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Part

2

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Laws and Regulations

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Summary

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- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
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Regulations and other Acts

Gouvernement du Québec

O.C. 524-2009, 6 May 2009

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1)

Special provisions in respect of classes of employees designated under section 23 of the Act — Amendments

Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel

WHEREAS, under the first paragraph of section 23 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may establish special provisions with respect to classes of employees it designates, notwithstanding any inconsistent provision of the Act, except the provisions of Chapter VIII;

WHEREAS the Government made Order in Council 960-2003 dated 17 September 2003 concerning Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel;

WHEREAS it is expedient to amend the Order in Council;

WHEREAS, under the second paragraph of section 23 of the Act, an order under the first paragraph of that section may have effect 12 months or less before it is made;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Amendments to the Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel, attached to this Order in Council, be made;

THAT the Amendments have effect as of 1 January 2010, except the amendments in sections 6 and 7, which have effect from 7 May 2008, and the amendments in section 11, which have effect from the day they are made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Amendments to the Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel*

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1, s. 23)

1. The Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel, made by Order in Council 960-2003 dated 17 September 2003, are amended in section 1 by replacing “established under section 136 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10)” in the definition of “Commission” by “established by section 1 of the Act respecting the Commission administrative des régimes de retraite et d’assurances (R.S.Q., c. C-32.1.2)”.

2. The following is inserted after section 7:

“**7.1.** Where the employee ceases to be a member of the plan before 1 January 2010, sections 8, 9, 11, 23 and 27 apply as they read on the date the employee ceases to be a member of the plan. The same applies in respect of sections 14 and 29 if a person to which this Order in Council applies dies before 1 January 2010.”

3. Section 8 is amended by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“**8.** Subject to section 25, the amount of the pension of an employee who ceases to be a member of the plan after 31 December 2009 in respect of the years of service credited to the employee while this Order in Council applies to the employee, is equal to the total of the following amounts on the date on which the employee ceases to be a member of the plan:”

* The Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel, made by Order in Council 960-2003 dated 17 September 2003 (2003, *G.O.* 2, 2963), were last amended by Order in Council 1235-2005 dated 14 December 2005 (2005, *G.O.* 2, 5519). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

4. Section 9 is amended

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

“**9.** For the purposes of subparagraphs 1 and 2 of the first paragraph of section 8, the average pensionable salary is established in accordance with sections 50.3 and 53.1 to 53.20 of the Act, subject to the following modifications:

(1) subparagraph 1 of the first paragraph of section 50.2 of the Act does not apply;

(2) a reference to subparagraph 2 of the first paragraph of section 50.2 of the Act must be read as a reference to the first paragraph of section 8;

(3) subparagraph 1 of the first paragraph of section 53.1 of the Act does not apply;

(4) a reference to the first paragraph of section 53.1 of the Act must be read as a reference to subparagraph 2 of the first paragraph of section 53.1;

(5) a reference to the limit imposed by the first paragraph of section 30 of the Act must be read as a reference to the limit provided for in the third paragraph of this section and the terms and conditions of its application.”;

(2) by replacing “pensionable salaries that must be adjusted” in the third paragraph by “annualized pensionable salaries that must be established”.

5. Section 11 is revoked.

6. Section 14 is amended by replacing “has no spouse and dies while a pensioner or eligible for a pension or deferred pension” in the first sentence of the second paragraph by “dies without a spouse entitled to the benefits provided for in the first paragraph while the person is a pensioner or eligible for a pension or deferred pension under the second paragraph of section 15”.

7. The following is inserted after section 14:

“**14.1.** For the purposes of the third paragraph of section 79.1 of the Act, the waiver by the spouse is cancelled only if, on the date the pensioner dies, no amount is payable to his or her successors pursuant to the second paragraph of section 14.”.

8. Section 19 is amended

(1) by inserting “once again” in the first paragraph before “ceases”;

(2) by replacing “11” in subparagraph 1 of the first paragraph by “10”;

(3) by replacing “28” in subparagraph 2 of the first paragraph by “27”;

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

“Average pensionable salaries selected to recompute, pursuant to the first paragraph, each part of the pension related to the years prior to 2010 may not be smaller than the average pensionable salaries that had been selected to compute the total pension that was paid immediately before the return to work.”.

9. Section 25 is amended by replacing “subdivision 2” in the second paragraph by “subdivisions 2 and 2.1”.

10. Section 27 is amended

(1) by inserting “annualized” before the second occurrence of “pensionable salary” in the first sentence;

(2) by replacing “2 of section 9” in the first sentence by “1 of section 50.3 of the Act”;

(3) by replacing “pensionable salary must be adjusted” in the second sentence by “annualized pensionable salary must be established”;

(4) by inserting “annualized” before the second occurrence of “pensionable salary” in the second sentence.

11. Schedules II and III are amended by striking out “or members” in paragraph 8.

Gouvernement du Québec

O.C. 525-2009, 6 May 2009

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1)

Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act — Amendments

Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel

WHEREAS, under the first paragraph of section 208 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may, with respect to classes of employees designated under the first paragraph of section 23 of the Act, establish a plan that provides for supplementary benefits payable from the date of retirement;

WHEREAS the Government made Order in Council 961-2003 dated 17 September 2003 concerning the Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel;

WHEREAS it is expedient to amend the Order in Council;

WHEREAS, under the fourth paragraph of section 208 of the Act, an order under the first paragraph of that section may have effect 12 months or less before it is made;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Amendments to the Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel, attached to this Order in Council, be made;

THAT the Amendments have effect as of 1 January 2010, except the amendment in section 3, which has effect from 7 May 2008.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Amendments to the Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel*

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1, s. 208, 1st par.)

1. The Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel, made by Order in Council 961-2003 dated 17 September 2003, are amended in section 1

(1) by replacing “established under section 136 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10)” in the definition of “Commission” by “established by section 1 of the Act respecting the Commission administrative des régimes de retraite et d’assurances (R.S.Q., c. C-32.1.2)”;

(2) by replacing “, where applicable, Order in Council 245-92 dated 26 February 1992, as it read on 16 September 2003” in the definition of “basic Order in Council” by “its subsequent amendments”;

(3) by inserting the following definition in alphabetical order:

““former pension plan” means a former pension plan as defined in section 1 of the basic Order in Council; (*régime de retraite antérieur*)”.

2. Section 3 is amended by replacing “under” in subparagraph 6 of the first paragraph by “in accordance with the provisions of the former pension plan and”.

3. The following is inserted after section 9:

“**9.1.** The spouse may waive the spousal benefits granted pursuant to this Order in Council only if the spouse has waived the spousal benefits granted pursuant to the plan and the basic Order in Council. The spouse may, to the same extent, revoke his or her waiver.

* The Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel, made by Order in Council 961-2003 dated 17 September 2003 (2003, *G.O.* 2, 2972), were last amended by Order in Council 1235-2005 dated 14 December 2005 (2005, *G.O.* 2, 5519). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

A waiver or revocation of the waiver by the spouse of spousal benefits granted under the plan and the basic Order in Council or a cancellation of such a waiver is also valid in respect of spousal benefits granted under this Order in Council.

Where the employee elects to transfer the actuarial value of his or her pension pursuant to section 16 of the basic Order in Council, the waiver by the spouse of the spousal benefits granted under this Order in Council is cancelled.”.

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Gouvernement du Québec

O.C. 536-2009, 6 May 2009Forest Act
(R.S.Q., c. F-4.1)**Forestry fund
— Contributions
— Amendments**

Regulation to amend the Regulation respecting contributions to the forestry fund

WHEREAS, under the first paragraph of section 73.4 of the Forest Act (R.S.Q., c. F-4.1), every holder of a timber supply and forest management agreement must, at such intervals as are determined by regulation of the Government, pay to the Minister of Natural Resources and Wildlife a contribution for the financing of activities related to forest management;

WHEREAS, under the second paragraph of that section, the contribution, paid into the forestry fund under section 73.5 of the Forest Act, is to be established by the Minister on the basis of a rate per cubic metre of timber, fixed by regulation of the Government, that is applicable to the volume of timber allotted to the agreement holder in the agreement and is determined on the date or dates fixed by the regulation;

WHEREAS, under section 95.2.1 of the Forest Act, sections 73.4 and 73.5 of the Act apply to the holder of a wood processing plant operating permit who has entered into an auxiliary timber supply guarantee agreement as if the permit holder were the holder of a timber supply and forest management agreement;

WHEREAS, under the second paragraph of section 92.0.2 of the Forest Act, a holder of a wood processing plant operating permit who acquires timber from an agree-

ment holder authorized to send it to the permit holder must pay a contribution to the Minister for the financing of activities related to forest management;

WHEREAS, under the third paragraph of that section, the contribution paid into the forestry fund is to be established by the Minister on the basis of a rate per cubic metre of timber, set by regulation of the Government, applicable to the volume of timber acquired by the holder of a wood processing plant operating permit from the agreement holder;

WHEREAS, under subparagraph 3 of the first paragraph of section 92.0.3 of the Forest Act, the Minister may, if considered expedient by the Minister, accredit the holder of a wood processing plant operating permit to enable the permit holder to obtain a management permit in a management unit to supply the holder's plant where a volume of timber is made available following a person's waiver of the right provided for in a reservation agreement entered into pursuant to section 170.1 or by reason of the failure by that person to exercise that right in a previous year;

WHEREAS, under the second paragraph of section 92.0.11 of the Forest Act, in such a case, the holder of a wood processing plant operating permit must also pay a contribution to the Minister for the financing of activities related to forest management;

WHEREAS, under the third paragraph of that section, the contribution paid into the forestry fund is to be established by the Minister on the basis of a rate per cubic metre of timber, set by regulation of the Government, applicable to the volume of round timber indicated in the accreditation;

WHEREAS, under subparagraphs 18.2 and 18.2.1 of the first paragraph of section 172 of the Forest Act, the Government may, by regulation, set the rate referred to in the second paragraph of section 73.4 and in the third paragraph of sections 92.0.2 and 92.0.11 and determine the date and other terms of payment of the contribution referred to in those sections;

WHEREAS the Government made the Regulation respecting contributions to the forestry fund by Order in Council 328-2002 dated 20 March 2002;

WHEREAS the Regulation to amend the Regulation respecting contributions to the forestry fund, made by Order in Council 1188-2006 dated 18 December 2006, sets new rates to implement the measure consisting in resuming charge of forest seedling production to enhance the Silvicultural Investment Strategy to support the forest industry;

WHEREAS it is expedient to again amend the Regulation in order to extend until 31 March 2010 the period during which the rates referred to in sections 2 and 3.3 of the Regulation will be effective;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided in section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— the importance for the Ministère des Ressources naturelles et de la Faune to resume charge of forest seedling production costs to ensure fulfilment of the Silvicultural Investment Strategy and consequently protect silvicultural investments and other forest infrastructures;

— the need to extend the period during which the rates referred to in sections 2 and 3.3 of the Regulation respecting contributions to the forestry fund will be effective to quickly implement the assistance measure in connection with the responsibilities of the Minister of Natural Resources and Wildlife announced in the 2009-2010 Budget Speech;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife:

THAT the Regulation to amend the Regulation respecting contributions to the forestry fund, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting contributions to the forestry fund*

Forest Act
(R.S.Q., c. F-4.1, ss. 73.4, 92.0.2, 92.0.11, 95.2.1 and 172, 1st par., subpars. 18.2 and 18.2.1)

1. The Regulation respecting contributions to the forestry fund is amended in section 2 by replacing “31 March 2009” in the second paragraph by “31 March 2010”.

