a geological formation, using samples and their analysis and technical surveys, conducted as part of preliminary investigations to eventually locate, design and construct a drilling site for the exploration or production of petroleum, natural gas or brine, or for the exploration for or operation of an underground reservoir and the well or wells which will be present on the site; (*sondage stratigraphique*)”.

2. Sections 5 to 10 are revoked.

3. Section 17 is amended

(1) by replacing “, excavated or driven well must rise at least 30 cm above the ground level existing before the work begins” in subparagraph 4 of the first paragraph by “or excavated well must rise at least 30 cm above the ground level as it is after the earthwork”;

- (2) by replacing the second paragraph by the following:

“The distances provided for in subparagraphs 1, 2 and 3 of the first paragraph do not apply to the construction of a groundwater withdrawal facility made necessary by the termination of a water supply from a facility located on a neighbouring immovable whose owner is different from the owner to whom the immovable on which a facility must be constructed belongs.

In such a case, a professional must certify, in a document bearing his or her signature, that the construction of the facility is made necessary by the termination of water supply referred to in the second paragraph. In the same document, the professional must also justify the choice of the location for the facility and must provide for the design measures preferred by him or her. The professional must prepare the plans and specifications for the facility and supervise the construction work on the facility. The professional must, in the performance of the tasks incumbent on him or her, minimize any risks that may affect the quality of the groundwater withdrawn.

The document and plans and specifications referred to in the third paragraph are sent to the person responsible for the facility and to the municipality concerned within 30 days of their signing. Copy thereof is also sent to the Minister for information within the same time. The information recorded therein is public information.”.

4. Section 18 is amended by replacing subparagraph 3 of the first paragraph by the following:

“(3) its location must be visibly locatable from a distance of 30 m;”.

5. Section 19 is amended by replacing subparagraph 1 of the first paragraph by the following:

“(1) the sealing may not be excavated and must be drilled;

(1.1) the well must have an annular space of at least 10 cm;”.

6. Section 20 is replaced by the following:

“**20.** The plugging of a groundwater withdrawal facility dug by drilling must be carried out on the following conditions:

(1) a material not likely to degrade the quality of the groundwater must be used;

(2) the well casing must be exposed to a depth of at least 1 m below the surface of the ground;

(3) the well casing must be cut off at the bottom of the excavation;

(4) the portion of the well open to the aquifer must be filled with clean sand;

(5) the remaining portion of the casing must be filled with bentonite or a cement bentonite mix;

(6) a concrete slab must be placed over the end of the casing;

(7) the excavation must be filled by using the soil initially excavated or by using clean sand.

The plugging of an excavated or driven groundwater withdrawal facility must be carried out using one of the following methods:

(1) by completely removing the casing and then filling it with clean sand; or

(2) if the casing is not removed completely,

(a) by complying with the conditions referred to in subparagraphs 2 and 3 of the first paragraph; and

(b) by filling the casing and excavation with the soil initially excavated or with clean sand.”.

7. Section 21 is replaced by the following:

“**21.** The person who performed the construction work for a groundwater withdrawal facility must prepare and sign a report containing the information listed in Schedule I certifying that the work complies with the standards set out in this Regulation. The professional who supervised the work must also sign the report.

The report must then be sent to the person responsible for the facility and to the municipality concerned by either of the persons referred to in the first paragraph, within 30 days after the work is completed. A copy of the report is also sent to the Minister for information within the same time.

The information recorded in the report is public information.”.

8. Section 23 is amended by replacing “ASTM A-409” in subparagraph 1 of the first paragraph by “ASTM A-312”.

**9.** Section 30 is replaced by the following:

**“30.** The person who installed the ground-source geothermal system that does not withdraw water must prepare and sign a report a report containing the information and documents listed in the second paragraph and certifying that the work complies with the standards set out in this Regulation. The professional who supervised the work must also sign the report.

The report referred to in the first paragraph contains

- (1) the information listed in Schedule I
- (2) a plan showing the location of the system, including the location of all underground components;
- (3) the dimensions of the geothermal loops and the composition of the fluids used in the system;
- (4) the results of the pressure tests conducted on the system.

The report must then be sent to the person responsible for the facility and to the municipality concerned by either of the persons referred to in the first paragraph, within 30 days after the work is completed. A copy of the information listed in Schedule I is also sent to the Minister for information within the same time.

The information recorded in the report is public information.”.

**10.** Section 31 is amended by striking out subparagraphs 3 and 4 of the first paragraph.

**11.** Section 38 is amended by replacing “aquatic ecosystems associated to a watercourse” in the part preceding subparagraph a of subparagraph 8 of the first paragraph by “wetlands and bodies of water”.

**12.** Section 42 is amended by replacing paragraph 2 by the following:

“(2) a substance that is

(a) determined as persistent and bioaccumulative within the meaning of the Persistence and Bioaccumulation Regulations (SOR/2000-107); and

(b) identified as toxic under Schedule 1 to the Canadian Environmental Protection Act (S. C. 1999, c. 33).”.

**13.** Section 50 is amended by inserting “, except in the case of a withdrawal made through a facility used for emergency or civil security purposes” after “purposes”.

**14.** Section 51 is amended

(1) by replacing “a municipal waterworks system supplying” in paragraph 1 and in subparagraph *a* of paragraph 2 by “one municipal waterworks system or more where the system or systems supply in total”;

(2) by replacing “21 or more persons and at least 1 residence” in subparagraph *b* of paragraph 2 by “more than 20 persons and more than one residence”;

(3) by adding “excluding a system used exclusively to irrigate a crop parcel or to water animals” at the end of subparagraph *a* of paragraph 3.

**15.** The heading of Subdivision 3 of Division II of Chapter VI is replaced by the following:

“§ 3. — *Intermediate protection zones*”.

**16.** Section 57 is amended by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“**57.** Two intermediate protection zones are delimited for all groundwater withdrawals. The limits of the zones are set as follows:”.

**17.** Section 58 is amended in the first paragraph

(1) by replacing “intermediate virological protection zone” by “intermediate protection zones”;

(2) by replacing “with a water vulnerability rating” by “with water vulnerability ratings”.

**18.** Section 59 is amended

(1) by replacing “virological protection zone” in paragraph 2 by “intermediate protection zones”;

(2) in paragraph 3

(a) by inserting “intermédiaire” after “de l'aire de protection” in the French version;

(b) by adding the following at the end: “, unless the animal waste comes from a raising site whose annual phosphorous (P<sub>2</sub>O<sub>5</sub>) production is equal to or less than 100 kg, calculated in accordance with the Agricultural Operations Regulation (chapter Q-2, r. 26)”.

**19.** Section 60 is amended by inserting “intermediate” before “bacteriological” in paragraph 1.

**20.** Section 61 is amended

(1) by inserting “or fertilizers” in the part preceding subparagraph 1 of the first paragraph after “animal waste”;

(2) by inserting “intermediate” in subparagraph 1 of the first paragraph before “bacteriological”;

(3) by replacing the second paragraph by the following:

This section does not apply to an aquacultural operation on land or to municipal waste water treatment works.”.

**21.** Section 63 is amended

(1) by replacing “virological protection zone” in subparagraph 2 of the first paragraph by “intermediate protection zones”;

(2) by replacing “virological protection zone” in the second paragraph by “intermediate protection zones”.

**22.** Section 64 is amended

(1) by replacing “intermediate virological protection zone” in subparagraph 2 of the first paragraph by “intermediate protection zones”;

(2) by replacing “intermediate virological protection zone” in the second paragraph by “intermediate protection zones”.

**23.** The following is inserted after section 64:

“**64.1.** In addition to the prohibition provided for in section 32, the construction of a drilling site used to explore for or produce petroleum, natural gas or brine, or to explore for or operate an underground reservoir and the conduct of a stratigraphic survey are prohibited in the intermediate protection zones of a category 1 or 2 groundwater withdrawal.”.

**24.** Section 68 is amended

(1) by striking out “signed by a professional” in the part preceding subparagraph 1 of the first paragraph;

(2) by replacing subparagraph 3 of the first paragraph by the following:

“(3) the vulnerability level of the waters assessed in accordance with section 53 for each of the protection zones;”;

(3) by inserting the following after the first paragraph:

“The report must be signed by a professional or a representative of the watershed body or regional advisory panel concerned duly mandated by the person responsible for the withdrawal.”

**25.** Section 71 is amended in subparagraph 4 of the first paragraph

(1) by inserting “a lake or” after “discharge in”;

(2) by inserting “a lake or” after “except”.

**26.** Section 75 is amended

(1) by striking out “, every 5 years,” and “signed by a professional” in the part preceding subparagraph 1 of the first paragraph;

(2) by inserting the following paragraph after the first paragraph:

“The report must be signed by a professional or a representative of the watershed body or regional advisory panel concerned, duly mandated by the person responsible for the withdrawal. The first report is sent to the Minister 6 years after the beginning of water withdrawal operations. Subsequent reports are sent every 5 years.”

**27.** Section 79 is amended by striking out “for human consumption or for food production or processing” in the first paragraph.

**28.** Section 80 is amended by striking out “for human consumption or for food production or processing”.

**29.** Section 84 is amended by inserting the following after paragraph 4:

“(4.1) fails to conduct a fracturing operation and its monitoring under the supervision of a professional;”.

**30.** Section 86 is amended by inserting “, 64.1” in paragraph 1 after “63”.

**31.** Section 91 is amended by inserting the following after paragraph 4:

“(4.1) fails to conduct a fracturing operation and its monitoring under the supervision of a professional;”.

**32.** Section 93 is amended by inserting “, 64.1” in paragraph 1 after “63”.

**33.** Section 95 is amended

(1) by replacing “in a hydrological study” in subparagraph 1 of the first paragraph by “in a document bearing his or her signature”;

(2) by replacing the second paragraph by the following:

“In the same document as the one referred to in the first paragraph, the professional must justify the choice of the location for the water withdrawal facility and must provide for the design measures preferred by him or her. The professional must include in the document the plans and specifications required by the replacement or modification of the facility and supervise the construction work on the facility. In addition, the professional must, in the performance of the tasks incumbent on him or her, minimize any risks that may affect the quality of the groundwater withdrawn.

The document and plans and specifications referred to in the first and second paragraphs are sent to the person responsible for the facility and to the municipality concerned within 30 days of their signing. Copy thereof is also sent to the Minister for information within the same time. The information recorded therein is public information.”.

**34.** The following is inserted after section 95:

“**95.1.** The distance provided for in subparagraph 2 of the first paragraph of section 17 does not apply either to the substantial modification of a groundwater withdrawal facility constructed between 15 June 2003 and 2 March 2015 if its annular space was sealed in accordance with section 10 of the Groundwater Catchment Regulation (chapter Q-2, r. 6). The applicable distance then corresponds to 15 m or more of a non-watertight waste water treatment system.

**95.2.** Any person who fails to meet the requirements of section 95 or 95.1 in the construction of its facility

(1) is liable to a monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in the other cases;

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

**35.** The following is inserted before section 97:

“**96.1.** The prohibition to store animal waste on the ground within the first 100 meters of the intermediate virological protection zone of a category 3 groundwater withdrawal on a neighbouring property provided for in paragraph 3 of section 59 does not apply to a person who, on 14 August 2014, stored the animal waste from the person’s raising site on the ground.”.

**36.** Section 97 is amended

(1) by inserting “or fertilizer” in the first paragraph after “animal waste”;

(2) by adding the following paragraph at the end:

“This section does not apply to municipal waste water treatment works.”.

**37.** Schedule II is amended by replacing subparagraph *aa* of paragraph 1 of section 2 by the following:

“(aa) radium (Ra) 226;”.

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

## Fertilizing Residuals Regulation

Environment Quality Act  
(chapter Q-2, s. 95.1, 2017, chapter 4)

### CHAPTER I SCOPE AND DEFINITIONS

1. This Regulation applies to storage and spreading of fertilizing residuals on a raising site or on a spreading site within the meaning of the Agricultural Operations Regulation (chapter Q-2, r. 26), to certain composting activities on a raising site or on a spreading site, to storage and spreading of fertilizing residuals during a forest development activity within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1), and to other types of uses of fertilizing residuals and certain types of storage of them, in particular for domestic, ornamental horticultural purposes such as mulch, and litter.

It also applies to certain activities where farm products are mixed with fertilizing residuals.

2. Fertilizing residuals are residual materials used to separately or simultaneously maintain or improve plant nutrition as well as the physical and chemical properties and biological activity of the soil.

Despite the first paragraph, animal waste is not recognized as a fertilizing residual within the meaning of this Regulation.

3. In this Regulation, unless the context indicates otherwise,

"agri-food biosolid" means matter from the treatment of agri-food wastewater, having a minimum dryness value of 0.5%. The treatment cannot consist solely of a physical treatment; (*biosolide agroalimentaire*)

"agri-food plant waste" means brewery waste, grape pomace and waste consisting exclusively of fruit and vegetables, originating from the preparation or distribution of food and beverages, from a non-residential sector, sorted on source site and collected in bulk; (*résidu agroalimentaire végétal*)

"agri-food wastewater" means process water, including wash water, from an agri-food plant, before treatment; (*eau usée agroalimentaire*)

"biochar" means a solid resulting from biomass carbonization or from thermochemical conversion of biomass in an oxygen-limited environment; (*biochar*)

"calcitic paper mill residue" means lime sludge, green liquor dregs or residue from lime slaking; (*résidu calcique papetier*)

"de-inking sludge" means a mixture of fibre fines, mineral fillers and absorbed chemicals from paper and cardboard recycling plants; (*boue de désencrage*)

"dried biosolid" means matter resulting from thermal treatment of sludge, having a moisture content less than or equal to 8%; (*biosolide séché*)

"foreign matter" in a fertilizing residual means matter greater than 2 mm in size, either organic or inorganic, from human intervention, other than mineral soils, woody matter, shells and rocks; (*corps étranger*)

"green waste" means bark, leaves, grass, trimmings, garden refuse, shavings, wood chips, sawdust and macrophytes; (*résidu vert*)

"kraft or sulfate process" means a process of converting wood chips into wood pulp in an alkaline NaOH and Na<sub>2</sub>S white liquor; (*procédé kraft ou procédé au sulfate*)

"municipal biosolid" means matter from the treatment of municipal wastewater, having a minimum dryness value of 0.5%; (*biosolide municipale*)

"paper mill biosolid" means matter from the treatment of pulp and paper mill process water, having a minimum dryness value of 0.5%; (*biosolide papetier*)

"paper mill biosolid having undergone bacterial lysis treatment" means a paper mill biosolid resulting from acid treatment of secondary biologic sludge where the sludge pH has been reduced to a value less than or equal to 3. The biosolid may be mixed with primary sludge from the same pulp and paper mill; (*biosolide papetier ayant reçu un traitement de lyse bactérienne*)

"protected immovable" means

(1) a built-up lot situated within a built-up area determined by a land use planning and development plan or a metropolitan land use and development plan, except a lot zoned by municipal authorities for industrial purposes;

(2) a building referred to in paragraph 1 of section 2 of the Building Act (chapter B-1.1) situated outside a built-up area, including the 30 m strip around the building, except a building used as a dwelling-house that is situated in a forest area and used from time to time;

(3) the land on which the following are situated:

(a) a recreation, sports or cultural centre;

(b) an outdoor recreation centre or a nature interpretation centre;

(c) a camping establishment described in paragraph 9 of section 7 of the Regulation respecting tourist accommodation establishments (chapter E-14.2, r. 1);

- (d) a municipal park or a public beach;
- (e) a golf club;
- (f) an ecological reserve established under the Natural Heritage Conservation Act (chapter C-61.01); and
- (g) a park established under the Parks Act (chapter P-9) or under the Canada National Parks Act (S.C. 2000, c. 32); (*immeuble protégé*)

"rendering plant biosolid" means matter from the treatment of rendering plant wastewater, having a minimum dryness value of 0.5%; (*biosolide d'équarrissage*)

"septic biosolid" means pump out septage, including peat filtering media from domestic wastewater, having a minimum dryness value of 0.5%; (*biosolide de fosse septique*)

"sharp foreign matter " means foreign matter greater than 5 mm in size having a shard, blade or point capable of cutting or puncturing skin; (*corps étranger tranchant*)

"slaughterhouse biosolid" means matter from the treatment of slaughterhouse wastewater, having a minimum dryness value of 0.5%. (*biosolide d'abattoir*)

**4.** This Regulation applies to the following fertilizing residuals:

(1) a municipal biosolid containing less than 125,000 mg of the following blend: (Al + 0.5 Fe) per kg on a dry basis or containing more than 25% organic matter on a dry basis and less than 150,000 mg of the following blend: (Al + 0.5 Fe) per kg on a dry basis;

(2) a septic biosolid containing less than 125,000 mg of the following blend: (Al + 0.5 Fe) per kg on a dry basis or containing more than 25% organic matter on a dry basis and less than 150,000 mg of the following blend: (Al + 0.5 Fe) per kg on a dry basis;

(3) green waste containing no human feces, animal waste or other animal-related matter and containing no varnished, painted or treated wood, engineered wood or strandboard, plywood or particleboard. It must also contain no propagules, seeds or rhizomes of an invasive exotic species within the meaning of section 6 of the Crop Health Protection Act (chapter P-42.1);

- (4) a paper mill biosolid;
- (5) de-inking sludge;
- (6) calcitic paper mill residue;

(7) ash designated under BNQ 0419-090;

(8) an agri-food biosolid;

(9) a slaughterhouse biosolid;

(10) agri-food plant waste exempt from human feces, animal waste or other animal-related matter;

(11) milk, whey, a whey by-product or white water from cheese making, that are not farm products;

(12) compost;

(13) biomethanation digestate;

(14) leachate from a facility biologically treating organic matter;

(15) matter studied in an agronomic study carried out by a recognized research institution showing that use of the matter improves the productivity or quality of plants or soil in the agro-environmental conditions of Québec or in comparable conditions;

(16) matter that has been shown through germination and development testing of barley to not be toxic and to increase biomass production growth on a dry basis when compared to non-amended soil;

(17) matter having a neutralizing power equal to or greater than a calcium carbonate equivalent of 25% on a dry basis; and

(18) matter having a multiple valorization index (MVI) equal to or greater than 1, calculated using the following equation:

$$MVI = \frac{Dryness}{100} \times \left[ \frac{OM}{15} + \frac{NP}{25} + \frac{N\ total + P2O5\ total + K2O\ total}{2} \right]$$

where

Dryness = dryness level of the fertilizing residual expressed as a percentage;

OM = percentage of organic matter in the fertilizing residual on a dry basis;

NP = neutralizing power of the fertilizing residual expressed as a calcium carbonate equivalent percentage on a dry basis;

$N_{\text{total}}$  = percentage of total nitrogen in the fertilizing residual on a dry basis;

$P_2O_5_{\text{total}}$  = percentage of total  $P_2O_5$  in the fertilizing residual on a dry basis;

$K_2O_{\text{total}}$  = percentage of total  $K_2O$  in the fertilizing residual on a dry basis.

For oil, grease and other concentrated fatty substances, the organic matter content is automatically set at 0%.

## **CHAPTER II**

### **CLASSIFICATION**

#### **DIVISION I**

##### **CLASSIFICATION CRITERIA**

5. For the purposes of the issue of an authorization under section 22 of the Environment Quality Act (chapter Q-2), of designation under section 31.0.6 of that Act of activities eligible for a declaration of compliance, and of designation under section 31.0.11 of that Act of activities exempted from subdivision 1 of Division II of Chapter IV of that Act, fertilizing residuals are classified according to their trace element content (C), their pathogen content (P), their olfactory characteristics (O) and their foreign matter content (E).

6. Fertilizing residuals are classified on the basis of the criteria set out in Tables 1 to 6 in Schedule I which allow their environmental risk to be determined and their use to be restricted on the basis of the following classes:

- (1) Class C2-alternative, C2 or C1, according to trace element content;
- (2) Class P2 or P1, according to pathogen content;
- (3) Class O3, O2 or O1, according to olfactory characteristics; and
- (4) Class E2 or E1, according to foreign matter content.

A fertilizing residual in none of the classes in subparagraphs 1 to 4 of the first paragraph is designated as "non-classified".

The level of restriction associated with the use of fertilizing residuals is determined, from the most restrictive to the least restrictive class, in the following order:

- (1) the "non-classified" designation;
- (2) classes having the figure "3";
- (3) the "C2-alternative" class;

(4) classes having the figure "2"; and

(5) classes having the figure "1".

7. If a fertilizing residual results from a blend of several fertilizing residuals, it is classed in the same class as that assigned to the fertilizing residual in the blend in the most restrictive class.

8. Fertilizing residuals having trace element content lower than or equal to the Class C1 maximum content prescribed for each element, as set out in Table 1 of Schedule I, are classed C1. Fertilizing residuals having trace element content lower than or equal to the Class C2 maximum content prescribed for each element, as set out in Table 1 of Schedule I, and where the content for at least one element is greater than the Class C1 maximum prescribed for that element, are classed C2. Fertilizing residuals having a trace element content for at least one element in Table 1 that is greater than the Class C2 maximum prescribed content for that element, are designated as non-classified.

9. Some fertilizing residuals designated as non-classified on the basis of trace element content may also be classed C2-alternative if they meet the ratios listed in Table 2 of Schedule I.

Despite the first paragraph, a fertilizing residual designated as non-classified cannot be classed C2-alternative if the content of a trace element in Table 1 of Schedule I exceeds the Class C2 maximum content for that element and no ratio exists for the element in Table 2 of the Schedule.

10. Classification on the basis of pathogen content is determined according to the criteria set out in Table 3 of Schedule I.

Fertilizing residuals that do not meet the Class P1 and P2 conditions set out in Table 3 are designated as non-classified.

11. Fertilizing residuals listed as "other fertilizing residuals" in Table 3 of Schedule I that have been thermally treated with complete organic matter combustion are classed P1.

12. Classification according to olfactory characteristics is determined according to the criteria set out in Table 4 of Schedule I. The following fertilizing residuals are designated as non-classified:

(1) a municipal biosolid from a biomethanation process and dewatered using high-speed centrifuges;

(2) a paper mill biosolid from a kraft or sulfate process having a carbon/nitrogen ratio less than 50 and that has not been treated to remove odours; and

(3) a slaughterhouse biosolid after primary treatment.

**13.** A fertilizing residual may also be classed according to olfactory characteristics using a method different from that in section 12, after the Minister has been shown that the classification is based on criteria from a recognized method and was done by a qualified professional.

**14.** Classification according to foreign matter content is determined according to Table 5 or on the basis of the classification criteria in Table 6 of Schedule I.

Fertilizing residuals that do not meet the conditions set out in Tables 5 and 6 for Classes E1 and E2 are designated as non-classified.

**15.** A municipal biosolid and a septic biosolid must have first been screened before any classification using the criteria in Table 6 of Schedule I. The screening must

(1) be performed by having the liquid matter flow under low pressure or by gravity through a bar screen with maximum 1.25 parallel bar spacing and frequent rejection of the retained foreign matter; or

(2) be performed using equipment or technology capable of achieving results equivalent to those obtained under paragraph 1.

**16.** Leaves may be classified according to the criteria set out in Table 6 of Schedule I if they have first been sorted by a green waste sorting facility.

## **DIVISION II**

### **SAMPLING**

**17.** Classification of fertilizing residuals is based on analysis of the residual from sampling performed in compliance with this Regulation.

Samples must be analyzed using the parameters in Table 7 of Schedule I according to the type of fertilizing residual sampled.

The minimum sample size to be taken and analyzed in a 12-month period is determined in Table 8 of Schedule I. That size is determined using the analysis parameters in that Table and the total quantity of fertilizing residual produced annually and accumulated per production site, irrespective of the quantity recycled.

**18.** Despite the criteria in Table 8 of Schedule I, the minimum sample size to be taken of a fertilizing residual for analysis of dioxin and furan content may be reduced to one sample per 24-month period if, for 36 consecutive months immediately preceding the sampling, the analysis results obtained from the sample size required by Table 8 remain below the maximum dioxin and furan content for the class of the fertilizing residual according to Table 1 of Schedule I, and the production process remains unchanged.

**19.** Despite the criteria in Table 8 of Schedule I, the minimum sample size to be taken of any of the following fertilizing residuals for analysis of dioxin and furan content may be determined on the basis of the frequency set out in the certification protocol under BNQ 0419-090:

(1) ash designated under that standard;

(2) compost or a biomethanation digestate from treatment of a residual, including the fertilizing residual referred to in paragraph 1; and

(3) leachate from treatment referred to in paragraph 2.

**20.** Despite Table 8 of Schedule I, the minimum sample size to be taken for analysis necessary for trace element classification may be reduced to 50% of the requirements of Table 8 if the fertilizing residual originates from a continuous production process, that process remains unchanged and, for 24 consecutive months immediately preceding the sampling, the analysis results obtained using the sample size required by Table 8 remain below the maximum content for the class of the fertilizing residual according to Table 1 of Schedule I.

**21.** Every analysis must be accompanied by an analysis certificate signed by a qualified professional.

**22.** The analysis certificates for any result justifying a sample size smaller than that set out in Table 8 of Schedule I must be appended to the agro-environmental recycling plan prescribed by Division II of Chapter III.

**23.** The sampling used for the analyses referred to in section 17 must be composite and representative of the fertilizing residual to be analyzed.

**24.** The sampling to ascertain the presence of salmonella and *E. coli* in fertilizing residuals from continuous production processes must be performed on the basis of one sample per analysis.

**25.** Each analysis must be performed by a laboratory accredited by the Minister under section 118.6 of the Environment Quality Act (chapter Q-2) and situated in Québec. The parameter analyzed must be within the field of accreditation obtained by the laboratory. In the absence of such a laboratory, the analysis may be performed by a laboratory situated in Québec and accredited by the Bureau de normalisation du Québec to analyze the parameter. If there is no laboratory in Québec accredited to perform the analysis, it may be performed by a laboratory accredited by the Minister for other fields requiring accreditation.

The analyses must be performed using the methods covered by the certification or accreditation issued by the Minister.

**26.** A sampling of the following fertilizing residuals for verification purposes must be done each year by a person or municipality accredited or certified for that purpose under section 118.6 of the Environment Quality Act (chapter Q-2):

(1) a fertilizing residual from a pulp and paper mill whose annual production volume for the residual is equal to or greater than 500 tonnes on a wet basis;

(2) a municipal biosolid from a mechanized station whose annual production volume for the residual is equal to or greater than 500 tonnes on a wet basis;

(3) a fertilizing residual whose annual production volume is equal to or greater than 5,000 tonnes on a wet basis; and

(4) a fertilizing residual whose volume accumulated by the generator of the residual, including annual production, is equal to or greater than 5,000 tonnes on a wet basis.

The sampling referred to in the first paragraph is intended to verify, through analysis, the classification of the fertilizing residuals concerned, or whether they meet a standard certified by a qualified professional.

A verification report must be produced by the person or municipality described in the first paragraph.

### **CHAPTER III**

#### **STORING, COMPOSTING AND SPREADING OF FERTILIZING RESIDUALS**

##### **DIVISION I**

###### **GENERAL**

**27.** Spreading of fertilizing residuals is permitted only with a view to soil fertilization and plant cultivation. It can take place only in compliance with an agro-environmental recycling plan established in accordance with Division II of this Chapter.

**28.** The addition of water or agri-food wastewater to a fertilizing residual is permitted for the purpose of creating a slurry if the slurry is necessary for handling and spreading the fertilizing residual. Agri-food wastewater cannot be from a slaughterhouse, a rendering plant or a plant that processes or prepares foods that include or are likely to include animal products. Agri-food wastewater is considered for the purposes of classification and is classified using the same criteria as for an agri-food biosolid.

**29.** Blending of fertilizing residuals is permitted only for fertilizing residuals that are not designated as non-classified.

## **DIVISION II**

### **AGRO-ENVIRONMENTAL RECYCLING PLAN**

**30.** The use of fertilizing residuals is possible only in compliance with an agro-environmental recycling plan established in accordance with this division.

**31.** The agro-environmental recycling plan must contain all the information necessary to apply it, such as fertilizing residual quantities and spreading methods and periods.

The plan must contain the following information in particular concerning the fertilizing residual:

(1) type of fertilizing residual;

(2) source of the fertilizing residual;

(3) a description of the process generating the fertilizing residual and of any conditioning;

(4) classification of the fertilizing residual and an explanation of the various options retained, if applicable, in accordance with Tables 1 to 6 of Schedule I, to obtain the classification; and

(5) date of the annual verification.

**32.** The agro-environmental recycling plan must also contain a compilation of analyses of the fertilizing residual to be used. For each parameter to be analyzed, the compilation must contain the following information:

(1) quantity of fertilizing residual produced annually and accumulated by the residual generator, expressed in tonnes on a dry basis;

- (2) sample size analyzed for the 12 or 24 consecutive month period immediately preceding the sampling, if the sampling is done pursuant to section 18;
- (3) sampling method, including sample type, number of samples taken per sampling and date of sampling;
- (4) sample analysis method, for each parameter;
- (5) analysis results for each sample;
- (6) calculation data and value of the parameter obtained from the calculation if a calculation is necessary to determine the parameter value;
- (7) for each parameter to be analyzed, the sample with the highest value;
- (8) annual arithmetic mean of parameter values for chemical parameters, maturity and stability data and total foreign matter;
- (9) annual geometric mean of analysis results for the E. coli pathogen;
- (10) percentage of samples for which analysis results show an absence of salmonella;
- (11) percentage of samples for which the foreign matter analysis result is less than or equal to one piece of sharp foreign matter per 500 ml of fertilizing residual; and
- (12) percentage of samples for which the foreign matter analysis result is less than or equal to 2 pieces of foreign matter greater than 25 mm in length and greater than 3 mm in width per 500 ml of fertilizing residual.

**33.** The agro-environmental recycling plan must contain a scale plan of the premises on which the activity relating to the use of the fertilizing residual is to be carried out, in compliance with subparagraph c of subparagraph 6 of the first paragraph of section 7 of the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the Compilation of Québec Laws and Regulations*).

The scale plan of the premises must also indicate soil type, land slope, wind rose and prevailing wind direction for each place where the activity is to take place.

The scale plan of the premises must also indicate, if applicable, the boundaries of the intermediate bacteriological and virological protection zones for groundwater withdrawals and the boundaries of the inner protection zone for surface water withdrawals made for human consumption or food processing purposes, delimited in accordance with the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2).

**34.** For an activity involving a Class O3 fertilizing residual, the site location plan must cover an area at least 500 m from the boundaries of the site of the proposed activity.

**35.** The agro-environmental recycling plan must, to prevent risks to health, include an information program for workers in contact with a Class P2 fertilizing residual.

**36.** The agro-environmental recycling plan must contain an odour management plan to specifying the various measures that will be implemented in connection with the activity to mitigate the impact of odour on the surroundings, including covering the fertilizing residual, prior liming of the fertilizing residual, a specific period where the fertilizing residual cannot be delivered or disturbed, implementation of self monitoring measures and the keeping of a record of odour-related complaints.

**37.** A copy of the lease or title of ownership of every parcel, raising site or spreading site on which storage or spreading activities are carried on must be appended to the agro-environmental recycling plan.

**38.** The plan must be signed by an agronomist or a forest engineer, depending on the activity concerned.

**39.** An agronomist or a forest engineer, as applicable, must ensure the plan recommendations are carried out and, at the end of the activity, append to the plan a report on the activity that took place.

The report must be sent to the Minister on or before 31 January of the year following the year in which the activity took place.

The requirement under the second paragraph does not apply to the activities referred to in paragraphs 2 to 4, 8, 12 and 14 of section 45 and section 47 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the Compilation of Québec Laws and Regulations*).

**40.** A copy of the plan must be kept by the person carrying on the activity covered by the plan, by the owners of the premises and, if applicable, by any mandatory authorized by the Minister.

The copy of the plan required under the first paragraph must be kept for a minimum period of 5 years after the plan is no longer in effect and, on a request and within the time indicated by the Minister, the owner of the premises or the mandatory authorized by the Minister must provide the plan to the Minister or, if so authorized by the Minister, an overview of it.

**41.** The signatory to the agro-environmental recycling plan cannot be the same person as the signatory to the verification report for the same fertilizing residual.

### **DIVISION III**

#### **STORAGE**

**42.** A fertilizing residual may not be stored at a distance of less than

(1) 500 m from a dwelling-house or a protected immovable in the case of a Class O3 fertilizing residual;

(2) 100 m from a dwelling-house or a protected immovable in the case of a Class P2 fertilizing residual; or

(3) 75 m from a dwelling-house or a protected immovable in the case of a Class O2 fertilizing residual.

**43.** A fertilizing residual may be stored within distances shorter than those required by paragraphs 1 and 3 of section 42 if the owner or lessee of the dwelling-house or protected immovable so consents in writing. The agreement must, if applicable, be given by all the owners or lessees of the dwelling-house or protected immovable.

An agreement under the first paragraph must be appended to the agro-environmental recycling plan.

**44.** Every fertilizing residual storage facility used on a raising site or on a spreading site must satisfy the requirements of the Agricultural Operations Regulation (chapter Q-2, r. 26).

The facility must have received a technical opinion from an engineer in the 5 years preceding its use. The technical opinion must attest to the facility's compliance with the requirements of the Agricultural Operations Regulation.

**45.** Field storage is prohibited less than 50 m from all wetlands and bodies of water.

**46.** Field storage of liquid fertilizing residuals or fertilizing residuals having a dryness value of less than 15% is prohibited.

Field storage of fertilizing residuals having a dryness value of less than 30% and that are not paper mill biosolids or encapsulated biosolids is prohibited between 23 November and 31 March.

**47.** A fertilizing residuals pile must not be placed on snow-covered soil or on land with a slope greater than 5% if the fertilizing residual has a carbon/nitrogen ratio less than 25.

**48.** Field storage of dried biosolids or gypsum must at all times be covered.

**49.** A field pile of fertilizing residuals must be encapsulated or covered between 23 November and 31 March, except in the following cases:

(1) pile volume is less than 500 m<sup>3</sup> per site;

(2) the pile is surrounded by backfill at least 30 cm thick consisting of peat moss or compost certified under CAN/BNQ 0413-200 or of mature commercial Class O1 compost;

(3) the fertilizing residual is a paper mill biosolid with a carbon/nitrogen ratio greater than or equal to 25, having a dryness value greater than or equal to 25%, or greater than or equal to 20% if the biosolid is a paper mill biosolid having undergone bacterial lysis treatment;

(4) the fertilizing residual is ash having a dryness value greater than or equal to 50; and

(5) the fertilizing residual has a combined total nitrogen and total P<sub>2</sub>O<sub>5</sub> content of less than 1% on a dry basis.

**50.** The covering required under sections 48 and 49 may consist of a roof or tarp, or encapsulation.

The encapsulation must consist of a non-compacted layer of mature commercial compost, de-inking sludge or Class O1 paper mill biosolid at least 30 cm thick.

If a paper mill biosolid or de-inking sludge is used for the encapsulation, that fertilizing residual must have a carbon/nitrogen ratio greater than 70.

**51.** A field pile of fertilizing residuals may not be situated less than

(1) 100 m from a rock outcrop; or

(2) 100 m from the location of a pile of fertilizing residuals having a carbon/nitrogen ratio less than 25 or from the location of such a pile removed at any time in the last 12 months, if the fertilizing residuals have a carbon/nitrogen ratio less than 25.

