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Laws and Regulations

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Summary

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Contents

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Regulations and other Acts

Gouvernement du Québec

O.C. 233-2019, 20 March 2019

An Act respecting the Régie de l'énergie
(chapter R-6.01)

Quantity of renewable natural gas to be delivered by a distributor

Regulation respecting the quantity of renewable natural gas to be delivered by a distributor

WHEREAS, under subparagraph 4 of the first paragraph of section 112 of the Act respecting the Régie de l'énergie (chapter R-6.01), the Government may make regulations determining the quantity of renewable natural gas to be delivered by a natural gas distributor and the terms and conditions according to which it is to be delivered;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the quantity of renewable natural gas to be delivered by a distributor was published in Part 2 of the *Gazette officielle du Québec* of 22 August 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation respecting the quantity of renewable natural gas to be delivered by a distributor, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting the quantity of renewable natural gas to be delivered by a distributor

An Act respecting the Régie de l'énergie
(chapter R-6.01, s. 112, 1st. par., subpar. 4)

1. Natural gas distributors must deliver annually a quantity of renewable natural gas equal to or greater than the result of the following formula:

$$T \times \frac{(LRA3 + LRA2 + LPA1)}{3}$$

In the formula provided for in the first paragraph,

(1) the variable “T” represents

(a) a rate of 0.01 as of the distributor's rate year beginning in 2020;

(b) a rate of 0.02 as of the distributor's rate year beginning in 2023; and

(c) a rate of 0.05 as of the distributor's rate year beginning in 2025;

(2) the variable “LRA3” represents the total of the distributor's actual natural gas deliveries to the major enterprise market and the small and medium flow market for the third rate year preceding the current year, subtracted from any quantity of renewable natural gas;

(3) the variable “LRA2” represents the total of the distributor's actual natural gas deliveries to the major enterprise market and the small and medium flow market for the second rate year preceding the current year, subtracted from any quantity of renewable natural gas;

(4) the variable “LPA1” represents the total of the distributor's estimated deliveries to the major enterprise market and the small and medium flow market for the rate year preceding the current year, subtracted from any quantity of renewable natural gas.

The result of the formula and the variables described in subparagraphs 2 to 4 of the second paragraph are in million cubic metres (Mm³).

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

103864

Gouvernement du Québec

O.C. 236-2019, 20 March 2019

Environment Quality Act
(chapter Q-2)

Sand pits and quarries

Regulation respecting sand pits and quarries

WHEREAS, under subparagraph 10 of the first paragraph of section 22 of the Environment Quality Act (chapter Q-2), no one may, without first obtaining an authorization from the Minister, carry out a project involving one or more of the activities in particular determined by government regulation;

WHEREAS, under subparagraph 3 of the first paragraph of section 23 of the Act, a person or municipality that applies to the Minister for an authorization must provide the information and documents in particular determined by regulation, which information or documents may vary according to the class of activities and the territory in which they will be carried on;

WHEREAS, under the second paragraph of section 23 of the Act, a regulation made under subparagraph 3 of the first paragraph of that section may also determine which of the information and documents concerned are public;

WHEREAS, under subparagraph 5 of the first paragraph of section 30 of the Act, the holder of an authorization may not make a change in the activities authorized by the Minister without first obtaining from the latter an amendment of the authorization in particular in the cases prescribed by government regulation;

WHEREAS, under the first paragraph of section 31.0.5 of the Act, cessation-of-activity measures may in particular be prescribed by government regulation;

WHEREAS, under the first paragraph of section 31.0.6 of the Act, the Government may, by regulation, designate the activities referred to in section 22 or 30 that, subject to the conditions, restrictions and prohibitions determined in the regulation, are eligible for a declaration of compliance before being carried out;

WHEREAS, under the first paragraph of section 31.0.7 of the Act, declarations of compliance filed with the Minister must include the information and documents determined by regulation of the Government, in the manner and form specified in the regulation;

WHEREAS, under the second paragraph of section 31.0.7 of the Act, a regulation of the Government may also require that the declaration be accompanied by a financial guarantee;

WHEREAS, under paragraph 2 of section 70 of the Act, the Government may make regulations that may prescribe or prohibit, in respect of one or more classes of residual materials, any mode of elimination;

WHEREAS, under paragraph *c* of section 95 of the Act, the Government may make regulations to prescribe standards for noise intensity;

WHEREAS, under subparagraph 3 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prohibit, limit and control sources of contamination and the release into the environment of any class of contaminants for all or part of the territory of Québec;

WHEREAS, under subparagraph 4 of the first paragraph of section 95.1 of the Act, the Government may make regulations to determine, for any class of contaminants or of sources of contamination, a maximum quantity or concentration that may be released into the environment, for all or part of the territory of Québec;

WHEREAS, under subparagraph 5 of the first paragraph of section 95.1 of the Act, the Government may make regulations to establish standards for the installation and use of any type of apparatus, device, equipment or process designed to control the release of contaminants into the environment;

WHEREAS, under subparagraph 13 of the first paragraph of section 95.1 of the Act, the Government may make regulations to determine in particular the terms and conditions governing any authorization application under the Act and those governing any amendment application; those terms and conditions may vary according to the type of structure, works, industrial process, industry, work or other activity;

WHEREAS, under subparagraph 14 of the first paragraph of section 95.1 of the Act, the Government may make regulations to require a person or municipality to provide, for the activities or classes of activities the Government determines or on the basis of an activity's potential impacts on the environment, a financial

guarantee to enable the Minister to meet any obligation imposed on the person or municipality by the Act or the regulations that the person or municipality has failed to meet and whose cost may be charged to the person or municipality, and to determine the nature and amount of the guarantee and the conditions governing its use by the Minister and its remittance; the amount of the guarantee may vary according to the class, nature and potential impacts on the environment of the activity for which the guarantee is required;