2. Section 3.3. is amended by replacing “31 March 2009” in the second paragraph by “31 March 2010”.

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

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M.O., 2009

Order of the Minister of Education, Recreation and Sports dated 6 May 2009 respecting the Regulation to amend the Regulation respecting teaching licences

Education Act
(R.S.Q., c. I-13.3)

THE MINISTER OF EDUCATION, RECREATION AND SPORTS,

CONSIDERING section 456 of the Education Act (R.S.Q., c. I-13.3) which allows the Minister of Education, Recreation and Sports to establish, by regulation, a classification of teaching licences, the nature and term of such licences, and the requirements and procedure applicable to their issuance or renewal, as the case may be, including the documents and information to be furnished;

CONSIDERING the publication of a draft of the Regulation to amend the Regulation respecting teaching licences in Part 2 of the *Gazette officielle du Québec* of 23 July 2008, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), with a notice that it could be made on the expiry of 45 days following that publication;

* The Regulation respecting contributions to the forestry fund, made by Order in Council 328-2002 dated 20 March 2002 (2002, *G.O.* 2, 1673), was last amended by the regulation made by Order in Council 1188-2006 dated 18 December 2006 (2006, *G.O.* 2, 4083A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

CONSIDERING that the draft Regulation was submitted before passage to the Conseil supérieur de l'éducation for preliminary examination in accordance with section 458 of the Education Act;

CONSIDERING that the 45-day period required by law has expired;

CONSIDERING that it is expedient to make the above-mentioned draft Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting teaching licences, attached to this Minister's Order, is hereby made.

Québec, 6 May 2009

MICHELLE COURCHESNE,
*Minister of Education, Recreation
and Sports*

Regulation to amend the Regulation respecting teaching licences*

Education Act
(R.S.Q., c. I-13.3, s. 456)

1. The Regulation respecting teaching licences is amended in section 1 by inserting "provisional teaching authorizations," after "are".

2. The following is added after the heading of subdivision 1 "Teaching licences requiring teacher training in general education" of Division I of Chapter II:

"Provisional teaching authorizations

2.1. A provisional teaching authorization, valid for 2 years, may be issued to a person who has successfully completed the third practicum of the Kativik-McGill University teacher training program.

The holder of such a teaching authorization may teach only in a Kativik school board institution.

The teaching authorization may be renewed for a period of 2 years if its holder has earned at least 12 additional credits in that program."

* The Regulation respecting teaching licences has not been amended since it was made by Minister's Order dated 6 June 2006 (2006, G.O. 2, 1738).

3. Section 6 is amended by adding "or an equivalent probationary period supervised and certified by a faculty or a department of educational sciences of a Québec university establishment" at the end of subparagraph c of paragraph 2.

4. Section 7 is amended by adding the following paragraph at the end:

"A teaching diploma may also be issued to a person who has successfully completed the Kativik-McGill University teacher training program. The holder of such a diploma may teach only in a Kativik school board institution."

5. Section 9 is amended by replacing "42 credits in education" by "45 credits in education other than the credits for recognition of prior learning of a trade".

6. Section 18 is amended by inserting the following paragraph after the first paragraph:

"A person who completes the number of hours of teaching provided for in this section is considered to be serving a probationary period and must be evaluated accordingly, unless the person is enrolled in or has successfully completed a program listed in Schedule II or V, holds a teaching authorization for vocational training or a teaching diploma, or is subject to section 46 or 48."

7. Sections 27 and 28 are replaced by the following:

"27. A holder of a teaching licence issued outside Québec who applies for a teaching licence referred to in this Regulation must pass the French or English examination recognized by the Minister for that purpose. The examination assesses written French or English comprehension and written French or English expression.

If the person received the major part of his or her training serving to support the application in a language other than French or English, the examination must also assess oral French or English comprehension and oral French or English expression.

The renewal of the teaching licence referred to in this section is subject to the passing of the examination referred to in section 28.

28. As of the 2008-2009 school year, a person who begins a teacher training program listed in Schedule II or Schedule V, a person who holds a diploma issued outside Québec or a person who has obtained a teaching permit on or after 1 September 2008 must pass the

French or English examination recognized by the Minister for the purpose of issuing the teaching authorization for vocational training or the teaching diploma.”.

8. Section 37 is amended by adding

(1) in paragraph 1

(a) “in education” after “credits”;

(b) “other than the credits for prior learning assessment for having practised the trade referred to in paragraph 3 of section 8” at the end;

(2) in paragraph 2 “, including not more than 9 credits for prior learning assessment for having practised the trade referred to in paragraph 3 of section 8” at the end;

(3) in paragraph 3 “, including not more than 9 credits for prior learning assessment for having practised the trade referred to in paragraph 3 of section 8, other than the credits already calculated in paragraph 2” at the end.

9. Section 40 is amended by replacing paragraph 15 by the following:

“(15) if this Regulation requires that a French or English examination provided for in section 27 or 28 be passed, an attestation to the passing of the examination.”.

10. Section 41 is amended by replacing “and 7” in the part preceding paragraph 1 by “, 7 and 15”.

11. Sections 46, 48, 50 and 65 are amended by replacing “31 August 2010” wherever it appears by “30 September 2012”.

12. Section 46 is amended

(1) by replacing paragraphs 1 and 2 by the following:

“(1) has obtained

(a) a bachelor’s degree or equivalent training, excluding the university teacher training programs listed in Schedule I or Schedule II, comprising at least 45 credits in discipline training in mathematics, French studies, English studies, Hispanic studies, physical education, drama, visual arts, music, dance or in 1 or 2 of the other subjects of the Basic school regulation for preschool, elementary and secondary education, made by Order in Council 651-2000 dated 1 June 2000, and has earned at least 6 credits in education in a university

bachelor’s or master’s degree program in teacher training, recognized since September 2001, listed in Schedule II, related to the person’s discipline training and in which the person is enrolled; or

(b) a bachelor’s degree in psychology, psychoeducation or remedial education and has earned at least 6 credits in education in a university bachelor’s or master’s degree program in special education teaching, recognized since September 2001 and listed in Schedule II;”;

(2) by renumbering paragraph 3 as paragraph 2.

13. Section 47 is amended by replacing

(1) in subparagraph 1 of the second paragraph

(a) “30% of the credits” by “18 credits in education”;

(b) “referred to in paragraph 2 of” by “referred to in”;

(2) “60% of the credits” in subparagraph 2 of the second paragraph by “36 credits in education”;

(3) “90% of the credits” in subparagraph 3 of the second paragraph by “54 credits in education”.

14. Section 49 is amended by striking out “paragraph 2 of” after “referred to in”.

15. Section 50 is amended by replacing “60 credits in the training subjects, in 1 or 2” in paragraph 1 by “45 credits in discipline training in mathematics, French studies, English studies, Hispanic studies, physical education, drama, visual arts, music, dance or in 1 or 2 of the other”.

16. Schedule II is amended in the table of teacher training programs in general education accredited since September 2001,

(1) in the list of programs offered at Bishop’s University,

(a) by replacing “138” in the number of credits in the program “Bachelor of Arts (Major in Education) and Bachelor of Education in Kindergarten and Elementary Education” by “130”;

(b) by replacing “135” in the number of credits in the program “Bachelor of Education (I-STEP; Integrated Secondary Teacher Education Path)” by “133”;

(2) in the list of programs offered at Université de Montréal, by adding the following program and the number of credits in it at the end:

“Maîtrise en enseignement (profiles in section 46)—60”;

(3) in the list of programs offered at Université de Sherbrooke, by adding the following program and the number of credits in it at the end:

“Maîtrise en enseignement (profiles in section 46)—60”;

(4) in the list of programs offered at Université du Québec en Abitibi-Témiscamingue, by adding the following programs and the number of credits in them at the end:

“Baccalauréat en enseignement de l’anglais, langue seconde—120”;

Bachelor in Preschool Education and Primary Teaching—120”;

(5) in the list of programs offered at Université du Québec à Montréal,

(a) by adding the following programs and the number of credits in them after the program “Baccalauréat en enseignement en adaptation scolaire et sociale”:

“Baccalauréat en enseignement secondaire—120”;

Baccalauréat d’intervention en activité physique, profil enseignement de l’éducation physique et à la santé—120”;

Baccalauréat en enseignement du français, langue seconde—120”;

Baccalauréat en enseignement de l’anglais, langue seconde—120”;

(b) by adding the following program and the number of credits in it after the program “Baccalauréat en arts visuels (concentration enseignement)”:

“Baccalauréat en arts visuels et médiatiques (profil enseignement des arts visuels et médiatiques)—120”;

(c) by adding the following program and the number of credits in it after the program “Baccalauréat en art dramatique (concentration enseignement)”:

“Baccalauréat en art dramatique (profil enseignement de l’art dramatique)—120”;

(d) by adding the following program and the number of credits in it after the program “Baccalauréat en danse (concentration enseignement)”:

“Baccalauréat en danse (profil enseignement de la danse)—120”;

(e) by adding the following program and the number of credits in it after the program “Baccalauréat en musique (concentration enseignement)”:

“Baccalauréat en musique (profil enseignement de la musique)—120”;

(f) by adding the following program and the number of credits in it at the end:

“Maîtrise en enseignement (profiles in section 46)—60”.

17. Every teaching licence issued by the Minister between 29 June 2006 and the date of coming into force of this Regulation is subject to the conditions for renewal applicable at the time it was issued.

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

9261

M.O., 2009

Order number AM 2009-023 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife dated 7 May 2009

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

CONCERNING the Regulation to amend the Regulation respecting hunting

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE,

CONSIDERING paragraph 1 of section 54.1 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provides that the Minister may, by regulation, limit the number of licences of each class for an area, territory or place the Minister indicates;

CONSIDERING section 164 of the Act, which provides that a regulation made under section 54.1 of the Act is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the making of the Regulation respecting hunting by Minister's Order 99021 dated 27 July 1999, which prescribes, in particular, the number of hunting licences available per year according to areas or parts of area;

CONSIDERING that it is expedient to amend certain numbers of licences;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting hunting, attached to this Minister's Order, is hereby made.