**52.** A field pile of fertilizing residuals must meet the following conditions:

- (1) contaminated water from the pile must not reach any surface water body; and
- (2) runoff water must not reach the pile.

The setting up of the pile must have been recommended and monitored by an agronomist if the fertilizing residual has a carbon/nitrogen ratio less than 25.

**53.** The maximum volume of a field pile of fertilizing residuals is 500 m<sup>3</sup> if their dryness value is less than 20%.

#### **DIVISION IV COMPOSTING**

**54.** Composting of fertilizing residuals may take place only in a storage facility or a composting yard having containment capacity.

**55.** If the composting is done in a composting yard having containment capacity, the yard must be designed according to the plans and specifications of an engineer and meet the siting standards set out in this Regulation for the storing of a fertilizing residual.

The facility must have received a technical opinion from an engineer in the 5 years preceding its use attesting to the containment capability.

**56.** The composting of a fertilizing residual must be done according to a composting plan prepared by an agronomist or an engineer. The composting plan must include the following information:

- (1) a description of the composting process;
- (2) a mitigation measures plan for contingent environmental impacts; and
- (3) a monitoring protocol for compost quality control and environmental follow-up.

Every person composting a fertilizing residual must retain the composting plan throughout the entire composting period and for at least 5 years after the activity has ceased. At the Minister's request, the person must provide the composting plan to the Minister within the time the Minister specifies.

**DIVISION V**  
**SPREADING**

**57.** The type of fertilizing residual, its source and its classification must be entered in the spreading register kept pursuant to section 27 of the Agricultural Operations Regulation (chapter Q-2, r. 26).

**58.** The spreading of a municipal biosolid, compost or biomethanation digestate originating entirely or in part from municipal biosolids having a copper content greater than 1,000 mg/kg on a dry basis, or whose zinc content is greater than 1,850 mg/kg on a dry basis, is not permitted on soil that has received at least one spreading of pig slurry in the 5 consecutive years immediately preceding the spreading if the soil has a total copper content greater than 100 mg/kg on a dry basis or a total zinc content, using the Mehlich 3 extraction procedure, greater than 14 mg/kg on a dry basis.

**59.** The total quantity spread of a Class C2 fertilizing residual must never exceed 13.2 tonnes on a dry basis per hectare over a period of 3 years.

**60.** The spreading of a Class P2 fertilizing residual, a municipal or septic biosolid, compost or biomethanation digestate originating entirely or in part from such residuals is not permitted on a parcel if the crop cultivated is intended for human consumption, nor on a pasture.

**61.** The spreading of a Class P2 fertilizing residual on a cultivated parcel must be followed by a period of at least 36 months before a plant intended for human consumption can be cultivated on the parcel. That minimum period is, however, reduced to 14 months if the harvested portion does not come into contact with the soil.

**62.** The spreading of a Class P2 fertilizing residual on a cultivated parcel must be followed by a period of at least 30 days before a crop on the parcel intended for animal consumption can be harvested.

**63.** The spreading of a Class P2 fertilizing residual on a cultivated parcel must be followed by a period of at least 12 months before the parcel can become a pasture or sod can be harvested.

**64.** The spreading of a Class P2 fertilizing residual is not permitted in a peat bog or on soil having an organic matter content greater than 30% on a dry basis of the total of the soil components.

**65.** The spreading of a Class E2 fertilizing residual is not permitted on a pasture or on a parcel used to cultivate root vegetables.

**66.** The spreading of a Class E2 fertilizing residual is not permitted on a meadow, except before seeding or before plowing.

**67.** The spreading of leaves from an autumn bulk or paper bag leaf collection that have not been through a green waste sorting centre must be immediately followed by surface soil cleaning to remove any foreign matter larger than 15 cm.

**68.** The spreading of fertilizing residuals is prohibited

(1) less than 3 m from wetlands and bodies of water, other than floodplains, or less than the distance set out in municipal by-laws; and

(2) less than 1 m from ditches referred to in subparagraphs 2 to 4 of the first paragraph of section 103 of the Municipal Powers Act (chapter C-47.1) and, where there is a slope, the distance must include a width of at least 1 m at the top of the slope.

Fertilizing residuals must be spread in such manner as to prevent runoff from the residuals reaching the areas described in the first paragraph.

The relative distance to a lake or body of water is measured from the high-water mark and, if there is a slope, the distance must include a width of at least 1 m at the top of the slope. The relative distance to a pond, marsh, swamp and bog is measured from their boundary.

For the purposes of this section, floodplains do not include slopes or banks.

**69.** Despite section 68, the spreading of fertilizing residuals is prohibited

(1) less than 5 m from a non-agricultural ditch in the case of a Class P2 fertilizing residual;

(2) less than 5 m from a property line and road in the case of a Class P2 fertilizing residual;

(3) less than 50 m from a dwelling-house or protected immovable in the case of a Class P2 fertilizing residual;

(4) less than 500 m from a dwelling-house or protected immovable in the case of a Class O3 fertilizing residual that is not worked into the soil within 6 hours after being spread;

(5) less than 250 m from a dwelling-house or protected immovable in the case of a Class O3 fertilizing residual that is worked into the soil within 6 hours after being spread and is spread using a boom spreader with a drop pipe. That distance is not required if the fertilizing residual is worked into the soil less than 5 minutes after being spread;

(6) less than 75 m from a dwelling-house or protected immovable in the case of a Class O2 fertilizing residual that is not worked into the soil within 6 hours after being spread; and

(7) less than 40 m from a dwelling-house or protected immovable in the case of a Class O2 fertilizing residual that is worked into the soil within 6 hours after being spread and is spread using a boom spreader with a drop pipe. That distance is not required if the fertilizing residual is worked into the soil less than 5 minutes after being spread.

**70.** Fertilizing residuals may be spread within distances shorter than those required by paragraphs 5, 6 and 7 of section 69 if the owner or lessee of the dwelling-house or protected immovable so consents in writing for the entire duration of the activity. The agreement must, if applicable, be given by all the owners or lessees of the dwelling-house or protected immovable.

An agreement under the first paragraph must be appended to the agro-environmental recycling plan.

**71.** Fertilizing residuals must be spread on soil that is neither frozen nor covered with snow.

Fertilizing residuals may be spread only between 1 April and 30 September of each year.

Fertilizing residuals may be spread, however, in the period from 1 October to 31 March of each year if justified and recommended by the agronomist or forest engineer who designed the agro-environmental recycling plan used for the activity. The justification and recommendation must be appended to the plan.

**72.** On soil without plant cover, a fertilizing residual must be worked into the soil less than 48 hours after being spread, except if

(1) the residual has a carbon/nitrogen ratio greater than 30 and a total P<sub>2</sub>O<sub>5</sub> content less than 0.25% on a dry basis;

(2) the residual is used as mulch; and

(3) the parcel is direct sowed.

**73.** Fertilizing residuals must be spread on a parcel with a slope of less than 9%, or less than 5% if the fertilizing residual has a dryness value of less than 15%.

**74.** Fertilizing residuals must be spread using equipment that satisfies the requirements of section 32 of the Agricultural Operations Regulation (chapter Q-2, r. 26).

**75.** The spreading of fertilizing residuals must have received agronomic recommendations as to the fertilizing elements in the fertilizing residual, the spreading method and the spreading period, for each cultivated parcel receiving the fertilizing residual.

The agronomic recommendations referred to in the first paragraph must be appended to the agro-environmental recycling plan.

**76.** The spreading of fertilizing residuals having any of the following characteristics must have received justification for their use and an agronomic recommendation, for each cultivated parcel receiving the fertilizing residual:

- (1) a pH less than 3.5 or greater than 10;
- (2) sodium content greater than 1 mg/kg on a dry basis;
- (3) manganese content greater than 3,000 mg/kg on a dry basis;
- (4) boron content greater than 200 mg/kg on a dry basis; or
- (5) neutralizing power greater than or equal to 25% CCE on a dry basis.

**77.** The spreading of a fertilizing residual must have received agronomic recommendations as to best management practices for copper and zinc if the fertilizing residual is a municipal biosolid, compost or biomethanation digestate originating entirely or in part from municipal biosolids.

**78.** Every recommendation referred to in sections 75 to 77 for the spreading of a fertilizing residual must be based on a soil analysis performed by a laboratory accredited by the Minister under section 118.6 of the Environment Quality Act (chapter Q-2).

**79.** The spreading of any of the following fertilizing residuals is prohibited:

(1) a fertilizing residual designated as non-classified according to one or more of the classification criteria described in section 5;

(2) a fertilizing residual that is not homogeneous; and

(3) a municipal biosolid, paper mill biosolid or septic biosolid from a pond in which an invasive exotic species within the meaning of section 6 of the Crop Health Protection Act (chapter P-42.1) is present.

#### **CHAPTER IV** **PUBLIC NOTICE**

**80.** The operator of a forest area in the domain of the State who proposes to spread a fertilizing residual over more than 100 ha in the same administrative region in the same year must, before the work begins, publish a notice describing the work to be carried out in a newspaper circulated in the territory where the work will be carried out or broadcast the notice on a radio or television station in that territory; the notice must contain the following information:

(1) the contact information of the owner or operator in the territory in which the work will be carried out;

(2) the nature and purpose of the work and the place where the work will be carried out;

(3) the time period in which the work will be carried out;

(4) the restrictions on access to the treated premises and on consumption of plants from the premises; and

(5) the contact information of the permit holder responsible for the work.

The permit holder responsible for carrying out the work referred to in the first paragraph may not begin the work until the notice describing the work has been published or broadcast.

**81.** All activity to which this Regulation applies involving the use of a Class O2 or O3 fertilizing residual must be preceded by written notice to the municipality in which the work is to be carried out. The notice must be sent at least two working days before the activity is to begin and must specify the frequency and times of delivery and spreading of fertilizing residuals.

**82.** All activity to which this Regulation applies involving the use of a Class O2 fertilizing residual must be preceded by written notice to the owner or lessee of any dwelling-house or protected immovable situated less than 100 m from the place where the activity is to be carried out. The notice must be sent at least seven working days before the activity is to begin and must specify the frequency and times of delivery and spreading of fertilizing residuals.

**83.** All activity to which this Regulation applies involving the use of a Class O3 fertilizing residual must be preceded by written notice to the owner or lessee of any dwelling-house or protected immovable situated less than 600 m from the place where the activity is to be carried out. The notice must be sent at least seven working days before the activity is to begin and must specify the frequency and times of delivery and spreading of fertilizing residuals.

**84.** A sign must be posted at each passable road leading to a site where an activity involving the use of fertilizing residuals will be carried out. The sign must contain the following information:

- (1) a description of the fertilizing residuals and their classification;
- (2) the name of the person responsible for the spreading or storage activities;
- (3) the telephone number of the person or the person's representative; and

(4) the telephone number of the appropriate regional branch of the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques.

The first paragraph does not apply to a Class P1 or O1 fertilizing residual if the quantity to be spread per year over the spreading site is less than 150 m<sup>3</sup>.

**85.** During the spreading of a Class P2 fertilizing residual on public land or in a private forest, the sign posted pursuant to section 84 must also

- (1) display the following pictogram; and



(2) contain the wording "Interdiction d'accès public et de cueillette jusqu'au :", as well as the date on which the prohibition ends, which must be later than 12 months after the end of the spreading.

The sign must remain posted for the entire duration of the prohibition.

## CHAPTER V MONETARY ADMINISTRATIVE PENALTIES

**86.** A monetary administrative penalty of \$250 in the case of a natural person and \$1,000 in any other case may be imposed on any person failing

(1) to keep a spreading register complying with section 57 and retain it for a minimum period of 5 years after the end of the last spreading period;

(2) to give public notice, as required by sections 80 to 85; or

(3) to send a report on the activity carried out with fertilizing residuals on or before 31 January of the year following the year in which the activity took place, as required by section 39.

**87.** A monetary administrative penalty of \$350 in the case of a natural person and \$1,500 in any other case may be imposed on any person failing

(1) to keep a copy of the agro-environmental recycling plan throughout the entire duration of the activity and for a minimum period of 5 years after the plan is no longer in effect, as required by section 40;

(2) to append to the agro-environmental recycling plan every written agreement signed by the owner or lessee of a dwelling-house or protected immovable, as required by the second paragraph of section 43;

(3) to retain a copy of the composting plan throughout the entire composting period and for a minimum period of 5 years after the activity has ceased, as required by the second paragraph of section 56;

(4) to append to the agro-environmental recycling plan every written agreement signed by the owner or lessee of a dwelling-house or protected immovable, as required by the second paragraph of section 70;

(5) to append to the agro-environmental recycling plan all agronomic recommendations as to the fertilizing elements in the spreading dosage, the spreading method and the spreading period, for each cultivated parcel receiving the fertilizing residual, as required by the second paragraph of section 75; or

(6) to append to the agro-environmental recycling plan the justification and recommendation as to the spreading of fertilizing residuals between 1 October and 31 March of a year, as required by the third paragraph of section 71.

**88.** A monetary administrative penalty of \$500 in the case of a natural person and \$2,500 in any other case may be imposed on any person failing

(1) to use fertilizing residuals in accordance with an agro-environmental recycling plan complying with sections 30 to 39 and 41;

(2) to have in the person's possession an agro-environmental recycling plan that contains the information obtained in accordance with sections 5 to 26; or

(3) to obtain the necessary justifications and recommendations before the spreading of fertilizing residuals, as required by sections 75 to 77.

**89.** A monetary administrative penalty of \$750 in the case of a natural person and \$3,500 in any other case may be imposed on any person spreading fertilizing residuals with equipment that does not satisfy the requirements of section 32 of the Agricultural Operations Regulation (chapter Q-2, r. 26), as required by section 74.

**90.** A monetary administrative penalty of \$1,000 in the case of a natural person and \$5,000 in any other case may be imposed on any person

(1) failing to store fertilizing residuals in accordance with section 42, the first paragraph of section 43 and sections 44 to 53;

(2) failing to compost fertilizing residuals in accordance with sections 54 and 55 and the first paragraph of section 56; or

(3) spreading leaves from an autumn bulk or paper bag leaf collection that did not go through a green waste sorting centre, without doing the cleaning required by section 67.

**91.** A monetary administrative penalty of \$1,500 in the case of a natural person and \$7,500 in any other case may be imposed on any person spreading fertilizing residuals

(1) for purposes other than soil fertilization and plant cultivation, as required by section 27;

(2) in a manner that does not comply with sections 58 to 66, section 69 and sections 72 and 73;

(3) in any of the areas referred to in the first paragraph of section 68; or

(4) that are described in paragraphs 1 to 3 of section 79.

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

(1) adding, to a fertilizing residual, agro-food wastewater from a slaughterhouse, a rendering plant or a plant that processes or prepares foods that include or are likely to include animal products, in a manner non-compliant with section 28; or

(2) blending fertilizing residuals that are designated as non-classified with other fertilizing residuals, in a manner non-compliant with section 29.

## **CHAPTER VI**

### **OFFENCE PROVISIONS**

**93.** Whoever contravenes section 39, 57, 80, 81, 82, 83, 84 or 85 commits an offence and is liable to a fine of \$1,000 to \$100,000 in the case of a natural person and \$3,000 to \$600,000 in any other case.

**94.** Whoever contravenes section 40, the second paragraph of section 43, the second paragraph of section 56, the second paragraph of section 70, the third paragraph of section 71 or the second paragraph of section 75 commits an offence and is liable to a fine of \$2,000 to \$100,000 in the case of a natural person and \$6,000 to \$600,000 in any other case.

**95.** Whoever contravenes section 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 41, 75, 76 or 77 commits an offence and is liable to a fine of \$2,500 to \$250,000 in the case of a natural person and \$7,500 to \$1,500,000 in any other case.

**96.** Whoever contravenes section 74 commits an offence and is liable to a fine of \$4,000 to \$250,000 in the case of a natural person and \$12,000 to \$1,500,000 in any other case.

**97.** Whoever contravenes section 42, the first paragraph of section 43, section 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54 or 55, the first paragraph of section 56 or section 67 commits an offence and is liable to a fine of \$5,000 to \$500,000 in the case of a natural person and \$15,000 to \$3,000,000 in any other case.

**98.** Whoever contravenes section 27, 58, 59, 60, 61, 62, 63, 64, 65 or 66, the first paragraph of section 68, section 69, the first or second paragraph of section 71 or section 72, 73 or 79 commits an offence and is liable to a fine of \$8,000 to \$500,000 in the case of a natural person and \$25,000 to \$3,000,000 in any other case.

**99.** Whoever contravenes section 28 or 29 commits an offence and is liable to a fine of \$10,000 to \$1,000,000 in the case of a natural person and \$30,000 to \$6,000,000 in any other case.

## **CHAPTER VII**

### **FINAL**

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

**SCHEDULE I**  
**CLASSIFICATION OF FERTILIZING RESIDUALS**  
(ss. 5 to 11, 13 to 19, 21 and 31)

**Table 1 Classification criteria for fertilizing residuals according to trace element content**

Trace elements	Units of measurement	Maximum content	
		C1	C2
Arsenic	mg/kg on a dry basis	13	41
Cobalt	mg/kg on a dry basis	34	150
Chrome	mg/kg on a dry basis	210	1,000
Copper	mg/kg on a dry basis	400	1,000
Molybdenum	mg/kg on a dry basis	10	20
Nickel	mg/kg on a dry basis	62	180
Selenium	mg/kg on a dry basis	2.0	14
Zinc	mg/kg on a dry basis	700	1,850
Cadmium	mg/kg on a dry basis	3.0	10
Mercury	mg/kg on a dry basis	0.8	4
Lead	mg/kg on a dry basis	120	300
Dioxins and furans	ng TEQ/kg on a dry basis	17	50

TEQ: 2,3,7,8-tetrachlorodibenzodioxin toxic equivalent

**Table 2 C2-alternative classification criteria for fertilizing residuals according to trace element content**

Trace elements	C2 alternative		
	Base neutralizing power	Phosphor base (applicable only for fertilizing residuals to be spread on a spreading site or on a raising site)	
		for fertilizing residuals other than municipal biosolids containing > 50,000 mg Al + 0.5 Fe/kg on a dry basis	for municipal biosolids containing > 50,000 mg Al + 0.5 Fe/kg on a dry basis
	Ratio $\frac{FR \text{ neutralizing power}}{FR \text{ trace element content}}$	Ratio $\frac{FR \text{ P205 content}}{FR \text{ trace element content}}$	Ratio $\frac{FR \text{ P205 content}}{FR \text{ trace element content}}$
(% CCE / mg/kg)	(% / mg/kg)	(% / mg/kg)	
Arsenic	> 0.67	> 0.024	> 0.048
Cobalt	> 0.33	> 0.007	> 0.014
Chrome	> 0.047	> 0.001	> 0.002
Copper	> 0.066	> 0.001	> 0.002
Molybdenum	> 2.5	> 0.050	> 0.1
Nickel	> 0.28	> 0.006	> 0.012
Selenium	> 3.6	> 0.07	> 0.14
Zinc	> 0.027	> 0.0005	> 0.001
Cadmium	> 2.5	n/a	n/a
Mercury	> 10.0	n/a	n/a
Lead	> 0.10	n/a	n/a
Dioxins and furans	n/a	n/a	n/a

CCE: Calcium carbonate equivalent

FR: fertilizing residual

**Table 3 Classification criteria for fertilizing residuals according to pathogen content**

Types of fertilizing residuals	P1 Criteria	P2 Criteria
Paper mill biosolids or De-inking waste	Written statement and proof signed by the head of the mill environmental service, to the effect that no municipal or domestic wastewater is discharged into the industrial wastewater treatment system or that such discharge accounts for less than 0.1% of total industrial water matter, evaluated on a dry basis  and Salmonella not detected in $\geq 2/3$ of samples	Written statement and proof signed by the head of the mill environmental service, to the effect that no municipal or domestic wastewater is discharged into the industrial wastewater treatment system or that such discharge accounts for less than 0.1% of total industrial water matter, evaluated on a dry basis
Compost	Salmonella not detected in $\geq 2/3$ of samples  and One of the maturity and stability requirements in CAN/BNQ 0413-200 is met	Corresponds to at least one of the following situations:  Written statement and proof signed by the person in charge, of a liming treatment at $\text{pH} \geq 12$ for a minimum of 2 hours and maintained $\text{pH} \geq 11.5$ for a minimum of 22 hours
Municipal biosolids or Biomethanation digestate or various fertilizing residuals contaminated by any of the following: o human feces in a proportion equal to or greater than 0.1% of the fertilizing residual, evaluated on a dry basis o manure o slaughterhouse wastes or manure o rendering plant wastes o animal carcasses o various animal wastes o egg waste	Salmonella not detected in $\geq 2/3$ of samples  and Written statement and proof signed by the person in charge, of thermal or alkaline treatment whose control measures specific to the treatment concerned comply with the requirements of CAN/BNQ 0413-400 for microbiological characteristics  or Written statement and proof signed by the person in charge, of a treatment recognized on the basis of the approach described in Annex E in CAN/BNQ 0413-400, to reduce pathogen content.	<i>E. coli</i> < 2,000,000 UFC/g on a dry basis and written statement and proof signed by the person in charge, of aerobic biological treatment and oxygen uptake rate $\leq 1,500 \text{ mg O}_2/\text{kg}$ of organic matter/hour. To determine the oxygen uptake rate, use the analysis method in CAN/BNQ 0413-200 specified for the maturity and stability requirement concerned unless the fertilizing residual is slurry, in which case use the method "EPA 1683 Specific Oxygen Uptake Rate in Biosolids"  <i>E. coli</i> < 2,000,000 UFC/g on a dry basis and waste is worked into soil in less than 6 hours  <i>E. coli</i> < 2,000,000 UFC/g on a dry basis and written statement and proof signed by the person in charge, of a biological activated sludge treatment, and sludge age $\geq 20$ days  <i>E. coli</i> < 2,000,000 UFC/g on a dry basis and Class O1 or O2 fertilizing residual  Salmonella not detected in $\geq 2/3$ of samples and Class O1 or O2 fertilizing residual  Salmonella not detected in $\geq 2/3$ of samples and waste is worked into soil in less than 6 hours  Class O1 biosolid from municipal pond and written statement from the purification station confirming the pond pump out date previous to the pump out from which the biosolid originates. For a biosolid from a blend of biosolids from various ponds in the same purification station, the statement must confirm the pump out date for the pond with the most recent previous pump out date
Green waste or fertilizing residual designated under BNQ 0419-090 and for which the standard does not require salmonella analysis. Such matter must not be soiled by animal waste or human feces	No criteria; Class P1 by default	n/a
Other fertilizing residuals	Salmonella not detected in $\geq 2/3$ of samples  and A written statement and proof signed by the person in charge to the effect that the fertilizing residual is not contaminated by human or animal feces	n/a

**Table 4 Classification of fertilizing residuals according to olfactory characteristics**

Classes	Types of fertilizing residuals
O1	<ul style="list-style-type: none"> <li>a) Calcium or magnesium non-putrescible amendments</li> <li>b) Class P1 compost</li> <li>c) Leaves</li> <li>d) Bark</li> <li>e) Paper mill biosolids and de-inking sludge with C/N ratio <math>\geq 70</math></li> <li>f) De-inking sludge with CCE neutralizing power <math>\geq 30\%</math> on a dry basis and constant dryness <math>\geq 40\%</math></li> <li>g) Primary and secondary biosolids with CCE neutralizing power <math>\geq 30\%</math> on a dry basis and constant dryness <math>\geq 40\%</math></li> <li>h) Municipal pond or paper mill biosolids where time from previous total or partial pump out and pump out producing the biosolids, plus any time spent in sludge drying bed or dewatering bag, is at least 4 years</li> <li>i) Biomethanation digestate from dried and moisture-protected municipal biosolids</li> </ul>
O2	<ul style="list-style-type: none"> <li>a) Municipal pond or paper mill biosolids where time from previous total or partial pump out and pump out producing the biosolids, plus any time spent in sludge drying bed or dewatering bag, is at least 4 years</li> <li>b) Municipal biosolids from mechanized stations, dried and moisture protected</li> <li>c) Municipal biosolids from mechanized stations, with a written statement and proof signed by the person in charge, of a liming treatment at pH <math>\geq 12</math> for a minimum of 2 hours and maintained pH <math>\geq 11.5</math> for a minimum of 22 hours</li> <li>d) Biomethanation digestate dewatered by a process other than high-speed centrifugation</li> <li>e) Septic biosolids</li> <li>f) Agri-food biosolids, with a written statement and proof signed by the person in charge, of a liming treatment at pH <math>\geq 12</math> for a minimum of 2 hours and maintained pH <math>\geq 11.5</math> for a minimum of 22 hours</li> <li>g) De-inking sludge with CCE neutralizing power <math>\geq 30\%</math> on a dry basis and average annual dryness <math>\geq 35\%</math></li> <li>h) Primary and secondary biosolids with CCE neutralizing power <math>\geq 30\%</math> on a dry basis and average annual dryness <math>\geq 35\%</math></li> <li>i) Paper mill biosolids with C/N ratio <math>\geq 50</math> and <math>&lt; 70</math>, with a written statement and proof signed by the person in charge, of treatment other than by a kraft or sulfate process</li> <li>j) Paper mill biosolids, with a written statement and proof signed by the person in charge, of bacterial lysis treatment</li> <li>k) Class O3 fertilizing residuals, with a written statement and proof signed by the person in charge, of a liming treatment at pH <math>\geq 12</math> for a minimum of 2 hours and maintained pH <math>\geq 11.5</math> for a minimum of 22 hours</li> </ul>
O3	<ul style="list-style-type: none"> <li>a) Municipal biosolids from mechanized stations, dewatered</li> <li>b) Paper mill biosolids with C/N ratio <math>\geq 50</math> and <math>&lt; 70</math> from a kraft or sulfate process</li> <li>c) Paper mill biosolids with C/N ratio <math>\geq 50</math> not from a kraft or sulfate process</li> <li>d) Class P2 compost</li> <li>e) Untreated waste from fish, shrimps and other crustaceans</li> <li>f) Biosolids from meat processing</li> <li>g) Slaughterhouse or rendering plant biosolids, with a written statement and proof signed by the person in charge, of treatment at the plant meeting the following requirements: <ul style="list-style-type: none"> <li>▪ liming at pH <math>\geq 12</math> liming for a minimum of 2 hours and maintained pH <math>\geq 11.5</math> for a minimum of 22 hours</li> <li>▪ Calcium <math>\geq 10\%</math> on a dry basis</li> <li>▪ Daily pH sampling of sludge</li> </ul> </li> <li>h) Grass clippings</li> <li>i) Agri-food biosolids</li> </ul>

C/N = carbon/nitrogen ratio

**Table 5 Classification of fertilizing residuals according to foreign matter content**

Types of fertilizing residuals	Classes	Conditions to meet
Municipal biosolids from mechanized stations	E1	Statement and screening proof, written and signed by the person in charge
Municipal biosolids – from a non-first stage treatment pond	E1	Statement and screening proof, written and signed by the person in charge
Agri-food biosolids	E1	Statement and screening proof, written and signed by the person in charge for slaughterhouse and rendering plant biosolids
Paper mill biosolids	E1	Statement and proof that the paper mill biosolid is not the result of waste paper pulping, written and signed by the person in charge
De-inking sludge	E1	Statement and proof of equipment in mill to remove foreign matter, written and signed by the person in charge
Fly ash	E1	-
Bottom ash	E2	-
Municipal biosolids – from a first stage treatment pond	E2	Statement and screening proof, written and signed by the person in charge
Septic biosolids	E2	Statement and screening proof, written and signed by the person in charge
Leaves	E2	Statement and proof that leaves are from an autumn bulk or paper bag collection, written and signed by the person in charge
Bark	E1	Statement and proof that the bark is not from former deposit sites, written and signed by the person in charge

**Table 6 Classification criteria for fertilizing residuals according to foreign matter content**

Types	E1 Criteria	E2 Criteria
Sharp foreign matter (> 5 mm)	≤ 1 unit per 500 ml for ≥ 2/3 of samples	n/a
Foreign matter <ul style="list-style-type: none"> <li>▪ length &gt; 25 mm</li> <li>▪ width &gt; 3 mm</li> </ul>	≤ 2 units per 500 ml for ≥ 2/3 of samples	n/a
Total foreign matter (> 2 mm)	0.5% on a dry basis	1.0% on a dry basis

**Table 7 Sampling analysis parameters for fertilizing residuals according to type**

Parameters	Units of measurement	Green waste	Pulp and paper biosolids and de-inking sludge	Calcitic paper mill residue (other than ash)	Ash designated in BNQ 0419-090	Municipal biosolids and septic biosolids	Slaughterhouse and rendering plant biosolids	Agri-food biosolids	Milk, whey, by-products and white water from cheese making	Compost, biomethanation digestate and leachates	Other fertilizing residuals
Dryness value	%	x	x	x	x	x	x	x	x	x	x
Total nitrogen	% on a dry basis	x	x			x	x	x	x	x	x
Ammoniacal nitrogen		x <sup>(1)</sup>	x			x	x	x	x	x	x
Total P <sub>2</sub> O <sub>5</sub>		x	x	x	x	x	x	x	x	x	x
Total K <sub>2</sub> O		x	x	x	x	x	x	x	x	x	x
Organic matter		x	x		x	x	x	x	x	x	x
Neutralizing power	% CCE <sup>(11)</sup> on a dry basis		x <sup>(2)</sup>	x	x	x <sup>(2)</sup>	x <sup>(2)</sup>	x <sup>(2)</sup>	x <sup>(2)</sup>		x <sup>(2)</sup>
C/N <sup>(12)</sup>	n/a	x	x			x	x	x	x	x	x
pH	n/a		x <sup>(2)</sup>	x	x	x <sup>(2)</sup>	x <sup>(2)</sup>	x <sup>(2)</sup>	x <sup>(2)</sup>		x
Aluminium	mg/kg on a dry basis		x <sup>(3)</sup>			x	x <sup>(3)</sup>	x <sup>(3)</sup>			x
Arsenic		x	x	x	x					x	x
Boron		x <sup>(4)</sup>	x <sup>(4)</sup>	x <sup>(4)</sup>	x						x
Cadmium		x	x	x	x					x	x
Cobalt		x	x	x	x					x	x
Chrome		x	x	x	x					x	x
Copper		x	x	x	x		x <sup>(5)</sup>	x		x	x
Iron		x <sup>(3)</sup>			x	x <sup>(3)</sup>	x <sup>(3)</sup>				x
Mercury		x	x	x	x					x	x
Manganese					x	x					x
Molybdenum		x	x	x	x				x	x	x
Sodium				x	x		x	x	x		x
Nickel		x	x	x	x					x	x
Lead		x	x	x	x					x	x
Selenium		x	x	x	x					x	x
Zinc		x	x	x	x					x	x
Dioxins and furans	ng TEQ <sup>(13)</sup> /kg on a dry basis		x <sup>(6)</sup>		x <sup>(7)</sup>	x <sup>(6)</sup>				x <sup>(8)</sup>	x <sup>(9)</sup>
Other organic chemicals	mg/kg on a dry basis				x <sup>(10)</sup>					x <sup>(10)</sup>	x <sup>(10)</sup>

Analysis is required for x-marked parameters

(1) Analysis not required for waste with a carbon/nitrogen ratio  $\geq 70$ .

(2) Analysis required for alkaline treated fertilizing residuals and for de-inking sludge.

(3) Analysis required for fertilizing residuals from an aluminum salts or iron process and for mechanically dewatered fertilizing residuals with those salts added.

(4) Analysis required for fertilizing residuals from paperboard manufacturing or any other process with boron added.

(5) Analysis required for biosolids and other pig slaughterhouse waste and rendering plant biosolids and other rendering waste.

(6) Analysis required for the biosolids from a pulp and paper making process using a chlorine oxidizing compound in pulping, bleaching or wastewater treatment, for municipal pond biosolids to be classed C1, for municipal biosolids dried by direct contact with incinerator combustion gas and for municipal biosolids treating wastewater from a plant where there is a possibility of wastewater contamination from the compounds, in particular wastewater from a textile mill or tannery.

(7) Analysis required for ash for which BNQ 0419-090 requires analysis and for other ash for which there is a possibility of contamination from the compounds.

(8) Analysis required for compost and biomethanation digestate from residuals from a textile mill or tannery, mixed fertilizing residuals, residuals listed in notes 6, 7 and 9, and for leachate generated during their treatment.

(9) Analysis required for all fertilizing residuals for which BNQ 0419-090 requires analysis and for any fertilizing residual for which there is a possibility of contamination from the compounds, in particular residuals from a textile mill or tannery.

(10) Analysis required for all fertilizing residuals for which BNQ 0419-090 requires analysis and for any fertilizing residual for which there is a possibility of contamination from the compounds. Analysis also required for all compost and biomethanation digestate from such fertilizing residuals, and for leachate generated during their treatment.

(11) CCE: Calcium carbonate equivalent

(12) C/N = carbon/nitrogen ratio

(13) TEQ: 2,3,7,8-tetrachlorodibenzodioxin toxic equivalent

**Table 8 Minimum sample size for analysis**

Quantity of fertilizing residuals produced annually and accumulated per production site (tonnes, on a dry basis)	12-month minimum sample size		
	Dioxins and furans and Foreign matter	Salmonella and <i>E. coli</i>	Other parameters
0 – 300	1	2	2
301 – 1,500	2	4	4
1,501 – 15,000	3	6	6
> 15,000	4	12	12

103314

## **Regulation respecting the extension of a storm water management system eligible for a declaration of compliance**

Environment Quality Act  
(chapter Q-2, s. 31.0.6, 2017, chapter 4)

### **CHAPTER I** **APPLICATION**

1. This Regulation applies to the design of the extension of a storm water management system eligible for a declaration of compliance.

It determines, in Chapter II, the storm water management works that may be used to extend a storm water management system.

It establishes, in Chapter III, the general design standards for the extension of a storm water management system and, in Chapter IV, the special design standards for storm water management works.

### **CHAPTER II** **STORM WATER MANAGEMENT WORKS**

#### **DIVISION I** **GENERAL**

2. The following storm water management works may be used to extend the storm water management system:

- (1) the dry retention system described in Division II of Chapter II;
- (2) the permanent volume retention system described in Division III of Chapter II;
- (3) the grassed ditch described in Division IV of Chapter II;
- (4) the hydrodynamic separator described in Division V of Chapter II;
- (5) the commercial storm water treatment technology described in Division VI of Chapter II.

#### **DIVISION II** **DRY RETENTION SYSTEM**

3. The purpose of a dry retention system is to reduce storm water flows passing through a storm water management system before being discharged in a receiving lake or watercourse and, where applicable, reduce the concentration of suspended matters in the water.

4. A dry retention system comprises
  - (1) a water and sediment accumulation zone;
  - (2) flow control devices;
  - (3) an emergency weir; and
  - (4) a maintenance access ramp.
5. A dry retention system that also reduces the concentration in suspended matters must include a pretreatment work and a microbasin.

