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Summary

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Gouvernement du Québec

O.C. 454-2014, 21 May 2014

Building Act
(chapter B-1.1)

Safety Code
— Amendment

Regulation to amend the Safety Code

WHEREAS, under section 175 of the Building Act (chapter B-1.1), the Régie du bâtiment du Québec must by regulation adopt a safety code containing, in particular, safety standards for buildings, facilities intended for use by the public, installations independent of a building, and standards for their maintenance, use, state of repair, operation and hygiene;

WHEREAS, under section 176 of the Act, the code may require manufacturers to provide instructions regarding the assembly, erection, maintenance and inspection of materials, facilities and installations;

WHEREAS, under section 178 of the Act, the code may require observance of a technical standard drawn up by another government or by an agency empowered to draw up such standards, and provide that any reference they make to other standards include subsequent amendments;

WHEREAS, under paragraph 33 of section 185 of the Act, the Board may, by regulation, prescribe the form, content and manner of forwarding of the register of buildings, facilities intended for use by the public, installations independent of a building or petroleum equipment installations that each owner must place at its disposal;

WHEREAS, under section 192 of the Act, the contents of the Safety Code may vary according to the classes of persons, contractors, owner-builders, owners of buildings, facilities intended for use by the public or installations independent of a building, and classes of buildings, facilities or installations to which the Code applies;

WHEREAS the Board adopted the Regulation to amend the Safety Code on 25 February 2014;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Safety Code was published in Part 2 of the *Gazette officielle du Québec* of 12 March 2014 with a notice that it could be approved by the Government, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, under section 189 of the Building Act, every code or regulation of the Board is subject to approval by the Government which may approve it with or without amendment;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Safety Code, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Safety Code

Building Act
(chapter B-1.1, ss. 175, 176, 176.1, 178, 179, 185, pars. 33, 37 and 38, and 192)

1. The Safety Code (chapter B-1.1, r. 3) is amended in the first paragraph of section 337 by inserting the following after the definition of "single-family type residential occupancy for the elderly":

""**water cooling tower facility**" means the water network of one or more water cooling towers that are interconnected, including their components such as pumps, tanks and compressors; (*installation de tour de refroidissement à l'eau*)".

2. The second paragraph of section 340 is replaced by the following:

"Despite the exemption provided for in the first paragraph and in section 341, the requirements respecting a water cooling tower facility provided for in Division VII apply to every water cooling tower facility.".

3. Section 370 is amended in the first paragraph by replacing "facilities" by "equipment".

4. Division VII of Chapter VIII is replaced by the following:

"**DIVISION VII**
PROVISIONS RESPECTING THE MAINTENANCE OF WATER COOLING TOWER FACILITIES

§1. Maintenance

401. A water cooling tower facility must be maintained according to a maintenance program.

402. The maintenance program must be drawn up and signed by one or more members of a professional order according to their field of practice and whose activities are related to the field of water cooling tower facilities. The program must contain

(1) the procedure for winterizing and re-starting, if applicable;

(2) the procedure for stopping and re-starting during the operation period;

(3) the cleaning procedure;

(4) the procedure for maintaining the quality of the water in order to minimize the development of bacteria and to permanently limit the *Legionella pneumophila* concentration to a level below 10,000 CFU/L (colony-forming units per litre of water). That procedure must include

(a) the place where the samples must be taken for the analysis of the *Legionella pneumophila* concentration in the water; and

(b) the corrective measures to be applied when the result of a sample analysis indicates a *Legionella pneumophila* concentration equal to or greater than 10,000 CFU/L but less than 1,000,000 CFU/L, in order to bring the *Legionella pneumophila* concentration to a level below 10,000 CFU/L;

(5) the decontamination procedure to be applied when the result of a sample analysis indicates a *Legionella pneumophila* concentration of 1,000,000 CFU/L or more;

(6) the measures for reducing corrosion, scaling and the accumulation of organic matter;

(7) a schematic plan of the water network of the water cooling tower facility;

(8) the list of the chemical products and substances to be used and their description, if applicable; and

(9) the measures for verifying the mechanical components of the water cooling tower facility.

The maintenance program must be drawn up by taking into account the documents indicated in Schedule III.