Québec, 7 may 2009

<p>SERGE SIMARD, <i>Minister for Natural Resources and Wildlife</i></p>	<p>CLAUDE BÉCHARD, <i>Minister of Natural Resources and Wildlife</i></p>
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Regulation to amend the Regulation respecting hunting*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 54.1)

1. The Regulation respecting hunting is amended in Schedule II

(1) by replacing the number of licences only in section 1 by the following numbers:

"1. For hunting white-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20:

i. in area

Area	Number of licences
the western part of Area 3 shown on the plan in Schedule X	500
4	2 400
6 except the northern part shown on the plan in Schedule XXXIX	3 000
the northern part of Area 6 shown on the plan in Schedule XXXIX	5 000
7 except the southern part shown on the plan in Schedule CXXXIV	900
the southern part of Area 7 shown on the plan in Schedule CXXXIV	6 000
9 except the western part shown on the plan in Schedule CXXXII	360
the western part of Area 9 shown on the plan in Schedule CXXXII	500
10 except the western part shown on the plan in Schedule XVI	300
the western part of Area 10 shown on the plan in Schedule XVI and 12	1 960
11 and the western part of Area 15 shown on the plan in Schedule CXXXIII	800
the part of Area 13 shown on the plan in Schedule CXC	50

ii. in the wildlife sanctuary

Wildlife sanctuary	Number of licences
La Vérendrye	18
Papineau-Labelle	110
Rouge Matawin	0

iii. in the controlled zone

Controlled zone	Number of licences
Bras-Coupé-Désert	20
Casault	0
Jaro	30
Maganasipi	50
Pontiac	20
Rapides-des-Joachims	10
Restigo	50
Saint-Patrice	10**;

(2) by replacing the number of licences only in section 1.1 by the following numbers:

* The Regulation respecting hunting, made by Minister's Order 99021 dated 27 July 1999 (1999, *G.O.* 2, 2451), was last amended by the regulation made by Minister's Order 2009-021 dated 22 April 2009 (2009, *G.O.* 2, 1623). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

“1.1 For hunting white-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (1st killing):

Area	Number of licences
the western part of Area 5 shown on the plan in Schedule XXXVIII	5 500
the southern part of Area 8 shown on the plan in Schedule XIII	3 000
the eastern part of Area 8 shown on the plan in Schedule CXXXV	2 200”;

(3) by replacing the number of licences only in section 3 by the following numbers:

“3. For hunting female moose more than one year old:

i. in area

Area	Number of licences
1	3 000

ii. in the wildlife sanctuary

Wildlife sanctuary	Number of licences
Ashuapmushuan	34
Laurentides	202
La Vérendrye	261
Mastigouche	60
Papineau-Labelle	55
Port-Daniel	8
Portneuf	30
Rouge-Matawin	100
Saint-Maurice	62

iii. in the controlled zone

Controlled zone	Number of licences
Batiscan-Neilson	56
Casault	210
Jaro	10
Lavigne	0
des Nymphes	0
Petawaga	70
Rivière-Blanche	15
Wessonneau	70”.

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

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 (R.S.Q., c. Q-2), that the Regulation to amend the Agricultural Operations Regulation, appearing below, may be made by the Government on the expiry of 60 days following this publication.

Despite the rule requiring raising sites with liquid or solid manure management to have watertight storages for the livestock waste produced in the sites, the draft Regulation allows the storage of solid manure piles in a cultivated field, on certain conditions. In addition, an operator must first obtain a recommendation from an agrologist who may seek, for that purpose, the assistance of another competent person in the matter, such as an engineer. It is also provided that the piles, once laid out, must be inspected by an agrologist.

The draft Regulation also allows the storage of solid manure piles near the farm building in which the manure is produced, on certain conditions, for raising sites producing 1,600 kg of phosphorus or less annually and, until 1 April 2010, for raising sites existing on 15 June 2002 that produce more than 1,600 kg per year.

The draft Regulation prescribes that an operator of a raising or spreading site must have the cultivated parcels necessary for spreading all the fertilizers produced or used by the operator at the beginning of the annual growing season and for all the season.

The manure and soil analyses required from an operator will have to be made by a laboratory accredited by the Minister. The minimum content of those analyses is specified in the draft Regulation.

The draft Regulation adds certain rules concerning the period for which documents must be kept and, in certain cases, extends the period from 2 to 5 years. An obligation to provide the Minister with certain documents upon request within the time indicated by the Minister is also imposed.

The draft Regulation allows the low spreading of liquid manure from dairy cattle or beef cattle, except veal calves, using equipment that may be different from the equipment used for the liquid manure from other types of livestock.

The draft Regulation amends the rules concerning phosphorus reports. Thus, in addition to an annual update of the phosphorus report, an operator will have to immediately inform an agrologist and give him or her the mandate to prepare, within 30 days, an update of the report, if any change referred to in the draft Regulation occurs in the operator's raising site or spreading site. The operator will also have to inform the department of those changes where they are such that the operator no longer has the cultivated parcels required by the Regulation. The minimum content of the phosphorus report or an update of the report is specified and it will have to be submitted on the form provided by the Minister. An operator will be required to have possession of a copy of the phosphorus report and its updates and to provide them to the Minister upon request. As of 1 January 2010, a phosphorus report will have to be sent to the department annually.

The draft Regulation specifies the cases in which a project notice is required. They are, in particular, increases in phosphorus production, in a raising site, to raise the production to over 1,600 kg or to make the production equal to or greater than other production thresholds, each one of them increased by 500 kg, without reaching 3,200 kg with the last increase. Such a notice must be given for each growing season by an operator planning to pile solid manure in the field.

Also, an authorization certificate is required if the annual phosphorus production is equal to or greater than 3,200 kg. Thus, in addition to the implementation of a new raising site, already provided for in the Regulation, an authorization certificate will be required for an increase, in a raising site, in the annual phosphorus production to raise the production to 3,200 kg or more, without, however, reaching 3,700 kg, or to make the production equal to or greater than the 3,200 kg production threshold increased by 500 kg or a multiple of 500 kg. However, an increase in production already authorized by an authorization certificate issued before the coming into force of the Regulation will be exempt from the new rules.

The draft Regulation no longer allows only owners, on certain conditions, to grow crops on limited activity municipal territories. In addition, under the offence provisions in the draft Regulation, an owner and, where applicable, an operator or a person who cultivates crops in contravention of the Regulation, may be held responsible.

The draft Regulation specifies the rules for sending a notice or document to the department to make their management and proof easier.

The draft Regulation updates the schedules to the current Regulation. A new schedule is also introduced for the assessment of the annual phosphorus production in relation to the number of animals of a category present at any time or planned in the raising site for the purpose of applying certain sections of the Regulation.

Finally, the draft Regulation provides that every reference to an agrologist or an engineer is a reference to such a person who is a member of a professional order governing that profession in Québec and any other person legally authorized to act in that capacity in Québec.

The fact that most farm producers will remain authorized to pile manure in the field will reduce the financial impact due to the management of solid manure. The requirement to send an annual phosphorus report as of 2010 will have no financial impact on producers.

Further information may be obtained by contacting Caroline Drouin, Service Head, Direction des politiques en milieu terrestre, Ministère du Développement durable, de l'Environnement et des Parcs, telephone: 418 521-3950, extension 4920; e-mail: caroline.drouin@mddep.gouv.qc.ca; fax: 418 644-8562.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Caroline Drouin, Service Head, Direction des politiques en milieu terrestre, Ministère du Développement durable, de l'Environnement et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 9^e étage, boîte 71, Québec (Québec) G1R 5V7.

LINE BEAUCHAMP,
*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 and e, 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 by inserting the following after section 3:

“**3.1.** In this Regulation, every reference to an agrologist or an engineer is a reference to a person who is a member of a professional order governing that profession in Québec, as well as any other person legally authorized to act in that capacity in Québec.”.

2. Section 9 is amended by adding “within the time indicated by the Minister” after “upon request” in the third paragraph.

3. Section 9.1 is replaced by the following:

“**9.1.** The operator of a spreading site and, despite section 9, the operator of a raising site may store solid manure piles in a cultivated field, on the following conditions:

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

(2) runoff must not reach the pile;

(3) the volume of the pile must be limited to the fertilization needs of the cultivated parcel on which the pile is located for the growing season during which it is laid out, or, as the case may be, for the growing season following the date of the first input of solid manure forming the pile;

(4) the pile must not be laid out on the location of a pile removed less than 2 years before; and

(5) the pile must be completely removed and reclaimed or eliminated, in accordance with section 19, within 12 months of the first input of solid manure forming the pile.”.

* The Agricultural Operations Regulation, made by Order in Council 695-2002 dated 12 June 2002 (2002, G.O. 2, 2643), was last amended by Order in Council 1006-2007 dated 14 November 2007 (2007, G.O. 2, 3225). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

4. The following is inserted after section 9.1:

“9.1.1. The operator of a raising site or spreading site who intends to store solid manure piles in a cultivated field must, before laying out each pile in accordance with section 9.1, obtain a recommendation dated and signed by an agrologist pertaining to the conditions for laying out the pile.

The agrologist may, if need be, seek the assistance of an engineer or another person who is a member of a relevant professional order in Québec or a person authorized to act in that capacity in Québec in that matter.

For the purposes of paragraph 3 of section 9.1, the operator must also obtain a notice by an agrologist respecting the fertilization needs of the parcel on which the operator intends to lay out a solid manure pile and the maximum volume of solid manure that may form the pile.

The operator must also appoint an agrologist to inspect each pile during the growing season. The agrologist writes, in a dated and signed report, his or her observations and, where applicable, his or her recommendations, as well as an annual report summarizing all the inspections carried out for all the piles for which a recommendation was made under the first paragraph.

Copies of every document produced by an agrologist under this section must be kept by the operator who stores solid manure piles in a cultivated field for a minimum of 5 years from the date of signature and be provided to the Minister upon request within the time indicated by the Minister.”.

5. Section 9.2 is amended

(1) by replacing “or third party” and “the pile is created” in the first paragraph by “of a raising site or spreading site” and “of the first input of solid manure forming the pile”;

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

“The operator of a raising site or spreading site must be in possession of a copy of that register and keep it for a minimum of 5 years from the last entry. The operator must provide the copy to the Minister upon request within the time indicated by the Minister.”.

6. Section 9.3 is replaced by the following:

“9.3. Despite section 9, the storage of solid manure piles near the farm building in which the manure is produced is allowed on the following conditions:

(1) the raising site was established in accordance with the law and its annual phosphorus (P_2O_5) production resulting from solid manure management is 1,600 kg or less;

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

(3) runoff must not reach the pile; and

(4) the pile must be completely removed and reclaimed or eliminated, in accordance with section 19, within 12 months of the first input of solid manure forming the pile.”.

7. Section 16 is amended by replacing “Minister of Sustainable Development, Environment and Parks upon request” in the third and fourth paragraphs by “Minister upon request within the time indicated by the Minister”.

8. Section 20 is amended by replacing the first paragraph by the following:

“The operator of a raising site who spreads livestock waste and, where applicable, other fertilizers must have, at the beginning of each annual growing season and for all the season, cultivated parcels that correspond to the total area required for the purpose of spreading the waste or surplus waste and other fertilizers.”.

9. The following is added after section 20:

“20.1. The operator of a spreading site who spreads fertilizers must have, at the beginning of each annual growing season and for all the season, cultivated parcels that correspond to the total area required for the purpose of spreading fertilizers.

The minimum area required to comply with the first paragraph is calculated from the charts of maximum deposits appearing in Schedule I.”.

10. Section 21 is amended by replacing “of Sustainable Development, Environment and Parks” by “upon request within the time indicated by the Minister”.

11. Section 24 is amended by striking out “who is a member of the Ordre des agronomes du Québec” after “agrologist”.

12. Section 26 is amended

(1) by striking out “of Sustainable Development, Environment and Parks” in the first paragraph;

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

“Those persons and, where applicable, the mandatory must keep a copy of the plan for a minimum of 5 years after it ceases to have effect and, upon request and within the time indicated by the Minister, provide the Minister with the plan or, if so authorized by the Minister, with a summary of the plan.”.