A pretreatment work is not required if

  - (1) the storm water comes from a territory whose dominant use class is residential and is served by a road network whose annual average daily traffic is less than 500 vehicles; or
  - (2) the sum of the impervious surface drained to the dry retention system does not exceed 250 m<sup>2</sup>.
6. A dry retention system is a system that must drain completely after the end of an exceptional rain vent, from the microbasin to the outlet.
7. A dry retention system governed by the Dam Safety Act (chapter S-3.1.01) is not a storm water management work for the purposes of this Regulation.

### **DIVISION III**

#### **PERMANENT VOLUME RETENTION SYSTEM**

8. The purpose of a permanent volume retention system is to reduce storm water flows passing through a storm water management system before being discharged in a receiving lake or watercourse and, where applicable, reduce the concentration of suspended matters in the water.
9. A permanent volume retention system comprises
  - (1) a water and sediment accumulation zone;
  - (2) flow control devices;
  - (3) an emergency weir; and
  - (4) a maintenance access ramp.
10. A permanent volume retention system that also reduces the concentration of suspended matters must include a pretreatment work upstream from the system.

A pretreatment system is not required if

(1) the storm water comes from a territory whose dominant use class is residential and is served by a road network whose annual average daily traffic is less than 500 vehicles; or;

(2) the sum of the impervious surface drained to the permanent volume retention system does not exceed 250 m<sup>2</sup>.

**11.** A permanent volume retention system includes a permanent volume of water in the water and sediment accumulation zone above which there is a temporary volume of water in rainy weather that is drained gradually.

**12.** A permanent volume retention system governed by the Dam Safety Act (chapter S-3.1.01) is not a storm water management work for the purposes of this Regulation.

#### **DIVISION IV**

##### **GRASSED DITCH**

**13.** A grassed ditch is a ditch covered with vegetation and a geometry that allows the evacuation of storm water and maximises the reduction of the concentration of suspended matters in the water.

**14.** In a grassed ditch, storm water is drained downstream of the ditch by surface runoff.

#### **DIVISION V**

##### **HYDRODYNAMIC SEPARATOR**

**15.** A hydrodynamic separator is commercial equipment installed on a storm water management system to reduce the concentration of suspended matters in the storm water.

**16.** A hydrodynamic separator includes a tank in which a volume of water is present and components that promote the sedimentation of particles.

#### **DIVISION VI**

##### **COMMERCIAL STORM WATER TREATMENT TECHNOLOGY**

**17.** A commercial storm water treatment technology is commercial equipment, other than a hydrodynamic separator, installed on a storm water management system to reduce the concentration of suspended matters in the storm water.

**CHAPTER III****DESIGN — EXTENSION OF A STORM WATER MANAGEMENT SYSTEM****DIVISION I****PLANS AND SPECIFICATIONS AND MAINTENANCE****§1. — General**

**18.** The design of the extension of a storm water management system must include the preparation of plans and specifications the general content of which is determined in subdivision 2 of Division I of Chapter III and a maintenance program the general content of which is determined in subdivision 3 of Division I of Chapter III.

The design must also include, where applicable, the preparation of plans and specifications and the maintenance program the contents of which are determined in subdivision 4 of Division III of Chapter III for supplementary storm water management works and the preparation of maintenance programs determined in Chapter IV for storm water management works.

**§2. — Plans and specifications**

**19.** The plans and specifications must contain clauses requiring the contractor to

(1) carry out the work in accordance with the standard specification BNQ 1809-300 – Travaux de construction – Clauses techniques générales – Conduites d'eau potable et d'égout;

(2) prepare, for the duration of the work and according to the work phases, an erosion and sediment control program on the work site that includes

(a) measures to intercept storm water coming from outside the work site and maintain the water outside the work site;

(b) protection measures to prevent and avoid any soil loss caused by storm water;

(c) measures to drain storm water outside the work site;

(d) a plan that localizes the measures mentioned in subparagraphs a to c;

(3) implement measures to divert storm water from zones adjacent to the work site and prevent the water from passing on the work surfaces;

(4) isolate the work site so as to intercept suspended matters and any displacement of material;

(5) delimit the site zones and the material storage zones;

(6) delimit machinery traffic surfaces and protect them;

(7) implement, for the duration of the work, measures to protect or cover bare soil, the granular material storage zones and steep slope zones against washout, gullyng and transportation of particles during rainy weather;

(8) provide measures to reduce the concentration of suspended matters contained in storm water, before being drained outside the work site, by a value not exceeding the sum of the typical natural or ambient concentration of the receiving lake or watercourse at the discharge point after at least 5 days after a rain event, plus 25 mg/L, or to intercept particles of a size equal to or greater than 120 µm during a rain event having a total height of 25 mm for measures whose design is based on volume, or having an intensity of 30 mm/h for measures whose design is based on flow.

The measures must resist to the rain events that have a return period corresponding at least to the values indicated in Table 3.1;

Table 3.1 Return periods of rain events

Duration of the measure	Return period (year)
< 12 months	1
between 12 months and 36 months	2
between 3 years and 5 years	3
over 5 years	5

(9) revegetate bare soil within 5 days following the end of the work and, if the revegetation cannot be done within that time, apply bare soil protection measures adapted to the slopes involved until the revegetation is carried out; in the latter case, revegetation must be carried out not later than 6 months following the end of the work.

The plans and specifications must include the geometries and configurations of the storm water management systems that are similar to those of the various elements of the computer model, if applicable.

### §3. — *Maintenance program*

**20.** The maintenance program must include the following information and be given to the owner of the storm water management work:

- (1) the name and function of the first person in charge of maintenance;
- (2) the criteria or indicators that, where observed on the site, signal the need to proceed with a maintenance activity;
- (3) the routine maintenance activities to be carried out and their justification;

- (4) a comprehensive inventory of problematic situations that may be encountered and their solution;
- (5) a schedule and frequency of the maintenance activities to be carried out;
- (6) an estimate of the costs to carry out the maintenance activities and the costs for disposal of debris, waste and sediments;
- (7) the equipment, tools and material required for the maintenance or repair activities and, if specific tools must be used, a list of suppliers of those tools;
- (8) the instructions for the maintenance and replacement of the parts of the hydrodynamic separators and commercial storm water treatment technologies;
- (9) the identification of the training or certificates required for the staff responsible for carrying out the maintenance activities;
- (10) the procedures and equipment required to ensure the safety of the staff carrying out the maintenance activities;
- (11) the identification of the places for the disposal or reclamation of residual materials and the criteria to be met where the sludge is reclaimed;
- (12) a copy of the warranties of the manufacturers of the hydrodynamic separators and commercial storm water treatment technologies;
- (13) a copy of the construction plans of the storm water management works.

## **DIVISION II**

### **DIMENSIONING**

#### **§1. — *General***

**21.** To determine the runoff peak flow of a territory or the storage volume of a storm water management work, the rational method or computer model complying with the standards established in subdivision 4 of Division II of Chapter III must be used.

The rational method described in subdivision 2 of Division II of Chapter III allows the estimating of the runoff peak flow of a territory having an area less than 25 km<sup>2</sup> for storm water management works whose design criterion is the runoff flow.

The rational method described in subdivision 3 of Division II of Chapter III allows the estimating of the storage volume of a storm water management work whose design criterion is the runoff volume receiving storm water from a territory having a maximum area of 5 ha.

For the other hydrological and hydraulic calculations provided for in this Regulation, a computer model may be used if the standards established in subdivision 4 of Division II of Chapter III are complied with.

For the purposes of this Regulation,

(1) the grassed ditch, the hydrodynamic separators and the commercial storm water treatment technologies are storm management works whose design criterion is the runoff flow;

(2) the dry retention system and the permanent volume retention system are storm management works whose design criterion is the runoff volume.

**22.** When, in the application of the rational method or a computer model, intensity-duration-frequency values of the rainfalls are used, the values must result from the statistical analysis of the rainfall data from a weather station whose rain conditions and altitude are representative of those prevailing in the territory drained to the storm water management system and have been produced by Environment Canada, Agrométéo Québec or a municipality.

The intensity-duration-frequency values of rainfalls associated with a return period must be based on a number of years of recording rainfall data complying with the number of years of recording indicated in Table 3.2.

Table 3.2 Number of years of recording associated with a return period

Return period	Number of years of recording
< 2 years	5
2 years	5
10 years	10
25 years	15
50 years	20
100 years	25

For every hydrological calculation carried out with projected conditions, the intensity-duration-frequency values of the rainfalls must be increased by the minimum value indicated in Table 3.3 on the basis of the return period.

Table 3.3 Increase

Return period	Increase
< 2 years	No increase
≥ 2 years	+ 18%

## §2. — Rational method/Runoff flow

**23.** The runoff peak flow, Q, of storm water management works whose design criterion is the runoff flow is established using equation 3-1.

Equation 3-1:	$Q = Cr(p) \times A \times i/360$
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where:

- Q = Runoff peak flow (m<sup>3</sup>/s);  
 Cr(p) = Weighted runoff coefficient established using equation 3-2;  
 A = Area of the territory draining to the storm water management work (ha);  
 i = Rain intensity (mm/h);  
 360 = Conversion coefficient for units.

$$\text{Equation 3-2: } Cr(p) = \frac{\sum_{j=1}^m (A_j \times Cr_j)}{\sum_{j=1}^m (A_j)}$$

where:

- Cr(p) = Weighted runoff coefficient;  
 A<sub>j</sub> = Area of the homogenous surface j (m<sup>2</sup>);  
 Cr<sub>j</sub> = Runoff coefficient in relation to the homogenous surface j;  
 m = Number of homogenous surfaces included in the territory draining to the water storm management system.

**24.** The following rules apply to the factors of equations 3-1 and 3-2:

(1) the runoff coefficients Cr<sub>j</sub> used may not be less than the values indicated in Table 3.4;

Table 3.4 Runoff coefficients Cr<sub>j</sub> according to the various types of surface return periods

Surface	Return period			
	2 to 10 years	11 to 25 years	26 to 50 years	51 to 100 years
Gravel				
Compacted (unpaved road, shoulder, etc.)	0.75	0.83	0.95	0.95
Non compacted	0.60	0.66	0.79	0.95
Paving				
Asphalt, concrete	0.90	0.95	0.95	0.95
Bricks	0.80	0.88	0.95	0.95
Permeable	0.05	0.06	0.07	0.08
Conventional roof	0.95	0.95	0.95	0.95
Green roof				
Thickness < 100 mm				
Thickness from 100 to 200 mm	0.50	0.55	0.66	0.83
Thickness from 200 to 500 mm	0.30	0.33	0.40	0.50
Thickness > 500 mm	0.20	0.22	0.26	0.33
Thickness > 500 mm	0.10	0.11	0.13	0.17

Grass (sandy soil)				
Flat (slope < 2%)				
Average (slope of 2 to 7%)	0.08	0.09	0.11	0.13
Steep (slope > 7%)	0.13	0.14	0.17	0.21
	0.18	0.20	0.24	0.30
Grass (dense soil)				
Flat (slope < 2%)				
Average (slope from 2 to 7%)	0.15	0.17	0.20	0.25
Steep (slope > 7%)	0.20	0.22	0.26	0.22
	0.30	0.33	0.40	0.50

(2) the rain intensity,  $i$ , to be used is the intensity associated with a rainfall duration equal to the concentration time,  $t_c$ , of the territory drained to the storm water management system established using equation 3-3 and associated with the return period considered.

Equation 3-3	$t_c = \max(t_e + t_f)$
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where

- $t_c$  = Concentration time (min);
- $t_e$  = Entry time established using equation 3-4 (min);
- $t_f$  = Water flow time in the storm water management system (min);
- $\max$  = Function of maximization indicating that the concentration time corresponds to the time associated with the combination of an entry time,  $t_e$ , and a water flow time,  $t_f$ , in the storm water management system for which the sum is the highest.

Equation 3-4:	$t_e = \left( \frac{2.187 \times L \times N}{\sqrt{S}} \right)^{0.467}$
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where:

- $t_e$  = Entry time (min);
- $L$  = Maximum distance covered by the water at the surface before reaching the intake of the storm water management system (m); maximum value: 365 m;
- $N$  = Roughness coefficient of the sheet flow according to the flow surfaces indicated in Table 3.5 ( $s/m^{1/3}$ );
- $S$  = Average slope of the path travelled by the water before reaching the intake of the storm water management system (m/m).

Table 3.5 Roughness coefficients

Flow surface	Roughness coefficient
Asphalt/concrete	0.01 to 0.15
Smooth impervious surface	0.02
Bare soil, compacted, without debris, without rocks	0.10
Short and sparse vegetation	0.05
Cultivated soil	
Surface of residues ≤ 20%	0.06
Surface of residues > 20%	0.17
Grass	
Short grass	0.15
Dense grass	0.24
Very dense grass	0.41
Natural grassland	0.13
Pastureland	0.40
Forest	
Sparse undergrowth	0.40
Dense undergrowth	0.80

25. The following rules apply to factor,  $t_f$ , of equation 3-3:

(1) the water flow time,  $t_f$ , for a storm water management system constituted of ditches is established using equation 3-5:

$$\text{Equation 3-5: } t_f = \left( \frac{L \times n}{R^{2/3} \times \sqrt{S}} \right) / 60$$

where:

- $t_f$  = Water flow time in the storm water management system constituted of ditches (min);
- $L$  = Length of water flow into ditches between the intake and the connection point to the storm water management system (m);
- $n$  = Manning's coefficient of the ditches determined in Table 3.6 ( $\text{s/m}^{1/3}$ );
- $R$  = Hydraulic radius of the ditch established by assuming that the design flow flows into the ditch. If a number of ditch geometries are present on the route,  $L$ , the geometry showing the highest hydraulic radius value must be used (m);
- $S$  = Average slope of water flow (m/m);
- 60 = Conversion coefficient for the units.

Table 3.6 Manning's coefficients

Type of ditch	Manning's coefficient
Unprotected ditches	
A) Earth	
Without vegetation	0.018
Grassed	0.025
Sparse bush	0.080
Dense bush	0.120
B) Rock	
Smooth and even	0.038
Irregular with roughness	0.043
Protected ditches	
A) Concrete	
Unfinished concrete	0.015
Finishing	0.013
B) Concrete apron	
Stone and mortar walls	0.018
Concrete block walls	0.023
Armour stone walls (riprap)	0.025
C) Gravel apron	
Concrete walls	0.019
Stone and mortar walls	0.022
Armour stone walls (riprap)	0.028
D) Brick	
Brick	0.016
E) Bituminous concrete	
Bituminous concrete	0.015
F) Wood	
Wood	0.012
Road and drainage ditches	
A) Depth < 200 mm	
Grass 50 mm	0.058
Grass from 100 to 150 mm	0.070
Hay 300 mm	0.130
Hay 600 mm	0.215
B) Depth from 200 to 450 mm	
Grass 50 mm	0.043
Grass from 100 to 150 mm	0.050
Hay 300 mm	0.105
Hay 600 mm	0.145

(2) the water flow time,  $t_f$ , for a storm water management system constituted of pipes is established using equation 3-6:

$$\text{Equation 3-6: } t_f = \left( \frac{2.52 \times L \times n}{D^{2/3} \times \sqrt{S}} \right) / 60$$

where

- $t_f$  = Water flow time in the storm water management system constituted of pipes (min);
- $L$  = Length of water flow into the pipe between the intake and the connection point to the storm water management system (m);
- $n$  = Manning's coefficient of the pipes determined in Table 3.7 (s/m<sup>1/3</sup>);
- $D$  = Diameter of the pipe (m). If a number of pipes are present on the route,  $L$ , an average diameter must be used;
- $S$  = Average slope of water flow (m/m);
- 60 = Conversion coefficient for the units.

Table 3.7 Manning's coefficients

Type of pipe	Roughness or corrugation	Manning's coefficient
Round concrete pipe	Smooth	0.013
Rectangular concrete pipe	Timber formwork (rough)	0.016
	Timber formwork (smooth)	0.014
	Steel formwork (smooth)	0.013
Corrugated steel pipe Annular or helical corrugations	68 over 13 mm (annular) Unpaved	0.024
	25% paved	0.021
	100% paved	0.012
	68 over 13 mm (helical) Unpaved	Variable with D
	25% paved	Variable with D
	100% paved	0.012
	76 over 25 mm (annular) Unpaved	0.027
	25% paved	0.023
	100% paved	0.012
	76 over 25 mm (helical)	Variable with D
Corrugated steel pipe Multiplates	150 over 25 mm	0.024
	125 over 25 mm	0.026
	75 over 25 mm	0.028
	150 over 50 mm	0.035
	Variable corrugation	0.028-0.033
Thermoplastic pipe	Smooth inside	0.010
	Corrugated inside	0.020
Cast iron pipe	Smooth	0.013
Steel pipe	Smooth	0.011
Wood culvert	Smooth	0.016

### §3. — Rational method/Runoff volume

**26.** The minimum storage volume of storm water management works whose design criterion is the runoff volume corresponding to the maximum value of the differences between the runoff volume entering the storm water management work established using equation 3-7,  $V_{\text{inflow}}$ , and the volume leaving established using equation 3-8,  $V_{\text{outflow}}$ , obtained following a succession of calculations for which the rain duration,  $t$ , is increased by 5-minute increments from 5 minutes to 360 minutes.

Equation 3-7:	$V_{\text{inflow}} = [\text{Cr}(p) \times A_{\text{total}} \times (i \times 1.18)/6] \times t$
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where:

- $V_{\text{inflow}}$  = Runoff volume entering the storm water management work during the time,  $t$ , and for the 100-year return period ( $\text{m}^3$ );
- $\text{Cr}(p)$  = Weighted runoff coefficient;
- $A_{\text{total}}$  = Area of the surfaces drained to the storm water management work (ha);
- $i$  = Rain intensity associated with time,  $t$ , for the 100-year return period;
- 1.18 = Increase to take into account the effects of climate change
- 6 = Conversion coefficient for the units;
- $t$  = Duration of the rainfall (min);

Equation 3-8:	$V_{\text{outflow}} = k \times Q_{\text{outflow}} \times t \times 60$
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where:

- $V_{\text{outflow}}$  = Volume leaving the storm water management work during time  $t$  ( $\text{m}^3$ );
- $k$  = Value of the discharge coefficient; maximum value of 0.9;
- $Q_{\text{outflow}}$  = Maximum flow leaving the flow control device ( $\text{m}^3/\text{s}$ ) established in accordance with Division V of Chapter III;
- $t$  = Duration of the rainfall (min);
- 60 = Conversion coefficient for the units.

**27.** An increase of 10% must be applied to the maximum difference obtained in section 26.

### §4. — Computer model

**28.** The standards established in this subdivision apply to the computer model used to carry out the hydrological and hydraulic calculations used to size a storm water management system.

**29.** The computer model must be based on the calculation processes and algorithms of modelling software SWMM5, Storm Water Management Model, developed by the American agency Environmental Protection Agency.

**30.** The parameters of the computer model must comply with the values of the attributes indicated in Table 3.8 for the parameter “General options”.

For the other parameters of the computer model, the values of the attributes, other than the Horton attribute, must be determined following a calibration of the model or, failing that, comply with the values indicated in Table 3.8.

For the values of the Horton attribute, if onsite data are available, the date must be used or, failing that, the values indicated in Table 3.8 must be complied with.

Table 3.8 Parameters of the SWMM5 computer model

Parameter of the model	Attributes	Value
General options	Units	L/s or m <sup>3</sup> /s
General options	Routing model	Dynamic wave
General options	Infiltration model	Horton
General options	Reporting time steps	≤ 1 minute
General options	Routing time steps	≤ 30 seconds
General options	Allow ponding	Activated
Subcatchments	Roughness coefficient (N) – impervious area	Table 3.5
Subcatchments	Roughness coefficient (N) – pervious area	
Subcatchments	Depth of depression storage – impervious area	Table 3.9
Subcatchments	Depth of depression storage – pervious area	

Subcatchments	Horton – maximum infiltration rate ( $f_0$ )	Table 3.10
Subcatchments	Horton – minimum infiltration rate ( $f_c$ )	Table 3.11
Subcatchments	Horton – decay constant ( $k$ )	$\geq 2$
Node	Ponded area	Non-zero value

Table 3.9 Initial losses according to the type of surfaces

Type of surface	Minimum initial loss (mm)
Paving	1.5
Flat roof	1.5
Sloped roof	1.0
Grass	5.0
Wooded area and fields	8.0
Forest	15.0

Table 3.10 Initial infiltration capacity

Type of surface	Initial infiltration capacity (mm/h)					
	With little or no vegetation			With dense vegetation		
	Sandy soil	Loam	Clay soil	Sandy soil	Loam	Clay soil
Dry soil	125	75	25	250	150	50
Wet soil (drained soil but not dry)	40	25	10	80	50	15
Wet soil (saturated soil)	Values of Table 3.11					
Wet soil (partially saturated soil)	60	40	15	125	75	25

Table 3.11 Ultimate infiltration capacity

Hydrologic soil group <sup>(1)</sup>	Ultimate infiltration capacity (mm/h)
A	7.5 to 11.4
B	3.8 to 7.5
C	1.3 to 3.8
D	0.0 to 1.3

(1) Hydrologic groups A, B, C and D are those defined in the report *Classement des séries de sols minéraux du Québec selon les groupes hydrologiques*, Rapport final, IRDA, déc. 2013.

**31.** The simulation model of a storm water management system must be a double drain construction.

A simulation model is a double drain construction where the minor and major drainage systems of the storm water management system are modelized and the surcharges of the minor drainage system and the interaction between the major and minor drainage systems are taken into consideration.

A minor drainage system intercepts, carries and discharges storm water from events having a return period less than 25 years and, where applicable, treats, holds and controls storm water flow: it comprises storm water management works, ditches, pipes, sumps and manholes.

A major drainage system allows the flow of surface storm water where the capacity of the minor drainage system is exceeded.

**32.** The characteristics of each modelized sub-basins in a computer model must be homogenous for the sub-basin modelized.

**33.** The duration of the simulation must end, at least, at the end of the simulated storm pattern plus 48 hours.

A storm pattern is rain that is integrated to the computer model for hydrological and hydraulic simulation purposes.

**34.** The continuity errors on the mass conservation of the runoff water model and water flow model must be between 5% and +5% at the end of a simulation.

**35.** Where simulated rain intensities or levels have return periods equal to or less than the service level of a simulated minor drainage system, no "node" type element of the computer model may be flooded on the surface for the duration of the simulation.

The service level of the minor drainage system is the annual probability that part or all of the minor network flow surcharges and corresponds to the return period according to  $T = 1/P$  where  $T$  is the return period in years and  $P$  is the annual probability that part or all of a minor network flow surcharges at least once.

**36.** No hydrographs of the “segment” type element of the computer model must have digital instabilities at the end of a simulation that affect the validity of the results.

**37.** The storm pattern for sizing storm water management works for controlling suspended matters, the quality control rain, is defined in Table 3.12.

The runoff volume to be treated,  $V_{\text{quality}}$ , and the runoff flow to be treated,  $Q_{\text{quality}}$ , are those associated with the passing of the quality control rain defined in the first paragraph.

Table 3.12 Quality control rain

Time	Rain intensity	Time	Rain intensity	Time	Rain intensity
(min)	(mm/h)	(min)	(mm/h)	(min)	(mm/h)
0	0.00	130	5.70	250	2.16
10	1.30	140	16.70	260	2.02
20	1.37	150	32.91	270	1.90
30	1.44	160	18.34	280	1.80
40	1.53	170	7.25	290	1.70
50	1.64	180	5.28	300	1.62
60	1.77	190	4.24	310	1.56
70	1.92	200	3.59	320	1.48
80	2.12	210	3.14	330	1.42
90	2.38	220	2.80	340	1.37
100	2.74	230	2.54	350	1.33
110	3.24	240	2.34	360	1.28
120	4.07				

**38.** The storm pattern for sizing storm water management works for controlling erosion, erosion control rain, is the type II NRCS rain defined in Table 3.13 having a total rainfall level corresponding to 75% of the rainfall level associated with a duration of 24 hours and having a return period of 2 years based on the intensity-duration-frequency values of rainfalls.

The runoff volume to control erosion,  $V_{\text{erosion}}$ , is the volume associated with the passage of the type II NRCS rain defined in the first paragraph.

Table 3.13 Erosion control rain

Time	P/Ptotal <sup>(1)</sup>	Time	P/Ptotal <sup>(1)</sup>
00:00	0.000	11:00	0.235
02:00	0.022	11:30	0.283
04:00	0.048	11:45	0.357
06:00	0.080	12:00	0.663
07:00	0.098	12:30	0.735
08:00	0.120	13:00	0.772
08:30	0.133	13:30	0.799
09:00	0.147	14:00	0.820
09:30	0.163	16:00	0.880
09:45	0.172	20:00	0.952
10:00	0.181	24:00	1.000
10:30	0.204		

(1) Cumulated fraction of rainfall since the beginning of the rain in relation to the total level of the rain.

**39.** Storm patterns for sizing storm water management works to control 10-year and 100-year floods must at least include Chicago type rainfalls of 3 hours and 6 hours having a return period of 10 years and 100 years, respectively.

The rainfall levels of the storm patterns must correspond to the rainfall level associated with the duration and 10-year or 100-year return period based on intensity-duration-frequency values of rainfalls.

**40.** Chicago rainfall is defined in equations 3-9 and 3-10:

$$\text{Equation 3-9: } i_{av} = \frac{A \left[ (1-C) \frac{t_{av} + B}{r} \right]}{\left( \frac{t_{av} + B}{r} \right)^{(C+1)}}$$

$$\text{Equation 3-10: } i_{ap} = \frac{A \left[ (1-C) \frac{t_{ap} + B}{1-r} \right]}{\left( \frac{t_{ap} + B}{1-r} \right)^{(C+1)}}$$

where:

- $i_{av}$  = Rain intensity before the peak (mm/h);
- $i_{ap}$  = Rain intensity after the peak (mm/h);
- $t_{av}$  = Time before the peak (min);
- $t_{ap}$  = Time after the peak (min);
- $r$  = Symmetry factor corresponding to the values indicated in Table 3.14;

A,B,C = Regression coefficients of the intensity-duration-frequency curve defined in equation 3-11.

Equation 3-11: $i = A/(B+t)^C$
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where:

- i = Rain intensity (mm/h);  
 t = Duration of the rain (min).

Table 3.14 Symmetry factor

Place	Symmetry factor (r)
Montréal	0.45
Lennoxville	0.37
Val d'Or	0.38
Québec	0.38
La Pocatière	0.42
Normandin	0.32
Bagotville	0.42
Other	0.40

41. The time step of the hyetograph of a rain pattern must comply with the durations indicated in Table 3.15.

Table 3.15 Duration of the time step of the hyetograph of a rain pattern

Type of rainfall	Duration of the time step of the hyetograph (min)
Chicago	10
NRCS type II	15

42. Where more than one rain pattern is used to design storm water management works, the patterns must be simulated and the results leading to the largest sizing of the storm water management works must be kept for design purposes.

### **DIVISION III**

#### **REDUCTION OF SUSPENDED MATTERS**

##### *§1. — General*

**43.** To reach the goal of reducing suspended matters, the design of the extension of a storm water management system must

(1) comply with the design standards of storm water management works provided for in subdivision 2 of Division III of Chapter III and apply the calculation standards determined therein to assess the suspended matter reduction performance of storm water management works;

(2) allow the treatment of the runoff volume or flow associated with the quality control rain in accordance with subdivision 3 of Division III of Chapter III;

(3) comply, where applicable, with the design standards of certain works supplementary to the storm water management works referred to in subdivision 4 of Division III of Chapter III.

##### *§2. — Storm water management works*

**44.** Storm water management works must be installed in increasing order of their suspended matter reduction performance, from upstream to downstream, except hydrodynamic separators that must be installed upstream from a treatment chain.

**45.** Two storm water management works of the same type may not be installed in series to increase the suspended matter reduction performance.

**46.** To determine the suspended matter reduction performance of 2 storm water management works installed in series, equation 3-12 must be used.

$$\boxed{\text{Equation 3-12: } P = A + B - [(A \times B) / 100]}$$

where:

- P = Suspended matter reduction performance for 2 storm water management works installed in series (%); minimum value of 80%;
- A = Reduction performance of the storm water management work situated upstream (%);
- B = Reduction performance of the storm water management work situated downstream (%).

**47.** To determine the suspended matter reduction performance of storm water management works installed in parallel, equation 3-13 must be used.

$$\text{Equation 3-13: } P = 1 - \frac{\sum_{i=1}^n Q_i(1-r_i)}{\sum_{i=1}^n Q_i}$$

where:

- P = Suspended matter reduction performance of  $n$  storm water management works installed in parallel (%); minimum value of 80%;
- $Q_i$  = Flow passing through the work  $i$  ( $\text{m}^3/\text{s}$ );
- $r_i$  = Suspended matter reduction performance of storm water management work  $i$  determined in accordance with Table 3.16 (%).

Table 3.16 Suspended matter reduction performance

Storm water management works	Suspended matter reduction performance
Dry retention system	40 to 60%: performance established in accordance with subdivision 2 of Division I of Chapter IV
Permanent volume retention system	50 to 90%: performance established in accordance with subdivision 2 of Division II of Chapter IV
Grassed ditch	50% or performance established in section 148
Hydrodynamic separator	Variable: performance established in accordance with Division IV of Chapter IV
Commercial storm water treatment technology	50% or 80%: performance established in accordance with Division V of Chapter IV

### §3. — Design flow or volume

**48.** Water management works must be designed to treat the runoff volume or flow associated with the quality control rain whether the design of the work is based on a runoff volume or flow.

The quality control rain for a storm water management work whose design is based on a runoff volume is rainfall having a total rainfall level of 25 mm.

The quality control rain for a storm water management work whose design is based on a runoff flow is rainfall having an average rain intensity corresponding to 65% of the rain intensity having a 2-year return period based on rainfall intensity-duration-frequency data for a duration that may not exceed the concentration time of the territory draining to a storm water management work established using equation 3-3.

**49.** The runoff volume to be treated from the territory draining to a storm water management work whose design criterion is the runoff volume is established using equation 3-14.

Equation 3-14:	$V_{\text{quality}} = 25 \times 0.9 \times A_{\text{imp}} \times 10$
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where:

$V_{\text{quality}}$  = Runoff volume to be treated (m<sup>3</sup>);  
 25 = Quality control rain level (mm);  
 0.9 = Runoff coefficient;  
 $A_{\text{imp}}$  = Sum of impervious surfaces drained to the storm water management work, including surfaces drained indirectly (ha);  
 10 = Conversion coefficient for the units.

**50.** The runoff flow to be treated from the territory draining to a storm water management work whose design criterion is the runoff flow is established using equation 3-15.

Equation 3-15:	$Q_{\text{quality}} = (0.65 \times i_{2\text{years}} \times 0.9 \times A_{\text{imp}}) / 360$
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where:

$Q_{\text{quality}}$  = Runoff flow to be treated (m<sup>3</sup>/s);  
 0.65 = Rainfall level adjustment factor;  
 $i_{2\text{years}}$  = Rain intensity having a 2-year return period based on the rainfall intensity-duration-frequency values for a duration that may not exceed the concentration time of the territory draining to a storm water management work (mm/h);  
 0.9 = Associated runoff coefficient;  
 $A_{\text{imp}}$  = Sum of impervious surfaces drained to the storm water management work, including surfaces drained indirectly (ha);  
 360 = Conversion coefficient for the units.

#### §4. — Supplementary storm water management works

##### 1. REVEGETATION

**51.** The plant species listed in Schedule I may not be used in the design of the extension of a storm water management system.

**52.** Where plants are provided for in the design of the extension of a storm water management system, the plants chosen must be adapted to the hydrological zone indicated in Table 3.17.

The hydrological zones correspond to those listed in Table 3.18.

Table 3.17 Hydrological zones

Storm water management work	Hydrological zone				
	1	2	3	4	5
Dry retention system			X	X	X
Permanent volume retention system	X	X	X	X	X
Grassed ditch			X	X	X

Table 3.18 Description of hydrological zones

Zone	Description	Hydrological conditions
1	Permanent deep water	<ul style="list-style-type: none"> <li>Permanent presence of water;</li> <li>Water depth &gt; 0.5 m;</li> <li>Aquatic plants appropriate for the greatest depths.</li> </ul>
2	Permanent shallow water	<ul style="list-style-type: none"> <li>Permanent presence of water;</li> <li>Water depth from 0.15 to 0.5 m.</li> </ul>
3	Retention zone	<ul style="list-style-type: none"> <li>Exposed zone between 2 rain events, but regularly flooded;</li> <li>For a dry retention system and a grassed ditch, the zone corresponds to the zone between the bottom and the water level reached following the passage of the erosion control rain defined in section 77;</li> <li>For a permanent volume retention system, the zone corresponds to the permanent volume water level in the water and sediment accumulation zone and the level reached by the water following the passage of the erosion control rain defined in section 77.</li> </ul>

4	Riparian border	<ul style="list-style-type: none"> <li>• Occasionally flooded during events having a 2-year and 100-year return period.</li> </ul>
5	Outside strip	<ul style="list-style-type: none"> <li>• Rarely or never flooded;</li> <li>• Developed areas for environmental and aesthetic aspects and to control access to the storm water management work.</li> </ul>

**53.** The plantation plans and specifications of a storm water management work must

- (1) indicate and locate the plants to be planted;
- (2) specify the composition and depth of the growth substrates;
- (3) indicate the methods for the planting of substrates and plants;-and
- (4) indicate the plant storage methods.

The plantation plans and specifications of the grassed ditch for hydrological zones 2 and 3, except accesses provided for maintenance, must be prepared by a person holding a university diploma in landscape architecture, biology or in the forest field, or under the person's supervision.

**54.** The plantation specifications for an extension project must include the following clauses:

(1) measures to prevent soil erosion must be present until at least 90% of the planted surface is occupied by well-established plant species in the case of revegetation by seeding, or until the plant species are well established and able to ensure erosion control in the case of revegetation by plantation;

(2) the replanted surfaces must show a minimum rate of coverage by living plants of 90% at the end of at least 1 year following the end of the revegetation work. Revegetation must be carried out again for as long as the plant survival rate is not at least 90% at the end of the year following revegetation work;

(3) fertilization during the plant establishment period must be carried out according to standard BNQ 0605 100 — Aménagement paysager à l'aide de végétaux;

(4) as soon as the plants are received and stored up to 12 months after plantation, the measures required by the contractor to protect and ensure their survival.

**55.** The maintenance program must indicate that plant maintenance must be carried out according to standard BNQ 0605 200 — Entretien arboricole et horticole.

**56.** The maintenance program must indicate that the maintenance activities, except mowing activities, must be carried out or supervised by

(1) a contractor that is a member of the l'Association des paysagistes professionnels du Québec inc.;

(2) a holder of a college diploma in landscaping and groundskeeping in ornamental horticulture;

(3) a holder of a vocational studies diploma in horticulture and garden centre operations;

(4) a person with a continuing work experience of a minimum of 2 years in plant maintenance under the supervision of one of the persons referred to in the preceding paragraphs.

## 2. PRETREATMENT WORK

**57.** The purpose of a pretreatment work is to collect particles at least 65 µm contained in storm water before they enter in a storm water management work.

The following are pretreatment works: the hydrodynamic separator, the grassed ditch and the pretreatment cell.