403. The maintenance program must take into account the history of the water cooling tower facility, including

(1) a major breakdown;

(2) the repairs made following the breakdown;

(3) the use of the decontamination procedure; and

(4) the replacement of a device or equipment.

404. The program must be revised, by one or more members of a professional order according to their field of practice and whose activities are related to the field of water cooling tower facilities, ever 5 years or following one of the following events:

(1) an alteration of the water cooling tower facility affecting the maintenance program;

(2) a change in the procedure for maintaining the quality of water;

(3) the use of the decontamination procedure.

§2. Declaration of the water cooling tower facility

405. Owners of water cooling tower facilities must send to the Board, within 30 days of the facility's initial start-up and on 1 March of each year,

(1) the address where the water cooling tower facility is located;

(2) the name and contact information of the owner of the water cooling tower facility;

(3) the name of the member or members of a professional order who drew up the maintenance program;

(4) a brief description of the type of water cooling tower facility;

(5) the operation period of the water cooling tower facility; and

(6) the name of the person in charge of maintenance and that person's telephone number.

The declaration may be made on the form provided for that purpose by the Board or on any other document containing the same information clearly and legibly drawn up for that purpose.

Owners of water cooling tower facilities must immediately inform the Board of any change to the information provided under this section.

§3. *Register*

406. The following information and documents relating to a water cooling tower facility must be entered in a register, available on the premises for consultation by the Board, during the existence of the facility:

(1) the name and contact information of the owner of the water cooling tower facility;

(2) if available, the copy of the plans for the design and installation of the water cooling tower facility as executed, and any technical document or information related to the alterations made to the plans;

(3) the manufacturer's operation and maintenance manual;

(4) the maintenance programs;

(5) the results of the water analyses for the past 2 years, namely:

(a) the forms for sending samples to the laboratory and the results of the *Legionella pneumophila* concentration analyses;

(b) the analysis results or the readings of the physical, chemical or microbiological indicators identified by the professional who drew up the procedure for maintaining the quality of water;

(6) the history and description of the maintenance, repairs, replacements and alterations made;

(7) the name of the person responsible for and of the personnel assigned to the maintenance and their telephone number.

§4. *Taking and analysis of samples to determine the Legionella pneumophila concentration*

407. The owner must take samples or cause them to be taken and have them analysed to determine the *Legionella pneumophila* concentration in CFU/L:

(1) at the time of re-starting, after winterizing;

(2) at least once every 30 days, during the operation period;

(3) between 2 and 7 days, following the application of the decontamination procedure.

408. The sample must be taken at a point in the circuit that is the most representative of the water that will be dispersed by aerosol and out of the direct influence of the make-up water and of the addition of treatment products.

409. The sample must be taken and kept in accordance with Standard DR-09-11, Protocole d'échantillonnage de l'eau du circuit des tours de refroidissement pour la recherche des légionnelles, published by the Centre d'expertise en analyse environnementale du Québec.

410. The sample must be sent for analysis to a laboratory accredited by the Centre d'expertise en analyse environnementale du Québec for the determination of *Legionella pneumophila* concentration.

411. The sample analysis to determine the *Legionella pneumophila* concentration must be made by a method using culture mediums.

412. Each sample taken sent to an accredited laboratory must be accompanied by a sending form duly completed. The form must include the following information:

(1) the address where the water cooling tower facility is located;

(2) the name and contact information of the owner of the water cooling tower facility;

(3) the identification number of the water cooling tower facility assigned by the Board;

(4) the date and time of sampling and the water temperature;

(5) the name and signature of the sampler;

(6) the reference and location of the point of sampling;

(7) the nature and concentration of treatment products; and

(8) the date and time of the last injection of treatment products in the network of the water cooling tower facility, if such injection is not continuous.

§5. Results of the analysis for Legionella pneumophila concentration

413. The owner must make sure to obtain all the results of the analysis made by the accredited laboratory to determine *Legionella pneumophila* concentration.

414. The owner must make sure that the Board receives from the accredited laboratory all the results of the analysis made by the accredited laboratory within 30 days of the sample taking, using an information technology medium furnished by the Board.