13. Section 27 is amended by replacing the second paragraph by the following:

“That person and the owner of the parcel must keep a copy of the document for a minimum of 5 years from the last entry. They must provide the document to the Minister upon request within the time indicated by the Minister.”.

14. Section 28 is replaced by the following:

“**28.** At least once a year, the operator of a raising site, other than a raising site with solid manure management whose annual phosphorus (P_2O_5) production is 1,600 kg or less, must have the fertilizing content of the livestock waste spread on cultivated parcels analyzed by a laboratory accredited by the Minister under section 118.6 of the Environment Quality Act.

The analysis must pertain to

- ammoniacal nitrogen;
- total nitrogen;
- calcium;
- magnesium;
- dry matter;
- total phosphorus;
- potassium.

The operator must keep a copy of the certificate of analysis for a minimum of 5 years from the date of signature and provide it to the Minister upon request within the time indicated by the Minister.”.

15. Section 29 is replaced by the following:

“**29.** The operator of a parcel cultivated under an agro-environmental plan must have its phosphorus content and percentage saturation analyzed by a laboratory accredited by the Minister under section 118.6 of the Environment Quality Act.

The analysis must pertain to all the parameters necessary for the parcel’s use, and the following parameters are mandatory:

- aluminum;
- calcium;
- magnesium;
- organic matter;
- pH (water);
- pH (buffer);
- phosphorus;
- potassium.

The operator and the owner of the parcel must be in possession of a copy of the certificate of analysis and keep it for a minimum of 5 years from the date of signature and provide it to the Minister upon request within the time indicated by the Minister.”.

16. Section 32 is amended by replacing the second and third paragraphs by the following:

“Livestock waste from liquid manure management must be spread with low-ramp equipment or other low-trajectory broadcast 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.

Despite the second paragraph, livestock waste from liquid manure management exclusively from dairy or beef cattle raising, except veal calf raising, may also be spread with low-trajectory broadcast equipment that, from its outlet, projects liquid manure at a maximum height of 1.2 m above the ground over a distance of not more than 5.5 m.”.

17. Section 33 is amended by replacing “Minister of Sustainable Development, Environment and Parks upon request” in the second paragraph by “Minister upon request within the time indicated by the Minister”.

18. Section 34 is amended by replacing “Minister of Sustainable Development, Environment and Parks upon request” in the second paragraph by “Minister upon request within the time indicated by the Minister”.

19. Section 35 is amended

(1) by striking out “who is a member of the Ordre des agronomes du Québec” in the first and second paragraphs;

(2) by inserting “upon any change in the raising site or spreading site that may have an impact on data taken into consideration while the phosphorus report was being drawn up, and” in the third paragraph after “updated”;

(3) by adding the following paragraphs after the third paragraph:

“The operator must immediately inform in writing an agrologist of any change referred to in the preceding paragraph and appoint the agrologist to update within 30 days his or her phosphorus report to take that change into account. In addition, the operator must immediately inform in writing the director of the Centre de contrôle environnemental of the Ministère du Développement durable, de l'Environnement et des Parcs in the region where the raising site or spreading site is situated, of the change where the operator no longer has cultivated parcels corresponding to the required area pursuant to section 20, 20.1 or 50.

The yearly phosphorus report and any update due to a change must be dated and signed by an agrologist. The operator's signature on the report and each of its updates certifies that the information provided to the agrologist is accurate. They must be given on the form provided by the Minister.

The report and any update must contain the identity of the operator, a description of the raising site, specify the number of animals present and planned on the site, the categories provided for in Schedule VI to which the animals belong and, for the raising site and spreading site, a description of all fertilizers produced, where applicable, received or used, as well as all information on the fertilization, treatment, transformation or disposal of any fertilizer.

The operator must be in possession of a copy of the yearly phosphorus report and each subsequent update and keep them for a minimum of 5 years from the date of signature by the agrologist. The operator must provide that copy to the Minister upon request within the time indicated by the Minister.

As of 1 January 2010, operators of a raising site or spreading site referred to in this section must send a copy of their yearly phosphorus report not later than

15 May of each year to the director of the Centre de contrôle environnemental in the region where the raising site or spreading site is situated.”.

20. Section 36 is amended by replacing “of Sustainable Development, Environment and Parks” by “and within the time indicated by the Minister”.

21. Section 39 is amended

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

“With the exception of the projects for which an authorization certificate is required, notice must be given to the director of the Direction de l'analyse et de l'expertise in the region where the project is situated at least 30 days before

(1) implementing a new raising site with liquid manure management;

(2) implementing a new raising site with solid manure management whose annual phosphorus (P_2O_5) production will be greater than 1,600 kg;

(3) increasing, in a raising site, the annual phosphorus (P_2O_5) production 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 or 3,100 kg without, however, reaching 3,200 kg; however, where an increase is such that more than one threshold will be reached or exceeded, only a notice for the highest threshold is required. In addition, the notice given for reaching or exceeding a threshold is valid until a project notice for an increase to reach or exceed a subsequent higher threshold is required; and

(4) transferring, in a raising facility, from solid manure to liquid manure management.

For the purposes of subparagraph 3 of the first paragraph,

(1) as of 1 January 2010, in the case of an existing raising site for which the operator is required to establish an agro-environmental fertilization plan under section 22, 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 specified in the yearly phosphorus report for the growing season following that date; and

(2) in the case of a raising site established as of 1 January 2010 for which the operator is required to establish an agro-environmental fertilization plan under section 22, 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 specified in the yearly phosphorus report for the first growing season of that raising site.”;

(2) by striking out “who is a member of the Ordre des agronomes du Québec and” in the second paragraph;

(3) by replacing “Minister of Sustainable Development, Environment and Parks” in the fourth paragraph by “director of the Direction de l’analyse et de l’expertise in the region where the project is situated”.

22. The following is inserted after section 39:

“**39.1.** A project notice for the storage of solid manure piles in a cultivated field must be given, only once for each growing season, by the operator of a raising site or spreading site in which the field is located, to the director of the Direction de l’analyse et de l’expertise in the region where the raising site or spreading site is situated, 30 days before the first input of solid manure forming the first pile.

The notice must be signed by the operator and contain

- the name and address of the operator;
- the location of the first pile;
- the proposed date of the first input of solid manure forming the pile;
- the proposed date on which the pile will be spread;
- the agrologist’s recommendation provided for in the first paragraph of section 9.1.1 in respect of the first pile; and
- the proposed quantity of solid manure to be stored in piles for the growing season.”.

23. Section 40 is amended

(1) by replacing “served to the Minister of Sustainable Development, Environment and Parks” in the first paragraph by “given to the director of the Direction de l’analyse et de l’expertise in the region where the raising site is situated”;

(2) by striking out “who is a member of the Ordre des ingénieurs du Québec and” in the second paragraph;

(3) by replacing “Minister of Sustainable Development, Environment and Parks” in the third paragraph by “director of the Direction de l’analyse et de l’expertise in the region where the raising site is situated”.

24. Section 41 is amended

(1) by striking out “of Sustainable Development, Environment and Parks” in the first paragraph;

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

“The second paragraph of this section does not apply to a project notice given under section 39.1.”.

25. Section 42 is replaced by the following:

“**42.** Despite section 2 of the Regulation respecting the application of the Environment Quality Act, made by Order in Council 1529-93 dated 3 November 1993, the following projects are subject to section 22 of the Environment Quality Act:

(1) implementing a new raising site where the annual phosphorus (P_2O_5) production will be equal to or greater than 3,200 kg; and

(2) increasing, in a raising site, the annual phosphorus (P_2O_5) production to raise the production to 3,200 kg or more, without, however, reaching 3,700 kg, or to make the production equal to or greater than the 3,200 kg production threshold increased by 500 kg or a multiple of 500 kg, calculated according to the following formula: $[3,200 \text{ kg} + (500 \text{ kg} \times 1, 2, 3, 4, \text{ etc.})]$; however, where an increase is such that more than one threshold will be reached or exceeded, only the highest threshold reached or exceed is subject to section 22 of the Environment Quality Act. In addition, the certificate of authorization referred to in section 22 of the Environment Quality Act issued for reaching or exceeding a threshold is valid until a certificate of authorization for an increase to reach or exceed a subsequent higher threshold is required.

For the purposes of subparagraph 2 of the first paragraph,

(1) as of 1 January 2010, in the case of an existing raising site for which the operator is required to establish an agro-environmental fertilization plan under section 22, 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 specified in the yearly phosphorus report for the growing season following that date; and

(2) in the case of a raising site established as of 1 January 2010 for which the operator is required to establish an agro-environmental fertilization plan under section 22, 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 specified in the yearly phosphorus report for the first growing season of that raising site.

However, an increase of the annual phosphorus production within the limits already authorized by an authorization certificate issued before (*insert the date of coming into force of this Regulation*) is not subject to this section.”.

26. Section 43 is amended by striking out “of Sustainable Development, Environment and Parks” in the first paragraph.

27. Section 44 is amended by replacing the second paragraph by the following:

“Any offence against the provisions of section 50.3 makes the owner and, where applicable, the operator of the raising site, spreading site, or the person who cultivates land, liable

(1) to a fine of \$2,000 to \$20,000 for a first offence and \$5,000 to \$50,000 for any subsequent offence, for a natural person;

(2) to a fine of \$2,000 to \$150,000 for a first offence and \$5,000 to \$500,000 for any subsequent offence, for a legal person.

Any offence against the provisions of the other sections of this Regulation makes the offender liable to the fines provided for in the second paragraph.”.

28. Sections 48.2, 48.3 and 48.4 are revoked.

29. Section 49 is amended by striking out “of Sustainable Development, Environment and Parks” in the first paragraph.

30. The following is inserted after section 50:

“**50.01.** Despite section 9, the operator of a raising site existing on 15 June 2002, 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, until 1 April 2010, store solid manure piles near the farm building in which the manure is produced, on the following conditions:

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

(2) runoff must not reach the pile; and

(3) the pile must be completely removed and reclaimed or eliminated, in accordance with section 19, within 12 months of the first input of solid manure forming the pile or not later than 1 April 2010.

50.02. The operator of a raising site referred to in section 50.01 who intends to store solid manure piles near the farm building in which the manure is produced must, before laying out each pile in accordance with section 50.01, obtain a recommendation dated and signed by an agrologist pertaining to the conditions for laying out the pile.

The agrologist may, if need be, seek the assistance of an engineer or another person who is a member of a relevant professional order in Québec or a person authorized to act in that capacity in Québec in that matter.

The operator must also appoint the agrologist to inspect each pile during the growing season. The agrologist writes, in a dated and signed report, his or her observations and, where applicable, his or her recommendations, as well as an annual report summarizing all the inspections carried out for all the piles for which a recommendation was made under the first paragraph.

Copies of every document produced by an agrologist under this section must be kept by the operator who stores solid manure piles in a cultivated field until 1 April 2010, and be provided to the Minister upon request within the time indicated by the Minister.

50.03. Despite the definition of “annual phosphorus (P_2O_5) production” provided for in section 3, the annual phosphorus (P_2O_5) production is determined, for the purposes of sections 9.3, 22, 28, 39, 42 and 50.01, by multiplying the number of animals present and planned of a category in a raising site, as specified in the yearly phosphorus report applicable to the growing season in progress or, as the case may be, in its latest update, by the factor assigned to that category in Schedule VI.