**58.** Every pretreatment work must be situated upstream of storm water management works.

**59.** Pretreatment works are classified in the following 2 levels:

(1) level 1 allows the withdrawal of at least 35% of suspended matters or removal of particles at least 120 µm during the passage of the runoff flow to be treated;

(2) level 2 allows the withdrawal of at least 50% of suspended matters or removal of particles at least 65 µm during the passage of the runoff flow to be treated.

The hydrodynamic separator is a level 1 or level 2 pretreatment work depending on the performance associated with the treatment flow of the selected model determined under Division IV of Chapter IV, and the grassed ditch and pretreatment cell are a level 2.

**60.** A level 1 or level 2 pretreatment work must be installed for each intake of the dry retention system or the permanent volume retention system whose purpose is to reduce suspended matters through which travels storm water from at least 10% of the surfaces drained by the dry retention system or the permanent volume retention system.

### 3. PRETREATMENT CELL

**61.** A pretreatment cell is a water basin in which particles greater than 65 µm contained in runoff water settle.

It is separated from the storm water management work by a barrier.

**62.** The barrier separating a pretreatment cell from the storm water management work must allow the distribution of water over the full width of the water and sediment accumulation zone.

If a granular berm is used as barrier, it must be protected from erosion.

**63.** A pretreatment cell of a dry retention system must be empty at least 48 hours after the end of the rain event if no other rain event occurs during that period.

A rain event is an event characterized by the recording of rainfall data following a continuous period of at least 6 hours during which the total rainfall level does not exceed 0.3 mm.

**64.** The water level in the pretreatment cell must not exceed 1 metre.

**65.** The water flow speed in the pretreatment cell must be less than 1.2 m/s during the passage of the peak flow having a 2-year return period.

**66.** A layout allowing the complete emptying of the pretreatment cell or the drainage of water using a removable pump must be provided for.

**67.** The storage capacity of pretreatment cells for the accumulation of sediments and water must correspond to at least 15% of the runoff volume to be treated. The volume must be distributed proportionally between the tributary surfaces of each pipe.

**68.** The storage capacity of pretreatment cells must be increased by 20% if sand or other aggregate is used in winter as abrasive in the territory draining to the dry retention system or the permanent volume retention system.

**69.** Half the storage capacity calculated in section 67 must be reserved for the accumulation of sediments.

**70.** The pretreatment cell must be equipped with an access for the maintenance machinery. If an access ramp is installed, it must comply with the layout standards provided for in section 92.

**71.** A sediment accumulation level indicator must be installed in the pretreatment cell and have a mark indicating the level reached by the sediment volume determined in section 69.

#### 4. MICROBASIN

**72.** A microbassin is a depressed cavity situated downstream of the dry retention system allowing the maintenance of a permanent water volume to prevent sedimented particles from being again suspended and the sealing of the opening provided for the control of suspended matters or erosion.

**73.** The average water level of the microbasin must be at least 1 metre when full.

**74.** The permanent water volume in the microbasin must correspond to at least 15% of the runoff volume to be treated.

**75.** A reserve volume for the accumulation of sediments must be provided for to allow an accumulation of sediments for complying with the average water level in the microbasin.

**76.** A sediment accumulation level indicator must be installed in the microbasin and have a mark indicating the level reached by the sediment volume determined in section 75.

#### **DIVISION IV**

#### **EROSION CONTROL**

**77.** To minimize accelerated erosion of receiving lakes and watercourses, the average flow coming out of the surfaces of the extension project at the end of the work during the passage of erosion control rain,  $\bar{Q}_{\text{erosion}}$ , must not exceed the value established using equation 3-16; if the value obtained according to the equation is less than 5 L/s, the value of 5 L/s must be used.

Erosion control rain is rainfall having a total rainfall level corresponding to 75% of the rainfall level associated with a period of 24 hours and having a 2-year return period based on the rainfall intensity-duration-frequency values.

Equation 3-16:	$\bar{Q}_{\text{erosion}} = V_{\text{erosion}} / 86,400$
----------------	--

where:

$\bar{Q}_{\text{erosion}}$  = Average flow leaving during the passage of the erosion control rain (m<sup>3</sup>/s);

$V_{\text{erosion}}$  = Runoff volume to be controlled for erosion;

86,400 = Number of seconds in 24 hours.

**78.** The runoff volume to be controlled for erosion is the volume established using equation 3-17.

Equation 3-17:	$V_{\text{erosion}} = H_{2\text{years}} \times 0.75 \times A_{\text{total}} \times Cr(p) \times 10$
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where:

- $V_{\text{erosion}}$  = Runoff volume to be controlled for erosion (m<sup>3</sup>);
- $H_{2\text{years}}$  = Rain level associated with a period of 24 hours and having a 2-year return period based on the rainfall intensity-duration-frequency values (mm);
- 0,75 = Rain level adjustment factor;
- $A_{\text{total}}$  = Area of the extension project of a storm water management system (ha);
- $Cr(p)$  = Weighted runoff coefficient;
- 10 = Conversion coefficient for the units.

**79.** The maximum flow coming out of the surfaces of the extension of a storm water management system at the end of the work during the passage of erosion control rain must not exceed double the average flow,  $\bar{Q}_{\text{erosion}}$ .

#### **DIVISION V** **FLOOD CONTROL**

**80.** In order not to increase the frequency of flooding of receiving lakes or watercourses and to not reduce the service level of infrastructures crossing the lakes or watercourses situated in the area of influence of the extension project, peak flows from the territory drained to a storm water management system must comply with the following conditions:

(1) for the 10-year return period, the peak flow must be less or equal to the weakest of

(a) the runoff peak flow prevailing before the carrying out of the work for the 10-year return period; and

(b) the sum of the surfaces of the extension project multiplied by 10 L/s/ha;

(2) for the 100-year return period, the peak flow must be less than or equal to the weakest of

(a) the runoff peak flow prevailing before the carrying out of the work for the 100-year return period; and

(b) the sum of the surfaces of the extension project multiplied by 30 L/s/ha.

For the purposes of hydrological calculations, the conditions prevailing before the carrying out of the work must be presumed to be a densely wooded area in good condition, unless photographs of the ground, aerial or satellite,

show different ground occupancy, in a continuous manner up to a maximum of 10 years before the carrying out of the work. If more than one type of occupancy of the territory is present on the site during that period, the type of occupancy having the weakest runoff potential must be used for the calculations.

The service level of infrastructures is the annual probability that the hydraulic capacity of the infrastructures are exceeded and corresponds to the return period according to  $T = 1/P$  where T is the return period in years and P is the annual probability that the hydraulic capacity is exceeded at least once.

The influence area of the extension project is the section of the hydraulic section downstream of the project starting at the discharge point of the storm water management system and ending at the point where the area of the project represents only 10% of the watershed.

**81.** To comply with the peak flows determined under section 80, flow control devices must be used.

## **CHAPTER IV**

### **DESIGN — STORM WATER MANAGEMENT WORKS**

#### **DIVISION I**

#### **DRY RETENTION SYSTEM**

##### *§1. — Flow control*

**82.** A dry retention system must be open.

**83.** A dry retention system must not be installed in a karst site.

**84.** The floor of the dry retention system must have a longitudinal slope between 0.5% and 2% and lateral slopes equal to or greater than 2%.

**85.** A minimum distance of 300 mm must separate the groundwater average seasonal peak and the floor of the dry retention system at its lowest point, except if the dry retention system is constituted of a leakproof membrane or perforated drains collecting the water under the system floor.

The groundwater average seasonal peak is determined using one of the following methods:

(1) the average of the maximum levels recorded between 1 May and 30 November for at least 2 years using a piezometer installed on the site of the dry retention system;

(2) from the observation of the redox level on the site of the dry retention system;

(3) by adding 1.5 m to a punctual measurement of the groundwater level obtained on the site of the dry retention system. If the calculation leads to a groundwater level above the surface, the groundwater average seasonal peak is a level flush with the surface.

**86.** A minimum freeboard of 300 mm must separate the water level associated with a 100-year return period and the point where the dry retention system starts to overflow at its lowest point.

**87.** The emergency weir must have a capacity allowing for the discharge of the flow associated with an event having a 100-year return period.

**88.** The inlet and outlet pipes must have a minimum inside diameter of 450 mm and a minimum draining slope of 1% over at least 10 m from the dry retention system. If the draining slope is less than 1%, the minimum inside diameter of the pipe must be at least 525 mm.

**89.** The inlet pipes must be protected to limit washout and local erosion.

**90.** The flow control devices at the outlet must be protected against sealing and obstruction by debris, ice or frost. The components of the flow control devices must be corrosion-resistant and protected against vandalism.

**91.** The downstream end of the outlet pipes must be protected to limit washout and erosion and protected against vandalism.

**92.** The maintenance access ramp must have a maximum slope of 15% and a minimum width of 3 m. If the roadway is consolidated, the maximum slope does not apply.

**93.** A dry retention system must be empty less than 72 hours after the end of a rain event if no other rain event occurs during that period.

A dry retention system is empty where less than 5% of the maximum volume reached in the system following the passage of a rain event is present in the system.

**94.** In the water and sediment accumulation zone, a reserve must be provided for the accumulation of sediments on top of the storage volume provided for the water.

**95.** A sediment accumulation level indicator must be installed in the water and sediment accumulation zone and include a mark indicating the level of the sediment volume reached provided for in section 94 or, where applicable, determined in section 111.

**96.** The flow control devices of the dry retention system must include

(1) a device for ensuring compliance with the average flow during the passage of the erosion control rain,  $\bar{Q}_{\text{erosion}}$ ;

(2) a device for ensuring compliance with the peak flow established in subparagraph 1 of the first paragraph of section 80; the sizing of the device must take into account the flow discharged by the device provided for in subparagraph 1 of the first paragraph or, where applicable, the device provided for in section 105; and

(3) a device for ensuring compliance with the peak flow established in subparagraph 2 of the first paragraph of section 80; the sizing of the device must take into account the flow discharged by the devices provided for in subparagraphs 1 and 2 of the first paragraph.

Despite the foregoing, if a flow control device of the orifice or orifice plate type is used, the diameter must not be less than 75 mm.

**97.** The following types of flow control devices must be used:

- (1) orifice or orifice plate;
- (2) flow restricting pipe;
- (3) broad-crested or sharp-crested weir.

In addition to the types of flow control devices provided for in the first paragraph, the vortex flow control device or buoyant flow control devices providing a constant discharge may be used in a dry retention system to ensure compliance with the average outlet flow during the passage of the erosion control rain,  $\bar{Q}_{\text{erosion}}$ .

**98.** Where the flow control device is sized to discharge a flow equal to or less than 15 L/s, a vortex flow control device must be used.

**99.** The sizing of the flow control device of the orifice or orifice plate type must be established using equation 4-1 if a maximum flow is used for design purposes or equation 4-2 if an average flow is used for design purposes.

$$\text{Equation 4-1: } A = \frac{Q}{C\sqrt{2 \times 9.81(H_1 - H_2)}}$$

where:

- |                |   |   |
|----------------|---|---|
| A              | = | Flow section of the orifice (m <sup>2</sup> );  |
| Q              | = | Flow leaving an orifice ensuring compliance with paragraph 1, 2 or 3 of section 96 (m <sup>3</sup> /s);   |
| C              | = | Discharge coefficient of the orifice; minimum value 0.60;   |
| 9.81           | = | Gravitational acceleration (m/s <sup>2</sup> );   |
| H <sub>1</sub> | = | Vertical distance between the centre of the orifice and the maximum water level reached upstream of the orifice;  |
| H <sub>2</sub> | = | Vertical distance between the centre of the orifice and the water level downstream of the orifice (m); if the downstream side of the orifice is not submerged and is free-flowing, then H <sub>2</sub> = 0. |

$$\text{Equation 4-2: } A = \bar{Q}_{\text{erosion}} / C \times \sqrt{2 \times 9.81(H_1 - H_2)}$$

where:

- A = Flow section of the orifice (m<sup>2</sup>);  
 $\bar{Q}_{\text{erosion}}$  = Average outlet flow during the passage of erosion control rain;  
 C = Discharge coefficient of the orifice; minimum value: 0.60;  
 9.81 = Gravitational acceleration (m/s<sup>2</sup>);  
 H<sub>1</sub> = Vertical distance between the centre of the orifice and the average water level upstream of the orifice; the average level corresponds to the average volume divided by the average surface water area (m);  
 H<sub>2</sub> = Vertical distance between the centre of the orifice and the water level downstream of the (m); if the downstream side of the orifice is not submerged and is free-flowing, then H<sub>2</sub> = 0.

**100.** The sizing of a flow control device of a non-submerged thin-walled weir type is established using equation 4-3, in the case of a trapezoidal weir.

A thin-walled weir is a weir made of a thin plate less than 5 mm thick.

A trapezoidal weir consists of 1 rectangular weir and 2 triangular weirs.

$$\text{Equation 4-3: } Q_{ns} = C_d \times (L - 0.1 \times i \times H) \times H^{3/2} + C_c \times \emptyset \times H^{5/2}$$

where:

- Q<sub>ns</sub> = Flow discharged by a non-submerged thin-walled trapezoidal weir (m<sup>3</sup>/s);  
 C<sub>d</sub> = Flow coefficient for the rectangular central part of the weir, with C<sub>d</sub> = 1.81 + (0.22 × H/P), where P= height of the crest above the channel bottom or invert or the discharge channel (m<sup>1/2</sup>/s); if H/P < 0.3, C<sub>d</sub> = 1.84;  
 L = Length of the weir (m); for a triangular weir L = 0 m;  
 i = Number of contractions: 0, 1 or 2;  
 H = Height of the runoff curve above the crest (m);  
 C<sub>c</sub> = Flow coefficient for each triangle of the weir; a value of 1.38 must be used where tg<sup>-1</sup>(∅) is between 10° and 50° (m<sup>1.5</sup>/s);  
 ∅ = Ratio of the horizontal distance and the vertical distance of each of the lateral walls; for a rectangular weir ∅ = 0.

**101.** The sizing of a flow control device of the thin-walled weir type submerged downstream must be established using equation 4-4.

$$\text{Equation 4-4: } Q_s = Q_{ns} \times \left(1 - \left(\frac{H_2}{H_1}\right)^{3/2}\right)^{0.385}$$

where:

- $Q_s$  = Flow discharged by a submerged thin-walled weir (m<sup>3</sup>/s);  
 $Q_{ns}$  = Flow discharged by the non-submerged weir (m<sup>3</sup>/s);  
 $H_1$  = Height of the runoff curve above the crest upstream of the weir (m);  
 $H_2$  = Height of the runoff curve above the crest downstream of the weir (m).

**102.** The sizing of a flow control device of a non-submerged broad-crested weir type must be established using equation 4-5, in the case of a rectangular weir.

A broad-crested weir is a weir having a thickness allowing the distribution of the pressure to be hydrostatic.

$$\text{Equation 4-5: } Q_{sp} = C_{sp} \times (L - 0.1 \times i \times H) \times H^{3/2}$$

where:

- $Q_{sp}$  = Flow discharged by a non-submerged rectangular broad-crested weir (m<sup>3</sup>/s);  
 $C_{sp}$  = Flow coefficient for a broad-crested weir determined in accordance with Table 4.1 (m<sup>1/2</sup>/s);  
 $L$  = Length of the weir (m);  
 $i$  = Number of contractions: value = 0, 1 or 2;  
 $H$  = Height of the runoff curve above the crest (m).

Table 4.1 Flow coefficient

Height of the runoff curve above the crest <sup>(1)</sup> (m)	Length of the weir (length in the direction of the water flow)														
	0.15	0.20	0.30	0.40	0.50	0.60	0.70	0.80	0.90	1.00	1.25	1.50	2.00	3.00	4.00
0.10	1.59	1.56	1.50	1.47	1.45	1.43	1.42	1.41	1.40	1.39	1.37	1.35	1.36	1.40	1.45
0.15	1.65	1.60	1.51	1.48	1.45	1.44	1.44	1.44	1.45	1.45	1.44	1.43	1.44	1.45	1.47
0.20	1.73	1.66	1.54	1.49	1.46	1.44	1.44	1.45	1.47	1.48	1.48	1.49	1.49	1.49	1.48
0.30	1.83	1.77	1.64	1.56	1.50	1.47	1.46	1.46	1.46	1.47	1.47	1.48	1.48	1.48	1.46

0.40	1. 83	1. 80	1. 74	1. 65	1. 57	1. 52	1. 49	1. 47	1. 46	1. 46	1. 47	1. 47	1. 47	1.47
0.50	1. 83	1. 82	1. 81	1. 74	1. 67	1. 60	1. 55	1. 51	1. 48	1. 48	1. 47	1. 46	1. 46	1.45
0.60	1. 83	1. 83	1. 82	1. 73	1. 65	1. 58	1. 54	1. 46	1. 31	1. 34	1. 48	1. 46	1. 46	1.45
0.70	1. 83	1. 83	1. 83	1. 78	1. 72	1. 65	1. 60	1. 53	1. 44	1. 45	1. 49	1. 47	1. 46	1.45
0.80	1. 83	1. 83	1. 83	1. 82	1. 79	1. 72	1. 66	1. 60	1. 57	1. 55	1. 50	1. 47	1. 46	1.45
0.90	1. 83	1. 83	1. 83	1. 83	1. 81	1. 76	1. 71	1. 66	1. 61	1. 58	1. 50	1. 47	1. 46	1.45
1.00	1. 83	1. 83	1. 83	1. 83	1. 82	1. 81	1. 76	1. 70	1. 64	1. 60	1. 51	1. 48	1. 46	1.45
1.10	1. 83	1. 83	1. 83	1. 83	1. 83	1. 83	1. 80	1. 75	1. 66	1. 62	1. 52	1. 49	1. 46	1.45
1.20	1. 83	1. 79	1. 70	1. 65	1. 53	1. 49	1. 46	1.45						
1.30	1. 83	1. 82	1. 77	1. 71	1. 56	1. 51	1. 46	1.45						
1.40	1. 83	1. 77	1. 60	1. 52	1. 46	1.45								
1.50	1. 83	1. 79	1. 66	1. 55	1. 46	1.45								
1.60	1. 83	1. 81	1. 74	1. 58	1. 46	1.45								

(1) Measured over a distance equal to or greater than 2.5 times the height of the weir crest above the bottom or invert or the water discharge channel.

## §2. — Control of suspended matters

**103.** This subdivision applies to a dry retention system that also reduces suspended matters.

**104.** The suspended matter reduction performance of the dry retention system is established in accordance with figure 4.2; it is between 40% and 60% depending on the retention period.

The retention period corresponds to the time elapsed between the time the water of the dry retention system reaches a maximum level and the time when there is less than 10% of the volume in the system.

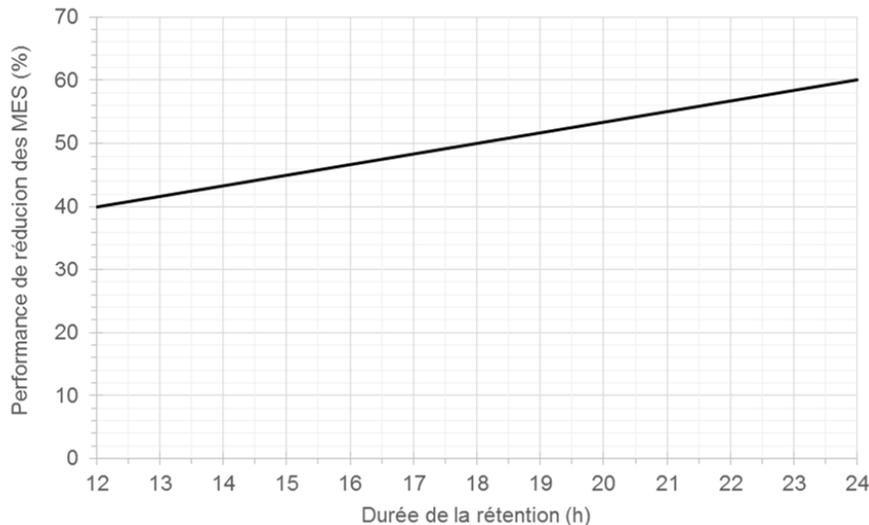
Figure 4.2 Suspended matter reduction performance of a dry retention system according to the retention period

[à gauche dans le tableau suivant:

Suspended matter reduction performance (%)

Bas du tableau:

Retention period (h)]



**105.** The dry retention system must have a flow control device for the reduction of suspended matters that ensures a retention period of the runoff volume to be treated of at least 12 hours.

If a flow control device of the orifice or orifice-plate type is used, the diameter may not be less than 75 mm.

Where a flow control device is added to the dry retention system, the device provided for in subparagraph 1 of the first paragraph of section 96 becomes optional.

**106.** The maximum flow coming out of the dry retention system for the retention period may not exceed double the average flow determined using equation 4-6.

Equation 4-6: $\bar{Q}_{mes} = V_{quality} / [t \times (3600)]$
---

where:

- $\bar{Q}_{mes}$  = Average outlet flow of the dry retention system to discharge the runoff volume to be treated (m<sup>3</sup>/s);
- $V_{quality}$  = Runoff volume to be treated (m<sup>3</sup>);
- $t$  = Retention period (h);
- 3600 = Number of seconds in 1 hour.

**107.** The sizing of the flow control device for the reduction of suspended matters, in the case of an orifice or orifice plate type, is established using equation 4-7.

Equation-4-7:
---------------

$$A = \bar{Q}_{mes} / C \times (\sqrt{2 \times 9.81(H_1 - H_2)})$$

where:

- A = Flow section of the orifice (m<sup>2</sup>);
- $\bar{Q}_{mes}$  = Average outlet flow of the dry retention system to discharge the runoff volume to be treated (m<sup>3</sup>/s);
- C = Discharge coefficient of the orifice minimum value: 0.60;
- 9.81 = Gravitational acceleration (m/s<sup>2</sup>);
- H<sub>1</sub> = Vertical distance between the centre of the orifice and the average water level on the discharge of the runoff volume to be treated; the average level corresponds to the average volume divided by the average surface water area (m);
- H<sub>2</sub> = Vertical distance between the centre of the orifice and the water level downstream of the orifice (m); if the downstream side of the orifice is not submerged and is free-flowing, then H<sub>2</sub> = 0.

**108.** The route followed by the water in the dry retention system by at least 80% of the runoff volume to be treated must have a minimum length/width ratio of 3 to 1, or a minimum ratio of the flow path over the length of the work of 3 to 1.

A flow path is the route followed by the water between an intake in a storm water management work and the outlet of the work.

**109.** The ratio of the lengths of the shortest flow path and the longest flow path must be at least 0.7, except if less than 20% of the surfaces drained to the dry retention system drain through the shortest flow path.

**110.** If a flow channel is installed at the bottom of the basin, it must not be made of an impervious material.

**111.** The reserve volume for the accumulation of sediments provided for in the water and sediment accumulation zone must correspond to at least the smaller of the following values:

- (1) 20% of the runoff volume to be treated;
- (2) the volume established using equation 4-8.

Equation 4-8:	$V_{MES} = M_{sed.} \times N \times A_{imp} \times P/100$
---------------	---

where:

- $V_{MES}$  = Reserve volume for the accumulation of sediments (m<sup>3</sup>);  
 $M_{sed.}$  = Volume of sediments produced per year per hectare (m<sup>3</sup>/year/ha): minimum value: 0.68;  
 $N$  = Expected number of years of operation without maintenance (year); minimum value: 5;  
 $A_{imp}$  = Area of impervious surfaces drained to the dry retention system (ha);  
 $P$  = Suspended matter reduction performance determined in accordance with figure 4.2 (%).

### §3. — Maintenance program

**112.** The maintenance program must include

- (1) an estimate of the expected reserve volume for the accumulation of sediments in the water and sediment accumulation, the microbasin and, where applicable, the pretreatment work;
- (2) the expected number of years of operation without maintenance of the dry retention system, expressed in years, established using equation 4-9.

Equation 4-9:	$N = V_{MES} / (M_{sed.} \times A_{imp} \times P/100)$
---------------	--

where:

- $N$  = Estimate of the expected number of years of operation without maintenance (year): minimum value: 1;  
 $V_{MES}$  = Reserve volume for the accumulation of sediments in the dry retention system (m<sup>3</sup>);  
 $M_{sed.}$  = Volume of sediments produced per year per hectare (m<sup>3</sup>/year/ha): minimum value: 0.68;  
 $A_{imp}$  = Area of impervious surfaces drained to the dry retention system (ha);  
 $P$  = Suspended matter reduction performance determined in accordance with figure 4.2 (%);

(3) the need to proceed with the maintenance of the water and sediment accumulation zone where

- (a) the accumulation of sediments reaches the mark affixed on the sediment level indicator;

(b) water remains present 72 hours after the end of the rain event and no other rain event has occurred during that period;

(4) the need to proceed, where applicable, with the maintenance of the pretreatment work where

(a) the accumulation of sediments reaches the mark affixed on the sediment level indicator;

(b) water remains present 24 hours after the end of a rain event and no other rain event has occurred during that period;

(5) the water discharge curve of the retention system according to the water level;

(6) the curve describing the volume of storage according to the water level;

(7) the water level from which the dry retention system overflows at its lowest point.

## **DIVISION II**

### **PERMANENT VOLUME RETENTION SYSTEM**

#### *§1. — Flow control*

**113.** The permanent volume retention system must be open.

**114.** The bottom of the permanent volume retention system must be impervious.

**115.** The average depth of the volume occupied by permanent water must be greater than 1 m.

The average depth is calculated by dividing the volume occupied by the permanent water by the surface water area occupied by that volume of water.

**116.** The thickness of the temporary volume of water associated with a 100-year return period must be less than 3 m.

**117.** A minimum freeboard of 300 mm must separate the water level associated with a 100-year return period and the point at which the permanent volume retention system begins to overflow at its lowest point.

**118.** The emergency weir must have a capacity allowing the discharge of the flow associated with an event having a 100-year return period.

**119.** The inlet and outlet pipes must have a minimum inside diameter of 450 mm and a minimum draining slope of 1% over at least 10 m from the permanent volume retention system. If the draining slope is less than 1%, the minimum inside diameter of the pipe must be at least 525 mm.

**120.** The invert of the inlet pipe must be located above the surface of the permanent water or, failing that, at least 150 mm lower than the underside of the ice cover,  $h_g$ , established using equation 4-10.

Equation 4-10:	$h_g = 20 \times (D_g)^{0.5}$
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where:

- $h_g$  = Thickness of the ice cover (mm);  
 $D_g$  = Sum of the freezing degree-days at the site of the permanent volume retention system determined using figure 4.3 or from the climate normals data published by Environment and Climate Change Canada ( $^{\circ}\text{C} \times \text{days}$ ).

Figure 4.3 Freezing degree days index

[Texte à l'intérieur de la carte:

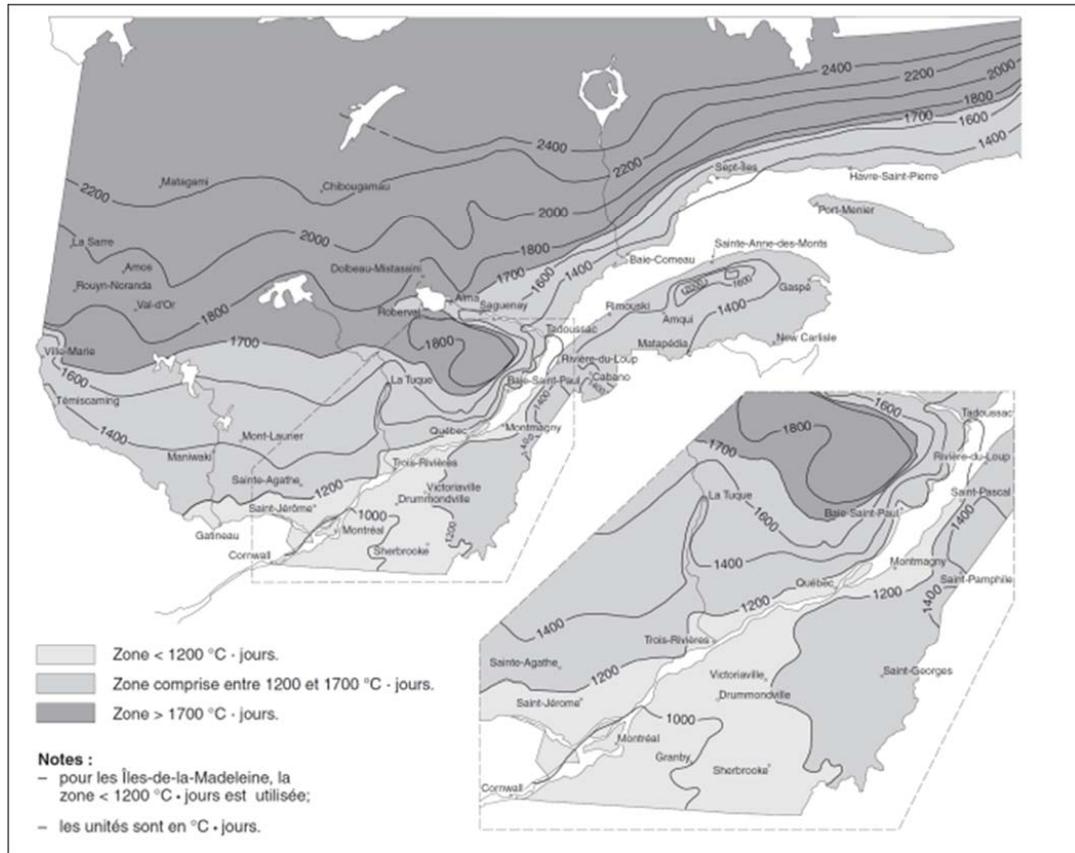
Zone < 1,200  $^{\circ}\text{C} \cdot \text{days}$

Zone comprised between 1,200 and 1,700  $^{\circ}\text{C} \cdot \text{days}$

Zone > 1,700  $^{\circ}\text{C} \cdot \text{days}$

**Notes:**

- for the Îles-de-la-Madeleine, zone < 1,200  $^{\circ}\text{C} \cdot \text{days}$  is used;
- units are in  $^{\circ}\text{C} \cdot \text{days}$ ]



**121.** The inlet pipes of the permanent volume retention system must be protected to limit washout and local erosion.

**122.** The flow control devices at the outlet of the permanent volume retention system must be protected against sealing and obstruction by debris.

The components of the flow control devices must be corrosion-resistant and protected against vandalism.

**123.** At least one of the measures against freezing of the flow control devices shown in Table 4.4 must be provided at the outlet of the permanent volume retention system.

Table 4.4 Protection at the outlet

[Traduction de la colonne de gauche:

Couvert de glace: Ice cover

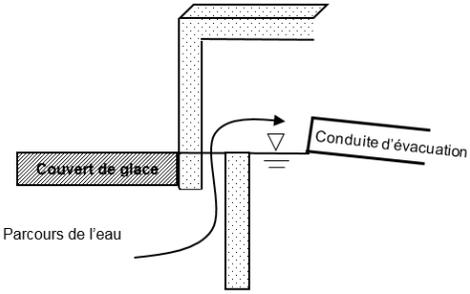
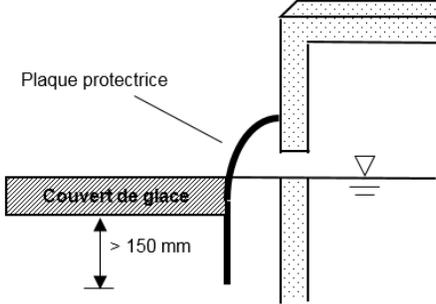
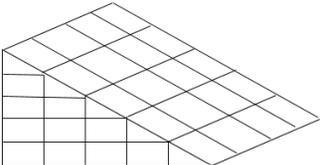
Parcours de l'eau: Water route

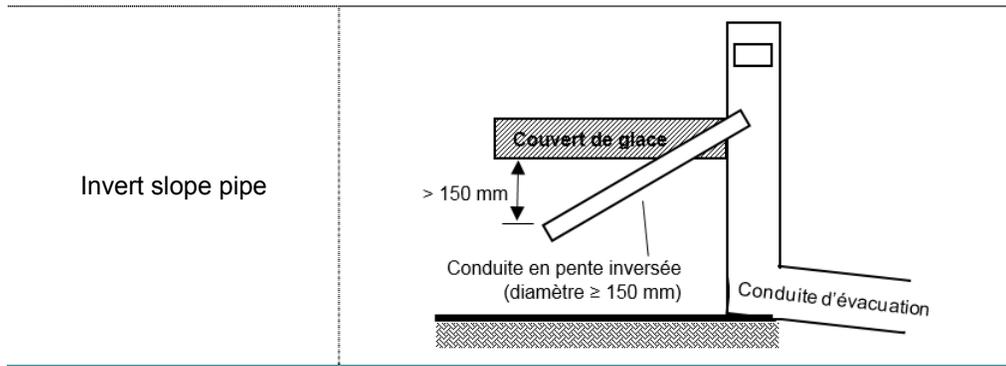
Conduite d'évacuation: Discharge pipe

Plaque protectrice: Protective plate

Conduite en pente inversée: Invert slope pipe

Diamètre: Diameter

Type of protection	Sketch (for information purposes only)
Baffle deflector	
Protective plate	
Trash rack installed at a shallow angle	



**124.** The end of the protective plate shown in Table 4.4 must be situated at least 150 mm from the ice cover.

**125.** The inside diameter of an invert slope pipe shown in Table 4.4 must be at least 150 mm and the top of the pipe must be situated at least 150 mm from the ice cover.

**126.** The downstream end of the outlet pipes must be protected to limit washout and erosion and protected against vandalism.

**127.** The maintenance access ramp must have a maximum slope of 15% and a minimum width of 3 m. If the roadway is consolidated, the maximum slope does not apply.

**128.** The volume of the temporary water must be discharged less than 48 hours after the end of the rain event if no other rain event has occurred during that period.

**129.** A reserve must be provided in the water and sediment accumulation zone for the accumulation of sediments above the volume occupied by the permanent water.

**130.** The provisions of sections 96 to 102 applicable to the dry retention system apply to the permanent volume retention system, with the necessary modifications.

## §2. — Control of suspended matters

**131.** This subdivision applies to a permanent volume retention system that also reduces suspended matters.

**132.** The suspended matter reduction performance of the permanent volume retention system is established in accordance with figure 4.5; it is included between 50% and 90% and varies according to the ratio between the volume of permanent water in the water and sediment accumulation zone and the runoff volume to be treated,  $V_{\text{quality}}$ , and according to the temporary retention period.

The temporary retention period corresponds to the time elapsed between the moment the volume of the temporary water reaches a maximum level and the moment there is less than 10% of the volume of maximum temporary water in the system.

The volume of the temporary water is the difference between the volume of water in the permanent volume retention system and the volume of permanent water in the water and sediment accumulation zone.