415. The owner must make sure to obtain the result of the accredited laboratory on the business day following the result of the analyses where a result

(1) indicates a *Legionella pneumophila* concentration equal to or greater than 10,000 CFU/L but below 1,000,000 CFU/L;

(2) makes impossible to quantify the *Legionella pneumophila* concentration by reason of the presence of interfering flora.

416. The owner must make sure to obtain the result of the accredited laboratory without delay when an analysis result indicates a *Legionella pneumophila* concentration of 1,000,000 CFU/L or more. In that case, the owner must make sure that the Board and the public health director of the region where the water cooling tower facility is located receive the result from the accredited laboratory without delay.

In that case, the owner must also make sure that the accredited laboratory will keep the sample isolate or isolates and the analysis result for 3 months.

417. Where the analysis result indicates a *Legionella pneumophila* concentration equal to or greater than 10,000 CFU/L but below 1,000,000 CFU/L, the owner of the water cooling tower facility must

(1) identify the causes of the increase in the *Legionella pneumophila* concentration;

(2) apply corrective measures; and

(3) verify the effectiveness of the corrective measures.

418. Where the analysis result makes it impossible to quantify the *Legionella pneumophila* concentration by reason of the presence of an interfering flora, the owner of the water cooling tower facility must

(1) identify the causes of the presence of interfering flora;

(2) apply corrective measures; and

(3) verify the effectiveness of the corrective measures.

419. Where the analysis result indicates a *Legionella pneumophila* concentration of 1,000,000 CFU/L or more, the owner of the water cooling tower facility must

(1) implement measures that will eliminate any water dispersion by aerosol, such as stopping the ventilators;

(2) immediately apply the decontamination procedure;

(3) identify the causes of the concentration above 1,000,000 CFU/L with the member or members of a professional order who drew up the maintenance program;

(4) apply corrective measures;

(5) verify the effectiveness of the corrective measures; and

(6) take a new sample in accordance with the third paragraph of section 407 and send it to the accredited laboratory for a new analysis of the *Legionella pneumophila* concentration.".

5. Schedule III is replaced by the following:

"**SCHEDULE III**: Maintenance of a water cooling tower facility

The documents to be take into account for the maintenance program provided for in section 402 are

(1) the manufacturer's operation and maintenance manual;

(2) the guides recognized for the maintenance of water cooling tower facilities such as

(a) Guideline-WTB-148(08)-Best Practices for Control of Legionella published by the Cooling Technology Institute (CTI);

(b) the manuals of the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), particularly Guideline-12-2000-Minimizing the Risk of Legionellosis Associated with Building Water Systems;

(c) Legionella 2003: An Update and Statement by the Association of Water Technologies (AWT).".

6. This Regulation comes into force on the 45th day following the date of its publication in the *Gazette officielle du Québec*.

Despite the foregoing, section 414 comes into force on 1 April 2016.

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M.O., 2014

Order number 2014 005 of the Minister of Health and Social Services and the Minister for Rehabilitation, Youth Protection and Public Health dated 16 May 2014

Public Health Act
(chapter S-2.2)

Regulation respecting the vaccination registry and unusual clinical manifestations temporarily associated with vaccination

THE MINISTER OF HEALTH AND SOCIAL SERVICES AND THE MINISTER FOR REHABILITATION, YOUTH PROTECTION AND PUBLIC HEALTH,

CONSIDERING section 64 of the Public Health Act (chapter S-2.2), which provides that the information prescribed therein on each vaccination is released to the operations manager of the vaccination registry for registration, under the conditions and in the manner prescribed by regulation of the Minister;

CONSIDERING section 69 of the Act concerning the reporting to the appropriate public health director by a health professional of unusual clinical manifestations temporally associated with vaccination, which provides in particular that the health professional must provide the information prescribed therein and any other information prescribed by regulation of the Minister;

CONSIDERING paragraph 8 of section 136 of the Act, which provides in particular that the Minister may make regulations to determine the means of communication to be used whenever information is transmitted under the Act;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 19 February 2014, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of a draft Regulation respecting the vaccination registry and unusual clinical manifestations temporarily associated with vaccination, with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING section 17 of the Regulations Act, which provides that a regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation or in the Act under which it is made;

CONSIDERING that it is expedient to make the Regulation with amendments to take into account certain comments received;

ORDER AS FOLLOWS:

The Regulation respecting the vaccination registry and unusual clinical manifestations temporarily associated with vaccination, appearing below, is hereby made.

