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Summary

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Draft Regulations

Draft Regulation

Environment Quality Act
(R.S.Q., c. Q-2)

Agricultural operations — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, that the Regulation to amend the Agricultural Operations Regulation, the text of which appears below, may be made by the Government on the expiry of 60 days following this publication.

The purposes of this draft Regulation are as follows:

(1) concerning livestock waste storage:

— to provide that only a watertight floor enables the soil to be protected from contact with livestock waste produced in a farm building and to specify that that standard applies only to that type of building;

— to provide that all raising sites with solid manure management not already subject to the watertight storage requirement will be subject to that requirement as of the coming into force of the Regulation, except for certain sites to which the requirement will apply at the latest in April 2010;

— to replace the current temporary provisions concerning solid manure piles in a cultivated field by permanent and temporary provisions permitting certain operators of raising sites with solid manure management to store solid manure piles in a cultivated field in accordance with the conditions and terms prescribed;

— to provide that certain operators may create a solid manure pile near the farm building in which the manure is produced;

— to require livestock waste accumulated in a yard be removed, reclaimed or eliminated once a year;

— to replace the means for containing, channelling or managing contaminated water from a yard by a strict requirement that contaminated water not enter the surface water;

(2) concerning the spreading of fertilizer:

— to provide that grassland areas be excluded, as are pasture areas, from the total area cultivated for the purpose of determining if the operator of a raising site is required to establish an agro-environmental fertilization plan;

— to prohibit the spreading of certain fertilizers containing animal cadavers, decomposed or not, on parcels of land having a crop intended for human consumption or in pasture areas;

— to eliminate the special conditions relating to the spreading of livestock waste after 1 October of a year;

— to add a definition of low-ramp spreading equipment;

(3) concerning the restrictions pertaining to swine production and crop cultivation in the territory of certain municipalities:

— to subject the territory of seven new municipalities to the swine production restrictions;

— to eliminate all special conditions limiting the development of swine production in raising sites existing on 15 June 2002;

— to provide that the restrictions on crop cultivation in the territory of certain municipalities do not apply to land covered by shrubs, blueberry, cranberry, strawberry or raspberry plants, or vines;

— to eliminate the requirement to declare the area of a raising site or a spreading site existing on 16 December 2004 that was used for crop cultivation in 2004;

— to permit crop cultivation in the territory of seven municipalities over an area that cannot exceed the area used for crop cultivation in 2005;

— to require the owner of a raising site or a spreading site existing on 16 December 2004 or on the date of coming into force of the Regulation to notify the Minister in writing at least 30 days before seeding a new parcel of land in replacement of a parcel of land that will no longer be used for crop cultivation;

— to delete from the lists in Schedules II and III certain municipalities that will no longer be subject to the swine production and crop cultivation restrictions and to correct particulars of identification of certain other municipalities.

Certain proposed amendments will facilitate the application of the Agricultural Operations Regulation. Several amendments will result in savings for the agricultural operations concerned. Very few amendments will entail additional costs and the costs will involve a limited number of enterprises.

Further information may be obtained by contacting Serge Bouchard, Direction des politiques en milieu terrestre, ministère du Développement durable, de l'Environnement et des Parcs, édifice Marie-Guyart, 9^e étage, boîte 26, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: (418) 521-3950, extension 4699; fax: (418) 528-1035; e-mail: serge.bouchard@mddep.gouv.qc.ca

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 60-day period, to the Direction des politiques en milieu terrestre, ministère du Développement durable, de l'Environnement et des Parcs at the above-mentioned address.

THOMAS J. MULCAIR,
*Minister of Sustainable Development,
Environment and Parks*

Regulation to amend the Agricultural Operations Regulation*

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. a, c, d, e and f, s. 53.30, 1st par., subpars. 1, 2, 4 and 5, s. 70, pars. 1, 2 and 5 and s. 109.1)

1. The Agricultural Operations Regulation is amended in section 8

(1) by replacing “raising facility” in the first paragraph by “farm building”;

(2) by striking out “or by any other appropriate means” at the end of the first paragraph;

(3) by replacing “The facility” in the second paragraph by “The farm building”.

2. Section 9 is amended

(1) by inserting “or solid” after “liquid” in the first paragraph;

(2) by replacing the second paragraph by the following:

“An operator may have the use of a watertight storage facility as the owner or lessee or as a party to a written watertight storage agreement entered into with a third party.

Each party to a lease must be in possession of a copy of the lease and retain it for a minimum of two years after it expires and provide the copy to the Minister of Sustainable Development, Environment and Parks upon request.”

3. The following is inserted after section 9:

“**9.1.** Despite section 9, solid manure may be stored in piles in a cultivated field by

(1) an operator of a raising site whose annual phosphorus (P_2O_5) production resulting from solid manure management is 3,200 kg or less; and

(2) an operator of a beef cattle raising site existing on 15 June 2002 that was established in accordance with the law and whose annual phosphorus (P_2O_5) production resulting from solid manure management is greater than 3,200 kg; this subparagraph applies to an operator who has not increased or who, in accordance with the law, has increased the annual phosphorus (P_2O_5) production of the raising site since 15 June 2002 in relation to the operating rights for the site without, however, having increased that production since 7 July 2005 in relation to the operating rights for the site.

Such storage is subject to the following conditions:

(1) contaminated water from the pile must not enter the surface water; and

(2) the pile must be completely removed and reclaimed or eliminated, in accordance with section 19, within 12 months after the date the pile is created.