Figure 4.5 Suspended matter reduction performance

[Traduction de ce qui est dans le tableau suivant:

Suspended matter reduction performance (%)

Temporary retention period:

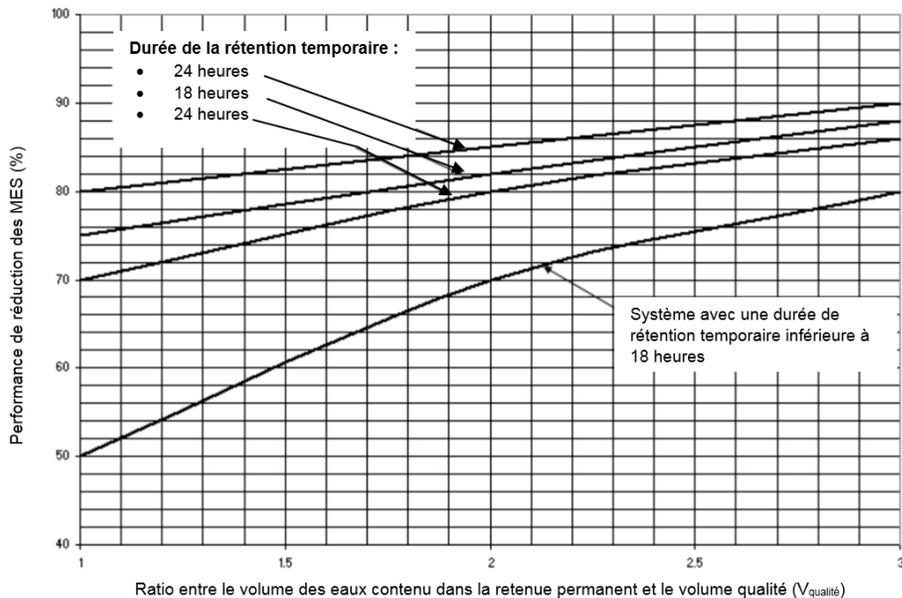
24 hours

18 hours

24 hours

System with a temporary retention period less than 18 hours

Ratio of permanent pool volume to water quality treatment volume ( $V_{\text{quality}}$ )



**133.** The volume of permanent water in the water and sediment accumulation zone must be at least equal to the runoff volume to be treated.

**134.** The maximum flow leaving the permanent volume retention system for the temporary retention period may not exceed double the average flow determined using equation 4-11.

$$\text{Equation 4-11: } \bar{Q}_{\text{mes}} = V_{\text{quality}} / [t \times (3,600)]$$

where:

$\bar{Q}_{\text{mes}}$  = Average flow leaving the permanent volume retention system to discharge the runoff volume to be treated ( $\text{m}^3/\text{s}$ );

$V_{\text{quality}}$  = Runoff volume to be treated ( $\text{m}^3$ );

$t$  = Temporary retention period (h);

3,600 = Number of seconds in an hour.

**135.** The sizing of the flow control device for reducing suspended matters, in the case of an orifice or orifice plate type, is established using equation 4-12.

$$\text{Equation 4-12: } A = \bar{Q}_{\text{mes}} / C \times (\sqrt{2 \times 9.81(H_1 - H_2)})$$

where:

$A$  = Flow section of the orifice ( $\text{m}^2$ );

$\bar{Q}_{\text{mes}}$  = Average flow leaving the permanent volume retention system to discharge the runoff volume to be treated ( $\text{m}^3/\text{s}$ );

$C$  = Discharge coefficient of the orifice: minimum value: 0.60;

9.81 = Gravitational acceleration ( $\text{m}/\text{s}^2$ );

$H_1$  = Vertical distance between the centre of the orifice and the average water level during the discharge of the runoff volume to be treated; the average level corresponds to the average volume divided by the average surface water area (m);

$H_2$  = Vertical distance between the centre of the orifice and the water level downstream of the orifice (m); if the downstream side of the orifice is not submerged and is free-flowing, then  $H_2 = 0$ .

**136.** The route of the water followed in the permanent volume retention system by at least 80% of the runoff volume to be treated must have a ratio of minimum length/width of 3 to 1, or a minimum ratio of the flow path over the length of the work of 3 to 1.

A flow path is the route followed by the water between an intake in a storm water management work and the outlet of the work.

**137.** The ratio of the lengths of the shortest flow path and the longest flow path must be at least 0.7, except if less than 20% of the surfaces drained to the permanent volume retention system drain through the shortest flow path.

**138.** The reserve volume for the accumulation of sediments provided for in the water and sediment accumulation zone must correspond to at least the smaller of the following values:

- (1) 20% of the runoff volume to be treated;
- (2) the volume established using equation 4-13.

Equation 4-13: $V_{MES} = M_{sed.} \times N \times A_{imp} \times P/100$
--

where:

- $V_{MES}$  = Reserve volume for the accumulation of sediments ( $m^3$ );
- $M_{sed.}$  = Volume of sediments produced per year per hectare ( $m^3/year/ha$ ): minimum value: 0.68;
- $N$  = Expected number of years of operation without maintenance (year); minimum value: 5;
- $A_{imp}$  = Area of impervious surfaces drained to the permanent volume retention system (ha);
- $P$  = Suspended matter reduction performance determined in accordance with figure 4.5 (%).

### §3. — Maintenance program

**139.** The maintenance program must include

- (1) an estimate of the expected reserve volume for the accumulation of sediments in the water and sediment accumulation zone and, where applicable, in the pretreatment work;
- (2) the expected number of years of operation without maintenance of the permanent volume retention system, expressed in years, established using equation 4-14.

Equation 4-14: $N = V_{MES} / (M_{sed.} \times A_{imp} \times P/100)$
---

where:

- $N$  = Estimate of the expected number of years of operation without maintenance (year): minimum value: 1;
- $V_{MES}$  = Reserve volume for the accumulation of sediments in the permanent volume retention system ( $m^3$ );
- $M_{sed.}$  = Volume of sediments produced per year per hectare ( $m^3/year/ha$ ): minimum value: 0.68;
- $A_{imp}$  = Area of impervious surfaces drained to the permanent volume retention system (ha);
- $P$  = Suspended matter reduction performance determined in accordance with figure 4.5 (%);

- (3) the minimum value of the water depth of the volume of permanent water in the water and sediment accumulation zone to be complied with and the site where the observation must be made;

(4) the need to proceed to the maintenance of the water and sediment accumulation zone where the minimum value of the water depth observed at the site provided for in paragraph 3 is less than the value to be complied with;

(5) the need to proceed, where applicable, to the maintenance of the pretreatment work where the accumulation of sediments reaches the mark affixed on the sediment level indicator;

(6) the water discharge curve of the permanent volume retention system according to the water level;

(7) the curve describing the storage volume according to the water level;

(8) the water level from which the permanent volume retention system overflows at its lowest point.

### **DIVISION III**

#### **GRASSED DITCH**

##### *§1. — General*

**140.** The width of the water flow into the grassed ditch must be included between 0.5 and 2.5 m.

**141.** The cross section of the floor of the grassed ditch must be smooth over the width of the ditch.

**142.** The longitudinal slope of the grassed ditch must be included between 0.3 and 5%.

If the longitudinal slope is greater than 5%, weirs must be installed so that the slope of the water flow between the weirs is between 0.3 and 5%. The weirs must be protected downstream against erosion.

**143.** The lateral walls of the grassed ditch must have a horizontal distance (H) ratio over a vertical distance (V) of 3H: 1V or be more gentle.

**144.** The bottom of the grassed ditch must be situated at a minimum distance of 300 mm from the average seasonal maximum groundwater level determined in accordance with section 85.

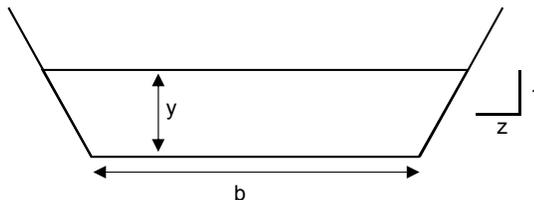
**145.** The average speed of water flow, V, established using equation 4-15, in the grassed ditch during the passage of the runoff flow to be treated must be less than 0.5 m/s.

$$\text{Equation 4-15: } V = \frac{1}{N} R^{2/3} S^{1/2}$$

where:

- V = Average water flow speed (m/s);
- N = Roughness coefficient during the passage of the runoff flow to be treated,  $Q_{\text{quality}}$ ; minimum value of 0.25;
- R = Hydraulic radius (m); for a trapezoidal channel R is established using equation 4-16:
- S = Longitudinal draining slope (m/m);

$$\text{Equation 4-16: } R = \frac{(b+z \times y) \times y}{b+2 \times y \sqrt{1+z^2}}$$



where:

- y = Water flow level (m);
- z = Ratio of the horizontal distance over a vertical distance unit (zH: 1V); value  $\geq 3$ ;
- b = Width at the bottom of the grassed ditch (m); value between 0.5 and 2.5 m.

**146.** The water flow level,  $y$ , in the grassed ditch during the passage of the runoff flow to be treated must be less than two-thirds the height of mowing of the vegetation, or mature vegetation present in the ditch where no maintenance is carried out, without exceeding 75 mm.

The water flow level,  $y$ , is established by iteration using equation 4-17.

$$\text{Equation 4-17: } Q = A \times V$$

where

- Q = Flow into the ditch ( $\text{m}^3/\text{s}$ );
- A = Area of the flow section, for a trapezoidal channel,  $A = by + zy^2$  ( $\text{m}^2$ );
- V = Average water flow speed (m/s).

**147.** The minimum travel time of the water in the ditch,  $\tau$ , established using equation 4-18, must be equal to or greater than 600 seconds.

The minimum travel time of the water is the average time that the water takes to flow into the grassed ditch from the last intake of the grassed ditch to the end of the ditch.

$$\text{Equation 4-18: } \tau = L/V$$

where:

- $\tau$  = Minimum travel time of the water;
- $L$  = Length of the grassed ditch, from the last water intake to the end of the ditch (m);
- $V$  = Average water flow speed (m/s).

**148.** The suspended matter reduction performance is established using equation 4-19 if water input to the grassed ditch is evenly distributed over the length of the ditch.

$$\text{Equation 4-19: } P = \left( \frac{L - (V \times 600)}{L} \right) \times 50\%$$

where:

- $P$  = Suspended matter reduction performance (%);
- $V$  = Average water flow speed (m/s);
- $L$  = Length of the grassed ditch (m).

Where the length of the ditch,  $L$ , is less than the product of the average water flow speed,  $V$ , multiplied by 600 seconds,  $V \times 600$ , the suspended matter reduction performance,  $P$ , is 0%.

**149.** Each square metre of the surface of the grassed ditch must be covered 90% by shoots at least 120 mm high after a 7-week or more growth within the growth periods indicated in Table 4.6, according to the hardness zone determined by Natural Resources Canada.

Table 4.6 Growth period according to hardness zone

Hardiness zone	Growth period
2a and 2b	From 30 June to 21 August
3a and 3b	From 15 June to 30 August
4a and 4b	From 21 May to 10 September
5a and 5b	From 10 May to 21 September

**150.** The average water flow speed,  $V$ , during the passage of the flow having a 5-year return period must not exceed the values indicated in Table 4.7 according to the type of vegetation in place, the draining slope and the nature of the soils.

Table 4.7 Average water flow speed

Type of vegetation in the ditch	Slope (%)	Speed (m/s)	
		Erosion-resistant soil	Non-erosion-resistant soil
Well-rooted grass	0-5	2.44	1.83
	5-10	2.13	1.52
	> 10	1.83	1.22
Short-blade grass	0-5	2.13	1.52
	5-10	1.83	1.22
	> 10	1.52	0.91
Mixture	0-5	1.52	1.22
	5-10	1.22	0.91
Grasses	0-5	1.07	0.76

## §2. — Maintenance program

**151.** The maintenance program must include the following information:

- (1) plants must be kept at a size of at least 120 mm;
- (2) each square metre of the surface of the grassed ditch must be reseeded where less than 90% of shoots are less than 120 mm high after a 7-week or more growth period within the growth periods indicated in Table 4.6;
- (3) the ditch must be subject to maintenance where water is present in the grassed ditch more than 48 hours after the end of the rain event and no other rain event has occurred during that period.

## DIVISION IV

### HYDRODYNAMIC SEPARATOR

#### §1. — General

**152.** To be installed, a hydrodynamic separator must comply with the following:

- (1) have been verified under Canada's Environmental Technology Verification Program or as part of a verification process compliant with ISO Standard 14034 Environmental management — Environmental technology verification (ETV);
- (2) the verification conducted under paragraph 1 confirms, through a verification certificate or declaration, that the laboratory test procedure for oil and grit separators published by Canada's Environmental Technology Verification Program has been complied with;

(3) the verification certificate or declaration referred to in paragraph 2 is not expired on the date on which the plans and specifications are signed or is dated not more than 3 years before the signing of the plans and specifications;

(4) the conditions and restrictions provided for in the verification certificate or declaration, the technology sheet and the verification report produced at the end of the verification process performed under paragraph 1 are complied with.

**153.** For a given loading rate, a hydrodynamic separator may be installed in a series configuration if a test for resuspension of sediments conducted at a loading rate corresponding to at least 200% of the loading rate has been successful.

An installation in a series configuration is an installation in which flows travelling in a storm water management system are sent to a non-bypass treatment unit upstream of the hydrodynamic separator.

**154.** For a given loading rate, a hydrodynamic separator may be installed in a parallel configuration if a test for resuspension of sediments conducted at a loading rate corresponding to at least 125% of the given loading rate has been successful.

An installation in a parallel configuration is an installation in which flows equal to or less than the treatment capacity of the hydrodynamic separator are sent, the excess flows being bypassed upstream by an outside work to bypass the hydrodynamic separator in order to reach the storm water management system downstream of the hydrodynamic separator.

**155.** A test for resuspension is successful where the concentration of suspended matters at the effluent is less than 20 mg/L for a series configuration and 10 mg/L for a parallel configuration, after correction to take into account the concentration of raw water and the smallest particle that may be intercepted during the suspended matter reduction performance.

For the purposes of the correction provided for in the first paragraph,

(1) a 5 µm particle size must be postulated in raw water if no granulometric analysis of the suspended matters contained in the raw water has been conducted;

(2) the size of the smallest particle that may be intercepted for a given loading rate corresponds to D5 of the granulometric curve of particles found in the tank following suspended matter removal tests conducted at 25% of the given loading rate; D5 is the diameter corresponding to the point on the granulometric curve where the percentage of passing particles is 5%; linear interpolation is allowed to obtain D5.

**156.** A hydrodynamic separator may not be used at a given loading rate if no sediment resuspension test has been conducted at a loading rate corresponding to at least 125% of the given loading rate.

§2. — *Suspended matter reduction performance*

**157.** Hydrodynamic separators may not be installed in series to increase the suspended matter reduction performance.

**158.** The annual suspended matter reduction performance for a given flow is established

(1) by multiplying the suspended matter reduction performance associated with the loading rates corresponding to 25%, 50%, 75%, 100% and 125% of the given loading rate by the weighting factors indicated in Table 4.8; and

(2) by adding the products obtained in subparagraph 1.

For the purpose of establishing the suspended matter reduction performance provided for in the first paragraph,

(1) the suspended matter reduction performance values must come from experimental results at the end of the verification process performed under paragraph 1 of section 152, without extrapolation of the results;

(2) the suspended matter reduction performance must be 0% for loading rates greater than those tested; and

(3) the suspended matter reduction performance for loading rates less than those tested must be capped to the performance measured for the smallest loading rate tested.

Table 4.8 Weighting factors

Flow %	Weighting factors
25%	0.35
50%	0.25
75%	0.20
100%	0.10
125%	0.10

**159.** A suspended matter reduction performance curve must be drawn. The curve must link the performances determined in section 158 and the loading rate. For that purpose, the loading rates tested during the performance tests must at least constitute the points on the curve.

**160.** The floor of the hydrodynamic separator tank installed must have an area greater than or equal to the area established using equation 4-20 for the annual suspended matter reduction performance sought.

Equation 4-20:	$A = Q_{\text{quality}}/q$
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where:

- A = Area of the floor of the hydrodynamic separator tank (m<sup>2</sup>);  
 Q<sub>quality</sub> = Value of the runoff flow to be treated (m<sup>3</sup>/s);  
 q = Loading rate corresponding to the performance sought determined from the performance curve plotted under section 159 (m<sup>3</sup>/s/m<sup>2</sup>).

**161.** The inside sizes of length and width of the hydrodynamic separator tank must be geometrically proportional to those of the hydrodynamic separator tested.

The height and depth sizes of the hydrodynamic separator must be proportional to those of the hydrodynamic separator tested in a proportion of at least 85%.

### §3. — *Maintenance program*

**162.** The maintenance program must include

(1) the manufacturer's maintenance plan for the hydrodynamic separator;

(2) the indication that maintenance is required where the accumulated sediments exceed the maintenance threshold; the maintenance threshold is the sediment level for which the distance between the water surface and the top of the accumulated sediments in the separator tank is less than 85% of the distance between the surface of the water and the preloading level of the sediments present in the hydrodynamic separator tank tested during the performance tests, after the scaling of the distance proportionally to the diameters of the separator installed and tested;

(3) an indicator of the expected number of years of operation without maintenance of the hydrodynamic separator, expressed in years, established using equation 4-21.

Equation 4-21:	$N = V_{\text{MES}} / (M_{\text{sed.}} \times A_{\text{imp}} \times P/100)$
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where:

- N = Expected number of years of operation without maintenance (year);

- $V_{MES}$  = Volume available in the tank for the accumulation of sediments situated below the maintenance threshold ( $m^3$ );
- $M_{sed.}$  = Volume of sediments produced per year per hectare ( $m^3/year/ha$ ): minimum value: 0.68;
- $A_{imp}$  = Area of the impervious surfaces drained to the hydrodynamic separator (ha);
- $P$  = Suspended matter reduction performance associated with the loading rate determined from the performance curve plotted under section 159 (%).

## **DIVISION V**

### **COMMERCIAL STORM WATER TREATMENT TECHNOLOGY**

#### **§1. — General**

**163.** To be installed, a commercial storm water treatment technology must meet the conditions provided for in one of the following paragraphs:

(1) the commercial storm water treatment technology is approved by the Washington State Department of Ecology for a General Use Level Designation (GULD) and complies with the conditions and restrictions issued for that commercial storm water treatment technology by the Washington State Department of Ecology for a General Use Level Designation (GULD);

(2) the commercial storm water treatment technology must be verified as part of a verification process compliant with ISO Standard 14034 Environmental management -- Environmental technology verification (ETV) and the verification declaration of that technology attests that the Technology Assessment Protocol – Ecology (TAPE), produced by the Washington State Department of Ecology, has been complied with. That verification declaration may not be expired on the date on which the plans and specifications were signed or must be dated not more than 3 years preceding the date of signing of the plans and specifications. The conditions and restrictions provided for in the verification declaration and the verification report produced at the end of the verification process must be complied with;

(3) the commercial storm water treatment technology has been verified as part of a verification process compliant with ISO Standard 14034 and the verification declaration of that technology attests that the TARP Tier II Protocol, including the amendments published in 2006 and 2009 by the New Jersey Department of Environmental Protection, has been complied with. That verification declaration may not be expired on the date on which the plans and specifications were signed or must be dated not more than 3 years preceding the date of signing of the plans and specifications. The conditions and restrictions provided for in the verification declaration and the verification report produced at the end of the verification process must be complied with.

**164.** The suspended matter reduction performance for a commercial storm water treatment technology corresponds

(1) to the Treatment type recognized by the Washington State Department of Ecology for a commercial storm water treatment technology referred to in paragraph 1 of section 163;

(2) to 80% of suspended matter reduction, if the average suspended matter reduction performance based on the measurement of the concentration of suspended matters, SSC, indicated in the verification report, is equal to or greater than 80% according to the results reported in the verification report for a commercial storm water treatment technology that meets the conditions referred to in paragraph 2 or paragraph 3 of section 163.

**165.** Commercial storm water treatment technologies may not be installed in series to increase the suspended matter reduction performance.

#### §2. — *Maintenance program*

**166.** The maintenance program must include the maintenance plan of the manufacturer of the commercial storm water treatment technology.

### **CHAPTER V**

#### **FINAL**

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

**SCHEDULE I****PLANT SPECIES PROHIBITED IN THE DESIGN OF A PROJECT**

(s. 51)

Scientific name	English name
<i>Acer negundo</i>	Manitoba maple
<i>Acer platanoides</i>	Norway maple
<i>Aegopodium podagraria</i>	Ground elder
<i>Alliaria petiolata</i>	Garlic mustard
<i>Alnus glutinosa</i>	Black alder
<i>Angelica sylvestris</i>	Wild angelica
<i>Anthriscus sylvestris</i>	Cow parsley
<i>Bromus inermis</i>	Smooth brome grass
<i>Butomus umbellatus</i>	Flowering rush
<i>Cabomba caroliniana</i>	Fanwort
<i>Cardamine pratensis</i>	Lady's smock
<i>Celastrus orbiculatus</i>	Bittersweet
<i>Cirsium arvense</i>	Canada thistle
<i>Egeria densa</i>	Brazilian waterweed
<i>Eichhornia crassipes</i>	Water hyacinth
<i>Eriochloa villosa</i>	Woolly cup grass
<i>Euphorbia virgata</i>	Leafy spurge
<i>Frangula alnus</i>	Buckthorn
<i>Galium aparine</i>	Cleavers
<i>Galium mollugo</i>	False baby's breath
<i>Glyceria maxima</i>	English water grass
<i>Helianthus tuberosus</i>	Jerusalem artichoke
<i>Hemerocallis fulva</i>	Orange day-lily
<i>Heracleum mantegazzianum</i>	Giant hogweed
<i>Heracleum sphondylium</i>	Cow parsnip
<i>Hesperis matronalis</i>	Dame's rocket
<i>Hydrilla verticillata</i>	Water thyme
<i>Hydrocharis morsus-ranae</i>	Frogbit
<i>Impatiens glandulifera</i>	Himalayan balsam
<i>Iris pseudacorus</i>	Yellow iris
<i>Lonicera morrowii</i>	Morrow's honeysuckle
<i>Lonicera tatarica</i>	Tartarian honeysuckle
<i>Lupinus</i> spp.	Lupin spp.
<i>Lysimachia nummularia</i>	Moneywort
<i>Lysimachia punctata</i>	Dotted loosestrife
<i>Lythrum salicaria</i>	Purple loosestrife
<i>Miscanthus sacchariflorus</i>	Amur silvergrass
<i>Myosotis scorpioides</i>	True forget-me-not
<i>Myriophyllum aquaticum</i>	Parrot feather
<i>Myriophyllum spicatum</i>	Eurasian water-milfoil

<i>Najas minor</i>	Brittle waternymph
<i>Nasturtium officinale</i>	Watercress
<i>Nymphoides peltata</i>	Yellow floatingheart
<i>Pastinaca sativa</i>	Wild parsnip
<i>Petasites hybridus</i>	Purple butterbur
<i>Petasites japonicus</i>	Japanese butterbur
<i>Phalaris arundinacea</i>	Reed canary grass
<i>Phragmites australis</i> subsp. <i>australis</i>	Common reed
<i>Picea abies</i>	Norway spruce
<i>Pistia stratiotes</i>	Water lettuce
<i>Potamogeton crispus</i>	Curled pondweed
<i>Pueraria montana</i>	Kudzu
<i>Reynoutria ×bohemica</i>	Bohemian knotweed
<i>Reynoutria japonica</i> var. <i>japonica</i>	Japanese knotweed
<i>Reynoutria sachalinensis</i>	Giant knotweed
<i>Rhamnus cathartica</i>	European buckthorn
<i>Rorippa amphibia</i>	Great yellowcress
<i>Rosa multiflora</i>	Multiflora rose
<i>Rosa rugosa</i>	Japanese rose
<i>Salvinia</i> spp.	Watermoss
<i>Saponaria officinalis</i>	Soapwort
<i>Stratiotes aloides</i>	Water soldier
<i>Symphytum officinale</i>	Common comfrey
<i>Trapa natans</i>	Water chestnut
<i>Ulmus pumila</i>	Siberian elm
<i>Valeriana officinalis</i>	Common valerian
<i>Vinca minor</i>	Dwarf periwinkle
<i>Vincetoxicum nigrum</i>	Black dog-strangling vine
<i>Vincetoxicum rossicum</i>	Dog-strangling vine

**Regulation to amend the Regulation respecting the framework for authorization of certain projects to transfer water out of the St. Lawrence River Basin**

Environment Quality Act  
(chapter Q-2, ss. 31.104 and 46; 2017, chapter 4)

1. The Regulation respecting the framework for authorization of certain projects to transfer water out of the St. Lawrence River Basin (chapter Q-2, r. 5.1) is amended by revoking Division II.
2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103315

## Regulation to amend the Regulation respecting biomedical waste

Environment Quality Act

(chapter Q-2, ss. 31.0.6, 31.0.12, 46, 70, 95.1, 115.27 and 115.34; 2017, chapter 4)

1. The Regulation respecting biomedical waste (chapter Q-2, r. 12) is amended by inserting the following after subparagraph a of paragraph 3 of section 1:

“(a.1) a sharp object having been in contact with blood or with a biological liquid or tissue from a person or an animal and from domestic activities, such as an injection or provision of care;”.

2. Section 2 is amended by adding “other than waste referred to in subparagraph a.1 of paragraph 3 of section 1” at the end of paragraph 5.

3. Section 3 is amended by replacing the first paragraph by the following:

“3. Section 14, the second paragraph of section 15, sections 37 to 39 and section 45 do not apply to the operator of a system that transports biomedical waste if the operator transports

(1) less than 5 kg per transport of biomedical waste referred to in subparagraphs a and a.1 of paragraph 3 of section 1;

(2) less than 100 kg per month of biomedical waste referred to in section 1, where the transport is carried out by the generator of that waste.”.

4. The following is inserted after section 3:

“3.1. Only sections 10, 11, 21, 24 and 25 apply to any person having generated biomedical waste referred to in subparagraph a.1 of paragraph 3 of section 1, with the necessary modifications.

3.2. Subject to paragraph 1 of section 3.3, sections 12 to 14, the second paragraph of section 15, section 17, sections 37 to 40 and section 45 do not apply to an operator who recovers biomedical waste referred to in subparagraph a.1 of paragraph 3 of section 1 as part of the operation of a recovery site referred to in subparagraph a of paragraph 2 of section 53 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).

3.3. Section 12, the first paragraph of section 15 and section 16 apply to an operator who performs one of the following activities in a biomedical waste generation site:

(1) the recovery of biomedical waste referred to in subparagraph a.1 of paragraph 3 of section 1, as part of the operation of a recovery site referred to in subparagraph a of paragraph 2 of section 53 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*);

(2) the storage of biomedical waste referred to in subparagraph a.1 of paragraph 3 of section 1 and that was received from a recovery site referred to in subparagraph a of paragraph 2 of section 53 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters.

**3.4.** Section 13, the first paragraph of section 15 and section 16 apply to the operator who treats biomedical waste referred to in subparagraph a.1 of paragraph 3 of section 1 in a biomedical waste generation site, except the treatment referred to in section 54 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).”.

**5.** Section 18 is revoked.

**6.** Section 20 is replaced by the following:

“**20.** Section 66 of the Environment Quality Act (chapter Q-2) does not apply to biomedical waste stored on its generation site.”.

**7.** Section 22 is amended by replacing “in subparagraph a” in the first paragraph by “in subparagraphs a and a.1”.

**8.** Section 24 is amended

(1) by replacing “a holder of a certificate of authorization for the operation of a facility that treats biomedical waste by incineration or that stores biomedical waste” in the first paragraph by “an operator of a facility that treats biomedical waste by incineration or stores biomedical waste who is authorized for that purpose”;

(2) by replacing “a holder of a certificate of authorization for the operation of a facility that treats biomedical waste by disinfection or incineration or that stores biomedical waste” in the second paragraph by “an operator of a facility that treats biomedical waste by disinfection or incineration or that stores biomedical waste who is authorized for that purpose”.

**9.** Section 25 is amended by replacing “a holder of a certificate of authorization for the operation of a system that transports biomedical waste” by “an operator of a system that transports biomedical waste who is authorized for that purpose”.

**10.** The following is inserted after section 27:

**“27.1.** Only sections 33.1, 34 and 36.1 of this subdivision apply to the operator of a recovery site referred to in subparagraph *a* of paragraph 2 of section 53 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*) that receives biomedical waste referred to in subparagraph *a.1* of paragraph 3 of section 1 of this Regulation.

**27.2.** Only sections 32, 34, 34.1 and 36.1 of this subdivision apply to the operator of a storage facility established in a biomedical waste generation site, where the waste received is the waste referred to in subparagraph *a.1* of paragraph 3 of section 1 and comes from a recovery site referred to in subparagraph *a* of paragraph 2 of section 53 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).

However, despite section 32, the operator referred to in the first paragraph is not required to refuse delivery of the following biomedical waste:

(1) waste that, in contravention of the second paragraph of section 22, was not kept at a temperature less than 4 °C;

(2) the waste referred to in subparagraph *a.1* of paragraph 3 of section 1 that, in contravention of section 23, does not bear an identification label.

**27.3.** Only section 36.1 of this subdivision applies to the operator of an autoclave treatment facility established in a biomedical waste generation site where the waste received for treatment is the waste referred to in subparagraph *a.1* of paragraph 3 of section 1 and comes from a recovery site referred to in subparagraph *a* of paragraph 2 of section 53 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).

**27.4.** Only sections 32 to 34 and 36.1 of this subdivision apply to an institution in the health and social services network operating a storage or autoclave treatment facility for biomedical waste, where the waste that is shipped to the facility comes exclusively from institutions of that network conveying each a maximum of 100 kg of biomedical waste per month.”.

**11.** The following is inserted after section 33:

**“33.1.** The operator of a recovery site referred to in subparagraph *a* of paragraph 2 of section 53 of the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*) that recovers biomedical waste referred to in subparagraph *a.1* of paragraph 3 of section 1 of this Regulation must store it in rigid, sealed and airtight containers which shall be perforation resistant.”.

**12.** The following is inserted after section 34:

“**34.1.** The operator of a storage facility established in a biomedical waste generation site must, before it is shipped, repack, in accordance with the first paragraph of section 22 and section 23, the waste referred to in subparagraph a.1 of paragraph 3 of section 1 that the operator received from a recovery site referred to in subparagraph a of paragraph 2 of section 53 of the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).”.

**13.** Section 36 is amended

(1) by inserting “, other than the waste referred to in section 36.1,” in the part preceding paragraph 1 after “that stores biomedical waste”;

(2) by replacing “sections 24 and 25 of the” in paragraph 2 by “sections 24 and 25 of this Regulation, the”.

**14.** The following is inserted after section 36:

“**36.1.** The operator referred to in section 27.1 or 27.2 and the facility referred to in section 27.3 must, prior to permanently ceasing their operations, ship biomedical waste and other residual materials in their facility in accordance with sections 24 and 25 of this Regulation, the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19), and, to the extent that that Regulation remains applicable, with the Regulation respecting solid waste (chapter Q-2, r. 13) and, where applicable, hazardous materials, in accordance with the Regulation respecting hazardous materials (chapter Q-2, r. 32).”.

**15.** Division III is revoked.

**16.** Section 64 is replaced by the following:

“**64.** Within 30 days following any change in the guarantee required under sections 57 to 61, an operator shall notify the Minister in writing of that change.”.

**17.** Section 64.2 is amended by striking out paragraph 4.

**18.** Section 64.4 is amended in the second paragraph

(1) by inserting “or stores biomedical waste referred to in section 33.1” in subparagraph 3 after “section 22”;

(2) by inserting the following after subparagraph 3:

“(3.1) does not repack biomedical waste referred to in section 34.1, in accordance with the conditions provided for in that section;”.

19. Section 64.5 is amended by inserting the following after paragraph 2:

“(2.1) to ship biomedical waste, other residual materials or hazardous materials prescribed by section 36.1, on the conditions provided for in that section;”.

20. Section 64.6 is amended by replacing “a holder of a certificate of authorization” in subparagraph 2 of the first paragraph by “an operator authorized for that purpose”.

21. Section 66 is amended by replacing “to 18” by “to 17”.

22. Section 66.2 is amended by inserting “, 33.1, 34.1”, in paragraph 1 after “33”.

23. Section 66.3 is amended by inserting “, section 36.1” in paragraph 1 after “36”.

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

103316

### **Regulation to amend the Regulation respecting the liquid effluents of petroleum refineries**

Environment Quality Act  
(chapter Q-2, s. 95.1; 2017, chapter 4)

1. The Regulation respecting the liquid effluents of petroleum refineries (chapter Q-2, r. 16) is amended by revoking Division II.

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

103317

**Regulation to amend the Regulation respecting the burial of contaminated soils**

Environment Quality Act

(chapter Q-2, ss. 31.52, 70, 95.1, 115.27, 115.34, 118.3.5 and 124.1; 2017, chapter 4)

1. The Regulation respecting the burial of contaminated soils (chapter Q-2, r. 18) is amended in section 1 by adding “or to the reclamation and restoration of a quarry done in accordance with the Regulation respecting pits and quarries (*insert the reference to the CQLR*)” at the end of the second paragraph.
2. Section 15 is amended by striking out “To that end, a sampling and analysis program including the collection method and the number of samples required per volume unit shall accompany the application for a certificate of authorization.” in the third paragraph.
3. The heading of Chapter IV is replaced by the following:

**“CHAPTER IV  
OWNERSHIP OF LAND”.**
4. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

**Regulation to amend the Regulation respecting the landfilling and incineration of residual materials**

Environment Quality Act  
(chapter Q-2, ss. 70, 95.1, 115.27 and 115.34; 2017, chapter 4)

1. The Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19) is amended by replacing the heading of Chapter VI by the following:

**“CHAPTER VI  
OWNERSHIP OF LAND”.**

2. Sections 146 to 148 are revoked.
3. Section 149.2 is amended by striking out paragraphs 14 and 15.
4. Section 151 is amended by replacing “, the fourth paragraph of section 127, section 146 or the second paragraph of section 155” in the first paragraph by “or the fourth paragraph of section 127”.
5. Section 155 is revoked.
6. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103319

**Regulation to amend the Regulation respecting used tire storage**

Environment Quality Act  
(chapter Q-2, s. 95.1; 2017, chapter 4)

1. The Regulation respecting used tire storage (chapter Q-2, r. 20) is amended by revoking section 1.2.
2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103320

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

Environment Quality Act  
(chapter Q-2, s. 95.1; 2017, chapter 4)

1. The Regulation respecting pulp and paper mills (chapter Q-2, r. 27) is amended by revoking Division V of Chapter VI.
2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103321

**Regulation to amend the Regulation respecting snow elimination sites**

Environment Quality Act  
(chapter Q-2, s. 95.1; 2017, chapter 4)

1. The Regulation respecting snow elimination sites (chapter Q-2, r. 31) is amended in section 1 by striking out the second paragraph.
2. Section 3.1 is amended by striking out paragraph 2.
3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103322

**Regulation to amend the Land Protection and Rehabilitation Regulation**

Environment Quality Act

(chapter Q-2, ss. 31.69, 95.1, 115.27, 115.34 and 124.1; 2017, chapter 4)

1. The Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37) is amended in section 1 by replacing “31.52, 31.54” in the first paragraph by “31.51.0.1, 31.52, 31.54, 31.54.1”.
2. Sections 10 and 11 are revoked.
3. Section 13 is amended by replacing “sections 10 and 11” in the first paragraph by “section 37 of the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*)”.
4. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103323

**Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations**

Environment Quality Act

(chapter Q-2, ss. 31.69, 95.1, 115.27, 115.34, 118.3.5 and 124.1; 2017, chapter 4)

1. The Regulation respecting contaminated soil storage and contaminated soil transfer stations (chapter Q-2, r. 46) is amended in section 4 by adding the following at the end of the third paragraph: “It does not apply either to soils extracted from land containing contaminants originating from human activity in a concentration lower than or equal to the limit values in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37) and used for the reclamation and restoration of a quarry in accordance with the Regulation respecting pits and quarries (*insert the reference to the CQLR*).”
2. Section 12 is revoked.
3. The heading of Division II of Chapter III is replaced by the following:

**“DIVISION II  
OWNERSHIP OF LAND”.**
4. Sections 33, 34, 36 and 37 are revoked.
5. Section 68.5 is amended by striking out subparagraph 2 of the first paragraph.
6. Section 73 is amended by replacing paragraph 1 by the following:

“(1) contravenes section 8, 9 or 10, the first paragraph of section 24, the first or third paragraph of section 27, section 45 or the first or third paragraph of section 62.”.
7. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

## Regulation to amend the Regulation respecting hot mix asphalt plants

Environment Quality Act  
(chapter Q-2, s. 95.1; 2017, chapter 4)

1. The Regulation respecting hot mix asphalt plants (chapter Q-2, r. 48) is amended by revoking Division II.
2. Section 6 is revoked.
3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103325

### Draft Regulation

Environment Quality Act  
(chapter Q-2; 2017, chapter 4)

#### Private waterworks and sewer services

Notice is hereby given, in accordance with sections 10 and 12 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation respecting private waterworks and sewer services, appearing below, may be made by the Government on the expiry of 15 days following this publication.