GAÉTAN BARRETTE,	LUCIE CHARLEBOIS,
Minister of Health and Social Services	*Minister for Rehabilitation, Youth Protection and Public Health*

Regulation respecting the vaccination registry and unusual clinical manifestations temporarily associated with vaccination

Public Health Act
(chapter S-2.2, ss. 64, 69, 136, par. 8)

DIVISION I
VACCINATION REGISTRY

CHAPTER I
CONDITIONS FOR RELEASING INFORMATION TO THE OPERATIONS MANAGER OF THE VACCINATION REGISTRY

1. An institution within the meaning of the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5) that operates a centre where a professional administers a vaccine must, within 2 business days of the administration of the vaccine, release the following information to the operations manager of the vaccination registry for registration:

(1) the information referred to in section 64 of the Public Health Act (chapter S-2.2), except the information provided for in subparagraphs *d*, *f* and *g* of paragraph 1, subparagraphs *f* and *i* of paragraph 2, subparagraphs *i*, *k* and *l* of paragraph 3, the vaccinator's unique provider number and the unique identification number of the location providing health services and social services to which the vaccinator is attached;

(2) the information referred to in section 4.

An institution that operates a centre where a health professional has, in accordance with the second paragraph of section 61 of the Act, validated a vaccination received by a person outside Québec must, within 2 business days of the validation, release the information referred to in the first paragraph, insofar as it is available, to the operations manager of the vaccination registry for registration in the vaccination registry.

The information to be released by an institution is released by means of an information asset that allows for the safe transmission of the information. The Minister informs each institution in writing of the information asset allowing for such transmission, of the centre or facility where the asset is available to the institution and of the date on which the transmission is to begin.

An institution that does not have access to an information asset as provided for in the third paragraph must release the information prescribed by the first and second paragraphs in a manner that ensures the information's protection.

2. A vaccinator not acting within the scope of the mission of a centre operated by an institution must, within 2 business days of the administration of a vaccine, release the information referred to in the first paragraph of section 1 to the operations manager of the vaccination registry for registration.

The information to be released by the vaccinator is released in a manner that ensures the protection of the information released.

3. A health professional who does not act within the scope of the mission of a centre operated by an institution and who has, in accordance with the second paragraph of section 61 of the Act, validated a vaccination received by a person outside Québec must, within 2 business days of the validation, release the information referred to in the first paragraph of section 1, insofar as it is available, to the operations manager of the vaccination registry for registration in the vaccination registry.

The information to be released by the professional is released in a manner that ensures the protection of the information released.

DIVISION II
OTHER INFORMATION TO BE RELEASED TO THE OPERATIONS MANAGER OF THE VACCINATION REGISTRY

4. The following information, insofar as it is available, must be released to the operations manager of the vaccination registry for registration in the vaccination registry:

(1) in respect of the vaccinated person:

(a) the criteria and the type of proof of immunity, if applicable;

(b) if the person is not registered with the Régie de l'assurance maladie du Québec, the number and title of the official document emanating from a State authority establishing the person's identity;

(2) the means of communication preferred by the vaccinated person in case of vaccine reminder, recall or promotion;

(3) an indication that the vaccination was performed under a public vaccination program, if applicable.

5. The following information must be released to the operations manager of the vaccination registry for registration in the vaccination registry, upon request by the manager or the Minister, by any person or organization in possession of the information:

(1) in respect of the vaccinated person:

(a) the person's language of correspondence;

(b) the name of each of the person's parents;

(c) an indication that the person works in an educational institution, if applicable;

(d) the date of death, if applicable;

(2) in respect of the vaccinated person attending an educational institution, the year of the school year corresponding to the school data contained in the register in the person's respect;

(3) in respect of the vaccinated person who works in an educational institution:

(a) the name of the educational institution where the person works, the person's educational level and the class number, if applicable, and the name of the school board and of the building where the person works, if applicable;

(b) the year of the school year corresponding to the school data contained in the register in the person's respect;

(4) from among the information provided for in section 64 of the Act:

(a) the information provided for in subparagraphs *d*, *f* and *g* of paragraph 1, subparagraphs *f* and *i* of paragraph 2, subparagraphs *i*, *k* and *l* of paragraph 3;

(b) the vaccinator's unique provider number and the unique identification number of the location providing health services and social services to which the vaccinator is attached.