* The Agricultural Operations Regulation, made by Order in Council 695-2002 dated 12 June 2002 (2002, *G.O.* 2, 2643), was last amended by the regulation made by Order in Council 1098-2004 dated 29 November 2004 (2004, *G.O.* 2, 3459). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

An operator who, under the second paragraph of section 22, is required to establish an agro-environmental fertilization plan, may store solid manure piles in a cultivated field only after obtaining an attestation from an agrologist who is a member of the Ordre des agronomes du Québec, stating that the storage project complies with this Regulation.

If solid manure piles are stored in a field cultivated by a third party, the conditions of the second and third paragraphs apply to that party.

9.2. An operator or third party who, in accordance with section 9.1, stores solid manure piles in a cultivated field must keep a storage register for each pile and record in the register the location of the pile, the date the pile is created and the date the pile is completely removed.

The operator or third party must be in possession of a copy of the register and retain it for a minimum of two years after the last entry. The operator or third party must provide the copy to the Minister of Sustainable Development, Environment and Parks upon request.

9.3. Despite section 9, an operator of a raising site that was established in accordance with the law and whose annual phosphorus (P_2O_5) production resulting from solid manure management is less than 1,600 kg may store solid manure in a pile near the farm building in which the manure is produced.

Such storage is subject to the following conditions:

(1) contaminated water from the pile must not enter the surface water; and

(2) the pile must be completely removed and reclaimed or eliminated, in accordance with section 19, not later than 1 October each year.”

4. The following is inserted after section 17:

“**17.1.** Livestock waste accumulated over a year in a yard must be removed and reclaimed or eliminated, in accordance with section 19, at least once a year.”

5. Section 18 is replaced by the following:

“**18.** Contaminated water from a yard must not enter the surface water.”

6. Section 22 is amended by inserting “and grasslands” after “pasture areas” in subparagraph 2 of the second paragraph.

7. The following is inserted after section 29:

“**29.1.** No fertilizer containing, in whole or in part, animal cadavers, decomposed or not, may be spread on a parcel of land having a crop intended for human consumption, or in a pasture area. That prohibition does not apply to such fertilizers if they are certified compliant with the CAN/BNQ 0413-200, CAN/BNQ 0413-400 or NQ 0419-090 standard.”

8. Section 31 is amended

(1) by replacing “between 1 April and 1 October” in the second paragraph by “from 1 April to 1 October”;

(2) by striking out the second sentence of the third paragraph.

9. Section 32 is amended by adding the following paragraph:

“For the purposes of the second paragraph, low-ramp equipment means spreading equipment that, from its outlet, projects liquid manure at a maximum height of 1 m above the ground over a distance of not more than 2 m.”

10. Section 39 is amended by inserting “and subject to sections 48.2 and 48.3,” after “required,” in the introductory sentence of the first paragraph.

11. Section 44 is amended by replacing “Except for an offence against the provisions of section 50.2, any” in the introductory sentence of the second paragraph by “Every”.

12. Section 46 is replaced by the following:

“**46.** Despite sections 19 and 20, no new raising site for swine is permitted in the territory of a municipality listed in Schedule II or Schedule IV.”

13. Section 47 is replaced by the following:

“**47.** Despite sections 19 and 20, a new raising site for swine is permitted in the territory of a municipality listed in Schedule III or Schedule V only if all swine waste from the raising site undergoes full treatment and the treatment product is used elsewhere than in the territory of a municipality listed in any of Schedules II to V or the waste is spread on cultivated parcels owned by the operator of the raising site.”

14. Section 47.1 is replaced by the following:

“**47.1.** Despite sections 19 and 20, a new raising site for swine is permitted in the territory of a municipality other than a municipality listed in any of Schedules II to V only if all swine waste from the raising site undergoes full treatment and the treatment product is used elsewhere than in an agricultural operation situated in the territory of a municipality listed in any of Schedules II to V or the waste is spread on cultivated parcels at least 50% of which are owned by the operator of the raising site.”

15. The following is inserted after section 48.1:

**“DIVISION I.1
LIMITED ACTIVITY TERRITORIES AND SOLID
MANURE STORAGE**

48.2. Despite section 9, an operator of a raising site that has the following characteristics may store solid manure piles in a cultivated field:

(1) the raising site has been established in accordance with the law:

(2) the raising site existed on 15 June 2002;

(3) the annual phosphorus (P_2O_5) production resulting from solid manure management is greater than 3,200 kg in accordance with the operating rights for the raising site; and

(4) the dry material content of the solid manure produced at the raising site is greater than 70%.

The operator of the raising site must send a written notice to the Minister of Sustainable Development, Environment and Parks at least 30 days before carrying out the storage project in a cultivated field.

Such storage is subject to the following conditions:

(1) the operator of the raising site must participate in a pilot project initiated by the Minister of Agriculture, Fisheries and Food;

(2) contaminated water from the pile must not enter the surface water; and

(3) the pile must be completely removed and reclaimed or eliminated, in accordance with section 19, within 12 months after the date the pile is created. If the time limit of that period exceeds (*insert the date that occurs three years after the coming into force of this Regulation*), that date constitutes the time limit.

The project notice must be signed by the operator and state the operator's name and address, the location of the pile, the date the pile is created, the proposed date for the spreading of livestock waste and the quantity of phosphorus to be stored in piles.

Written confirmation from the Minister of Agriculture, Fisheries and Food that the operator of the raising site is participating in the pilot project must be sent with the project notice.

If solid manure piles are stored in a field cultivated by a third party, that party is required to comply with the conditions of subparagraphs 2 and 3 of the third paragraph.