The draft Regulation replaces the Regulation respecting waterworks and sewer services (chapter Q-2, r. 21), given the coming into force of the amendments to the Environment Quality Act made 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).

The purpose of the draft Regulation is mainly to provide a new plan for setting rates that the person in charge of a private waterworks or sewer system may now collect from persons served by the system without the approval of the Minister. It also proposes provisions to regulate the contestation of the rate by the persons served, and the inquiry process leading ultimately to the imposition of the rate by the Minister where, after a refusal on the part of the person served, there is no agreement between the person in charge of the system and the latter, and a request for an inquiry is submitted to the Minister. The draft Regulation

also proposes the introduction of new terms to regulate the service quality, the interruption and suspension of the service and illicit connections.

In accordance with sections 12 and 13 of the Regulations Act, the draft Regulation may be made on the expiry of a period shorter than the 60-day period required by section 124 of the Environment Quality Act so that the Regulation may come into force on the same date as the provisions relating to water management and treatment of 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, on 23 March 2018.

Further information on the draft Regulation may be obtained by contacting Caroline Robert, Director, Direction de l'eau potable et des eaux souterraines, Direction générale des politiques de l'eau, Ministère du Développement durable, de l'Environnement et de la Lutte contre les Changements Climatiques, Édifice Marie- Guyart, 8<sup>e</sup> étage, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3885, extension 4938; fax: 418 643-0252 or email: caroline.robert@mddelcc.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 15-day period to Caroline Robert at the above address.

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

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## Regulation respecting private waterworks and sewer services

Environment Quality Act

(chapter Q-2, ss. 32, 39, 46, 95.1, 115.27 and 115.34; 2017, chapter 4)

### CHAPTER I

#### GENERAL

### DIVISION I

#### DEFINITIONS

1. For the purposes of this Regulation,

“owner of a waterworks or sewer system” means a person who owns a waterworks or sewer system, or, if it is undetermined, a person who owns the lot from which water is taken, in the case of a waterworks system, or is discharged, in the case of a sewer system; (*propriétaire d'un système d'aqueduc ou d'égout*)

“person in charge” means the operator or owner of a waterworks or sewer system; (*responsable*)

“person served” means the owner of a building, including a mobile home or a trailer, served by a waterworks or sewer system or, where one system serves another, the owner of the waterworks or sewer system served.

The owner of land served by a waterworks or sewer system on which there is no building, including a mobile home or a trailer, is also a person served within the meaning of this Regulation. (*personne desservie*)

“sewer system” means any works used to collect, store, transport or process domestic wastewater before being discharged into the environment or into another sewer system. Any works situated within the limit of the property of a person served is however excluded; (*système d'égout*)

“waterworks system” means a distribution system within the meaning of section 1 of the Regulation respecting the quality of drinking water (chapter Q-2, r. 40). (*système d'aqueduc*)

### DIVISION II

#### SCOPE

2. The provisions of this Regulation regulate the services provided to the persons served by a waterworks or sewer system that is the responsibility of a person or a group of persons. The same applies for the services provided to the persons served by a waterworks or sewer system that is under the responsibility of a municipality but, in that case, only to the extent where the property served is situated outside the limits of the territory of that municipality.

Despite the foregoing, subject to the second paragraph of section 21, the provisions of this Regulation do not apply in the cases where the person served by the waterworks or sewer system

(1) is a director, an officer or a shareholder or is otherwise a member of the legal person or group of persons responsible for the system;

(2) is part of the tourist clientele of a tourist establishment, within the meaning of section 1 of the Regulation respecting the quality of drinking water (chapter Q-2, r. 40), that is responsible for the system by which it is served.

## **CHAPTER II**

### **WATERWORKS OR SEWER SERVICE**

3. The person in charge of a waterworks or sewer system must provide the persons served with a continuous service and maintain the system in good working order.

4. Where a temporary interruption of service is necessary for repair, maintenance or improvement purposes of a waterworks or sewer system, the person in charge must send a notice of interruption to the persons served at least 10 days before interrupting the service.

If an interruption of service must be made urgently due to unforeseeable circumstances, the person in charge may proceed immediately by sending of a notice of interruption of service to the persons served, as soon as possible.

The person in charge must, in the notice of interruption, specify the nature of the work, the estimated time for the interruption of service and the measures that will be set up to ensure the sanitation of the premises and, as the case may be, access to alternate services during the work.

The person in charge must again notify the persons served as soon as the person in charge is aware that the duration of the interruption of service will be longer than the time estimated in the notice of interruption. The measures set up to ensure the sanitation of the premises and, as the case may be, access to alternate services must be maintained until the end of the work.

5. The person in charge may suspend the waterworks or sewer service to a person served 30 days after that person has received a notice of suspension, where that person

(1) fails to pay the rate in effect in accordance with section 9;

(2) allows the installations to deteriorate, adversely affects their maintenance or makes use of the system in a way that is likely to compromise the service; or

(3) adversely affects the service in any other manner.

The notice of suspension must state the grounds invoked to suspend the service.

**6.** The person in charge may not suspend the service before the expiry of the 30-day period provided for in section 5 or if the ground for suspension no longer prevails within that period.

Where the service is suspended, the person in charge must restore it as soon as the ground for suspension no longer prevails.

**7.** No person may carry out a connection to a waterworks or sewer system covered by this Regulation without having previously obtained written authorization from the person in charge of the system.

The connection to a waterworks or sewer system that was authorized by the person in charge must be done at the expense of the person served.

The person in charge of a waterworks or sewer system who is aware of a connection that he or she did not authorize may cut the service to the person, without prior notice.

**8.** Where a sewer service is suspended under section 5 or cut under section 7, the person in charge must send, on the same day or on the next working day, a notice to the Minister and to the clerk of the local municipality in which the property concerned is situated.

The notice must contain

- (1) the name and contact information of the person concerned;
- (2) the address of the property concerned;
- (3) the name and contact information of the person in charge of the waterworks or sewer service; and
- (4) the date of effect of the suspension or cut and the grounds justifying it.

### **CHAPTER III**

#### **RATE FOR THE USE OF A SERVICE**

#### **DIVISION I**

##### **SETTING THE RATE**

**9.** The rate in effect for the use of a waterworks or sewer service is the rate set by the person in charge in accordance with this Division or, as the case may be, the rate imposed by the Minister under section 39 of the Environment Quality Act (chapter Q-2) or the rate ordered by the Minister under section 45.3.1 or 45.3.2 of the Act.

**10.** The person in charge may collect a tax, a fee or a charge from the persons served by his or her waterworks or sewer system.

In order to set the rate to be collected, the person in charge must calculate the sum of the expenses incurred in the preceding year of operation. The person in charge then sets a rate corresponding to the proportion of the sum of the expenses paid by each person served by the system, which are apportioned in accordance with Division IV.

Despite the foregoing, in the case of a new waterworks or sewer system, the first rate is set according to the sum of the anticipated expenses for the year to come.

**11.** For the purpose of calculating the expenses incurred or anticipated, the costs for the provision of the waterworks or sewer service that are related to the following are taken into account:

- (1) buildings and land;
- (2) the usual maintenance and repair of the installations or pipes of the system;
- (3) the treatments and sampling of water and laboratory analyses;
- (4) administration;
- (5) other related expenses.

The capital costs and other expenses related to the provision of a waterworks or sewer service that may be apportioned over several years and that are related to the following are also taken into account:

- (1) the purchase, construction, replacement or major repairs of installations or components of the system;
- (2) any study or any application for authorization or for a permit when required;
- (3) other related expenses.

**12.** The person in charge must send to the persons served a notice of rate collection. That notice indicates the rate set and its effective date. Subject to the decision that the Minister could make under Division III, that date constitutes the anniversary date of the effective date of the rate and the latter will be recalculated, in accordance with section 13, each year for 1 year from that date.

The notice also indicates each of the amounts related to the elements referred to in the first and second paragraphs of section 11 that were considered in the calculation of the rate.

**13.** Each year, within 60 days following the anniversary date of the taking of effect of the rate, the person in charge must send the persons served a new notice of rate collection.

The rate may also be reduced, maintained or increased, according to the sum of the expenses, calculated in accordance with sections 10 and 11.

## **DIVISION II**

### **REFUSAL OF RATE**

**14.** The person served may refuse the rate that the person in charge intends to collect by sending the person in charge a notice stating his or her reasons, within 30 days following the reception of the notice of rate collection referred to in section 12 or 13.

**15.** The person in charge who receives a notice of refusal must, within 10 days following its reception, communicate with the person served.

On request of the person served, the person in charge must provide further explanations to the person served, in particular details of the expenses incurred or the supporting documents on which the person in charge relied to calculate the rate.

**16.** If the person in charge and the person served cannot agree, the person served may submit a request for an inquiry to the Minister, in accordance with Division III.

If no agreement has been reached and no request for an inquiry has been sent to the Minister within 60 days following receipt of the notice of refusal by the person in charge, the rate in force is then deemed to be the rate indicated in the notice of rate collection.

## **DIVISION III**

### **MINISTER'S INQUIRY**

**17.** If there is no agreement at least 30 days but not later than 60 days after the person in charge has received a notice of refusal in accordance with section 14, the person served may send the Minister a request for an inquiry so that the Minister may decide on the rate applicable and the time of its taking of effect.

The request must be sent in writing and contain

- (1) the name and contact information of the person served;
- (2) the address of the property served by the system;
- (3) the name and contact information of the person in charge of the waterworks or sewer system that serves the person; and

- (4) the specific reasons supporting the refusal.

A copy of the notice of rate collection received and a copy of the notice of refusal sent to the person in charge must also accompany the request.

**18.** After giving the parties an opportunity to submit their observations and produce any documents to complete the record, the Minister renders a decision on the record unless the Minister deems it necessary to proceed in some other manner.

**19.** In the Minister's decision, the Minister takes into account the criteria provided for in sections 10 and 11 and the fact that it is a public service.

#### **DIVISION IV** **RATE COLLECTION**

**20.** The persons served may be grouped in categories according to the use and type of property that the waterworks or sewer system serves.

In the case of a waterworks system, the persons served may also be categorized according to their real consumption, calculated with water meters.

**21.** To set the rate to be collected, the sum of the expenses must be apportioned equally among each person served or according to proportions that may vary based on the categories of persons served.

The person in charge must, in apportioning the sum of the expenses to set the rate to be collected, consider any other person benefiting from the waterworks or sewer service, although the provisions of this Regulation do not apply to that person under section 2.

**22.** The sum of the expenses among various categories of persons served must be apportioned fairly. Within a single category, the rate must be identical for each person served.

**23.** The capital costs related to the extension of a waterworks or sewer system carried out to serve a new person are paid by that person. The costs are added to the rate that the person in charge may then collect from the new person served, that corresponds to the rate in effect, at the time of the connection, for other persons served or, as the case may be, for other persons served of the category to which the person belongs.

The person in charge must, for the purposes of the second paragraph of section 13, take into account the sums collected from the new person served in the calculation of the new rate.

**24.** Failing agreement between the person in charge and the person served regarding the terms of payment of the set rate, the rate is to be collected on a quarterly basis.

**25.** Despite a notice of rate collection that was the subject of a notice of refusal in accordance with section 14, the person in charge may continue to collect the rate in effect until an agreement is reached between the person in charge and the person served or until the new rate has been set in accordance with Division III, according to the terms established.

Where applicable, the necessary adjustments are made to the payments remaining for each of the persons served for the current year, once the new rate is in effect.

## **DIVISION V**

### **NOTICE**

**26.** All the notices to be sent under this Regulation must be sent in writing and by a means allowing to prove its reception.

## **CHAPTER IV**

### **PENALTIES**

## **DIVISION I**

### **MONETARY ADMINISTRATIVE PENALTIES**

**27.** A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed

(1) on the person in charge of a waterworks or sewer system who fails to communicate with the person served from whom the person in charge received a notice of refusal or fails to provide, on request of the person served, further explanations, in accordance with section 15; or

(2) on any person who fails to send, in the manner provided for in section 26, a notice covered by this Regulation.

**28.** 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 comply with the deadlines to send any notice provided for in this Regulation or to indicate, in the notices, the information required, except the notice referred to in section 14.

**29.** A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on the person in charge of a waterworks or sewer system who fails to comply with the conditions to apportion the rate among the persons served provided for in section 21 or in section 22.

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

- (1) to ensure the persons served a continuous service or to maintain its system in good working order, in accordance with section 3;
- (2) to set up or maintain, for the entire duration of the work, the measures to ensure the sanitation of the premises and, where applicable, access to alternate services in the cases provided for in section 4; or
- (3) to comply with the conditions of suspension or restoration of service provided for in section 6.

## **DIVISION II**

### **PENAL**

**31.** Any person who contravenes section 15 or section 26 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.

**32.** Any person who fails to comply with the deadlines to send any notice provided for in this Regulation or to indicate, in the notices, the information required, except the notice provided for in section 14, 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.

**33.** The person in charge of a waterworks or sewer system who contravenes section 21 or section 22 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.

**34.** The person in charge of a waterworks or sewer system who contravenes section 3 or section 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.

The person in charge of a waterworks or sewer system who fails to set up or maintain, for the entire duration of the work, the measures to ensure the sanitation of the premises and, where applicable, access to alternate services in the cases provided for in section 4 also commits an offence and is liable to the same penalties.

**35.** Any person who, 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.

**36.** Any 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 Act, 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.

## **CHAPTER V**

### **TRANSITIONAL AND FINAL**

**37.** A rate approved or ordered by the Minister pursuant to the Environment Quality Act (chapter Q-2) before 23 March 2018 is considered, for the purposes of this Regulation, as a rate in effect within the meaning of section 9.

**38.** The person in charge of a waterworks or sewer system who, on 23 March 2018, imposes a rate approved or ordered by the Minister pursuant to the Environment Quality Act (chapter Q-2), as it read before that date, must send to the persons served by its system a first notice of rate collection in accordance with Division I of Chapter III of this Regulation not later than on 23 March 2019.

**39.** Applications for approval or amendment of the rate that were sent to the Minister before 23 March 2018 are continued and decided in accordance with subdivision 4 of Division V of Chapter I of the Environment Quality Act, as it read before that date.

The rate thus approved by the Minister will constitute the rate in effect for a year and the rate may be collected in accordance with this Regulation. The date set in the Minister's decision will constitute, for the purposes of this Regulation, the anniversary date of the taking of effect of the rate under section 12.

**40.** This Regulation replaces the Regulation respecting waterworks and sewer services (chapter Q-2, r. 21).

**41.** This Regulation comes into force on 23 March 2018.

## Draft Regulation

Environment Quality Act  
(chapter Q-2)

### Sand pits and quarries — Replacement

#### Clean air — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation respecting sand pits and quarries and the Regulation to amend the Clean Air Regulation, appearing below, may be made by the Government on the expiry of 60 days following this publication.

After 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) was assented to on 23 March 2017, the Regulation respecting sand pits and quarries (chapter Q-2, r. 7) must be replaced to implement part of the new authorization scheme provided for in the Act.

The draft Regulation also modernizes the regulatory framework of the industry of sand pits and quarries to make it more fair and predictable. The amendments consist mainly in reforming noise management, tightening requirements related to blasting activities, reviewing location standards, imposing financial guarantees more representative of the real amounts necessary to restore sites and updating provisions related to that restoration. The draft Regulation thus determines new operating conditions, in particular noise standards.

The requirements respecting the protection of wetlands and bodies of water are reviewed in compliance with the Act respecting the conservation of wetlands and bodies of water (2017, chapter 14) and the Regulation respecting the sustainable development of forests in the domain of the State made by Order in Council 473-2017 dated 10 May 2017, in particular by adding areas protected by a separation distance.

From now on, municipalities will locate sand pits and quarries in their territory in keeping with the powers devolved upon the municipalities under the Act respecting land use planning and development (chapter A-19.1). The draft Regulation also provides, under certain conditions, the possibility to use soils slightly contaminated to backfill a quarry.

The draft Regulation makes amendments which could force operators of sand pits and quarries to change certain of their practices to comply with the new requirements, entailing additional costs in certain cases. However, deadlines for complying with the standards involving noise, blasting and financial guarantees will allow operators to adjust gradually.

The draft Regulation to amend the Clean Air Regulation adjusts certain provisions consequently to the replacement of the Regulation respecting pits and quarries (chapter Q-2, r. 7).

Further information on the draft Regulations may be obtained by contacting Sandrine Messenger, Direction des eaux usées, Direction générale des politiques de l'eau, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, édifice Marie-Guyart, 8<sup>e</sup> étage, boîte 42, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3885, extension 4070; fax: 418 644-2003; email: sandrine.messenger@mddelcc.gouv.qc.ca

Any person wishing to comment on the draft Regulations is requested to submit written comments within the 60-day period to Nancy Bernier, Director, Direction des eaux usées, Direction générale des politiques de l'eau, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, édifice Marie Guyart, 8<sup>e</sup> étage, boîte 42, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; email: nancy.bernier@mddelcc.gouv.qc.ca

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

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## Regulation respecting sand pits and quarries

### Environment Quality Act

(chapter Q-2, ss. 20, 22, 23, 31, 46, 70, 87, 95, 95.1, 95.2, 95.9, 115.27 and 115.34; 2017, chapter 4)

### CHAPTER I

#### SCOPE AND DEFINITIONS

1. This Regulation applies to any pit or quarry operated for commercial or industrial purposes, to fulfil contractual obligations or for the construction, repair or maintenance of roads, dikes or dams.

A site where consolidated surface mineral substances are extracted is considered as a quarry.

A site where non-consolidated surface mineral substances are extracted from a natural deposit is considered as a sand pit.

Excavations and other work carried out to establish or enlarge the right-of-way or foundations of any construction or any playground, municipal park or parking are not considered as the operation of a pit or quarry.

This Regulation does not apply to a sand pit located on lands in the domain of the State and operated for the construction, improvement, repair, maintenance or closure of a forest road under the Sustainable Forest Development Act (chapter A-18.1) or to a quarry or sand pit operated on land intended to be flooded by reason of a hydraulic or hydro-electric project.

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

2. For the purposes of this Regulation, unless otherwise indicated by the context,

“Act” means the Environment Quality Act (chapter Q-2); (*Loi*)

“ambient noise” means the total noise present in a given situation, at a certain time, usually composed of noise emitted by several near and remote sources; (*bruit ambiant*)

“dwelling” means any construction intended to lodge persons and connected to individual or collective systems for the supply of drinking water and the treatment of waste water; (*habitation*)

“Minister” means the Minister responsible for the administration of the Environment Quality Act; (*ministre*)

“operating site” means any delimited space on the site of the quarry or sand pit where extraction, processing and storage activities related to the operation of a quarry or sandpit are carried on. The areas occupied in particular by the storage of the overburden and topsoil are not included in the operating site; (*aire d’exploitation*)

“particles” means any substance that is finely divided, in liquid or solid form, in suspension in a gaseous environment, except water non-chemically bound; (*particules*)

“particular noise” means a component of the ambient noise that may be specifically identified and is associated with a particular source, that is, the operation of the quarry or sand pit; (*bruit particulier*)

“public institution” means any of the following institutions:

“correctional facility” means any facility used for the detention of persons and governed by the Act respecting the Québec correctional system (chapter S-40.1); (*établissement de détention*)

“educational institution” means any institution providing preschool, elementary or secondary education and governed by the Education Act (chapter I-13.3) or by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14), a private educational institution governed by the Act respecting private education (chapter E-9.1), an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1), a general and vocational college, a university, a research institute, a superior school or an educational institution of which more than one-half of the operating expenditures are paid out of the appropriations voted by the National Assembly, and for the purposes of this Regulation, includes childcare centres and day care centres governed by the Educational Childcare Act (chapter S-4.1.1); (*établissement d’enseignement*)

“health and social services institution” means any health and social services institution governed by the Act respecting health services and social services (chapter S-4.2) or by the Act respecting health services and social services for Cree Native persons (chapter S-5). For the purposes of this Regulation, any other place where lodging services are provided for senior citizens or for any users entrusted by a public institution governed by any of the aforementioned Acts is also a health and social services institution; (*établissement de santé et de services sociaux*)

“tourist establishment” means an establishment which offers to the public restaurant services or sleeping accommodations, including the rental of camping spaces.

For the purposes of this Regulation, tourist information offices, museums, ski stations, holiday camps, outdoor recreation areas, public beaches, rest areas, golf courses, marinas and sites with guided tourist visits are deemed to be tourist establishments; (*établissement touristique*)

“public road” means a public highway within the meaning of the Highway Safety Code (chapter C-24.2); (*voie publique*)

“reference conditions” or “R” means the reference conditions for a temperature of 25°C and a pressure of 101.3 kPa; (*conditions référence ou R*)

“reference noise level” means a particular noise emitted by the operation of a quarry or sand pit to which a corrective term has been added; (*niveau acoustique d'évaluation*)

“residual noise” means noise that lingers at a given place, in a given situation, when the particular noises of the source concerned are eliminated from the ambient noise; (*bruit résiduel*)

“surface mineral substances” means one of the substances referred to in the definition of “surface mineral substances” provided for in section 1 of the Mining Act (chapter M-13.1), except for peat. (*substance minérale de surface*)

## **CHAPTER II**

### **SITING STANDARDS**

**3.** It is prohibited to establish a quarry or sand pit in any of the following territories, as described in Schedule I:

- (1) mont Saint-Bruno;
- (2) mont St-Hilaire;
- (3) mont Rougement;
- (4) mont Saint-Grégoire;
- (5) mont Yamaska;
- (6) mont Brome;
- (7) mont Shefford.

**4.** It is prohibited to enlarge a quarry or sand pit located in any of the territories listed in section 3 on a lot or part of lot that did not belong on 17 August 1977 to the owner of the land where the quarry or sand pit is located, unless the owner of the lot or part of lot where the enlargement is to take place was, on 17 August 1977, a person related to the owner of the land where the quarry or sand pit is already located within the meaning of section 4 of the Bankruptcy and Insolvency Act (R.S.C., 1985, c. B-3).

5. It is prohibited to establish or enlarge a quarry or sand pit in the outer protection zone of a category 1 groundwater withdrawal or in the intermediate protection zone of a category 1 surface water withdrawal within the meaning of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2).

6. A quarry or sand pit must be established at a minimum distance of 30 m from a lake, a steady-flow watercourse, a marsh or a riparian shrub swamp and at least 100 m from an open peat bog.

The enlargement of a quarry or sand pit below the distances provided for in the first paragraph is prohibited.

The operation of a quarry or sand pit in a lake, a steady-flow watercourse or a riparian shrub swamp is prohibited.

The first paragraph does not prevent to continue activities related to the operation of a quarry or sand pit established before 17 August 1977 below the distance prescribed in that paragraph if the activities were already exercised on (*insert the date of coming into force of this Regulation*). In such case, it is however prohibited to reduce the distance between the site of those activities and the environment concerned.

In the case referred to in the fourth paragraph, the operator of the quarry or sand pit must cause a georeferenced plan to be prepared, indicating the distance between the site of the activities and the environment concerned. The plan must be prepared not later than (*insert the date occurring 1 year after the date of coming into force of this Regulation*) by a professional within the meaning of section 1 of the Professional Code (chapter C-26) or a holder of a university degree in biology or environmental sciences who has the required skills in the field. The plan must be kept until the closure of the quarry or sand pit within the meaning of section 31 and be provided to the Minister upon request.

7. A quarry or sand pit must be located at a minimum distance of 100 m from the following locations:

(1) an ecological reserve constituted or proposed under the Natural Heritage Conservation Act (chapter C-61.01);

(2) a park governed by the Parks Act (chapter P-9);

(3) a habitat of a threatened or vulnerable wildlife or plant species that is identified in a plan drawn up under the Act respecting the conservation and development of wildlife (chapter C-61.1) or the Act respecting threatened or vulnerable species (chapter E-12.01).

The first paragraph does not prevent the continuation of the operation of a quarry or sand pit established before (*insert the date of coming into force of this Regulation*) below the distance provided for in the first paragraph.

**8.** A private access road to a quarry or sand pit established after 17 August 1977 must be located at a minimum distance of 25 m from any dwelling or public institution.

**9.** The operating site of a quarry or sand pit must be located at a minimum distance of 35 m from the right-of-way of any public road.

The strip of land between the operating site of the quarry or sand pit and the public road must remain wooded if that land was wooded before the establishment of the quarry or sand pit.

The first paragraph does not apply to quarries or sand pits located to the north of the 55th parallel.

The first and second paragraphs do not apply to a quarry or sand pit established before 17 August 1977.

**10.** A quarry must be located at a minimum distance of 10 m from the property line of any land belonging to a person other than the owner of the lot or part of lot where the quarry is located, unless a quarry is also in operation on that property.

The first paragraph does not prevent the continuation of activities related to the operation of a quarry below the distance provided for in the first paragraph if the activities were already performed on land referred to in that paragraph on 17 August 1977. In such case, it is however prohibited to reduce the distance between the location of the activities and the neighboring land unless a quarry is also in operation on that land.

### **CHAPTER III**

#### **OPERATING STANDARDS**

**11.** The operator of a quarry or sand pit must install permanent visual signs to

- (1) delimit the operating site on the site of the quarry or sand pit;
- (2) locate the maximum depth for the operation of the quarry or sand pit.

This section does not apply to a quarry or sand pit established before 17 August 1977.

**12.** The maximum depth for the operation of a quarry or sand pit established as of (*insert the date of coming into force of this Regulation*) must be at least 1 m above the piezometric level where no operation in the phreatic surface takes place.

**13.** The storage and treatment necessary for the reclamation of concrete, brick other than refractory brick or bituminous compound resulting from construction or demolition work that is related to the operation of a quarry or sand pit must be carried out in the operating site of that quarry or sand pit.

**14.** The overburden, topsoil and particles recovered by any catchment system installed on the site of the quarry or sand pit and intended to prevent particle emissions into the atmosphere must be stored separately on the site of the quarry or sand pit.

The materials referred to in the first paragraph may ultimately be left on the storage areas or used for the redevelopment and restoration of the quarry or sand pit.

## **CHAPTER IV**

### **CONTAMINANT RELEASE STANDARDS**

#### **DIVISION I**

##### **NOISE**

**15.** The noise emitted by all the activities performed on the site of a quarry or sand pit must not exceed, for any 1-hour interval measured at the dwelling or public institution, the highest of the following sound levels:

- (1) the residual noise level;
- (2) the maximum reference noise level that is allowed depending on the period of the day, that is, 40 dBA between 7:00 p.m. and 7:00 a.m. and 45 dBA between 7:00 a.m. and 7:00 p.m.

The first paragraph does not apply to a dwelling owned or rented to the owner or operator of the quarry or sand pit.

**16.** Every operator must, every 3 years, measure the sound levels where a dwelling or public institution is closer than the following distances:

- (1) within a radius of 600 m from the site of a quarry;
- (2) within a radius of 150 m from the site of a sand pit.

Furthermore, a measurement must be taken not later than 1 year following the construction of any new dwelling or new public institution within the distances provided for in the first paragraph.

The measurement of the sound levels must be taken by a professional within the meaning of section 1 of the Professional Code (chapter C-26) having the required skills in the field.

The sound level measurements taken under this section must be entered in a register and be kept until the closure of the quarry or sand pit or for 20 years from the date on which they are entered therein, whichever comes first. The measurements must be provided to the Minister upon request.

## **DIVISION II**

### **WATERS**

**17.** The waters of a quarry or sand pit that are discharged into the environment must meet the following standards:

(1) the quantity of petroleum hydrocarbons (C10-C50) contained in the waters is less than or equal to 2 mg/l;

(2) the quantity of suspended matter contained in the waters is less than or equal to 50 mg/l;

(3) the waters' pH ranges from 6 to 9.5.

The analyses required for the purposes of the first paragraph must be made by a laboratory accredited by the Minister under section 118.6 of the Act.

## **DIVISION III**

### **PARTICLES**

**18.** The particle emissions from any of the following sources on the site of a quarry or sand pit must not be visible at more than 2 m from the emission source:

(1) equipment such as a crusher, a dryer, a screen, a conveyor, a grinder, an elevator, a hopper or a borer;

(2) vehicle traffic;

(3) the handling, fall, transfer, washing or storage of materials.

Every dust control liquid, other than water, used in a quarry or sand pit to control particle emissions must comply with the most recent version of standard BNQ 2410-300.

**19.** Where the source of particle emissions is connected to a particle catchment system, the latter must not emit into the atmosphere particles in a concentration greater than 30 mg/m<sup>3</sup> R of dry gas.

**20.** For the purposes of this Division, the limit values for the emission of contaminants into the atmosphere are complied with if the conditions provided for in the first paragraph of section 199 of the Clean Air Regulation (chapter Q-2, r. 4.1) are met.

**DIVISION IV**  
**BLASTING**

**21.** The operator of a quarry or sand pit who performs blasting work must implement a procedure for good blasting practices certified and signed by an engineer who is a member of the Ordre des ingénieurs du Québec, which must in particular include a public communication program.

The procedure must be kept up-to-date and be provided to the Minister upon request.

**22.** Blasting in a quarry or sand pit is prohibited less than 600 m from a dwelling or public institution between 7:00 p.m. and 7:00 a.m.

**23.** During each blast, the operator of a quarry or sand pit must record the air overpressure and the particle velocity at the dwelling or public institution.

Those recordings and the blasting data must be entered into a register and be kept for 5 years from the date of their entry. They must be provided to the Minister upon request.

**24.** Blasting in a quarry or sand pit must be performed in accordance with the following conditions:

(1) no mineral substance is projected outside the site of the quarry or sand pit;

(2) the particle velocity does not exceed 10 mm/s at the dwelling or public institution; and

(3) air overpressure does not exceed 125 linear dB at the dwelling or public institution.

Over a period of 12 months, the limit value prescribed by subparagraph 2 of the first paragraph may be exceeded, up to a maximum of 15 mm/s, only once or up to 10% of the total number of blasts during that period.

Over a period of 12 months, the limit value prescribed by subparagraph 3 of the first paragraph may be exceeded, up to a maximum of 130 linear dB, 2 times or up to 20% of the total number of blasts during that period.

**25.** The operator of a quarry or sand pit must notify the Minister without delay when mineral substances are projected outside the site of the quarry or sand pit.

## **CHAPTER V**

### **FINANCIAL GUARANTEE**

**26.** A financial guarantee is required of any operator of a quarry or sand pit to ensure the performance of the operator's redevelopment and restoration obligations.

The financial guarantee must be held throughout the duration of the operation and redevelopment and restoration activities in the quarry or sand pit and for a period of 18 months following the closure of the quarry or sand pit within the meaning of section 31.

This Chapter does not apply to the State and its mandataries. It does not apply either to an operator who has furnished security under section 74 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) to restore the land to its former condition as agricultural land.

**27.** The amount of the financial guarantee is set at

(1) \$10,000 if the area of the land stripped after 17 August 1977 or to be stripped for the operation of the quarry or sand pit is equal to or less than 1 hectare;

(2) \$10,000 multiplied by the number of hectares if the area of the land stripped after 17 August 1977 or to be stripped for the operation of the quarry or sand pit is greater than 1 hectare.

**28.** The financial guarantee must be provided in the form of

(1) a bank draft or a certified cheque made out to the Minister of Finance;

(2) debt securities in Canadian dollars issued or guaranteed by the Gouvernement du Québec or any other government in Canada having a market value at least 10% greater than the amount of the guarantee calculated in accordance with section 27 and whose term is longer than the term of the guarantee by 12 months;

(3) a security with a waiver of the benefits of division and discussion, issued by a legal person governed by the Act respecting insurance (chapter A-32), the Act respecting financial services cooperatives (chapter C-67.3) or the Bank Act (S.C. 1991, c. 46); or

(4) an irrevocable letter of credit issued by a legal person referred to in subparagraph 3.

A guarantee in the form of a bank draft, certified cheque or debt securities must be deposited with the Bureau général de dépôts pour le Québec.

**29.** A financial guarantee provided in the form of a security or an irrevocable letter of credit must have a term of not less than 12 months. A proof of its renewal or a new guarantee must be provided to the Minister not less than 60 days before the date of expiry of the guarantee.

The guarantee must contain a clause setting at not less than 12 months after its expiry or rescission the time available to the Minister to file a claim with the legal person who issued the guarantee.

The guarantee must also provide that its modification or rescission may take effect only if prior notice of at least 60 days is sent by registered mail to the Minister.

Subject to the law applicable in Québec, a guarantee provided in the form of an irrevocable letter of credit must comply with the rules of the International Chamber of Commerce related to documentary credits or stand-by letters of credit as the rules read on the day the guarantee is issued.

**30.** The Minister uses the guarantee provided by the operator of a quarry or sand pit in all cases where the operator, despite a notice to remedy the failure, refuses or fails to execute an obligation with which the operator must comply under the Act or its regulations.

The guarantee may be used to pay or reimburse expenses related to the performance of the obligation involved.

## **CHAPTER VI**

### **REDEVELOPMENT AND RESTORATION**

**31.** The purpose of redevelopment and restoration is to reinsert the quarry or sand pit into the environment when it is no longer in operation. The quarry or sand pit is considered as closed when the redevelopment and restoration are completed.

Redevelopment and restoration activities must aim at, in particular,

(1) eliminating unacceptable risks to health and ensuring the safety of persons;

(2) preventing the release of contaminants likely to adversely affect the environment;

(3) eliminating all long-term maintenance or follow-up; and

(4) restoring the site to a condition compatible with its previous use.

**32.** The operator of a quarry or sand pit must carry out redevelopment and restoration in accordance with the plan included in the operator's authorization issued under section 22 of the Act.