CHAPTER II
REPORTING OF UNUSUAL CLINICAL MANIFESTATIONS TEMPORARILY ASSOCIATED WITH VACCINATION

6. Every health professional referred to in section 69 of the Act must provide to the public health director of the professional's territory, in addition to the information provided for in that section, the following information, insofar as it is available:

(1) the date of birth, sex and estimated age at vaccination time of the person concerned;

(2) the vaccination date, the brand name of the vaccine administered or the name of the immunizing agent and the lot number of the vaccine administered;

(3) the dose number, the lot number of the adjuvant, the injection site and administration route of the vaccine administered, the quantity administered and the unit of measurement of the vaccine administered;

(4) the socio-sanitary region where the person concerned resides or, if vaccination did not take place in Québec, the Canadian province or country where vaccination took place;

(5) the time elapsed between vaccination and the beginning of the unusual clinical manifestation;

(6) identification of the unusual clinical manifestation;

(7) a description of the unusual clinical manifestation;

(8) the duration of the unusual clinical manifestation;

(9) immunization errors observed in connection with the unusual clinical manifestation, if applicable;

(10) the evolution of the incident at the time of reporting and at the time of the follow-up, if applicable;

(11) an indication that the person concerned is pregnant and the expected date of delivery, if applicable;

(12) the type of any medical consultation relating to the unusual clinical manifestation, if applicable;

(13) the date of any admission to a hospital centre in connection with the unusual clinical manifestation and the duration of hospitalization, if applicable;

(14) an indication that a current hospitalization is extended following the unusual clinical manifestation and the duration of that extension, if applicable;

(15) the severity of the case;

(16) a description of the treatment received, if applicable;

(17) the medication history of the person concerned at the time of vaccine administration, in connection with the unusual clinical manifestation;

(18) a description of the health problems, illnesses, allergies and acute lesions of the person concerned that are known at the time of vaccine administration, in connection with the unusual clinical manifestation;

(19) a description of the unusual clinical manifestations associated with vaccination that appeared previously in the person concerned, if applicable;

(20) the date of death of the person concerned, if applicable;

(21) the position of the person reporting the unusual clinical manifestation and the socio-sanitary region of the report;

(22) the date of the report.

CHAPTER III
TRANSITIONAL

7. Despite the fourth paragraph of section 1, any institution operating a general and specialized hospital centre or local authority must keep the information prescribed by the first paragraph of that section until the date on which the transmission of information is to begin by means of an information asset, in accordance with the third paragraph of that section, or until 31 December 2016 at the latest.

Until the first of those dates, the information must be kept by such an institution so that it can be released to the operations manager of the vaccination registry, upon request by the manager or the Minister, for registration in the vaccination registry and so that it can be used or released in accordance with the Act.

8. Despite sections 2 and 3, any vaccinator or professional referred to in those sections must keep the information prescribed in the first paragraph of section 1 until 31 December 2016. The information must be kept by such a vaccinator or professional so that it can be released to the operations manager of the vaccination registry, upon request by the manager or the Minister, for registration in the vaccination registry and so that it can be used or released in accordance with the Act.

CHAPTER IV
COMING INTO FORCE

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

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Notices

Notice

Natural Heritage Conservation Act
(chapter C-61.01)

**North River Farm Nature Reserve
(Conservation de la nature – Québec)
— Recognition**

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (chapter C-61.01), that the Minister of Sustainable Development, Environment and Fight Against Climate Change has recognized as a nature reserve, a private property consisted the sector McCall (Phase 2) of the area of 9,59 hectares, situated on the territory of the Ville de Mirabel, Regional County Municipality Mirabel, known and designated as the lot number 4 599 763 of the Quebec Land Register, Deux-Montagnes Registry division.

This recognition, for perpetuity, takes effect on the date of the publication of this notice in the *Gazette officielle du Québec.*

PATRICK BEAUCHESNE,
Director of Ecology and Conservation

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