Where the number of animals present in a raising site at any time during a growing season is higher than the number specified in the phosphorus report or its latest update, the highest number must be used for the purpose of calculating the annual phosphorus production.

If more than one category of animals is present or planned in the raising site, the annual phosphorus production is the total obtained by adding the production of each category.”.

31. Section 50.3 is amended by replacing the second paragraph by the following:

“Crop cultivation is however authorized

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

(2) in a raising site or spreading site situated in the territory of a municipality listed in Schedule IV or V and existing on 19 October 2005, over an area that does not exceed the area of that site used for crop cultivation during the 2005 growing season; or

(3) on land whose area used for crop cultivation does not exceed 1 hectare.”.

32. Section 50.4 is amended by replacing “Minister of Sustainable Development, Environment and Parks” by “director of the Direction de l’analyse et de l’expertise in the region where the raising site or spreading site is situated”.

33. The following is inserted after section 50.4:

“**50.5.** Any document or notice sent to the Minister, to the director of a Direction régionale de l’analyse et de l’expertise or to the regional director of a Centre de contrôle environnemental under this Regulation must be sent by registered or certified mail or by any other means providing proof of receipt.”.

34. Section 55 is amended by striking out “of Sustainable Development, Environment and Parks”.

35. Schedule I is amended by replacing “Minister” in the second paragraph of Note 3 by “director of the Direction de l’analyse et de l’expertise in the region where the raising site or spreading site is situated”.

36. Schedule II is replaced by the following:

“SCHEDULE II

(ss. 46, 47, 47.1 and 50.3)

LIST OF MUNICIPALITIES

48028	Acton Vale	V
31056	Adstock	M
93042	Alma	V
55008	Ange-Gardien	M
19037	Armagh	M
27028	Beauceville	V

48005	Béthanie	M
42040	Bonsecours	M
46090	Brigham	M
46070	Brome	VL
47005	Bromont	V
39030	Chesterville	M
44037	Coaticook	V
44071	Compton	M
41038	Cookshire-Eaton	V
61013	Crabtree	M
40047	Danville	V
31020	Disraeli	P
44023	Dixville	M
33040	Dosquet	M
49058	Drummondville	V
46050	Dunham	V
46085	East Farnham	M
44010	East Hereford	M
46112	Farnham	V
38047	Fortierville	M
26005	Frampton	M
47017	Granby	V
45043	Hatley	M
93025	Hébertville-Station	VL
19070	Honfleur	M
32058	Inverness	M
78042	Ivry-sur-le-Lac	M
14050	Kamouraska	M
31105	Kinnear’s Mills	M
19090	La Durantaye	P
29030	La Guadeloupe	VL
54035	La Présentation	M
46075	Lac-Brome	V
28053	Lac-Etchemin	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
41037	Newport	M
39045	Norbertville	VL
32080	Notre-Dame-de-Lourdes	P
49080	Notre-Dame-du-Bon-Conseil	P
33085	Notre-Dame-du-Sacré-Coeur-d’Issoudun	P
50113	Pierreville	M
32045	Plessisville	P

32033	Princeville	V	63005	Sainte-Marie-Salomé	P
42032	Racine	M	61050	Sainte-Mélanie	M
55037	Rougemont	M	29112	Saint-Éphrem-de-Beauce	M
48015	Roxton	CT	28030	Sainte-Rose-de-Watford	M
48010	Roxton Falls	VL	46105	Sainte-Sabine	M
47047	Roxton Pond	M	39105	Sainte-Séraphine	P
31130	Sacré-Coeur-de-Jésus	P	75028	Sainte-Sophie	M
31095	Saint-Adrien-d'Irlande	M	38040	Sainte-Sophie-de-Lévrard	P
33045	Saint-Agapit	M	32023	Sainte-Sophie-d'Halifax	M
39085	Saint-Albert	M	63030	Saint-Esprit	M
14035	Saint-Alexandre-de-Kamouraska	M	49105	Saint-Eugène	M
63025	Saint-Alexis	P	51040	Sainte-Ursule	P
47010	Saint-Alphonse-de-Granby	M	62007	Saint-Félix-de-Valois	M
61040	Saint-Ambroise-de-Kildare	P	33052	Saint-Flavien	M
14040	Saint-André	M	31030	Saint-Fortunat	M
19062	Saint-Anselme	M	42020	Saint-François-Xavier-de-Brompton	P
33090	Saint-Apollinaire	M	27065	Saint-Frédéric	P
51025	Saint-Barnabé	P	52085	Saint-Gabriel-de-Brandon	P
54105	Saint-Barnabé-Sud	M	40032	Saint-Georges-de-Windsor	M
28025	Saint-Benjamin	M	14045	Saint-Germain	P
29100	Saint-Benoît-Labre	M	49048	Saint-Germain-de-Grantham	M
26055	Saint-Bernard	M	19075	Saint-Gervais	M
54115	Saint-Bernard-de-Michaudville	M	33035	Saint-Gilles	P
93030	Saint-Bruno	M	19068	Saint-Henri	M
40025	Saint-Camille	CT	44015	Saint-Herménégilde	M
55023	Saint-Césaire	V	29038	Saint-Honoré-de-Shenley	M
19097	Saint-Charles-de-Bellechasse	M	54100	Saint-Hugues	M
39060	Saint-Christophe-d'Arthabaska	P	54048	Saint-Hyacinthe	V
54060	Saint-Dominique	M	46095	Saint-Ignace-de-Stanbridge	M
33017	Sainte-Agathe-de-Lotbinière	M	26063	Saint-Isidore	M
78032	Sainte-Agathe-des-Monts	V	31140	Saint-Jacques-de-Leeds	M
51055	Sainte-Angèle-de-Prémont	M	33065	Saint-Janvier-de-Joly	M
42050	Sainte-Anne-de-la-Rochelle	M	57033	Saint-Jean-Baptiste	M
39150	Sainte-Anne-du-Sault	M	62015	Saint-Jean-de-Matha	M
56105	Sainte-Brigide-d'Iberville	M	75017	Saint-Jérôme	V
47055	Sainte-Cécile-de-Milton	CT	47040	Saint-Joachim-de-Shefford	P
48020	Sainte-Christine	P	27043	Saint-Joseph-de-Beauce	V
19055	Sainte-Claire	M	14030	Saint-Joseph-de-Kamouraska	P
31060	Sainte-Clotilde-de-Beauce	M	27050	Saint-Joseph-des-Érables	M
39117	Sainte-Clotilde-de-Horton	M	54110	Saint-Jude	M
49100	Saint-Edmond-de-Grantham	P	27055	Saint-Jules	P
33080	Saint-Édouard-de-Lotbinière	P	26070	Saint-Lambert-de-Lauzon	P
44055	Sainte-Edwidge-de-Clifton	CT	19050	Saint-Lazare-de-Bellechasse	M
39090	Sainte-Élisabeth-de-Warwick	M	19020	Saint-Léon-de-Standon	P
38035	Sainte-Françoise	M	51035	Saint-Léon-le-Grand	P
14025	Sainte-Hélène	M	54072	Saint-Liboire	M
54095	Sainte-Hélène-de-Bagot	M	63065	Saint-Liguori	P
26040	Sainte-Hénédine	P	63048	Saint-Lin-Laurentides	V
63060	Sainte-Julienne	M	54120	Saint-Louis	M
26022	Saint-Elzéar	M	49030	Saint-Lucien	P
54025	Sainte-Madeleine	VL	19025	Saint-Malachie	P
26035	Sainte-Marguerite	P	44003	Saint-Malo	M
26030	Sainte-Marie	V	29045	Saint-Martin	P
38015	Sainte-Marie-de-Blandford	M	19110	Saint-Michel-de-Bellechasse	M

33030	Saint-Narcisse-de-Beaurivage	P	49040	Wickham	M
48050	Saint-Nazaire-d'Acton	P	40017	Wotton	M
19015	Saint-Nazaire-de-Dorchester	P	51020	Yamachiche	M".
19045	Saint-Nérée	P			
52070	Saint-Norbert	P	37.	Schedule III is replaced by the following:	
39042	Saint-Norbert-d'Arthabaska	M			
27035	Saint-Odilon-de-Cranbourne	P	"SCHEDULE III		
14070	Saint-Pacôme	M	(ss. 47, 47.1 and 50.3)		
14018	Saint-Pascal	V			
33025	Saint-Patrice-de-Beaurivage	M	LIST OF MUNICIPALITIES		
61005	Saint-Paul	M	46005	Abercorn	VL
55015	Saint-Paul-d'Abbotsford	M	92030	Albanel	M
51060	Saint-Paulin	M	40043	Asbestos	V
29065	Saint-Philibert	M	41055	Ascot Corner	M
14060	Saint-Philippe-de-Néri	P	50013	Aston-Jonction	M
54010	Saint-Pic	V	30055	Audet	M
61020	Saint-Pierre	VL	45085	Austin	M
31135	Saint-Pierre-de-Broughton	M	45035	Ayer's Cliff	VL
19082	Saint-Raphaël	M	62906	Baie-de-la-Bouteille	NO
63035	Saint-Roch-de-l'Achigan	M	50100	Baie-du-Febvre	M
63040	Saint-Roch-Ouest	M	44045	Barnston-Ouest	M
39145	Saint-Rosaire	P	70022	Beauharnois	V
26010	Saints-Anges	P	31008	Beaulac-Garthyby	M
27070	Saint-Séverin	P	19105	Beaumont	M
54090	Saint-Simon	P	38010	Bécancour	V
29125	Saint-Simon-les-Mines	M	46035	Bedford	V
38005	Saint-Sylvère	M	57040	Beloeil	V
33007	Saint-Sylvestre	M	52035	Berthierville	V
48045	Saint-Théodore-d'Acton	P	73015	Blainville	V
39135	Saint-Valère	M	45095	Bolton-Est	M
54065	Saint-Valérien-de-Milton	CT	46065	Bolton-Ouest	M
44005	Saint-Venant-de-Paquette	M	58033	Boucherville	V
27008	Saint-Victor	M	58007	Brossard	V
50023	Saint-Wenceslas	M	76043	Brownsburg-Chatham	V
28005	Saint-Zacharie	M	41070	Bury	M
50090	Saint-Zéphirin-de-Courval	P	59030	Calixa-Lavallée	P
26048	Scott	M	67020	Candiac	V
47035	Sheffield	CT	57010	Carignan	V
46030	Stanbridge Station	M	57005	Chambly	V
44050	Stanstead-Est	M	51080	Charette	M
42005	Stoke	M	60005	Charlemagne	V
30110	Stratford	CT	41020	Chartierville	M
31084	Thetford Mines	V	67050	Châteauguay	V
27060	Tring-Jonction	VL	62047	Chertsey	M
48038	Upton	M	42110	Cleveland	CT
33070	Val-Alain	M	59035	Contrecoeur	V
42060	Valcourt	CT	30090	Courcelles	P
42095	Val-Joli	M	46080	Cowansville	V
26015	Vallée-Jonction	M	39155	Daveluyville	V
39062	Victoriaville	V	67025	Delson	V
32085	Villeroy	M	38070	Deschailons-sur-Saint-Laurent	M
47030	Warden	VL	31015	Disraeli	V
39077	Warwick	V	41117	Dudswell	M
41098	Weedon	M	69075	Dundee	CT
41065	Westbury	CT			