48.3. Despite section 9, in the territory of a municipality other than a municipality listed in any of Schedules II to V, an operator of a raising site that has the following characteristics may store solid manure piles in a cultivated field:

(1) the raising site has been established in accordance with the law:

(2) the raising site existed on 15 June 2002;

(3) the annual phosphorus (P_2O_5) production resulting from solid manure management is greater than 3,200 kg in accordance with the operating rights for the raising site; and

(4) the dry material content of the solid manure produced at the raising site is 70% or less.

The operator of the raising site must send a written notice to the Minister of Sustainable Development, Environment and Parks at least 30 days before carrying out the storage project in a cultivated field.

Such storage is subject to the following conditions:

(1) the operator of the raising site must participate in a pilot project initiated by the Minister of Agriculture, Fisheries and Food;

(2) contaminated water from the pile must not enter the surface water; and

(3) the pile must be completely removed and reclaimed or eliminated, in accordance with section 19, within 12 months after the date the pile is created. If the time limit of that period exceeds (*insert the date that occurs three years after the coming into force of this Regulation*), that date constitutes the time limit.

The project notice must be signed by the operator and state the operator's name and address, the location of the pile, the date the pile is created, the proposed date for the spreading of livestock waste and the quantity of phosphorus to be stored in piles.

Written confirmation from the Minister of Agriculture, Fisheries and Food that the operator of the raising site is participating in the pilot project must be sent with the project notice.

If solid manure piles are stored in a field cultivated by a third party, that party is required to comply with the conditions of subparagraphs 2 and 3 of the third paragraph.

48.4. An operator or third party who, in accordance with section 48.2 or 48.3, stores solid manure piles in a cultivated field must maintain a storage register for each pile and record in the register the location of the pile, the date the pile is created and the date the pile is completely removed.

The operator or third party must be in possession of a copy of the register and retain it for a minimum of two years after the last entry. The operator or third party must provide the copy to the Minister of Sustainable Development, Environment and Parks upon request.

48.5. Despite section 9, an operator of a raising site existing on 15 June 2002 that was established in accordance with the law and whose annual phosphorus (P_2O_5) production resulting from solid manure management is greater than 1,600 kg may store solid manure in a pile near the farm building in which the manure is produced.

Such storage is subject to the following conditions:

(1) contaminated water from the pile must not enter the surface water; and

(2) the pile must be completely removed and reclaimed or eliminated, in accordance with section 19, within 12 months after the date the pile is created.

This section ceases to have effect on 1 April 2010.”.

16. Section 50.1 is amended

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

“For the purposes of section 50.3, the area used for crop cultivation corresponds to the total area of each cultivated parcel and excludes any land area covered by trees, shrubs, blueberry, cranberry, strawberry or raspberry plants, or vines.”;

(2) by replacing “For the purposes of those sections, the area of a site used for crop cultivation during the 2004 growing season” in the second paragraph by “For the purposes of that section, the area used for crop cultivation during the 2004 or 2005 growing season”.

17. Section 50.2 is revoked.

18. Section 50.3 is amended

(1) by replacing “Schedule II or Schedule III” in the first paragraph by “any of Schedules II to V”;

(2) by replacing the second paragraph by the following:

“However, crop cultivation in that territory is authorized if

(1) the person is the owner of a raising site or a spreading site situated in the territory of a municipality listed in Schedule II or Schedule III and existing on 16 December 2004, and cultivates crops on the site only over an area that does not exceed the area of the site used for crop cultivation during the 2004 growing season;

(2) the person is the owner of a raising site or a spreading site situated in the territory of a municipality listed in Schedule IV or Schedule V and existing on (*insert the date of coming into force of this Regulation*), and cultivates crops on the site only over an area that does not exceed the area of the site used for crop cultivation during the 2005 growing season; or

(3) the person is the owner of land having an area used for crop cultivation that does not exceed one hectare.”;

(3) by deleting the third paragraph.

19. The following is inserted after section 50.3:

“**50.4.** The owner of a raising site or a spreading site referred to in subparagraph 1 or 2 of the second paragraph of section 50.3 may move a cultivated parcel provided that the owner sends a written notice to that effect to the Minister of Sustainable Development, Environment and Parks at least 30 days before seeding the new parcel. The owner must indicate to the Minister the designation and the area (ha) of the parcel that will no longer be used for crop cultivation and of the new parcel, as well as the name of the municipality where each parcel is situated.”.

20. Section 51 is replaced by the following :

“**51.** The watertight storage requirement in the first paragraph of section 9 to which the operator of a raising site with solid manure management is subject applies as of 1 April 2010 to raising sites existing on 15 June 2002.

51.1. Every solid manure pile existing in a cultivated field on the date of coming into force of this Regulation is, as of that date, subject to the following conditions :

(1) contaminated water from the pile must not enter surface water; and

(2) the pile must be completely removed and reclaimed or eliminated, in accordance with section 19, within 12 months after the date of coming into force of this Regulation.”.

21. Schedules II and III are replaced by the Schedules attached to this Regulation.**22.** Schedules IV and V are added.

23. The Regulation is amended by replacing “Minister of the Environment” wherever that title appears by “Minister of Sustainable Development, Environment and Parks”.