The operator or a quarry or sand pit established before 17 August 1977 must, even in the absence of a redevelopment and restoration plan, redevelop and restore in accordance with this Chapter the land stripped after 17 August 1977 as part of the operation of the quarry or sand pit.

**33.** If an operator referred to in section 32 intends to backfill the quarry with soils extracted from land containing contaminants resulting from human activities in a concentration equal to or less than the limit values provided for in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37), the operator must first apply to the Minister for an authorization under section 22 of the Act, in accordance with the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).

**34.** The redevelopment and restoration work provided for in the plan must begin not later than the date on which the operation of the quarry or sand pit stops.

**35.** The redevelopment and restoration of a quarry or sand pit must be carried out using one of the following options or more:

(1) the revegetation of the land stripped for the operation of the quarry or sand pit in particular with the topsoil stored on the site to which fertilizing waste substances may be added if authorized under section 22 of the Act;

(2) the levelling of the land and the reduction of the working faces;

(3) backfilling with one of the following matters:

(a) the overburden or surface mineral substances;

(b) soils extracted from land containing no contaminant due to a human activity;

(c) sludge generated by the treatment of surface mineral substances from the quarry or sand pit or from sedimentation basins used in aggregate extraction or dimension stone processes, insofar as the sludge meets the following conditions:

i. the dryness measured by a laboratory accredited by the Minister under section 118.6 of the Act is equal to or greater than 15%; and

ii. the sludge contains no free liquid;

(d) particles recuperated by a catchment system installed on the site of the quarry or sand pit and intended to prevent the release of particles into the atmosphere;

(e) in the case of a quarry only, soils extracted from land containing contaminants due to a human activity in a concentration less than or equal to the limit values provided for in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37);

(4) the development of a lake.

The options referred to in subparagraphs 1 and 2 of the first paragraph must also meet the following conditions:

(1) the ground leveling, reduction of working faces or backfilling must guarantee the stability of the slopes and, in the case of a sand pit, the final profile of the land must not exceed 30° from the horizontal unless the land is stabilised with a structure to prevent any landslide or erosion;

(2) the revegetation work must allow to reconstitute a soil and a vegetal cover with a regular density in order to create a self-sufficient natural ecosystem that is still growing 18 months after the closure of the quarry or sand pit.

If the option referred to in subparagraph 2 of the first paragraph for a quarry established after 17 August 1977 and located on the site of a hill, mountain or cliff, the working face must be made up of benches no more than 10 m in height and the horizontal terraces, at least 4 m, must be vegetated, unless the operator shows that the objectives referred to in section 31 have been achieved.

Backfilling work in a quarry or sand pit, in accordance with subparagraph *b* of subparagraph 3 of the first paragraph must not give rise to the deposit of contaminants due to a human activity in that quarry or sand pit.

In addition, at all times, backfilling work in a quarry using the soils referred to in subparagraph *e* of subparagraph 3 of the first paragraph must not result in a concentration of contaminants greater than the limit values provided for in Schedule I to the Land Protection and Rehabilitation Regulation.

**36.** Despite section 35, not later than 3 years before the closure of the quarry or sand pit, the operator may apply to the Minister for an authorization or an authorization modification, as the case may be, in accordance with the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*), to submit or modify the operator's redevelopment and restoration plan in order to carry out one of the following options:

(1) the development of a pond, marsh, swamp or peat bog;

(2) the development of a residual materials landfill;

(3) the development of a recreational space or the construction of a structure.

A third person may also apply to the Minister for the issue of an authorization to carry out one of the options provided for in the first paragraph, in stead and place of the operator, within the time set in that paragraph and in accordance with the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters.

The implementation of one of the options referred to in the first paragraph remains subject to any other provisions of the Act or its regulations that apply to it.

**37.** The operator of a quarry who does backfilling in accordance with subparagraph *e* of subparagraph 3 of the first paragraph of section 35 is required to verify the eligibility of the soils before they enter the quarry. To that end, the operator must, before receiving contaminated soils, confirm the nature and concentration values of the substances present in the soils on the basis of a characterization report submitted by the supplier that includes a representative number of samples.

In addition, an operator who receives materials from outside the site of the quarry or sand pit for backfilling purposes in accordance with subparagraphs *b* and *e* of subparagraph 3 of the first paragraph of section 35 must, upon receipt of the materials, take a sample and have it analyzed for each batch of material less than or equal to 200 metric tons. In the case of a batch of material greater than 200 metric tons, the operator must take an additional sample and have it analyzed for each additional fraction of material less than or equal to 400 metric tons.

The analysis of the samples taken in accordance with this section must make it possible to identify the following compounds:

- (1) BTEX (total benzene, toluene, ethylbenzene, xylene);
- (2) petroleum hydrocarbons (C10-C50);
- (3) metals;
- (4) if the material received is soils referred to in subparagraph *e* of subparagraph 3 of the first paragraph of section 35, any contaminant identified in the characterization report referred to in the first paragraph.

The analyses required for the purposes of the first and second paragraphs must be made by a laboratory accredited by the Minister under section 118.6 of the Act.

**38.** For any backfilling under subparagraphs *b* and *e* of subparagraph 3 of the first paragraph of section 35, the operator must enter into a register

- (1) the contact information of the material supplier and that of the carrier;

- (2) the nature and concentration of the substances present in the materials as well as the analysis reports produced by the laboratory;
- (3) the identification of the materials' place of origin;
- (4) the quantity of materials, expressed in metric tons and in cubic metres; and
- (5) the date on which the materials are received.

The operator must keep the register during the redevelopment and restoration and thereafter for at least 5 years from the closure date of the quarry or sand pit.

## **CHAPTER VII**

### **MONETARY ADMINISTRATIVE PENALTIES**

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

- (1) to have the plan referred to in the fifth paragraph of section 6 prepared or fails to keep it or provide it to the Minister in contravention of that paragraph;
- (2) to keep the strip of land between the operating site of a quarry or sand pit and a public road wooded, in contravention of the second paragraph of section 9;
- (3) to install permanent visual signs, as prescribed by section 11;
- (4) to carry out the storage or treatment necessary for the reclamation of concrete, brick other than refractory brick or bituminous compound resulting from construction or demolition work in the operating site of a quarry or sand pit, in contravention of section 13;
- (5) to store separately the overburden, topsoil and particles recovered by any catchment system, in contravention of the first paragraph of section 14;
- (6) to take the measurement of the sound levels in one of the cases provided for in the first and second paragraphs of section 16, at the intervals provided for in one of those paragraphs;
- (7) to have the sound levels taken by a professional as prescribed in the third paragraph of section 16;
- (8) to record or keep the sound level measurements or to provide them to the Minister in accordance with the fourth paragraph of section 16;
- (9) to have the waters from a quarry or sand pit analyzed by an accredited laboratory, as prescribed by the second paragraph of section 17;

(10) to use a dust control liquid complying with the standard in the second paragraph of section 18;

(11) to implement a procedure for the good use of blasting, as prescribed by the first paragraph of section 21;

(12) to keep up-to-date or to provide the Minister with the procedure for the good use of blasting, in contravention of the second paragraph of section 21;

(13) to record the air overpressure or the particle velocity in accordance with the first paragraph of section 23;

(14) to record or keep the air overpressure recordings or the blasting data or to provide them to the Minister, in accordance with the second paragraph of section 23;

(15) to inform the Minister without delay when mineral substances are projected outside the site of the quarry or sand pit, in contravention of section 25;

(16) to hold a financial guarantee for the duration and period provided for in the second paragraph of section 26;

(17) to provide the Minister with proof of renewal of the guarantee or with a new guarantee, within the time prescribed in the first paragraph of section 29;

(18) to begin the redevelopment and restoration work within the time prescribed in section 34;

(19) to redevelop and restore a quarry or sand pit using one or more of the options provided for in section 35, on the conditions indicated therein;

(20) to verify the eligibility of soils before they are received in a quarry, in the case and on the conditions provided for in the first paragraph of section 37;

(21) to take or analyze a sample when matters are received from outside the site of the quarry or sand pit for backfilling, in the case and on the conditions provided for in the second and third paragraphs of section 37;

(22) to have the analyses prescribed by the first and second paragraphs of section 37 made by an accredited laboratory, in contravention of the fourth paragraph of that section;

(23) to enter in a register the information referred to in the first paragraph of section 38 or to keep it for the period provided for in the second paragraph of that section, in the cases and on the conditions provided for therein.

**40.** A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in any other case may be imposed on anyone who fails to comply with the blasting prohibition on the conditions or during the periods provided for in section 22.

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

(1) establishes or enlarges a quarry or sand pit in an outer protection zone of a water withdrawal, in contravention of section 5;

(2) fails to comply with the standards regarding the minimum distance between a quarry or sand pit and a lake, a steady-flow watercourse, a marsh, a riparian shrub swamp or an open peat bog, as provided for in the first or second paragraph of section 6;

(3) reduces the distance between a quarry or sand pit and a lake, a steady-flow watercourse, a marsh, a riparian shrub swamp or an open peat bog, in contravention of the fourth paragraph of section 6;

(4) fails to submit an application for authorization when planning to backfill the quarry with soils extracted from land containing contaminants referred to in section 33, in contravention of that section;

(5) fails to submit an application for authorization within the time set in section 36 to present or modify a plan for the redevelopment or restoration of a quarry or sand pit according to one of the options provided for in that section.

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

(1) establishes a quarry or sand pit within any of the territories listed in section 3, in contravention of that section;

(2) enlarges a quarry or sand pit within any of the territories listed in section 3, in contravention of section 4;

(3) operates a quarry or sand pit in a lake, a steady-flow watercourse or a riparian shrub swamp, in contravention of the third paragraph of section 6;

(4) fails to comply with the standard regarding the minimum distance between the quarry or sand pit and an ecological reserve, a park or the habitat of a wildlife or plant species, as provided for in the first paragraph of section 7;

(5) fails to comply with the standard regarding the minimum distance between a private access road for a quarry or sand pit and a dwelling or a public institution, as provided for in section 8;

(6) fails to comply with the standard regarding the minimum distance between the operating site of a quarry or sand pit and a public road, as provided for in the first paragraph of section 9;

(7) fails to comply with the standard regarding the minimum distance between a quarry and the property line of land belonging to a person other the owner of the lot or part of lot where the quarry is located, as provided for in the first paragraph of section 10;

(8) reduces the distance between a quarry and the property line of land belonging to a person other the owner of the lot or part of lot where the quarry is located, in contravention of the second paragraph of section 10;

(9) fails to comply with the standard regarding the maximum depth for the operation of a quarry or sand pit, as provided for in section 12.

**43.** A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in any other case may be imposed on anyone who fails to comply with

(1) the noise standards in the course of all the activities on the site of a quarry or sand pit prescribed by the first paragraph of section 15;

(2) the standards regarding the waters originating from a quarry or sand pit prescribed by the first paragraph of section 17;

(3) the particle emission standard prescribed by the first paragraph of section 18;

(4) the particle emission standard regarding a particle catchment system prescribed by section 19;

(5) the conditions governing blasting prescribed by section 24.

## **CHAPTER VIII**

### **PENAL SANCTIONS**

**44.** Anyone who contravenes the fifth paragraph of section 6, the second paragraph of section 9, section 11 or 13, the first paragraph of section 14, section 16, the second paragraph of section 17 or 18, section 21, 23 or 25, the second paragraph of section 26, the first paragraph of section 29 or section 34, 35, 37 or 38 commits an offence and is liable to a fine of \$2,500 to \$250,000, in the case of a natural person, or of \$7,500 to \$1,500,000 in any other case.

**45.** Anyone who contravenes section 22 commits an offence and is liable to a fine of \$4,000 to \$250,000, in the case of a natural person, or of \$12,000 to \$1,500,000 in any other case.

**46.** Anyone who

(1) contravenes section 5, the first, second or fourth paragraph of section 6 or section 33 or 36,

(2) makes a declaration, communicates information or files a document pursuant to this Regulation 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 any other case, to a fine of \$15,000 to \$3,000,000.

**47.** Anyone who contravenes section 3 or 4, the third paragraph of section 6, the first paragraph of section 7, section 8, the first paragraph of section 9 or section 10 or 12 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 any other case, to a fine of \$24,000 to \$3,000,000.

**48.** Anyone who contravenes the first paragraph of section 15, 17 or 18 or section 19 or 24 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 any other case, to a fine of \$30,000 to \$6,000,000.

**49.** Anyone who contravenes any other obligation imposed by this Regulation also commits an offence and is liable, if no other penalty is provided for in this Chapter or in the Act, to a fine of \$1,000 to \$100,000, in the case of a natural person, or of \$3,000 to \$600,000 in any other case.

## **CHAPTER IX**

### **TRANSITIONAL**

**50.** Section 15 applies as of (*insert the date occurring 3 years after the date of coming into force of this Regulation*)

(1) to any operator of a quarry or sand pit established before (*insert the date of coming into force of this Regulation*) and for which no noise standard was applicable under the Regulation respecting pits and quarries (chapter Q-2, r. 7), as it read on (*insert the date preceding the date of coming into force of this Regulation*);

(2) to any operator of a quarry or sand pit established before 17 August 1977.

The follow-up on sound level under section 16 must be carried out not later than *(insert the date occurring 3 years after the date of coming into force of this Regulation)* by any operator or a quarry or sand pit established before *(insert the date of coming into force of this Regulation)*.

Any noise standard provided for in section 12 of the Regulation respecting pits and quarries, as it read on *(insert the date preceding the date of coming into force of this Regulation)*, or prescribed in an operator's authorization, that applies to a quarry or sand pit on that date continues to apply to the quarry or sand pit until *(insert the date preceding the date occurring 3 years after the date of coming into force of this Regulation)*.

**51.** Section 23 and paragraphs 2 and 3 of section 24 apply as of *(insert the date occurring 3 years after the date of coming into force of this Regulation)* to any operator of a quarry or sand pit established before *(insert the date of coming into force of this Regulation)*.

Section 34 of the Regulation respecting pits and quarries (chapter Q-2, r. 7), as it read on *(insert the date preceding the date of coming into force of this Regulation)*, continues to apply to those quarries and sand pits until *(insert the date preceding the date occurring 3 years after the date of coming into force of this Regulation)*.

**52.** Chapter V applies as of *(insert the date occurring 3 years after the date of coming into force of this Regulation)* to any operator of a quarry or sand pit established before *(insert the date of coming into force of this Regulation)* who, before that date, has not finished the redevelopment and restoration of the quarry or sand pit.

Any guarantee that is required from the operator of a sand pit on *(insert the date preceding the date of coming into force of this Regulation)* must be maintained, in accordance with the conditions in force on that date, until *(insert the date preceding the date occurring 3 years after the date of coming into force of this Regulation)*.

## **CHAPTER X**

### **FINAL**

**53.** This Regulation replaces the Regulation respecting pits and quarries (chapter Q-2, r. 7).

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

**SCHEDULE I**  
**PROHIBITED TERRITORIES**  
(section 3)



PROVINCE DE QUÉBEC  
MUNICIPALITÉS : VILLE DE SAINT-BRUNO-DE-MONTARVILLE ET VILLE DE  
SAINTE-JULIE  
MUNICIPALITÉ RÉGIONALE DE COMITÉ : HOUS MRC ET MARGUERITE-  
D'YOUVILLE

**DESCRIPTION TECHNIQUE**  
**TERRITOIRE DU MONT SAINT-BRUNO**

En référence au plan municipal de Saint-Bruno-de-Montarville publié par le ministère des Transports du Québec (août 2014) et au plan du cadastre du Québec des circonscriptions foncières de Chambly et Verchères (données extraites d'Infolot le 27 février 2017), tout le territoire suivant :

Partant du sommet Sud-Ouest du lot 2 420 823, soit le point "1" figurant sur le plan joint à la présente description, étant le "POINT DE DÉPART";

De là, vers le Sud-Ouest, suivant l'emprise Nord-Ouest du boulevard Sir-Wilfrid-Laurier (route 116) (lots 2 420 748 et 2 420 747) jusqu'à l'emprise Nord-Est du boulevard de Boucherville (lot 2 420 735), soit jusqu'au point "2";

De là, vers le Nord-Ouest, suivant l'emprise Nord-Est dudit boulevard (lots 2 420 735, 2 420 736, ptie 2 420 754, 2 420 778 à 2 740 780 et ptie 2 420 669), jusqu'à l'emprise Ouest du chemin De La Rabastalière Est (lot 2 420 669), soit jusqu'au point "3";

De là, dans une direction générale Sud-Ouest, suivant ladite emprise (lots 2 420 669, 2 420 810 et 2 420 667) jusqu'à l'emprise Nord-Est de la rue Montarville (lot 2 114 968), soit jusqu'au point "4";

De là, vers le Nord-Ouest, suivant ladite emprise (lots 2 114 968, 2 420 666, 2 420 664, 2 114 964, 2 114 914, 2 420 629 et 2 114 906), puis suivant la limite Nord-Est des lots 2 348 482, 2 348 481, 2 111 997, 2 111 998, 2 114 893, 2 111 982, 2 111 995, 2 111 994, 2 111 993, 2 114 741, 2 111 991, 2 228 936, puis suivant l'emprise Nord-Est de la rue Frontenac Est (lot 2 114 903), jusqu'à la limite Sud-Est du lot 2 348 486, puis suivant un gisement de  $308^{\circ}32'45''$  sur une distance de trente-sept mètres et quarante-quatre centièmes (37,44 m) jusqu'à l'emprise Sud-Est de la Montée Montarville (sommet Sud-Est du lot 2 111 851), soit jusqu'au point "5";

De là, vers le Nord-Est, suivant la limite Sud-Est des lots 2 111 851, 2 228 926 et 2 229 006, puis suivant un gisement de  $37^{\circ}01'22''$  sur une distance de quatre cent vingt-quatre mètres et soixante-trois centièmes (424,63 m) jusqu'à l'emprise Sud-Est du Rang des Vingt-Cinq Est (lot 2 420 604), puis suivant ladite emprise (lots 2 420 604, 2 420 588 et 2 420 824), puis celle du chemin du Fer-à-Cheval (lots 2 451 967, 5 432 640 et 5 432 643), jusqu'à l'emprise Sud-Ouest de la rue Jacquelin-Beaulieu, soit jusqu'au point "6";

De là, vers le Nord-Est, suivant un arc de cercle de quinze mètres et vingt-quatre centièmes (15,24 m) et de quatre cent soixante-et-deux mètres et cinquante centièmes de rayon interne (462,50 m), jusqu'à l'emprise Nord-Est de la rue Jacquelin-Beaulieu, puis suivant l'emprise Est du chemin du Fer-à-Cheval (lot 5 432 643), jusqu'à l'oléoduc de « Montreal Pipeline », soit jusqu'au point "7";

De là, vers le Sud-Est, suivant l'oléoduc selon un gisement de  $115^{\circ}20'04''$  sur une distance de mille trois cent soixante-neuf mètres et huit centièmes (1369,08 m) jusqu'à la limite Ouest du lot 2 420 481, limite séparatrice entre les villes de Sainte-Julie et de Saint-Bruno-de-Montarville, soit jusqu'au point "8";

De là, vers le Nord et le Sud-Est, suivant ladite limite (limites Ouest et Nord-Est du lot 2 420 481), jusqu'à la limite séparatrice entre les villes de Saint-Bruno-de-Montarville et de Saint-Basile-le-Grand (lot 3 410 415), soit jusqu'au point "9";

De là, vers le Sud, suivant ladite limite (limite Est des lots 2 420 481, 2 420 475 et 2 420 480), jusqu'à l'emprise Nord-Ouest du rang des Vingt (lot 2 452 048), soit jusqu'au point "10";

De là, vers le Sud-Ouest, suivant ladite emprise (lot 2 452 048), jusqu'au sommet Ouest du lot 2 452 048, puis suivant un gisement de  $214^{\circ}17'14''$  sur une distance de trente-sept mètres et quatre-vingt-sept centièmes (37,87 m), puis suivant un gisement de  $202^{\circ}44'29''$  sur une distance de trente mètre et soixante-seize centièmes (30,76 m), jusqu'au sommet Est du lot 2 420 453, puis à nouveau suivant l'emprise (lot 2 420 823) sur une distance de sept cent quatre-vingt-sept mètres quarante et un centièmes (787,41 m), soit jusqu'au point "11";

De là, vers le Sud-Ouest, suivant un gisement de  $206^{\circ}31'07''$  sur une distance de quatre-vingt-huit mètres et soixante-huit centièmes (88,68 m), puis suivant à nouveau l'emprise (lot 2 420 823), pour revenir au "POINT DE DÉPART", numéro "1" au plan joint.

Les distances sur ce document sont en mètres (SI).

Les gisements sur ce document sont en référence au système SCOPQ (fuseau 8) NAD 83.

Les coordonnées des points sont :

Numéro de point	Coordonnées SCOPQ	
	Y	X
1	5042557	319654
2	5042279	319006
3	5043784	317615
4	5043085	317133
5	5044527	315722
6	5047849	318184
7	5048103	318227
8	5047517	319464
9	5045938	320994
10	5044524	320842
11	5042725	319744

Cette description a été préparée pour le Gouvernement du Québec, représenté par son ministre du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques.

Le plan qui l'accompagne fait partie intégrante de la présente description technique.

**PRÉPARÉ À QUÉBEC, LE 29 JUIN 2017, SOUS LE NUMÉRO 251  
DE MES MINUTES.**

**DOSSIER GBY10103603**

*Audrey Hamel*

**Audrey HAMEL (2577)**

**ARPENTEURE-GÉOMÈTRE**

**VRAIE COPIE CONFORME**

**ÉMISE LE**

2017-06-29

**PAR :**

*Audrey Hamel*





PROVINCE DE QUÉBEC  
MUNICIPALITÉS : VILLE DE MONT SAINT-HILAIRE, SAINT-JEAN-BAPTISTE ET  
PAROISSE DE SAINTE-MARIE-MADELEINE  
MUNICIPALITÉ RÉGIONALE DE COMTÉ : LA VALLÉE-DU-RICHELIEU

## DESCRIPTION TECHNIQUE

### TERRITOIRE DU MONT SAINT-HILAIRE

En référence au plan municipal de la ville de Mont Saint-Hilaire publié par le ministère des Transports du Québec (août 2014) et au plan du cadastre du Québec, de la circonscription foncière de Rouville (données extraites d'Infolot le 27 février 2017), tout le territoire suivant :

Partant de l'intersection de l'emprise Sud du boulevard Sir-Wilfrid-Laurier (route 116) (lot 3 956 714) avec l'emprise Est de la rue Fortier (lot 5 648 298), soit le point "1" figurant sur le plan joint à la présente description, étant le "POINT DE DÉPART" :

De là, dans une direction générale Nord-Est, suivant l'emprise Sud-Est dudit boulevard (lots 3 956 714, 3 956 787, 2 349 006, 2 348 998, 2 349 299, 1 817 447, 1 817 673, 1 817 829, 2 349 300, 1 818 533 et 1 818 511) jusqu'à l'emprise Sud-Ouest du chemin Benoit (route 229) (lot 1 818 284), soit jusqu'au point "2" ;

De là, dans une direction générale Sud-Est, suivant ladite emprise (lots 1 818 284 et 1 818 472), jusqu'au sommet Nord-Est du lot 1 818 510, puis suivant un gisement de  $131^{\circ}56'06''$  sur une distance de treize mètres et trente centièmes (13,30 m), puis suivant la limite Nord-Est du lot 2 369 378 jusqu'à l'emprise Ouest du chemin des Carrières (sommet Nord-Est du lot 2 369 378), soit jusqu'au point "3" ;

De là, dans une direction Sud et Sud-Ouest, suivant ladite emprise (lot 2 768 505), puis suivant un gisement de  $215^{\circ}08'59''$  sur une distance de

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trente-six mètres et sept centièmes (36,07 m) jusqu'à la limite Ouest du lot 1 818 510, puis vers le Sud, suivant toujours ladite emprise, jusqu'à la limite Sud-Ouest dudit lot, soit jusqu'au point "4";

De là, dans une direction générale Sud-Est, suivant ladite limite et la limite séparatrice entre la municipalité de Saint-Jean-Baptiste et la paroisse de Sainte-Marie-Madeleine (limite Sud-Ouest du lot 2 369 374, limites Sud-Ouest et Sud-Est du lot 2 366 117, et limite Nord-Est des lots 4 148 899 et 4 148 906), puis la limite Sud du lot 4 150 479, jusqu'à l'emprise Ouest du chemin des Lots (lot 4 150 468), soit jusqu'au point "5";

De là, dans une direction générale Sud-Ouest, suivant l'emprise Ouest et Nord-Ouest dudit chemin et de la rue Noisieux (lots 4 150 468, 4 150 429, 4 150 428, 4 150 427, 4 150 426 et 4 150 386), puis suivant un gisement de  $83^{\circ}25'59''$  sur une distance de douze mètres et quatre centièmes (12,04 m) jusqu'à la limite Nord-Ouest du lot 2 349 318, puis vers le Sud-Ouest, en suivant toujours ladite emprise, jusqu'à l'emprise Nord-Est du chemin de la Montagne (lot 5 054 702), soit jusqu'au point "6";

De là, dans une direction générale Nord-Ouest, suivant ladite emprise (lots 5 054 702, 2 349 305, 1 819 524, 2 349 314, 2 349 313, 2 349 312, 2 349 311 et 1 816 322), jusqu'à l'emprise Sud-Est du chemin Ozias-Leduc (lot 2 349 319), soit jusqu'au point "7";

De là, dans une direction générale Nord, suivant ladite emprise (lots 2 349 319, 3 271 276, 3 271 278, 3 271 280, 3 271 282, 3 271 284, 3 271 286, 3 271 288, 3 271 290, 3 271 292, 3 271 294, 3 956 776, 3 956 780, 3 236 483, 3 956 781 et 3 271 300), puis l'emprise Nord-Est de la rue Fortier (lots 3 956 806, 3 956 807, 3 956 791, 3 956 786 et 5 648 298), jusqu'à l'emprise Sud du boulevard Sir-Wilfrid-Laurier, pour revenir au "POINT DE DÉPART", numéro "1" au plan joint.

Les distances sur ce document sont en mètres (SI).

Les gisements sur ce document sont en référence au système SCOPO (fuseau 8) NAD 83.

Les coordonnées des points sont :

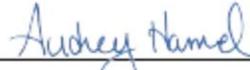
Numéro de point	Coordonnées SCOPO	
	Y	X
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2	5049421	332561
3	5048709	333060
4	5048334	332986
5	5046965	334416
6	5043167	332122
7	5044747	329229

Cette description a été préparée pour le Gouvernement du Québec, représenté par son ministre du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques.

Le plan qui l'accompagne fait partie intégrante de la présente description technique.

**PRÉPARÉ À QUÉBEC, LE 29 JUIN 2017, SOUS LE NUMÉRO 253  
DE MES MINUTES.**

**DOSSIER GBY10103603**



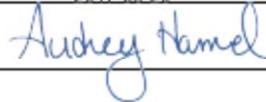
**Audrey HAMEL (2577)**

**ARPENTEURE-GÉOMÈTRE**

**VRAIE COPIE CONFORME**

**ÉMISE LE** 2017.06.29

**PAR :**







PROVINCE DE QUÉBEC  
MUNICIPALITÉS : ROUGEMONT, SAINT-DAMASE ET SAINT-JEAN-BAPTISTE  
MUNICIPALITÉS RÉGIONALES DE COMITÉ : ROUVILLE, LES MASKOUTAINS  
ET LA VALLÉE-DU-RICHELIEU

## DESCRIPTION TECHNIQUE TERRITOIRE DU MONT ROUGEMONT

En référence au plan municipal de Rougemont publié par le ministère des Transports du Québec (juin 2014) et au plan du cadastre du Québec des circonscriptions foncières de Saint-Hyacinthe et Rouville (données extraites d'Infolot le 27 février 2017), tout le territoire suivant :

Partant de l'intersection de l'emprise Est du rang du Cordon (lot 2 768 476) avec la ligne séparative des lots 4 914 295 et 5 263 146, soit le point "1" figurant sur le plan joint à la présente description, étant le "POINT DE DÉPART";

De là, dans une direction Sud-Est, suivant la limite Nord-Est du lot 4 914 295 jusqu'à la limite Ouest du lot 2 365 921, soit jusqu'au point "2";

De là, dans une direction Nord, suivant la limite Ouest dudit lot, jusqu'à l'emprise Sud du rang Marie-Anne (lot 2 366 169), soit jusqu'au point "3";

De là, dans une direction Est, suivant l'emprise Sud du rang Marie-Anne (lots 2 366 169, 2 706 404 et 2 945 325), jusqu'à l'emprise Ouest du rang du Haut-Corbin (route 231) (lot 2 706 387), soit jusqu'au point "4";

De là, dans une direction générale Sud, suivant l'emprise Ouest et Sud-Ouest dudit rang (lots 2 706 387, 2 706 388, 2 706 390, 2 706 389 et 2 706 325), puis l'emprise Ouest et Nord-Ouest de La Grande-Caroline (route 231) (lots 5 979 550, 5 979 549, 5 979 548, 5 979 547, 5 979 546,

GBY10103603-250 (AH)

5 979 545, 5 979 544, 5 979 543, 5 979 542, 5 979 541, 5 979 532, 5 979 540, 5 979 531, 5 979 530, 5 979 529, 5 979 539, 5 979 538, 5 979 537, 5 979 536, 5 979 535, 5 979 534, 5 979 533, 6 011 583, 1 715 834, 1 715 833, 1 715 832, 1 715 823, 1 715 824, 1 715 827 et 1 715 828), jusqu'à l'emprise Nord-Est de la rue Principale (lot 1 715 861), soit jusqu'au point "5";

De là, dans une direction générale Nord-Ouest, suivant ladite emprise (lots 1 715 861, 1 715 869, 1 715 870, 1 715 863 et 1 715 864), puis l'emprise Nord-Est, Est et Sud-Est du rang de la Montagne (route 229), (lots 1 715 892, 1 716 080, 1 715 808, 1 715 807, 1 715 803 et 1 715 800), jusqu'à l'emprise Est du rang du Cordon (lot 2 926 581), soit jusqu'au point "6";

De là, dans une direction Nord, suivant ladite emprise (lots 2 926 581, 4 150 483, 4 150 484, 4 150 491, 4 150 492, 2 768 476) pour revenir au "POINT DE DÉPART", numéro "1" au plan joint.

Les distances sur ce document sont en mètres (SI).

Les gisements sur ce document sont en référence au système SCOPO (fuseau 8) NAD 83.

Les coordonnées des points sont :

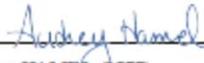
Numéro de point	Coordonnées SCOPO	
	Y	X
1	5041693	338056
2	5040386	339302
3	5040771	339433
4	5040933	341754
5	5032700	339979
6	5037500	336526

Cette description a été préparée pour le Gouvernement du Québec, représenté par son ministre du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques.

Le plan qui l'accompagne fait partie intégrante de la présente description.

**PRÉPARÉ À QUÉBEC, LE 29 JUIN 2017, SOUS LE NUMÉRO 250 DE MES MINUTES.**

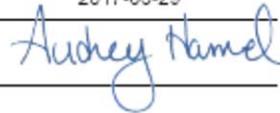
**DOSSIER GBY10103603**

  
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**Audrey HAMEL (2577)**  
**ARPENTEURE-GÉOMÈTRE**

**VRAIE COPIE CONFORME**

**ÉMISE LE** 2017-06-29

**PAR :**

  
\_\_\_\_\_



PROVINCE DE QUÉBEC  
MUNICIPALITÉ : MONT-SAINT-GRÉGOIRE  
MUNICIPALITÉ RÉGIONALE DE COMTÉ : LE HAUT-RICHELIEU

## DESCRIPTION TECHNIQUE

### TERRITOIRE DU MONT SAINT-GRÉGOIRE

En référence au plan municipal de Mont-Saint-Grégoire publié par le ministère des Transports du Québec (juin 2014) et au plan du cadastre du Québec de la circonscription foncière de Saint-Jean (données extraites d'Infolot le 27 février 2017), tout le territoire suivant :

Partant de l'intersection de l'emprise Est du chemin du Sous-Bois (lot 4 160 154), avec la limite séparatrice des municipalités de Mont-Saint-Grégoire et de Sainte-Angèle-de-Monnoir, soit le point "1" figurant sur le plan joint à la présente description, étant le "POINT DE DÉPART";

De là, dans une direction Sud-Est, suivant la limite séparatrice des municipalités (limite Sud-Ouest des lots 4 110 577 et 1 713 845), jusqu'à l'emprise Nord-Ouest du rang de la Montagne (lot 4 160 161), soit jusqu'au point "2";

De là, dans une direction générale Sud-Ouest, suivant ladite emprise (lots 4 160 161 et 4 160 150), jusqu'à l'emprise Nord-Est du chemin du Sous-Bois (lot 4 160 149), soit jusqu'au point "3";

De là, dans une direction générale Nord, suivant ladite emprise (lots 4 160 149, 4 160 130, 4 160 152 et 4 160 154) pour revenir au "POINT DE DÉPART", numéro "1" au plan joint.

GBY10103603-252 (AH)

Les distances sur ce document sont en mètres (SI).

Les gisements sur ce document sont en référence au système SCOPO (fuseau 8) NAD 83.

Les coordonnées des points sont :

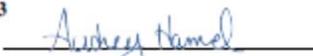
Numéro de point	Coordonnées SCOPO	
	Y	X
1	5025641	332349
2	5024492	333535
3	5023297	332398

Cette description a été préparée pour le Gouvernement du Québec, représenté par son ministre du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques.

Le plan qui l'accompagne fait partie intégrante de la présente description technique.