49015	Durham-Sud	M	58227	Longueuil	V
41060	East Angus	V	33115	Lotbinière	M
31122	East Broughton	M	45072	Magog	V
45093	Eastman	M	52095	Mandeville	M
69050	Elgin	CT	38028	Manseau	M
62053	Entrelacs	M	55048	Marieville	V
77011	Estérel	V	30035	Marston	CT
69010	Franklin	M	64015	Mascouche	V
46010	Frelighsburg	M	53010	Massueville	VL
30025	Frontenac	M	57025	McMasterville	VL
92055	Girardville	M	67045	Mercier	V
69060	Godmanchester	CT	30040	Milan	M
76025	Gore	CT	76030	Mille-Isles	M
50065	Grand-Saint-Esprit	M	74005	Mirabel	V
76052	Grenville-sur-la-Rouge	M	78055	Montcalm	M
39010	Ham-Nord	CT	14005	Mont-Carmel	M
41075	Hampden	CT	57035	Mont-Saint-Hilaire	V
45055	Hatley	CT	77050	Morin-Heights	M
69005	Havelock	CT	30045	Nantes	M
93020	Hébertville	M	68030	Napierville	VL
68015	Hemmingford	CT	50072	Nicolet	V
56042	Henryville	M	92040	Normandin	V
69045	Hinchinbrooke	CT	45050	North Hatley	VL
69025	Howick	VL	19010	Notre-Dame-Auxiliatrice-de-Buckland	P
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	M
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	V
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
23057	L' Ancienne-Lorette	V	62037	Rawdon	M
52017	Lanoraie	M	60013	Repentigny	V
78015	Lantier	M	55057	Richelieu	V
94265	Larouche	M	42098	Richmond	V
60028	L' Assomption	V	77065	Saint-Adolphe-d'Howard	M
33060	Laurier-Station	VL	40010	Saint-Adrien	M
52007	Lavaltrie	V	53015	Saint-Aimé	P
38020	Lemieux	M	56055	Saint-Alexandre	M
60035	L'Épiphanie	V	63020	Saint-Alexis	VL
67055	Léry	V	51065	Saint-Alexis-des-Monts	P
41085	Lingwick	CT	27015	Saint-Alfred	M

62025	Saint-Alphonse-Rodriguez	M	92050	Saint-Edmond-les-Plaines	M
59015	Saint-Amable	M	68045	Saint-Édouard	P
76008	Saint-André-d'Argenteuil	M	52030	Sainte-Élisabeth	P
69070	Saint-Anicet	P	62070	Sainte-Émélie-de-l'Énergie	M
33095	Saint-Antoine-de-Tilly	M	50005	Sainte-Eulalie	M
57075	Saint-Antoine-sur-Richelieu	M	52040	Sainte-Geneviève-de-Berthier	P
46017	Saint-Armand	M	39035	Sainte-Hélène-de-Chester	M
23072	Saint-Augustin-de-Desmaures	V	59010	Sainte-Julie	V
30005	Saint-Augustin-de-Woburn	P	28045	Sainte-Justine	M
57020	Saint-Basile-le-Grand	V	51075	Saint-Élie-de-Caxton	M
45080	Saint-Benoît-du-Lac	M	50095	Saint-Elphège	P
68005	Saint-Bernard-de-Lacolle	P	78020	Sainte-Lucie-des-Laurentides	M
56065	Saint-Blaise-sur-Richelieu	M	62030	Sainte-Marcelline-de-Kildare	M
49125	Saint-Bonaventure	M	77012	Sainte-Marguerite-du-Lac-Masson	V
14010	Saint-Bruno-de-Kamouraska	M	54030	Sainte-Marie-Madeleine	P
58037	Saint-Bruno-de-Montarville	V	70012	Sainte-Martine	M
63055	Saint-Calixte	M	50057	Sainte-Monique	M
50030	Saint-Célestin	VL	50050	Sainte-Perpétue	P
61035	Saint-Charles-Borromée	M	31050	Sainte-Praxède	P
57057	Saint-Charles-sur-Richelieu	M	28065	Sainte-Sabine	P
69017	Saint-Chrysostome	M	70030	Saint-Étienne-de-Beauharnois	M
42100	Saint-Claude	M	45100	Saint-Étienne-de-Bolton	M
52075	Saint-Cléophas-de-Brandon	M	29025	Saint-Évariste-de-Forsyth	M
75005	Saint-Colomban	P	53025	Sainte-Victoire-de-Sorel	P
62065	Saint-Côme	P	78047	Saint-Faustin-Lac-Carré	M
29057	Saint-Côme-Linière	M	91042	Saint-Félicien	V
67035	Saint-Constant	V	49005	Saint-Félix-de-Kingsey	M
52062	Saint-Cuthbert	M	32013	Saint-Ferdinand	M
28040	Saint-Cyprien	P	50128	Saint-François-du-Lac	M
68035	Saint-Cyprien-de-Napierville	P	52080	Saint-Gabriel	V
49070	Saint-Cyrille-de-Wendover	M	22025	Saint-Gabriel-de-Valcartier	M
54017	Saint-Damase	M	14075	Saint-Gabriel-Lalemant	M
62075	Saint-Damien	P	93035	Saint-Gédéon	M
19030	Saint-Damien-de-Buckland	P	29013	Saint-Gédéon-de-Beauce	M
53005	Saint-David	P	29073	Saint-Georges	V
42025	Saint-Denis-de-Brompton	P	56010	Saint-Georges-de-Clarenceville	M
57068	Saint-Denis-sur-Richelieu	M	53085	Saint-Gérard-Majella	P
62060	Saint-Donat	M	49113	Saint-Guillaume	M
77022	Sainte-Adèle	V	62912	Saint-Guillaume-Nord	NO
55030	Sainte-Angèle-de-Monnoir	M	29020	Saint-Hilaire-de-Dorset	P
56060	Sainte-Anne-de-Sabrevois	P	75045	Saint-Hippolyte	P
77035	Sainte-Anne-des-Lacs	P	67040	Saint-Isidore	P
53065	Sainte-Anne-de-Sorel	M	41012	Saint-Isidore-de-Clifton	M
73035	Sainte-Anne-des-Plaines	V	63013	Saint-Jacques	M
28015	Sainte-Aurélie	M	31025	Saint-Jacques-le-Majeur-de-Wolfestown	P
69065	Sainte-Barbe	P	68040	Saint-Jacques-le-Mineur	P
62020	Sainte-Béatrix	M	31100	Saint-Jean-de-Brébeuf	M
22045	Sainte-Brigitte-de-Laval	M	56083	Saint-Jean-sur-Richelieu	V
49085	Sainte-Brigitte-des-Saults	P	31045	Saint-Joseph-de-Coleraine	M
67030	Sainte-Catherine	V	40005	Saint-Joseph-de-Ham-Sud	P
45060	Sainte-Catherine-de-Hatley	M	53050	Saint-Joseph-de-Sorel	V
38060	Sainte-Cécile-de-Lévrard	P	31035	Saint-Julien	M
30050	Sainte-Cécile-de-Whitton	M	58012	Saint-Lambert	V
68020	Sainte-Clotilde-de-Châteauguay	P	50042	Saint-Léonard-d'Aston	M
33102	Sainte-Croix	M	39170	Saint-Louis-de-Blandford	P

70035	Saint-Louis-de-Gonzague	P	46058	Sutton	V	
28060	Saint-Luc-de-Bellechasse	M	64008	Terrebonne	V	
30072	Saint-Ludger	M	39025	Tingwick	P	
28075	Saint-Magloire	M	69030	Très-Saint-Sacrement	P	
49095	Saint-Majorique-de-Grantham	P	42078	Ulverton	M	
54125	Saint-Marcel-de-Richelieu	M	42055	Valcourt	V	
57050	Saint-Marc-sur-Richelieu	M	78010	Val-David	VL	
55065	Saint-Mathias-sur-Richelieu	M	78100	Val-des-Lacs	M	
67005	Saint-Mathieu	M	78005	Val-Morin	M	
57045	Saint-Mathieu-de-Beloeil	M	30015	Val-Racine	P	
51070	Saint-Mathieu-du-Parc	M	59020	Varennes	V	
68050	Saint-Michel	P	56005	Venise-en-Québec	M	
62085	Saint-Michel-des-Saints	M	59025	Verchères	M	
53032	Saint-Ours	V	47025	Waterloo	V	
68025	Saint-Pratice-de-Sherrington	P	44080	Waterville	V	
56035	Saint-Paul-de-l'Île-aux-Noix	P	76035	Wentworth	CT	
19005	Saint-Philémond	P	77060	Wentworth-Nord	M	
67010	Saint-Philippe	M	42088	Windsor	V	
49130	Saint-Pic-de-Guire	P	53072	Yamaska	M**	
32050	Saint-Pierre-Baptiste	P				
46025	Saint-Pierre-de-Véronne-à-Pike-River	M	38.	Schedule IV is revoked.		
38065	Saint-Pierre-les-Becquets	M	39.	Schedule V is replaced by the following:		
72043	Saint-Placide	M		“SCHEDULE V		
28020	Saint-Prosper	M		(ss. 47, 47.1 and 50.3)		
68055	Saint-Rémi	V		LIST OF MUNICIPALITIES		
39020	Saint-Rémi-de-Tingwick	P		46040	Bedford	CT
29050	Saint-René	P		68010	Hemmingford	VL
53020	Saint-Robert	P		50035	Saint-Célestin	M
30070	Saint-Robert-Bellarmin	M		28035	Saint-Louis-de-Gonzague	M
53040	Saint-Roch-de-Richelieu	M		56050	Saint-Sébastien	P
30100	Saint-Romain	M		45025	Stanstead	CT**
39130	Saint-Samuel	P		40.	The following Schedule is added after Schedule V:	
77043	Saint-Sauveur	V		“SCHEDULE VI		
30085	Saint-Sébastien	M		(ss. 35 and 50.03)		
51030	Saint-Sévère	P		ANNUAL PHOSPHORUS (P₂O₅) PRODUCTION		
39005	Saints-Martyrs-Canadiens	P				
70040	Saint-Stanislas-de-Kostka	M				
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	M				
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				

Type of animal	Category ¹	Factor P ₂ O ₅ /animal space (kg)
Dairy cattle	Dairy cow and its 11-day calf	51.8
	Dairy heifer (more than 15 months)	32.3
	Heifer (more than 11 days - 15 months)	13.7
	Dairy bull	20.9