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

SCHEDULE II

(ss. 46, 47, 47.1, 48.2, 48.3 and 50.3)

LIST OF MUNICIPALITIES

48028	Acton Vale	V	44023	Dixville	M
31056	Adstock	M	33040	Dosquet	M
93042	Alma	V	49058	Drummondville	V
55008	Ange-Gardien	M	46050	Dunham	V
19037	Armagh	M	46085	East Farnham	VL
27028	Beauceville	V	44010	East Hereford	M
48005	Béthanie	M	46112	Farnham	V
42040	Bonsecours	M	38047	Fortierville	M
46090	Brigham	M	26005	Frampton	M
46070	Brome	VL	47015	Granby	V
47005	Bromont	V	45043	Hatley	M
39030	Chesterville	M	93025	Hébertville-Station	VL
44037	Coaticook	V	19070	Honfleur	M
44071	Compton	M	32058	Inverness	M
41038	Cookshire-Eaton	V	14050	Kamouraska	M
61013	Crabtree	M	31105	Kinnear’s Mills	M
40047	Danville	V	19090	La Durantaye	P
31020	Disraeli	P	29030	La Guadeloupe	VL
			54035	La Présentation	P
			46075	Lac-Brome	V
			28053	Lac-Échemin	M
			30095	Lambton	M
			32072	Laurierville	M
			49025	L’Avenir	M
			42045	Lawrenceville	VL
			33123	Leclercville	M
			49020	Lefebvre	M
			60040	L’Épiphanie	P
			25213	Lévis	V
			51015	Louiseville	V
			32065	Lyster	M
			39165	Maddington	CT
			42065	Maricourt	M
			44060	Martinville	M
			42075	Melbourne	CT
			56097	Mont-Saint-Grégoire	M
			39045	Norberville	VL
			32080	Notre-Dame-de-Lourdes	P
			49080	Notre-Dame-du-Bon-Conseil	P
			33085	Notre-Dame-du-Sacré-Cœur-d’Issoudun	P
			50113	Pierreville	M
			32045	Plessisville	P
			32033	Princeville	V
			42032	Racine	M
			55037	Rougemont	M
			48015	Roxton	CT
			48010	Roxton Falls	VL
			47047	Roxton Pond	M
			31130	Sacré-Coeur-de-Jésus	P
			31095	Saint-Adrien-d’Irlande	M
			33045	Saint-Agapit	M
			39085	Saint-Albert	M
			14035	Saint-Alexandre-de-Kamouraska	M
			63025	Saint-Alexis	P
			47010	Saint-Alphonse	P

61040	Saint-Ambroise-de-Kildare	P	42020	Saint-François-Xavier-de-Brompton	P
14040	Saint-André	M		Saint-Frédéric	P
19062	Saint-Anselme	M	27065	Saint-Gabriel-de-Brandon	P
33090	Saint-Apollinaire	M	52085	Saint-Georges-de-Windsor	M
51025	Saint-Barnabé	P	40032	Saint-Germain	P
54105	Saint-Barnabé-Sud	M	14045	Saint-Germain-de-Grantham	M
28025	Saint-Benjamin	M	49048	Saint-Gervais	M
29100	Saint-Benoît-Labre	M	19075	Saint-Gilles	P
26055	Saint-Bernard	M	33035	Saint-Henri	M
54115	Saint-Bernard-de-Michaudville	M	19068	Saint-Herménégilde	M
93030	Saint-Bruno	M	44015	Saint-Honoré-de-Shenley	M
40025	Saint-Camille	CT	29038	Saint-Hugues	M
55023	Saint-Césaire	V	54100	Saint-Hyacinthe	V
19097	Saint-Charles-de-Bellechasse	M	54048	Saint-Ignace-de-Stanbridge	P
39060	Saint-Christophe-d'Arthabaska	P	46095	Saint-Isidore	M
54060	Saint-Dominique	M	26063	Saint-Jacques-de-Leeds	M
33017	Sainte-Agathe-de-Lotbinière	M	31140	Saint-Janvier-de-Joly	M
78032	Sainte-Agathe-des-Monts	V	33065	Saint-Jean-Baptiste	M
51055	Sainte-Angèle-de-Prémont	M	57033	Saint-Jean-de-Matha	M
42050	Sainte-Anne-de-la-Rochelle	M	62015	Saint-Jérôme	V
39150	Sainte-Anne-du-Sault	M	75017	Saint-Joachim-de-Shefford	P
56105	Sainte-Brigide-d'Iberville	M	47040	Saint-Joseph-de-Beauce	V
47055	Sainte-Cécile-de-Milton	CT	27043	Saint-Joseph-de-Kamouraska	P
48020	Sainte-Christine	P	14030	Saint-Joseph-des-Érables	M
19055	Sainte-Claire	M	27050	Saint-Jude	M
31060	Sainte-Clotilde-de-Beauce	M	54110	Saint-Jules	P
39117	Sainte-Clotilde-de-Horton	M	27055	Saint-Lambert-de-Lauzon	P
49100	Saint-Edmond-de-Grantham	P	26070	Saint-Lazare-de-Bellechasse	M
33080	Saint-Édouard-de-Lotbinière	P	19050	Saint-Léon-de-Standon	P
44055	Sainte-Edwidge-de-Clifton	CT	19020	Saint-Léon-le-Grand	P
39090	Sainte-Élisabeth-de-Warwick	P	51035	Saint-Liboire	M
38035	Sainte-Françoise	M	54072	Saint-Liguori	P
14025	Sainte-Hélène	P	63065	Saint-Lin-Laurentides	V
54095	Sainte-Hélène-de-Bagot	M	63048	Saint-Louis	P
26040	Sainte-Hénédine	P	54120	Saint-Lucien	P
63060	Sainte-Julienne	M	49030	Saint-Malachie	P
26022	Saint-Elzéar	M	19025	Saint-Malo	M
54025	Sainte-Madeleine	VL	44003	Saint-Martin	P
26035	Sainte-Marguerite	P	29045	Saint-Michel-de-Bellechasse	M
26030	Sainte-Marie	V	19110	Saint-Narcisse-de-Beaurivage	P
38015	Sainte-Marie-de-Blandford	M	33030	Saint-Nazaire-d'Acton	P
63005	Sainte-Marie-Salomé	P	48050	Saint-Nazaire-de-Dorchester	P
61050	Sainte-Mélanie	M	19015	Saint-Nérée	P
29112	Saint-Éphrem-de-Beauce	M	19045	Saint-Norbert	P
28030	Sainte-Rose-de-Watford	M	52070	Saint-Norbert-d'Arthabaska	M
46105	Sainte-Sabine	P	39042	Saint-Odilon-de-Cranbourne	P
39105	Sainte-Séraphine	P	27035	Saint-Pacôme	M
75028	Sainte-Sophie	M	14070	Saint-Pascal	V
38040	Sainte-Sophie-de-Lévrard	P	14018	Saint-Patrice-de-Beaurivage	M
32023	Sainte-Sophie-d'Halifax	M	33025	Saint-Paul	M
63030	Saint-Esprit	M	61005	Saint-Paul-d'Abbotsford	P
49105	Saint-Eugène	M	55015	Saint-Paulin	M
51040	Sainte-Ursule	P	51060	Saint-Philibert	M
62007	Saint-Félix-de-Valois	M	29065	Saint-Philippe-de-Néri	P
33052	Saint-Flavien	M	14060	Saint-Pie	V
31030	Saint-Fortunat	M	54008		