**PRÉPARÉE À QUÉBEC, LE 29 JUIN 2017, SOUS LE NUMÉRO 252 DE MES MINUTES.**

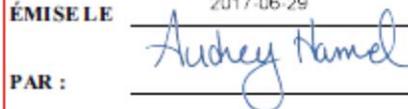
**DOSSIER GBY10103603**



**Audrey HAMEL (2577)**  
**ARPEUTEURE-GÉOMÈTRE**

**VRAIE COPIE CONFORME**

**ÉMISE LE** 2017-06-29



**PAR :**





PROVINCE DE QUÉBEC  
MUNICIPALITÉS : SAINT-PAUL-D'ABBOTSFORD ET VILLE DE SAINT-PIE  
MUNICIPALITÉ RÉGIONALE DE COMITÉ : ROUVILLE, LES MASKOUTAINS

## DESCRIPTION TECHNIQUE TERRITOIRE DU MONT YAMASKA

En référence au plan municipal de Saint-Paul-d'Abbotsford publié par le ministère des Transports du Québec (juin 2014) et au plan du cadastre du Québec des circonscriptions foncières de Rouville et de Saint-Hyacinthe (données extraites d'Infolot le 27 février 2017), tout le territoire suivant :

Partant de l'intersection de l'emprise Nord-Ouest de la rue Principale Est (route 112) (lot 3 518 126), avec l'emprise Nord-Est du chemin de fer (lot 3 518 172), soit le point "1" figurant sur le plan joint à la présente description, étant le "POINT DE DÉPART";

De là, dans une direction générale Nord, suivant ladite emprise du chemin de fer (lots 3 518 172, 3 518 183, 3 518 085 et 3 518 086), jusqu'à l'emprise Sud-Est du rang Elmire, soit jusqu'au point "2";

De là, dans une direction générale Est, suivant ladite emprise (lot 3 851 044), puis celle du rang d'Émileville (lots 2 972 100 et 2 972 099), puis suivant l'emprise Sud du rang du Haut-de-la-Rivière Sud (lots 2 979 099, 2 972 103, 2 972 098, 2 972 091, 2 972 102, 2 972 090, 2 972 101, 2 972 089 et 2 972 063), jusqu'à l'emprise Sud-Ouest du Grand rang Saint-Charles, soit jusqu'au point "3";

De là, dans une direction générale Sud, suivant ladite emprise (lots 2 972 063, 3 518 115, 3 518 106, 3 518 110, 3 518 116 et 3 518 117) jusqu'à l'emprise Nord de la rue Principale Est (route 112), soit jusqu'au point "4";

GBY10103603-255 (AH)

De là, dans une direction générale Ouest, suivant ladite emprise (lots 3 518 119, 3 518 120 et 3 518 241) jusqu'à l'emprise Ouest de la rue Southière (lot 3 518 215), soit jusqu'au point "5";

De là, dans une direction Sud, suivant un gisement de  $217^{\circ}53'16''$  sur une distance de dix-neuf mètres et quarante et un centièmes (19,41 m), puis, suivant la limite Ouest du lot 3 518 739 jusqu'à sa limite Sud, puis suivant un gisement de  $192^{\circ}30'10''$  sur une distance de neuf mètres et quatorze centièmes (9,14 m) jusqu'à la limite Nord du lot 3 516 683, soit jusqu'au point "6";

De là, vers l'Ouest, suivant ladite limite jusqu'à l'emprise Est du Petit rang Saint-Charles (lot 3 518 136), puis suivant un gisement de  $281^{\circ}44'58''$  sur une distance de dix-huit mètres et dix-neuf centièmes (18,19 m) jusqu'au sommet Nord-Est du lot 3 517 331, puis suivant la limite Nord dudit lot et des lots 5 300 460 et 5 300 459 jusqu'à la limite Ouest de ce dernier, soit jusqu'au point "7";

De là, vers le Nord, suivant la limite Ouest du lot 3 519 101, puis suivant un gisement de  $11^{\circ}42'33''$  sur une distance de soixante-dix mètres et trente-deux centièmes (70,32 m) jusqu'au sommet Sud-Ouest du lot 3 518 611, puis suivant la limite Ouest dudit lot jusqu'à son sommet Nord-Ouest, puis suivant un gisement de  $11^{\circ}31'26''$  sur une distance de cent dix-neuf mètres et soixante-sept centièmes (119,67 m) jusqu'au sommet Sud-Ouest du lot 3 518 371, puis suivant la limite Ouest dudit lot jusqu'à l'emprise Sud de la rue Principale Est (route 112) (lot 3 518 248), puis suivant un gisement de  $11^{\circ}56'37''$  sur une distance de treize mètres et vingt-cinq centièmes (13,25 m) jusqu'à son emprise Nord, soit jusqu'au point "8";

De là, dans une direction générale Ouest, suivant ladite emprise (lots 3 518 248 à 3 518 250, 3 518 258 et 3 518 126) pour revenir au "POINT DE DÉPART", numéro "1" au plan joint.

Les distances sur ce document sont en mètres (SI).

Les gisements sur ce document sont en référence au système SCOPOQ (fuseau 8) NAD 83.

Les coordonnées des points sont :

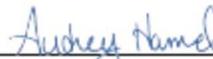
Numéro de point	Coordonnées SCOPOQ	
	Y	X
1	5032937	352168
2	5037759	351910
3	5038169	355940
4	5032486	356476
5	5032914	354461
6	5032560	354378
7	5032804	353202
8	5033163	353276

Cette description a été préparée pour le Gouvernement du Québec, représenté par son ministre du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques.

Le plan qui l'accompagne fait partie intégrante de la présente description technique.

PRÉPARÉE À QUÉBEC, LE 29 JUIN 2017, SOUS LE NUMÉRO  
255 DE MES MINUTES.

DOSSIER GBY10103603



Audrey HAMEL (2577)

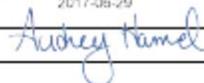
ARPENTEURE-GÉOMÈTRE

VRAIE COPIE CONFORME

ÉMISE LE

2017-06-29

PAR :







PROVINCE DE QUÉBEC  
MUNICIPALITÉS : VILLE DE BROMONT ET VILLE DE LAC-BROME  
MUNICIPALITÉ RÉGIONALE DE COMITÉ : BROME-MISSISQUOI

## DESCRIPTION TECHNIQUE TERRITOIRE DU MONT BROME

En référence au plan municipal des villes de Bromont et de Lac-Brome publié par le ministère des Transports du Québec (août 2014) et au plan du cadastre du Québec des circonscriptions foncières de Brome et Shefford (données extraites d'Infolot le 27 février 2017), tout le territoire suivant :

Partant de l'intersection de l'emprise Sud-Est de la rue Shefford (route 241) (lot 2 591 977) avec la ligne naturelle des hautes eaux Sud-Ouest de la rivière Yamaska (rive gauche), soit le point "1" figurant sur le plan joint à la présente description, étant le "POINT DE DÉPART";

De là, dans une direction générale Sud-Est suivant la ligne naturelle des hautes eaux Sud-Ouest de la rivière Yamaska (rive gauche) jusqu'à un point situé à la limite Nord-Est du lot 2 593 948, à une distance de trente-trois mètres et quatre-vingt-dix-sept centièmes (33,97 m) du sommet Nord de ce lot, soit jusqu'au point "2";

De là, vers le Sud, suivant un gisement de 179°59'27" sur une distance de deux cent un mètres et quarante-six centièmes (201,46 m) jusqu'à la limite Sud du lot 3 581 215, soit jusqu'au point "3";

De là, vers l'Ouest, suivant ladite limite puis la limite Sud du lot 3 581 216 sur une distance de cinquante-quatre mètres et soixante-dix-huit centièmes (54,78 m), jusqu'au point "4";

GBY10103603-249 (AH)

De là, vers le Sud, suivant un gisement de  $171^{\circ}15'23''$  sur une distance de quatre cent quatre-vingt-quinze mètres et dix-sept centièmes (495,17 m), jusqu'au point "5" ;

De là, vers l'Ouest, suivant un gisement de  $269^{\circ}34'19''$  sur une distance de trois cent soixante-treize mètres et quarante et un centièmes (373,41 m), jusqu'au point "6" ;

De là, vers le Sud, suivant un gisement de  $173^{\circ}23'23''$  sur une distance de cinq cent quarante-huit mètres et cinquante-sept centièmes (548,57 m), jusqu'au sommet Nord-Est du lot 2 929 108, soit jusqu'au point "7" ;

De là, vers l'Ouest, suivant la limite Nord dudit lot et du lot 2 929 110, jusqu'à la limite Est du lot 2 929 113, soit jusqu'au point "8" ;

De là, vers le Sud, suivant un gisement de  $177^{\circ}21'04''$  sur une distance de cinq cent soixante-seize mètres et trente-quatre centièmes (576,34 m), jusqu'à la limite Nord du lot 2 929 095, soit jusqu'au point "9" ;

De là, vers l'Ouest, suivant la limite Nord des lots 2 929 095 et 2 929 138, jusqu'à l'emprise Ouest du chemin Huntington (lot 2 929 138), soit jusqu'au point "10" ;

De là, vers le Sud, suivant ladite emprise et celle du chemin d'Iron Hill (lots 2 929 138, 2 929 139, 3 379 012, 3 379 011, 3 379 010, 3 379 009, 3 379 001, 3 163 819 et 3 167 075) jusqu'à la limite Sud du lot 3 163 647, soit jusqu'au point "11" ;

De là, vers l'Ouest, suivant la limite Sud des lots 3 163 647 et 3 163 646, puis suivant un gisement de  $273^{\circ}11'10''$  sur une distance de onze mètres et quatre-vingt-quatorze centièmes (11,94 m), jusqu'à la limite Est du chemin Rumsby, soit jusqu'au point "12" ;

De là, vers l'Ouest, suivant la limite Sud du lot 3 163 689, puis suivant un gisement de  $270^{\circ}23'39''$  sur une distance de sept cent soixante et un mètres et quatre-vingt-deux centièmes (761,82 m) jusqu'à la limite Est du lot 2 930 640, soit jusqu'au point "13";

De là, vers le Sud, suivant la limite Ouest des lots 4 437 806, 4 437 805, 4 437 804 et 2 930 625, jusqu'à la limite séparatrice des villes de Bromont et de Lac-Brome à la limite Nord du lot 3 938 229, soit jusqu'au point "14";

De là, vers l'Ouest, suivant la limite Nord du lot 3 167 048, puis suivant un gisement de  $280^{\circ}57'47''$  sur une distance de sept mètres (7,00 m), jusqu'au point "15";

De là, vers l'Ouest, suivant la limite Nord du lot 3 163 512, puis suivant un gisement de  $280^{\circ}57'47''$  sur une distance de cent quarante mètres et vingt centièmes (140,20 m), jusqu'au point "16";

De là, vers l'Ouest, suivant la limite Nord des lots 5 236 349, 5 236 350, 5 236 348, 4 090 006, 4 090 005, 5 252 129, 5 252 128 et 2 929 900, jusqu'à la ligne naturelle des hautes eaux du Lac-Bromont, soit jusqu'au point "17";

De là, dans une direction générale Ouest, suivant ligne naturelle des hautes eaux Sud du Lac-Bromont, puis la ligne naturelle des hautes eaux Sud du ruisseau Beaver Meadow (rive gauche), jusqu'à l'emprise Est de la route Pierre-Laporte (route 241) (lot 2 929 783), soit jusqu'au point "18";

De là, dans une direction générale Nord, suivant ladite emprise (lots 2 929 783, 3 473 048, 2 929 805, 3 473 047, 3 473 057, 2 929 807, 3 473 056, 2 929 806, 2 929 801, 2 929 802, 2 929 855, 2 929 804, 2 929 812 et 2 929 814), jusqu'à la limite Nord du lot 2 929 814, soit jusqu'au point "19";

De là, dans une direction générale Nord et Nord-Est, suivant l'emprise Est et Sud-Est de la rue Shefford (route 241) (lots 2 929 815, 2 929 816, 2 929 810, 2 929 759, 2 929 758, 2 929 757, 2 929 761, 2 929 756, 2 930 049, 2 930 056, 2 930 050, 2 930 051, 2 591 985, 2 591 984, 2 591 983, 2 591 980 à 2 591 982, 2 591 978, 2 591 979 et 2 591 977), pour revenir au "POINT DE DÉPART", numéro "1" au plan joint.

Les distances sur ce document sont en mètres (SI).

Les gisements sur ce document sont en référence au système SCOPO (fuseau 8) NAD 83.

Les coordonnées des points sont :

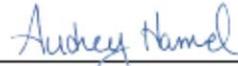
Numéro de point	Coordonnées SCOPOQ	
	Y	X
1	5020382	371568
2	5019083	374568
3	5018882	374568
4	5018895	374477
5	5018406	374552
6	5018403	374179
7	5017858	374242
8	5017876	373858
9	5017286	373884
10	5017290	373780
11	5014401	373571
12	5014453	372853
13	5014482	371532
14	5013920	371553
15	5013935	371477
16	5013968	371307
17	5014153	370365
18	5013302	366463
19	5017090	367324

Cette description a été préparée pour le Gouvernement du Québec, représenté par son ministre du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques.

Le plan qui l'accompagne fait partie intégrante de la présente description technique.

PRÉPARÉ À QUÉBEC, LE 29 JUIN 2017, SOUS LE NUMÉRO 249  
DE MES MINUTES.

DOSSIER GBY10103603



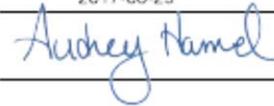
Audrey HAMEL (2577)

ARPEUTEURE-GÉOMÈTRE

VRAIE COPIE CONFORME

ÉMISE LE 2017.06.29

PAR :







PROVINCE DE QUÉBEC  
MUNICIPALITÉ : CANTON DE SHEFFORD  
MUNICIPALITÉ RÉGIONALE DE COMTÉ : LA HAUTE-YAMASKA

## DESCRIPTION TECHNIQUE TERRITOIRE DU MONT SHEFFORD

En référence au plan municipal du canton de Shefford publié par le ministère des Transports du Québec (août 2014) et au plan du cadastre du Québec de la circonscription foncière de Shefford (données extraites d'Infolot le 27 février 2017), tout le territoire suivant :

Partant de l'intersection de l'emprise Est du chemin Saxby Sud (lot 3 317 645), avec l'emprise Sud du chemin Denison Est (route 112) (lot 3 317 508), soit le point "1" figurant sur le plan joint à la présente description, étant le "POINT DE DÉPART";

De là, dans une direction générale Est, suivant l'emprise Sud du chemin Denison Est (route 112) (lots 3 317 508, 4 620 041, 4 620 039, 4 620 037, 4 620 035, 4 620 033, 3 317 618, 3 317 615, 3 317 612 et 3 317 609), puis l'emprise du chemin Robinson Ouest (route 112) (lots 3 317 609, 3 317 606, 4 573 994 et 3 317 599) jusqu'à la limite Ouest du lot 4 523 539, soit jusqu'au point "2";

De là, dans une direction générale Sud, suivant ladite limite et la limite Est du lot 2 596 079 jusqu'à son sommet Sud puis dans le prolongement de ladite limite, suivant un gisement de  $199^{\circ}10'59''$  sur une distance de quarante-trois mètres et soixante-trois centièmes (43,63 m), puis suivant la limite Ouest du lot 4 523 537, soit jusqu'au point "3";

De là, dans une direction Est, puis dans une direction générale Sud, suivant la limite Sud et Ouest du lot 4 523 537 jusqu'à son sommet Sud-Ouest, puis suivant un gisement de  $164^{\circ}35'47''$  sur une distance de quatre

GBY10103603-254 (AH)

cent huit mètres et quatre-vingt-dix centièmes (408,90 m), jusqu'au sommet Nord-Est du lot 2 595 680, puis suivant la limite Est dudit lot et des lots 3 411 700 et 2 595 704 jusqu'à l'emprise Nord de la Route 241 (lot 3 317 897), soit jusqu'au point "4";

De là, vers l'Ouest, suivant ladite emprise (lot 3 317 897), puis dans une direction générale Sud-Ouest (lots 3 317 498, 3 317 910 et 3 317 908) jusqu'à l'emprise Nord du chemin Jolley (lot 3 317 907), soit jusqu'au point "5";

De là, dans une direction générale Nord-Ouest, suivant l'emprise Nord-Est et Est dudit chemin (lots 3 317 907, 3 317 921 et 3 317 808) jusqu'à l'emprise Sud du chemin du Mont-Shefford (lot 3 398 222), puis suivant un gisement de  $343^{\circ}10'28''$  sur une distance de seize mètres et cinquante et un centièmes (16,51 m), puis suivant l'emprise Nord-Est du chemin Jolley (lots 3 398 222 et 3 317 500) jusqu'à l'emprise Est du chemin Saxby Sud (lot 3 317 893), puis suivant un gisement de  $301^{\circ}55'30''$  sur une distance de treize mètres et quatre-vingt centièmes (13,80 m) jusqu'au sommet Nord-Est du lot 2 593 394 sis le long de l'emprise Ouest de ce chemin, soit jusqu'au point "6";

De là, vers l'Ouest, suivant la limite Nord dudit lot et du lot 2 593 392, jusqu'à son sommet Nord-Ouest, soit jusqu'au point "7";

De là, vers le Nord, suivant un gisement de  $2^{\circ}39'05''$  sur une distance de mille cent quarante mètres et vingt-deux centièmes (1140,22 m) jusqu'à la limite Sud du lot 2 596 191, soit jusqu'au point "8";

De là, vers le Nord, suivant un gisement de  $0^{\circ}18'47''$  sur une distance de cinquante-neuf mètres et soixante centièmes (59,60 m), puis suivant la limite Est des lots 2 596 186 et 2 596 193, puis suivant un gisement de  $357^{\circ}19'42''$  sur une distance de sept cent soixante-seize mètres et soixante-quatre centièmes (776,64 m), jusqu'à la limite Nord du lot 2 594 349, soit jusqu'au point "9";

GBY10103603-254 (AH)

De là, vers l'Est, suivant la limite Nord dudit lot et des lots 2 594 348, 3 594 347, 2 594 346, 2 594 345, 2 594 344, 3 318 210, 2 594 369 et 2 594 368 jusqu'à l'emprise Ouest de la rue Paquette (lot 3 318 072), puis suivant un gisement de 97°24'49" sur une distance de dix-huit mètres et soixante-dix centièmes (18,70 m) jusqu'à l'emprise Est de ladite rue, puis suivant la limite Nord des lots 2 596 153, 5 332 622 et 5 332 621 jusqu'à l'emprise Nord-Ouest du chemin Saxby Sud (lot 3 317 645), puis suivant un gisement de 97°36'16" sur une distance de douze mètres et soixante-dix-neuf centièmes (12,79 m), jusqu'à l'emprise Sud-Est dudit chemin, soit jusqu'au point "10";

De là, dans une direction générale Nord-Est, suivant ladite emprise (lot 3 317 645) pour revenir au "POINT DE DÉPART" identifié au moyen du chiffre "1" sur le plan ci-joint.

Les distances sur ce document sont en mètres (SI).

Les coordonnées des points sont :

Numéro de point	Coordonnées SCOPQ	
	Y	X
1	5027188	372605
2	5025699	378078
3	5024774	377756
4	5023218	378166
5	5022076	373921
6	5024077	371617
7	5024116	371325
8	5025255	371378
9	5026782	371316
10	5026648	372321

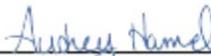
Les gisements sur ce document sont en référence au système SCOPO (fuseau 8) NAD 83.

Cette description a été préparée pour le Gouvernement du Québec, représenté par son ministre du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques.

Le plan qui l'accompagne fait partie intégrante de la présente description technique.

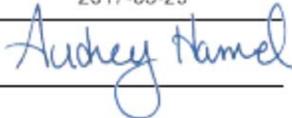
**PRÉPARÉE À QUÉBEC, LE 29 JUIN 2017, SOUS LE NUMÉRO 254 DE MES MINUTES.**

**DOSSIER GBY10103603**

  
\_\_\_\_\_  
**Audrey HAMEL (2577)**  
**ARPENTEURE-GÉOMÈTRE**

**VRAIE COPIE CONFORME**

**ÉMISE LE** 2017-06-29

**PAR :**   
\_\_\_\_\_



## Regulation to amend the Clean Air Regulation

Environment Quality Act  
(chapter Q-2, s. 95.1; 2017, chapter 4)

1. The Clean Air Regulation (chapter Q-2, r. 4.1) is amended by adding the following paragraph at the end of the first paragraph of section 10:

“(15) crushing, drying or sieving of surface mineral substances or aggregate from the operation of a quarry or sand pit governed by the Regulation respecting pits and quarries (*insert the reference to the CQLR*) but carried out outside that quarry or sand pit, except crushing, drying or sieving carried out in a cement plant.”.

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

103328

## Draft Regulation

An 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)

### **Certain transitional measures to carry out 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**

Notice is hereby given, in accordance with sections 10, 12 and 13 of the Regulations Act (chapter R-18.1), that the Regulation respecting certain transitional measures to carry out 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, appearing below, may be made by the Government on the expiry of 15 days following this publication.

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), which was assented to on 23 March 2017, provides that the new provisions regarding the new authorization scheme under the Environment Quality Act (chapter Q-2) come into force on 23 March 2018. The Act also provides

that a number of regulations must be made and come into force on that date for the purpose of carrying out the Act. The Act also provides that the Government may enact any transitional measures required to carry out the Act.

A total of 25 regulations must be made to ensure the application of the new provisions of the Environment Quality Act respecting the new authorization scheme. To allow adequate consultations on the proposed regulations, the date of their coming into force must be postponed. Therefore, this Regulation provides for the postponement of that date until the coming into force of those regulations, which may not be later than 1st December 2018. Another time period is also adjusted in accordance with the extended period to maintain the 1-year period between the regulatory amendments intended by the legislator.

The draft Regulation also specifies certain transitional measures to be applied during that extended period to clarify the transitional measures necessary for the application of the new provisions of the Environment Quality Act on the basis of the current regulations.

In accordance with sections 12 and 13 of the Regulations Act, the draft Regulation may be made within a period shorter than the 45-day period so that the transitional measures may come into force on the same date as the provisions respecting the new authorization scheme in the Act to amend the Environment Quality Act, as amended 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, that is, 23 March 2018.

Further information on the draft Regulation may be obtained by contacting Isabelle Olivier, director general of analysis and expertise for the Capitale-Nationale and Chaudière-Appalaches, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, édifice Lebourgneuf, 8<sup>e</sup> étage, bureau 100, 1175, boulevard Lebourgneuf, Québec (Québec) G2K 0B7; telephone: 418 644-8844 extension 228; fax: 418 386-8080; email: [isabelle.olivier@mdelcc.gouv.qc.ca](mailto:isabelle.olivier@mdelcc.gouv.qc.ca)

Any person wishing to comment on the draft Regulation may submit written comments before the expiry of the 15-day period to Isabelle Olivier using the above contact information.

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

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**Regulation respecting certain transitional measures to carry out 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**

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, s. 305)

1. As of 23 March 2018, in addition to the references provided for in section 274 of 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), unless the context indicates otherwise, in any Act, any regulation or any order,

(1) subject to paragraph 3, a reference to a certificate of authorization issued under the first paragraph of section 22 of the Environment Quality Act (chapter Q-2), as it read before 23 March 2018, becomes a reference to an authorization issued under the second paragraph of section 22 of that Act as it reads from that date;

(2) a reference to a certificate of authorization issued under the second paragraph of section 22 of the Environment Quality Act, as it read before 23 March 2018, becomes a reference to an authorization issued under subparagraph 4 of the first paragraph of that section as it reads from that date;

(3) until the date of coming into force of the regulations referred to in subparagraphs 1 to 4, 6 and 7 of the first paragraph and the second paragraph of section 306, as well as section 308 of 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 or until 1<sup>st</sup> December 2018, whichever comes first, a reference to a certificate of authorization issued under the first paragraph of section 22 of the Environment Quality Act, as it read before 23 March 2018, for an activity carried out in a shore or bank or floodplain is a reference to an authorization issued under the second paragraph of section 22 as it reads from that date.

2. For the purposes of section 283, subparagraphs 1 to 4, 6 and 7 of the first paragraph and the second paragraph of section 306 as well as section 308 of 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), the date of 23 March 2018 is postponed until the date of coming into force of the regulations referred to in subparagraphs 1 to 4, 6 and 7 of the first paragraph and the second paragraph of section 306 as well as section 308 of that Act or 1<sup>st</sup> December 2018, whichever comes first.

In addition, the date provided for in section 307 is postponed until the date occurring one year after the date of coming into force of the regulations referred to in subparagraphs 1 to 4, 6 and 7 of the first paragraph and the second paragraph of section 306 as well as section 308 of that Act or 1<sup>st</sup> December 2019, whichever comes first.

**3.** For the purposes of section 300 of 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), the following is also rendered accessible in the register referred to in that section:

(1) the information and documents forming an integral part of any authorization issued by the Government under section 31.5 of the Environment Quality Act (chapter Q-2) as of 23 March 2018;

(2) the environmental impact studies filed with the Minister before 23 March 2018 in relation to a project for which the impact assessment and review procedure continues after that date.

**4.** For the purposes of the second paragraph of section 306 and section 307 of 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), the activities eligible for a declaration of compliance, activities exempt from the application of section 22 of the Environment Quality Act (chapter Q-2), and activities related to quarries and sand pits eligible for a declaration of compliance may be provided in the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the Compilation of Québec Laws and Regulations*).

**5.** As of 23 March 2018 and until the date of coming into force of the regulations referred to in subparagraphs 1 to 4, 6 and 7 of the first paragraph and the second paragraph of section 306 as well as section 308 of 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) or 1<sup>st</sup> December 2018, whichever comes first, the Environment Quality Act (chapter Q-2) applies on the following conditions:

(1) for the purposes of the first paragraph of section 23, the information and documents to be provided to the Minister by a person or municipality in support of an application for authorization are, in addition to those provided for in that section, those required for an application for a certificate of authorization under the following provisions, with the necessary modifications:

(a) the third paragraph of section 22 of the Environment Quality Act, as it read before 23 March 2018;

(b) section 7 of the Act respecting the application of the Environment Quality Act (chapter Q-2, r. 3);

(c) any other provision of a regulation made under the Environment Quality Act that applies to the activity covered by the application for authorization;

(2) for the purposes of section 29, the information and documents required for an application for authorization for research and authorization purposes are, in addition to those referred to in the second paragraph of that section, those referred to in paragraph 1;

(3) for the purposes of section 30, an application to amend an authorization must, in addition to the information and documents prescribed by a provision of a regulation made under that Act that applies to the activity covered by the application, contain the following information and documents:

(a) the number and date of issue of the authorization the amendment of which is applied for;

(b) a complete description of the intended change that requires the amendment of the authorization and the reasons in support of the change;

(c) an assessment of the consequences of the change on the nature, quantity, location or concentration of contaminants discharged into the environment;

(d) a description of the measures, apparatus or equipment required so that the project complies with the conditions, restrictions, prohibitions and standards that apply to it;

(e) an update of the information and documents sent to the Minister for the issue of his or her authorization;

(f) if the information referred to in subparagraph e consisted in data estimates at the time of the application for authorization, the actual data related to information collected in the course of the activity affected by the change, less than 1 year before the application for amendment;

(g) in the cases provided for and in accordance with paragraph 10, the declaration referred to in section 115.8 of the Environment Quality Act;

(h) if the applicant has retained the services of professionals or other competent persons to prepare the application for amendment, the name and contact information of those persons, a brief description of their mandates and a declaration attesting that the information and documents provided by them are complete and accurate;

(i) a declaration from the applicant attesting that all the information and documents provided are complete and accurate;

(4) for the purposes of section 31.0.2, a notice of transfer must contain the following information and documents:

(a) the number and date of issue of the authorization whose transfer is planned;

(b) the scheduled date of the transfer;

(c) the name of the transferee and all information regarding the transferee's identity, namely:

i. the contact information and, if applicable, that of his or her representative;

ii. in the case of an applicant that is not a natural person, the Québec business number assigned under the Act respecting the legal publicity of enterprises (chapter P-44.1);

iii. if the applicant is a municipality, a true copy of the resolution of the municipal council or copy of the by-law authorizing the mandatory to sign the application;

(d) in the cases provided for in and in accordance with paragraph 10, the declaration referred to in section 115.8 of the Environment Quality Act completed by the transferee;

(e) if applicable, a declaration attesting that the transferee holds the guarantee or liability insurance required under a regulation made under the Environment Quality Act to carry out the activity covered by the authorization;

(f) a declaration from the holder attesting that all the information and documents provided are complete and accurate;

(5) for the purposes of section 31.0.5, the activities concerned are those for which provisions of the Environment Quality Act or a regulation made under the Act deal with the cessation of an activity; the foregoing also applies to the time allocated to inform the Minister of the permanent cessation of an activity;

(6) for the purposes of section 31.0.5.1, the information and documents required for an application for a general authorization are also those referred to in paragraph 1;

(7) for the purposes of section 31.18, the time periods, manner and form related to the renewal of an industrial establishment's authorization are those provided for in the Regulation respecting industrial depollution attestations (chapter Q-2, r. 5) for a new application for a depollution attestation;

(8) for the purposes of section 31.20:

(a) the manner and form applicable to the publication of a notice announcing a public consultation are those provided for in section 31.20 of the Act as it read before 23 March 2018 and in section 7 of the Regulation respecting industrial depollution attestations;

(b) the time period referred to in the second paragraph to submit comments to the Minister is 30 days and comments may be sent in writing or in electronic form;

(9) for the purposes of section 31.24, the holder of an authorization to operate an industrial establishment must send the notice to the Minister within 30 days of the date of the total or partial cessation of the operations of the industrial establishment covered by the authorization and the notice must contain the following information and documents:

(a) the number and date of issue of the authorization corresponding to the activity to be ceased;

(b) the location and description of the activity that will cease and the prior measures to be implemented to carry out the cessation;

(c) the follow-up measures that the holder intends to implement to prevent the discharge of contaminants into the environment and to ensure, in particular, the cleaning and decontamination of the premises, the dismantlement of equipment and installations;

(d) the date on which the activity will cease;

(e) the reasons for ceasing the activity;

(f) an attestation from the authorization holder that the holder will comply with the cessation measures determined by the Minister in the authorization, if applicable;

(10) for the purposes of section 115.8, the declaration must be submitted by any applicant or holder who is not a legal person established in the public interest and the declaration must contain the following information and documents:

(a) the contact information of the applicant for or holder of the authorization and, if applicable, that of his or her representative;

(b) in the case of an applicant or holder that is not a natural person, the Québec business number assigned under the Act respecting the legal publicity of enterprises (chapter P-44.1);

(c) a description of any situation referred to in sections 115.5, 115.6 and 116.7 of the Environment Quality Act that applies to the applicant, the holder or, in the case of a legal person, to any of its directors, officers or shareholders as well as the information referred to in subparagraph a concerning them;

(d) a declaration from the applicant for or holder of an authorization to the effect that all the information and documents provided are complete and accurate.

**6.** As of 23 March 2018 and until the date of coming into force of the regulations referred to in subparagraphs 1 to 4, 6 and 7 of the first paragraph and the second paragraph of section 306 as well as section 308 of 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) or 1<sup>st</sup> December 2018, whichever comes first, the amendments made by that Act that involved a change in the structure or numbering, as they appear in the concordance table published on the website of the Ministère du Développement durable, de l'Environnement et de la lutte contre les changements climatiques, must be applied to the interpretation of any Act, regulation or order.

**7.** As of 23 March 2018 and until the date of coming into force of the regulations referred to in subparagraphs 1 to 4, 6 and 7 of the first paragraph and the second paragraph of section 306 as well as section 308 of 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) or 1<sup>st</sup> December 2018, whichever comes first, in addition to the general modifications provided for in this Regulation and that Act, the Regulation respecting industrial depollution attestations (chapter Q-2, r. 5) applies with the following modifications:

(1) section 17 must be read as follows:

**“17.** In accordance with section 31.16 of the Act, in the case of any event or incident resulting in a contravention of the authorization's provisions, the authorization holder must so inform the Minister in writing, giving reasons for the contravention, and inform the Minister of the measures referred to in that section that have been taken, specifying any timetable for their implementation, within the following time periods:

(1) without delay if the event or incident constitutes a case of accidental occurrence of a contaminant in the environment;

(2) within 30 days of becoming aware of any other event or accident entailing a contravention of the provisions of the authorization.”;

(2) in section 19, the technical report must be submitted to the Minister by any holder of an authorization for the operation of an industrial establishment who wishes to replace or alter apparatus or equipment intended to treat wastewater or to prevent, reduce or stop the discharge of contaminants into the atmosphere, for which contaminant discharge standards are provided for in the authorization;

(3) section 20 does not apply.

8. As of 23 March 2018 and until the date of coming into force of the regulations referred to in subparagraphs 1 to 4, 6 and 7 of the first paragraph and the second paragraph of section 306 as well as section 308 of 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) or 1<sup>st</sup> December 2018, whichever comes first, in addition to the general modifications provided for in this Regulation and that Act, the Regulation respecting hazardous materials (chapter Q-2, r. 32) applies with the following modifications:

(1) section 9 does not apply;

(2) in subparagraph *b* of paragraph 5 of section 113, the 12-month period is extended to 24 months.

9. This Regulation comes into force on 23 March 2018.

103329

## Draft Regulation

Highway Safety Code  
(chapter C-24.2)

### Photo radar devices and red light camera systems — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems, appearing below, may be made by the Minister of Transport, Sustainable Mobility and Transport Electrification and the Minister of Public Security on the expiry of 45 days following this publication.

The draft Regulation alters the obligation requiring the validation of photo radar devices and red light camera systems and provides that such devices are to be validated in the 6 months preceding their date of use.

The draft Regulation also alters the obligation requiring the testing of photo radar devices and red light camera systems. In that respect, the draft Regulation provides that those devices must be tested in the 36 hours preceding their use and during the 36 hours that follow their use. The test, the result of which is read by a peace officer who has received appropriate training, must indicate that the device is in good working order at the place where it is used.

Lastly, the draft Regulation removes, from the conditions governing the use of devices and systems, the obligation to have them inspected every 75 days. It also provides for the obligation to enter into the register kept by the Sûreté du Québec the date and result of the inspections made to ensure the good working order of the devices and systems, and to keep in it the documents related to the inspections.

To date, study of the matter shows that the amendments will have no financial impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Gervais Corbin, Director, Direction de l'expertise et des technologies en sécurité routière, 700, boulevard René-Lévesque Est, 16<sup>e</sup> étage, Québec (Québec) G1R 5H1; telephone: 418 643-7090, extension 22401; fax: 418 643-8914; email: gervais.corbin@transport.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, Sustainable Mobility and Transport Electrification, 700, boulevard René-Lévesque Est, 29<sup>e</sup> étage, Québec (Québec) G1R 5H1.

ANDRÉ FORTIN, *Minister of Transport,  
Sustainable Development  
and Transport Electrification*

MARTIN COITEUX, *Minister of Public Security*

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## Regulation to amend the Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems

Highway Safety Code  
(chapter C-24.2, ss. 332, 359.3 and 634.3)

**1.** The Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems (chapter C-24.2, r. 9) is amended in section 1

(1) by replacing subparagraph *a* of 1 by the following:

“(a) in the 6 months preceding the date of its use;”;

(2) by striking out paragraph 2;

(3) by replacing paragraph 3 by the following:

“(3) testing

(a) in the 36 hours preceding its use and in the 36 hours following its use;

(b) the result of which, read by a peace officer who has received appropriate training, shows that it is in good working order at the place where it is used.”.

**2.** Section 2 is amended

(1) by striking out subparagraph 4 of the first paragraph;

(2) by replacing “who performed the test” in subparagraph 5 of the first paragraph by “who read the result”;

(3) by replacing subparagraph 6 of the first paragraph by the following:

“(6) the date and result of the inspections made to ensure the good working order of the device or system, as well as the date and a description of any repairs made;”;

(4) by replacing “inspection, testing” in the second paragraph by “testing, inspections”.

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

103334



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## Notices

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### Notice

Natural Heritage Conservation Act  
(chapter C-61.01)

#### **Ruisseau-de-Feu Nature Reserve — Recognition**

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (chapter C-61.01), that the Minister of Sustainable Development, Environment and the Fight Against Climate Change has recognized as a nature reserve a private property situated on the territory of the town of Terrebonne, Communauté métropolitaine de Montréal, known and designated as the lots numbers 3 525 892, 3 525 893 and 3 525 897 of the Quebec cadastre, L'Assomption registry division. This property covering an area of 3,75 hectares.

This recognition, for perpetuity, takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

FRANCIS BOUCHARD,  
*The Director of the Protected Areas*

103335



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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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