Type of animal	Category ¹	Factor P ₂ O ₅ /animal space (kg)	Type of animal	Category ¹	Factor P ₂ O ₅ /animal space (kg)	
Beef cattle	Slaughter cow and its calf	27.4	Ovine	Ewe and its annual production	6.22	
	Slaughter heifer (more than 15 months)	19.6		Breeding ram	6.04	
	Heifer (8 months - 15 months)	13.1		Replacement ewe lamb	1.34	
	Feeder cattle	25.4		Light lamb	0.24	
	Backgrounding cattle	15.9		Heavy lamb	0.74	
	Finishing cattle	31.4	Caprine	Angora goat (1 year or more)	7.48	
	Bull (12 months or less)	19.1		Dairy goat (1 year or more)	7.57	
	Bull (more than 12 months)	25.7		Slaughter goat	7.48	
	Buffalo	24.7		Billy goat	7.48	
	Grain-fed calf	10.0		Anatidae	Goose	0.59
	Grain-fed calf nursery	4.55	Breeding goose		0.59	
	Finishing grain-fed calf	12.0	Duck		0.64	
	Veal calf	4.63	Breeding duck		0.64	
Suidae	Sow and unweaned piglets	10.6	Peking duck		0.496	
	Gilt	6.7	Cervidae	Red deer	2.37	
	Weanling	1.24		White-tailed deer	2.37	
	Feeder pig	3.82		Elk	4.84	
	Boar	15.5		Other cervidae	2.37	
	Wild boar (female)	13.7		Fallow deer	2.37	
Poultry	Broiler – male (≤ 3.0 kg)	0.261		Equidae	Stallion	18.8
	Broiler – female (≤ 3.0 kg)	0.205	Gelding		23.2	
	Roaster (> 3.0 kg)	0.302	Mare		26.8	
	Broiler turkey (≤ 9.9 kg)	0.603	Colt and filly		13.4	
	Heavy turkey (> 9.9 kg)	1.31	Struthionidae and ratitae		Breeding ostrich	25.8
	Breeding pullets (133 days)	0.318		Feeder ostrich	10	
	Laying hen	0.316		Rhea	10	
	Pullets – hatching eggs	0.309		Breeding emu	8.45	
	Roosters – hatching eggs	0.376		Feeder emu	2.97	
	Laying hens – hatching eggs	0.592	Leporidae	Rabbit (female)	0.73	
	Quail (meat)	0.045	Fur animals	Chinchilla (female)	0.11	
	Pheasant	0.178		Female fox	0.8	
	Guinea fowl	0.186		Mink (number of pelts produced yearly)	0.34	
Other types	Peacock	0.5		Llama	Llama	2.3
	Llama	2.3				

(1) A category of animal not listed in the Schedule is deemed to have an annual phosphorus (P_2O_5) production/animal space of 5 kg.

The counting of an animal may, for certain categories of livestock, correspond to an adult animal and its offspring. In the case of a raising facility in which animals are in rotation for a raising cycle, the number of animals taken into consideration corresponds to the number of available places for such livestock in that raising site.”.

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

9255

Draft Regulation

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

Landfilling and incineration of residual materials — Amendments

Charges payable for the disposal of residual materials — 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 Regulation respecting the landfilling and incineration of residual materials and the Regulation respecting the charges payable for the disposal of residual materials, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation makes various regulatory amendments concerning residual materials disposal facilities governed by the Regulation respecting the landfilling and incineration of residual materials. The gradual implementation of the Regulation, which came into force on 19 January 2006, brought to light the necessity to make various regulatory amendments in order to make its application easier without reducing the protection of persons and the environment

The purpose of the proposed regulatory amendments is to allow the establishment in new sparsely populated territories of northern landfills, trench landfills and remote landfills. The purpose of the amendments is also

to exempt, under certain conditions, small transfer stations operated by municipalities from the application of various regulatory requirements including those related to the weighing of residual materials and radiological testing. The draft Regulation also proposes to no longer make compulsory the disposal of branches, stumps or shrubs and soils that have not been contaminated by human activity, as well as fibrous waste from oriented strandboard manufacturing plants, in a landfill governed by the Regulation respecting the landfilling and incineration of residual materials.

The proposed Regulation makes other various amendments relating to the monitoring measures applicable to residual materials disposal facilities, particularly as regards water discharged in a municipal sewer system and the landfilling of contaminated soil or the use of such soil as cover material. The purpose of the proposed Regulation is also to subject engineered landfills to the provisions of the Environment Quality Act related to the fixing of tariffs by the operator of a residual materials disposal facility.

Lastly, the proposed Regulation makes consequential amendments to the Regulation respecting the charges payable for the disposal of residual materials.

The proposed amendments entail certain new obligations that may slightly affect certain operators of residual materials disposal facilities, without having a significant economic impact. Furthermore, considering the closure of many residual materials disposal facilities due to the new requirements provided for in the Regulation respecting the landfilling and incineration of residual materials, the proposed amendments will make it possible for remote and sparsely populated communities to establish small transfer stations, which will result in reducing the costs for establishing and managing that type of facility. The proposed amendments also make it possible for oriented strandboard manufacturing plants to reduce the management costs of certain fibrous waste by offering the plants an alternative to waste disposal in a site governed by the Regulation respecting the landfilling and incineration of residual materials.

Further information may be obtained by contacting Mario Bérubé, Head, Service des matières résiduelles, Direction des politiques en milieu terrestre, Ministère du Développement durable, de l'Environnement et des Parcs, Édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 9^e étage, boîte 71, Québec (Québec) G1R 5V7; telephone: 418 521-3950, extension 4970; fax: 418 644-3386; e-mail: mario.berube3@mddep.gouv.qc.ca

Any person may submit written comments on the draft Regulation within the 60-day period to Mario Bérubé at the same address.

LINE BEAUCHAMP,
Minister of Sustainable Development,
Environment and Parks

Regulation to amend the Regulation respecting the landfilling and incineration of residual materials¹ and the Regulation respecting the charges payable for the disposal of residual materials²

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *a, b, c, d, e, f, g, h, h.1, h.2* and *m*, s. 64.1 and s. 70, pars. 1 to 7)

1. The Regulation respecting the landfilling and incineration of residual materials is amended in section 4 by replacing paragraph 6 by the following:

“(6) pesticides within the meaning of the Pesticides Act (R.S.Q., c. P-9.3);”.

2. Section 6 is amended

(1) by adding “, except branches, stumps or shrubs and soils that have not been contaminated by human activity” at the end of the first paragraph;

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

“Despite the provisions of the first paragraph, the following may be disposed of in a landfill authorized for that purpose by the Minister under section 22 of the Environment Quality Act:

(1) fibrous waste from sawmills;

(2) fibrous waste of the same nature as fibrous waste from sawmills that originates from oriented strandboard manufacturing plants; and

(3) ash and soils or sludge from those establishments and that contain such waste.”.

3. Section 8 is amended by replacing paragraph 3 by the following:

“(3) subject to the provisions of Chapter VI of the Regulation respecting pulp and paper mills, mill residual materials within the meaning of section 1 of that Regulation;

(3.1) subject to the second paragraph of section 6 of this Regulation, fibrous waste from sawmills and fibrous waste of the same nature that originates from oriented strandboard manufacturing plants, as well as ash and soils or sludge from those establishments and that contain such waste;”.

4. Section 22 is amended

(1) by striking out the third dash in subparagraph *a* of subparagraph 1 of the first paragraph;

(2) by striking out “and the base of the lower liner is at least 1.5 m above bedrock” at the end of the third paragraph.

5. Section 24 is amended by adding the following paragraph at the end:

“In addition, if such a landfill does not receive household garbage, the minimum width of the buffer zone prescribed by section 18 is reduced to 10 m.”.

6. Section 32 is amended by inserting “if it is not reclaimed,” after “In addition,” in the third paragraph.

7. Section 39 is amended

(1) by replacing “an annual log” in the introductory part of the first paragraph by “a log”;

(2) by striking out “annual” in the last paragraph.

8. Section 40 is amended by replacing the first paragraph by the following:

“The operator must also enter in the log, for every load of materials referred to in the second and third paragraphs of section 42 and the third and fourth paragraphs of section 50 and to be used to cover the residual materials landfilled in the disposal areas, the nature and quantity of the materials.”.

¹ The Regulation respecting the landfilling and incineration of residual materials, made by Order in Council 451-2005 dated 11 May 2005 (2005, *G.O.* 2, 1182), was last amended by the regulation made by Order in Council 82-2009 dated 11 February 2009 (2009, *G.O.* 2, 193). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

² The Regulation respecting the charges payable for the disposal of residual materials, made by Order in Council 340-2006 dated 26 April 2006 (2006, *G.O.* 2, 1481), has not been amended since it was made.

9. The following is inserted after section 40:

“**40.1.** The operator is required to confirm the acceptance of soil when soil referred to in subparagraph 2 of the first paragraph of section 39 is received. For that purpose, for each batch of soil of 200 tonnes or less, the operator must have a sample taken to have it analyzed for all contaminants likely to be present in the soil among those referred to in the second paragraph of section 42 and the third paragraph of section 50, in the case of soil used to cover residual materials, or in Schedule I to the Land Protection and Rehabilitation Regulation for soil intended for landfilling. For every batch of soil of more than 200 tonnes, the operator must have an additional sample taken and have it analyzed for each additional fraction of 400 tonnes or less.

The results of the analyses must be entered in the log.”.

10. Section 42 is amended

(1) by replacing “this section. For that purpose, the operator must have representative samples of the soils or materials analyzed” in the fourth paragraph by “the first paragraph. For that purpose, the operator must have representative samples of the soils or materials measured and analyzed”;

(2) by inserting “measures and” after “the results of the” in the fourth paragraph;

(3) by replacing “soil or material that does not” in the fifth paragraph by “materials other than soil that do not”.

11. Section 47 is replaced by the following:

“**47.** No person may burn residual materials in an engineered landfill. An operator may not allow the burning of such materials in an engineered landfill.”.

12. Section 50 is amended by adding the following paragraph at the end:

“The provisions of sections 34 to 36 relating to quality assurance and control apply, with the necessary modifications, to the final cover of disposal areas prescribed by this section.”.

13. Section 52 is amended

(1) by inserting “, the source” after “the nature” in subparagraph 1 of the first paragraph;

(2) by inserting “in a computer medium using the technology-based documents prescribed by the Minister” after “the Minister” in the second paragraph.

14. Section 53 is amended, in the table in the first paragraph,

(1) by striking out “275 CFU/100 ml”;

(2) by replacing “100 CFU/100 ml” by “1000 CFU/100 ml”.

15. Section 63 is amended

(1) by inserting the following subparagraph after subparagraph 2 of the first paragraph:

“(3) at least once a month, if the leachate or water is conveyed to a sewer system that conveys wastewater to a treatment facility established and operated pursuant to an authorization issued under the Environment Quality Act, for the purpose of measuring the parameters or substances referred to in section 53, except fecal coliforms.”;

(2) by inserting “or discharged into a sewer system that conveys wastewater to a treatment facility” after “being treated” in the second paragraph;

(3) by inserting “, other than surface water sediment basins,” after “landfill” in the fourth paragraph;

(4) by replacing the last paragraph by the following:

“The flow of the leachate collected by the collection systems prescribed by sections 25 and 26 and the flow of the discharges from the treatment system in the landfill must be separately and continuously measured and the results recorded.”.

16. Section 65 is amended by replacing “situated entirely” in the second paragraph by “situated in whole or in part”.

17. Section 71 is amended

(1) by replacing “within 60 days” in the first paragraph by “within 30 days following the last day of the month”;

(2) by replacing “being” in the third paragraph by “the last day of the month during which the operator is”.

18. Section 77 is amended by striking out “annual” before “logs” in the second paragraph.

19. Section 87 is amended by replacing paragraph 3 by the following:

“(3) in the territory of the James Bay region, as described in the schedule to the James Bay Region Development and Municipal Organization Act (R.S.Q., c. D-8.2), excluding the municipalities of Chibougamau and Chapais;”.