61020	Saint-Pierre	VL	62906	Baie-de-la-Bouteille	NO
31135	Saint-Pierre-de-Broughton	M	50100	Baie-du-Febvre	M
19082	Saint-Raphaël	M	44045	Barnston-Ouest	M
63035	Saint-Roch-de-l' Achigan	P	70022	Beauharnois	V
63040	Saint-Roch-Ouest	M	31008	Beaulac-Garthby	M
39145	Saint-Rosaire	P	19105	Beaumont	M
26010	Saints-Anges	P	38010	Bécancour	V
27070	Saint-Séverin	P	46035	Bedford	V
54090	Saint-Simon	P	57040	Belœil	V
29125	Saint-Simon-les-Mines	M	52035	Berthierville	V
38005	Saint-Sylvère	M	73015	Blainville	V
33007	Saint-Sylvestre	M	45095	Bolton-Est	M
48045	Saint-Théodore-d' Acton	P	46065	Bolton-Ouest	M
39135	Saint-Valère	M	76043	Brownsburg-Chatham	V
54065	Saint-Valérien-de-Milton	CT	41070	Bury	M
44005	Saint-Venant-de-Paquette	M	59030	Calixa-Lavallée	P
27008	Saint-Victor	M	67020	Candiac	V
50023	Saint-Wenceslas	M	57010	Carignan	V
28005	Saint-Zacharie	M	57005	Chambly	V
50090	Saint-Zéphirin-de-Courval	P	51080	Charette	M
26048	Scott	M	60005	Charlemagne	V
47035	Shefford	CT	41020	Chartierville	M
46030	Stanbridge Station	M	67050	Châteauguay	V
44050	Stanstead-Est	M	62047	Chertsey	M
42005	Stoke	M	39035	Chester-Est	CT
30110	Stratford	CT	42110	Cleveland	CT
31084	Thetford Mines	V	59035	Contrecoeur	V
27060	Tring-Jonction	VL	30090	Courcelles	P
48038	Upton	M	46080	Cowansville	V
33070	Val-Alain	M	39155	Daveluyville	V
42060	Valcourt	CT	67025	Delson	V
42095	Val-Joli	M	38070	Deschailions-sur-Saint-Laurent	M
26015	Vallée-Jonction	M	31015	Disraeli	V
39062	Victoriaville	V	41117	Dudswell	M
32085	Villeroy	M	69075	Dundee	CT
47030	Warden	VL	49015	Durham-Sud	M
39077	Warwick	V	41060	East Angus	V
41098	Weedon	M	31122	East Broughton	M
41065	Westbury	CT	45093	Eastman	M
49040	Wickham	M	69050	Elgin	CT
40017	Wotton	M	62053	Entrelacs	M
51020	Yamachiche	M	69010	Franklin	M
			46010	Frelighsburg	M
			30025	Frontenac	M
			92055	Girardville	M
			69060	Godmanchester	CT
			76025	Gore	CT
			50065	Grand-Saint-Esprit	M
			76052	Grenville-sur-la-Rouge	M
			39010	Ham-Nord	CT
			41075	Hampden	CT
			45055	Hatley	CT
			69005	Havelock	CT
			93020	Hébertville	M
			68015	Hemmingford	CT
			56042	Henryville	M

SCHEDULE III

(ss. 47, 47.1, 48.2, 48.3 and 50.3)

LIST OF MUNICIPALITIES

46005	Abercorn	VL	76052	Grenville-sur-la-Rouge	M
92030	Albanel	M	39010	Ham-Nord	CT
40043	Asbestos	V	41075	Hampden	CT
41055	Ascot Corner	M	45055	Hatley	CT
50013	Aston-Jonction	M	69005	Havelock	CT
30055	Audet	M	93020	Hébertville	M
45085	Austin	M	68015	Hemmingford	CT
45035	Ayer's Cliff	VL	56042	Henryville	M

69045	Hinchinbrooke	CT	19010	Notre-Dame-Auxiliatrice-	P
69025	Howick	VL		de-Buckland	
69055	Huntingdon	V	39015	Notre-Dame-de-Ham	M
31040	Irlande	M	62055	Notre-Dame-de-la-Merci	M
61025	Joliette	V	61045	Notre-Dame-de-Lourdes	P
42070	Kingsbury	VL	30010	Notre-Dame-des-Bois	M
39097	Kingsey Falls	V	29120	Notre-Dame-des-Pins	P
41027	La Patrie	M	61030	Notre-Dame-des-Prairies	M
67015	La Prairie	V	46100	Notre-Dame-de-Stanbridge	P
50085	La Visitation-de-Yamaska	M	49075	Notre-Dame-du-Bon-Conseil	VL
22040	Lac-Beauport	M	56015	Noyan	M
22030	Lac-Delage	V	45020	Ogden	M
62914	Lac-des-Dix-Milles	NO	45115	Orford	CT
30080	Lac-Drolet	M	69037	Ormstown	M
76020	Lachute	V	57030	Otterburn Park	V
62910	Lac-Legendre	NO	38055	Parisville	P
30030	Lac-Mégantic	V	77030	Piedmont	M
62902	Lac-Minaki	NO	30020	Piopolis	M
56023	Lacolle	M	32040	Plessisville	V
16902	Lac-Pikauba	NO	45030	Potton	CT
29095	Lac-Poulin	VL	75040	Prévost	V
78095	Lac-Supérieur	M	23027	Québec	V
52017	Lanoraie	M	62037	Rawdon	M
78015	Lantier	M	60013	Repentigny	V
94265	Larouche	M	55057	Richelieu	V
60028	L'Assomption	V	42098	Richmond	V
33060	Laurier-Station	VL	77065	Saint-Adolphe-d'Howard	M
52007	Lavaltrie	V	40010	Saint-Adrien	M
38020	Lemieux	M	53015	Saint-Aimé	P
60035	L'Épiphanie	V	56055	Saint-Alexandre	M
67055	Léry	V	63020	Saint-Alexis	VL
41085	Lingwick	CT	51065	Saint-Alexis-des-Monts	P
58227	Longueuil	V	27015	Saint-Alfred	M
33115	Lotbinière	M	62025	Saint-Alphonse-Rodriguez	M
45072	Magog	V	59015	Saint-Amable	M
52095	Mandeville	M	76008	Saint-André-d'Argenteuil	M
38028	Manseau	M	69070	Saint-Anicet	P
55048	Marieville	V	33095	Saint-Antoine-de-Tilly	M
30035	Marston	CT	57075	Saint-Antoine-sur-Richelieu	M
64015	Mascouche	V	46017	Saint-Armand	M
53010	Massueville	VL	30005	Saint-Augustin-de-Woburn	P
57025	McMasterville	M	57020	Saint-Basile-le-Grand	V
67045	Mercier	V	45080	Saint-Benoît-du-Lac	M
30040	Milan	M	68005	Saint-Bernard-de-Lacolle	P
76030	Mille-Isles	M	56065	Saint-Blaise-sur-Richelieu	M
74005	Mirabel	V	49125	Saint-Bonaventure	M
78055	Montcalm	M	14010	Saint-Bruno-de-Kamouraska	M
14005	Mont-Carmel	M	63055	Saint-Calixte	M
57035	Mont-Saint-Hilaire	V	50030	Saint-Célestin	VL
77050	Morin-Heights	M	61035	Saint-Charles-Borromée	M
30045	Nantes	M	57057	Saint-Charles-sur-Richelieu	M
68030	Napierville	VL	69017	Saint-Chrysostome	M
50072	Nicolet	V	42100	Saint-Claude	M
92040	Normandin	V	52075	Saint-Cléophas-de-Brandon	M
45050	North Hatley	VL	75005	Saint-Colomban	P