20. Section 89 is amended

- (1) by inserting “40.1,” after “40;”;
- (2) by adding the following paragraph at the end:

“The provisions of sections 63, 65 and 66 do not apply to a trench landfill that is completely sited on a mine tailings heap if the monitoring and supervision measures prescribed by those sections cannot be implemented due to physical constraints inherent to the heap. In that case, the operator must see to the implementation of substitution measures that, in addition to being better adapted to those constraints, allow groundwater monitoring and supervision as close as possible to those prescribed by sections 63, 65 and 66.”.

21. Section 91 is amended by adding the following paragraph at the end:

“The provisions of sections 34 to 36 relating to quality assurance and control apply, with the necessary modifications, to the final cover of disposal areas prescribed by this section.”.

22. Section 94 is amended

(1) by striking out “, except Category I and II lands for the Crees of Great Whale River” in subparagraph 1 of the third paragraph;

(2) by inserting “, Ville de Schefferville and the territory within a radius of 10 kilometres from the limits of that municipality, the Naskapi Village of Kawawachikamach” after “Saint-Augustin” in subparagraph 2 of the third paragraph.

23. Section 105 is amended

(1) by replacing “40, 43 to 46, 48, 49, 52 to 55, 57 to 60 and 63 to 79” in the first paragraph by “40.1, 43 to 49, 52 to 55, 57 to 60, 63 to 67 and 69 to 79”;

(2) by striking out subparagraph 3 of the second paragraph;

- (3) by adding the following paragraph at the end:

“The operator must periodically verify, at the frequency specified in the authorization obtained pursuant to section 22 or 31.5 of the Environment Quality Act,

whether the soils or other materials used to cover the residual materials meet the requirements of subparagraph 1 of the second paragraph of this section. For that purpose, the operator must have representative samples of the soils or materials measured and analyzed and the results of the measures and analyses must appear in the annual report prepared pursuant to section 52.”.

24. Section 106 is amended by adding the following paragraph at the end:

“The provisions of sections 34 to 36 relating to quality assurance and control apply, with the necessary modifications, to the final cover of disposal areas prescribed by this section.”.

25. Section 112 is amended

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

“Remote landfills are permitted in the following territories only:

(1) territories that are not organized into local municipalities;

(2) territories inaccessible by road, including every island that is not connected to the mainland by a bridge or a boat service operational year-round;

(3) the territory of the James Bay region, as described in the schedule to the James Bay Region Development and Municipal Organization Act;

(4) the territories referred to in the third paragraph of section 94;

(5) the part of the territory of Ville de La Tuque situated west of the 73rd meridian.”;

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

“Except the territories referred to in subparagraph 4 of the first paragraph, those landfills may not serve more than 100 persons on average, on a yearly basis.”;

(3) by replacing “subparagraphs 1 and 3” in the second paragraph by “subparagraphs 1, 3 and 5”;

(4) by adding the following subparagraph after subparagraph 6 of the second paragraph:

“(7) Ville de La Tuque.”.

26. Section 113 is amended by replacing “50” in paragraph 2 by “100”.

27. Section 115 is replaced by the following:

“**115.** No person may burn residual materials in a remote landfill. An operator may not allow the burning of such materials in a remote landfill.

The prohibition in the first paragraph is however not applicable to a northern landfill as defined in section 94 that has a fire barrier at least 15 m wide and devoid of all vegetation extending outward from the burning area.”.

28. Section 117 is amended by inserting “or at least once a week where those materials are burned pursuant to section 115” after “day of use” in the first paragraph.

29. Section 124 is amended by striking out “and have a fire extinguishing system” in the second paragraph.

30. Section 137 is amended by replacing the second paragraph by the following:

“Despite the foregoing, sludge with a dryness lower than 25% may not be accepted at a transfer station.”.

31. Section 139 is amended by replacing “subparagraph 4” in the last paragraph by “subparagraphs 1 and 4”.

32. The following is inserted after section 139:

“**139.1.** Despite the provisions of section 139, a transfer station operated by a municipality is exempt from the application of the provisions of section 38 if

(1) its maximum capacity does not exceed 300 m³; and

(2) the quantity of residual materials that is transferred at the station per week does not exceed 100 tonnes.

Such a station is also exempt from the application of the provisions of sections 29, 37, 39, subparagraph 4 of the first paragraph and second paragraph of section 52, the second and third paragraphs of section 124 and section 138 if

(1) its maximum capacity does not exceed 100 m³; and

(2) the quantity of residual materials that is transferred at the station per week does not exceed 30 tonnes.

A local municipality may not have on its territory more than 1 transfer station referred to in the first paragraph of this section. This also applies to a transfer station referred to in the second paragraph and used in whole or in part for the transfer of household garbage.

139.2. Residual materials in a transfer station referred to in the second paragraph of section 139.1 must be deposited in a closed and airtight container.

In addition, from May to September, the residual materials must be conveyed to a disposal facility at least once a week.”.

33. Section 140 is amended by inserting “, except the facilities referred to in the second paragraph of section 139.1,” after “Chapters III and IV apply” in the first paragraph.

34. Section 146 is amended by adding the following paragraph at the end:

“Likewise, the provisions of that section do not apply to a transfer station referred to in the second paragraph of section 139.1. In such a case, the notice to the Minister and regional county municipality must specify where such a station is situated, the weekly quantity of residual materials that will be transferred at the station and the user community concerned.”.

35. Section 147 is amended in the first paragraph

(1) by replacing the part preceding subparagraph *a* of subparagraph 1 of the first paragraph by the following:

“(1) in the case of an application for the establishment or enlargement of an engineered landfill or a construction or demolition waste landfill that was authorized by the Government under section 31.5 of the Environment Quality Act,”;

(2) by replacing “any other engineered landfill” in subparagraph 2 of the first paragraph by “any other application concerning an engineered landfill or a construction or demolition waste landfill”;

(3) by replacing “a trench landfill” in subparagraph 3 of the first paragraph by “an application concerning a trench landfill”;

(4) by replacing “the lots or parts of lots covered by the application and the location certificate for each lot or part of lot” in subparagraph *a* of subparagraph 3 of the first paragraph by “the land covered by the application”;

(5) by inserting the following subparagraph after subparagraph *b* of subparagraph 3 of the first paragraph:

“(c) if a landfill is planned to be sited completely on a mine tailings heap, the documents or information establishing that physical constraints justify the implementation of substitution measures for groundwater monitoring and supervision, as permitted by section 89, and that those measures meet the conditions in that section;”;

(6) by replacing “a northern landfill” in subparagraph 4 of the first paragraph by “an application concerning a northern landfill”;

(7) by replacing “a residual materials transfer station or” in subparagraph 5 of the first paragraph by “an application concerning a residual materials transfer station or”.

36. Section 150 is amended

(1) by inserting “139.2,” after “120,” in the first paragraph;

(2) by inserting “the fifth paragraph of section 91 concerning the application of sections 34 to 36,” after “and 52,” in the second paragraph;

(3) by replacing “subparagraph 4” in the second paragraph by “subparagraphs 1 and 4”.

37. Section 151 is amended

(1) by replacing “41” and “third paragraph” in the first paragraph by “40.1” and “third and fourth paragraphs” respectively;

(2) by replacing “sections 43, 44” and “43, 44, 55 and 63 to 71” in the second paragraph by “sections 40.1, 43, 44” and “40.1, 43, 44, 55, 63 to 67 and 69 to 71” respectively.

38. Section 152 is amended by replacing “sections 53” in the second paragraph by “sections 47, 53”.

39. The following is inserted after section 155:

“**155.1.** Sections 64.2 to 64.12 of the Environment Quality Act related to the fixing of tariffs by the operator of a residual materials disposal facility apply to the engineered landfills governed by Division 2 of Chapter II of this Regulation.”.

40. Section 157 is amended by striking out “annual” in paragraph 2.

41. Section 161 is amended by adding the following paragraph at the end:

“Despite the provisions of this section, residual materials generated in the territory of Ville de Lebel-sur-Quévillon may still be accepted in the in-trench disposal site operated by the municipality before 19 January 2009 and located in the territory of Ville de Senneterre, up to the landfill capacity authorized on that date.”.

42. The Regulation respecting the charges payable for the disposal of residual materials is amended in section 8 by replacing “an annual log” in the first paragraph by “a log” and by striking out “annual” in the last paragraph.

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

9256

Draft Regulation

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

Quarries and pits — 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 Regulation respecting pits and quarries, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The proposed Regulation gives new ways of restoring quarries and pits. More precisely, the proposed Regulation allows the backfill of quarries and pits with materials of a mineral nature generated by the dimension stone industry and by the crushing and screening of aggregate material and fragments of cement concrete or brick. It also allows the use of compost for the purpose of revegetating a quarry or pit.

The regulatory amendments, which, for the purpose of restoring a quarry or pit, will allow the reclamation of certain residues of a mineral nature generated by the crushing and screening activities, will offer a new alternative to the disposal of residues in landfills governed by

the Regulation respecting the landfilling and incineration of residual materials. In addition, the amendments will give a new way of reclaiming compost produced by authorized establishments.

The reclamation alternative offered by the proposed Regulation will consequently allow the enterprises concerned to reduce the management costs of certain residues from dimension stone processing and the crushing and screening of aggregate material and fragments of cement concrete or brick. The Regulation will also offer a new option for using compost produced by composting enterprises.

Further information may be obtained by contacting Francis Flynn, Head, Service des eaux industrielles, Direction des politiques de l'eau, Ministère du Développement durable, de l'Environnement et des Parcs, Édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 8^e étage, boîte 42, Québec (Québec) G1R 5V7; telephone: 418 521-3885, extension 4989; fax: 418 643-2124; e-mail: francis.flynn@mddep.gouv.qc.ca

Any person may submit written comments on the draft Regulation within the 60-day period to Francis Flynn at the same address.

LINE BEAUCHAMP,
*Minister of Sustainable Development,
Environment and Parks*

Regulation to amend the Regulation respecting pits and quarries*

Environment Quality Act
(R.S.Q., c. Q-2, s. 23 and s. 31, 1st par.,
subpars. c, e and f)

1. The Regulation respecting pits and quarries is amended in section 37 by replacing paragraph *b* by the following:

“(b) backfill by one of the following materials, followed by revegetation:

- i. earth, sand, gravel or stone;
- ii. residues of a mineral nature from aggregate material extraction;

iii. sludge generated by sediment basins used in aggregate extraction or dimension stone processing processes, with a dryness equal to or lower than 15% and that, when tested by a laboratory accredited by the Minister under section 118.6 of the Act, contains no free liquid; or

iv. particles of a mineral nature recuperated by an air cleaning system and resulting from the crushing and screening of aggregate material and fragments of cement concrete or brick, with the exception of firebrick;”.

2. Section 43 is replaced by the following:

“**43.** Where the restoration project includes revegetation of the land, the operator must cover the ground uniformly with topsoil or compost and take the measures required so that the new vegetation will still be growing 2 years after completion of the restoration work.

In addition, the use of compost for the revegetation of a quarry or pit is subject to obtaining an authorization from the Minister pursuant to section 22 of the Act.”.

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

9257

* The Regulation respecting pits and quarries (R.R.Q., 1981, c. Q-2, r.2) was last amended by the regulation made by Order in Council 451-2005 dated 11 May 2005 (2005, G.O. 2, 1182). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

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

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