62065	Saint-Côme	P	49005	Saint-Félix-de-Kingsey	M
29057	Saint-Côme-Linière	M	32013	Saint-Ferdinand	M
67035	Saint-Constant	V	50128	Saint-François-du-Lac	M
52062	Saint-Cuthbert	M	52080	Saint-Gabriel	V
28040	Saint-Cyprien	P	22025	Saint-Gabriel-de-Valcartier	M
68035	Saint-Cyprien-de-Napierville	P	14075	Saint-Gabriel-Lalemant	M
49070	Saint-Cyrille-de-Wendover	M	93035	Saint-Gédéon	M
54017	Saint-Damase	M	29013	Saint-Gédéon-de-Beauce	M
62075	Saint-Damien	P	29073	Saint-Georges	V
19030	Saint-Damien-de-Buckland	P	56010	Saint-Georges-de-Clarenceville	M
53005	Saint-David	P	53085	Saint-Gérard-Majella	P
42025	Saint-Denis-de-Brompton	P	49113	Saint-Guillaume	M
57068	Saint-Denis-sur-Richelieu	M	62912	Saint-Guillaume-Nord	NO
62060	Saint-Donat	M	29020	Saint-Hilaire-de-Dorset	P
77022	Sainte-Adèle	V	75045	Saint-Hippolyte	P
55030	Sainte-Angèle-de-Monnoir	P	67040	Saint-Isidore	P
56060	Sainte-Anne-de-Sabrevois	P	41012	Saint-Isidore-de-Clifton	M
77035	Sainte-Anne-des-Lacs	P	63013	Saint-Jacques	M
53065	Sainte-Anne-de-Sorel	P	31025	Saint-Jacques-le-Majeur-de-Wolfestown	P
73035	Sainte-Anne-des-Plaines	V			
28015	Sainte-Aurélie	M	68040	Saint-Jacques-le-Mineur	P
69065	Sainte-Barbe	P	31100	Saint-Jean-de-Brébeuf	M
62020	Sainte-Béatrix	M	56083	Saint-Jean-sur-Richelieu	V
22045	Sainte-Brigitte-de-Laval	M	31045	Saint-Joseph-de-Coleraine	M
49085	Sainte-Brigitte-des-Saults	P	40005	Saint-Joseph-de-Ham-Sud	P
67030	Sainte-Catherine	V	53050	Saint-Joseph-de-Sorel	V
45060	Sainte-Catherine-de-Hatley	M	31035	Saint-Julien	P
38060	Sainte-Cécile-de-Lévrard	P	50042	Saint-Léonard-d'Aston	M
30050	Sainte-Cécile-de-Whitton	M	39170	Saint-Louis-de-Blandford	P
68020	Sainte-Clotilde-de-Châteauguay	P	70035	Saint-Louis-de-Gonzague	P
33102	Sainte-Croix	M	28060	Saint-Luc-de-Bellechasse	M
92050	Saint-Edmond-les-Plaines	M	30072	Saint-Ludger	M
68045	Saint-Édouard	P	28075	Saint-Magloire	M
52030	Sainte-Élisabeth	P	49095	Saint-Majorique-de-Grantham	P
62070	Sainte-Émélie-de-l'Énergie	M	54125	Saint-Marcel-de-Richelieu	M
50005	Sainte-Eulalie	M	57050	Saint-Marc-sur-Richelieu	M
52040	Sainte-Geneviève-de-Berthier	P	55065	Saint-Mathias-sur-Richelieu	M
59010	Sainte-Julie	V	67005	Saint-Mathieu	M
28045	Sainte-Justine	M	57045	Saint-Mathieu-de-Belœil	M
51075	Saint-Élie	P	51070	Saint-Mathieu-du-Parc	M
50095	Saint-Elphège	P	68050	Saint-Michel	P
78020	Sainte-Lucie-des-Laurentides	M	62085	Saint-Michel-des-Saints	M
62030	Sainte-Marcelline-de-Kildare	M	53032	Saint-Ours	V
77012	Sainte-Marguerite-Estérel	V	68025	Saint-Patrice-de-Sherrington	P
54030	Sainte-Marie-Madeleine	P	56035	Saint-Paul-de-l'Île-aux-Noix	P
70012	Sainte-Martine	M	19005	Saint-Philémon	P
50057	Sainte-Monique	M	67010	Saint-Philippe	M
50050	Sainte-Perpétue	P	49130	Saint-Pie-de-Guire	P
31050	Sainte-Praxède	P	32050	Saint-Pierre-Baptiste	P
28065	Sainte-Sabine	P	46025	Saint-Pierre-de-Véronne-à-Pike-River	M
70030	Saint-Étienne-de-Beauharnois	M			
45100	Saint-Étienne-de-Bolton	M	38065	Saint-Pierre-les-Becquets	M
29025	Saint-Évariste-de-Forsyth	M	72043	Saint-Placide	M
53025	Sainte-Victoire-de-Sorel	P	28020	Saint-Prosper	M
78047	Saint-Faustin-Lac-Carré	M	68055	Saint-Rémi	V
91042	Saint-Félicien	V	39020	Saint-Rémi-de-Tingwick	P

29050	Saint-René	P
53020	Saint-Robert	P
30070	Saint-Robert-Bellarmin	M
53040	Saint-Roch-de-Richelieu	M
30100	Saint-Romain	M
39130	Saint-Samuel	P
77043	Saint-Sauveur	V
30085	Saint-Sébastien	M
51030	Saint-Sévère	P
39005	Saints-Martyrs-Canadiens	P
70040	Saint-Stanislas-de-Kostka	P
60020	Saint-Sulpice	P
29005	Saint-Théophile	M
61027	Saint-Thomas	M
92045	Saint-Thomas-Didyme	M
70005	Saint-Urbain-Premier	M
56030	Saint-Valentin	P
19117	Saint-Vallier	M
62080	Saint-Zénon	M
41080	Scotstown	V
22020	Shannon	M
43027	Sherbrooke	V
53052	Sorel-Tracy	V
46045	Stanbridge East	M
45008	Stanstead	V
22035	Stoneham-et-Tewkesbury	CU
30105	Stornoway	M
45105	Stukely-Sud	VL
46058	Sutton	V
64008	Terrebonne	V
39025	Tingwick	M
69030	Très-Saint-Sacrement	P
42078	Ulverton	M
42055	Valcourt	V
78010	Val-David	VL
78100	Val-des-Lacs	M
78005	Val-Morin	M
30015	Val-Racine	P
59020	Varenes	V
56005	Venise-en-Québec	M
59025	Verchères	M
47025	Waterloo	V
44080	Waterville	V
76035	Wentworth	CT
77060	Wentworth-Nord	M
42088	Windsor	V
53072	Yamaska	M

SCHEDULE IV

(ss. 46, 47, 47.1, 48.2, 48.3 and 50.3)

MUNICIPALITY

47020	Granby	CT
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SCHEDULE V

(ss. 47, 47.1, 48.2, 48.3 and 50.3)

LIST OF MUNICIPALITIES

46040	Bedford	CT
68010	Hemmingford	VL
50035	Saint-Célestin	M
28035	Saint-Louis-de-Gonzague	M
56050	Saint-Sébastien	P
45025	Stanstead	CT
6954		

Draft RegulationEnvironment Quality Act
(R.S.Q., c. Q-2)**Tariff to determine the costs of sampling, analysis, inspection or investigation**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 116.1.1 and 124 of the Environment Quality Act (R.S.Q., c. Q-2), that the Regulation respecting the tariff to determine the costs of sampling, analysis, inspection or investigation included in the costs of civil or penal proceedings instituted for the purposes of the Environment Quality Act, appearing below, may be made by the Minister on the expiry of 60 days following this publication.

The purpose of the draft Regulation is to establish the tariff for human and material resources to determine the costs of sampling, analysis, inspection or investigation included in the costs of civil or penal proceedings instituted for the purposes of the Environment Quality Act when they are incurred by the Minister of Sustainable Development, Environment and Parks. In addition to the costs of analysis that may already be claimed under section 116.1 of the Environment Quality Act, the costs of sampling, inspection or investigation may from now on be included in the costs of civil or penal proceedings. Under section 116.1.1 of that Act, the costs incurred as of 1 October 2005 in any civil or penal proceeding instituted as of that date may be claimed.

The draft Regulation will have impacts on businesses, including small and medium-sized businesses, citizens, departments and bodies as well as municipalities if, following a civil or penal proceeding instituted for the purposes of the Environment Quality Act, a judge orders them to pay the costs of the proceedings.

Information concerning this draft Regulation may be obtained from Frédéric Guay, Service des études économiques et de la tarification, Direction générale de l'analyse et de l'expertise régionales et des études économiques, ministère du Développement durable, de l'Environnement et des Parcs at the following address: édifice Marie-Guyart, 29^e étage, boîte 97, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: (418) 521-3828, extension 4969; fax: (418) 644-4598 or e-mail: frederic.guay@mddep.gouv.qc.ca

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 60-day period, to the above-mentioned address.

THOMAS J. MULCAIR,
*Minister of Sustainable Development,
Environment and Parks*

Regulation respecting the tariff to determine the costs of sampling, analysis, inspection or investigation included in the costs of civil or penal proceedings instituted for the purposes of the Environment Quality Act

Environment Quality Act
(R.S.Q., c. Q-2, s. 116.1.1; 2004, c. 24, s. 12)

1. The costs incurred by the Minister of Sustainable Development, Environment and Parks includes the costs related to the use of the personnel and equipment of the Ministère du Développement durable, de l'Environnement et des Parcs and, if any, the costs related to the use of external human or material resources.

2. The tariff for departmental labour and equipment is established in Schedule I.

3. The tariff for external human and material resources corresponds to the actual costs incurred by the Minister.

4. As of 1 January 2006, the costs established in Schedule I to this Regulation are adjusted on 1 January of each year based on the percentage change in the Consumer Price Indexes for Canada, as published by Statistics Canada; the change is calculated by determining the difference between the average of the monthly indexes for the 12-month period ending on 30 September of the preceding year and the average of the monthly indexes for the equivalent period of the second preceding year.

The Minister is to publish the results of the adjustment in the *Gazette officielle du Québec* before 1 January of each year and, if the Minister considers it appropriate, by any other means.

5. This Regulation comes into force on 1 October 2005.

SCHEDULE I

(s. 2)

TARIFF FOR THE RESOURCES OF THE MINISTÈRE DU DÉVELOPPEMENT DURABLE, DE L'ENVIRONNEMENT ET DES PARCS

ITEMS	COSTS
Labour	\$ / hour \$ / quarter of an hour
Technician	\$40* \$10*
Professional	\$60 * \$15*
Executive	\$75 \$18.75
Equipment	\$ / day or part of day of use
Nitrites and nitrates analyzer	\$800
Flame thermocouple detector	\$30
Photo-ionization detector	\$35
Gas detector	\$20
Automatic sampler	\$100
Flow measurement equipment	\$195
Gas-powered drill	\$200
Generator	\$135
Mobile laboratory – LEAE	\$1,250
Mobile laboratory – LMP	\$2,400
Mobile laboratory – TAGA	\$9,400
Water pump	\$135
Air sampler pump	\$140

ITEMS	COSTS
Electric peristaltic pump	\$200
Submersible pump	\$375
Waterra pump	180 \$
Mobile coordination unit	\$1,135
Seismograph	\$535
Water level sensors	\$15
Interface sensors	\$15
Portable radioactivity spectrometer	\$365
Water oxidation evaluation station	\$35
Blower	\$20
Meteorological tower	\$265
Safety harness, lifeline and tripod	\$65
Radioactivity measurement kit	\$430
Turbidimeter	\$50
Mobile sampling unit	\$335

* According to the collective agreements in force, the tariff is increased by 50% if a member of the personnel of the Ministère du Développement durable, de l'Environnement et des Parcs works in excess of normal weekly working hours.

IndexAbbreviations : **A** : Abrogated, **N** : New, **M** : Modified

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Agricultural operations (Environment Quality Act, R.S.Q., c. Q-2)	2271A	Draft
Environment Quality Act — Agricultural operations (R.S.Q., c. Q-2)	2271A	Draft
Environment Quality Act — Tariff to determine the costs of sampling, analysis, inspection or investigation (R.S.Q., c. Q-2)	2281A	Draft
Tariff to determine the costs of sampling, analysis, inspection or investigation (Environment Quality Act, R.S.Q., c. Q-2)	2281A	Draft