WHEREAS, under subparagraph 16 of the first paragraph of section 95.1 of the Act, the Government may make regulations to determine the persons or municipalities that may apply for an authorization or its amendment or renewal, and the qualifications required for that purpose;

WHEREAS, under subparagraph 20 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the records to be kept and preserved by any person or municipality carrying on an activity governed by the Act or the regulations, prescribe the conditions governing their keeping, and determine their form and content and the period for which they must be preserved;

WHEREAS, under subparagraph 21 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the reports, documents and information that must be provided to the Minister by any person or municipality carrying on an activity governed by the Act or the regulations and determine their form and content and the conditions governing their preservation and sending;

WHEREAS, under subparagraph 23 of the first paragraph of section 95.1 of the Act, the Government may make regulations to determine the methods for collecting, analyzing, calculating and verifying any release of a contaminant into the environment;

WHEREAS, under subparagraph 24 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the methods for collecting, preserving and analyzing water, air, soil or residual material samples for the purposes of any regulation made under the Act;

WHEREAS, under subparagraph 27 of the first paragraph of section 95.1 of the Act, the Government may make regulations to require a land reclamation plan for certain specified classes of projects, activities or industries likely to harm the surface of the soil or destroy the soil, as well as the payment of any guarantee, and prescribe the applicable standards and terms and conditions;

WHEREAS, under subparagraph 28 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe, for specified activities or classes of activities, the measures to be implemented on their cessation, as well as monitoring and post-closure management measures;

WHEREAS, under the second paragraph of section 95.1 of the Act, a regulation made under that section may also prescribe any transitional measure necessary for its implementation;

WHEREAS, under section 115.27 of the Act, the Government may, in a regulation made under the Act, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and set forth the amounts;

WHEREAS, under the first paragraph of section 115.34 of the Act, the Government may determine the regulatory provisions made under the Act whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government;

WHEREAS the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4) was assented to on 23 March 2017;

WHEREAS, under section 307 of that Act, not later than 23 March 2019, the Government must make a regulation to amend the Regulation respecting pits and quarries (chapter Q-2, r. 7) in order to provide for activities that are eligible for a declaration of compliance under subdivision 2 of Division II of Chapter IV of Title I of the Environment Quality Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting sand pits and quarries was published in Part 2 of the *Gazette officielle du Québec* of 26 December 2018, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation respecting sand pits and quarries with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment and the Fight Against Climate Change:

THAT the Regulation respecting sand pits and quarries, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting sand pits and quarries

Environment Quality Act
(chapter Q-2, ss. 20, 22, 23, 30, 31, 31.0.5, 31.0.6, 31.0.7, 70, 95, 95.1, 115.27 and 115.34)

CHAPTER I SCOPE AND DEFINITIONS

1. This Regulation applies to any pit or quarry operated for commercial or industrial purposes, to fulfil contractual obligations or for the construction, repair or maintenance of roads, dikes or dams.

A site where consolidated surface mineral substances are mined is considered to be a quarry.

A site where non-consolidated surface mineral substances are mined from a natural deposit is considered to be a sand pit.

Excavations and other work carried out to establish or enlarge the right-of-way or foundations of any construction or any playground, municipal park or parking and work that constitutes agricultural activities within the meaning of subparagraph 0.1 of the first paragraph of section 1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) and work carried out for a purpose other than agricultural which, in accordance with the conditions provided for in a regulation made under section 80 of that Act, may be carried out without being authorized under that Act, are not considered to be the operation of a sand pit or quarry.

This Regulation does not apply to a sand pit located on lands in the domain of the State, operated for carrying out forest management work within the meaning of paragraph 1 of section 4 of the Sustainable Forest Development Act (chapter A-18.1) and governed by the Regulation respecting the sustainable development of forests in the domain of the State (chapter A-18.1, r. 0.01) in particular for the construction, improvement, repair, maintenance or closure of a public forest road, or to a quarry or sand pit operated on land intended to be flooded by reason of a hydraulic or hydro-electric project.

This Regulation applies in particular in a reserved area and in an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities.

2. For the purposes of this Regulation, unless otherwise indicated by the context,

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

“ambient noise” means the total noise present in a given situation, at a certain time, usually composed of noise emitted by several near and remote sources; (*bruit ambiant*)

“dwelling” means any construction intended to lodge persons and connected to individual or collective systems for the supply of drinking water and the treatment of waste water; (*habitation*)

“Minister” means the Minister responsible for the administration of the Environment Quality Act; (*ministre*)

“overburden” means any material covering the surface mineral substances of a quarry or sand pit and that is removed so that the substance may be mined, except topsoil within the meaning of subparagraph 16 of the first paragraph of section 0.1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1); (*découverte*)

“particles” means any substance that is finely divided, in liquid or solid form, in suspension in a gaseous environment, except water non-chemically bound; (*particules*)

“particular noise” means a component of the ambient noise that may be specifically identified and is associated with the activities carried out in the quarry or sand pit; (*bruit particulier*)

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

“public institution” means any of the following institutions:

“correctional facility” means any facility used for the detention of persons and governed by the Act respecting the Québec correctional system (chapter S-40.1); (*établissement de détention*)

“educational institution” means any institution providing preschool, elementary or secondary education and governed by the Education Act (chapter I-13.3) or by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14), a private educational institution governed

by the Act respecting private education (chapter E-9.1), an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1), a general and vocational college, a university, a research institute, a superior school or an educational institution of which more than one-half of the operating expenditures are paid out of the appropriations voted by the National Assembly, and for the purposes of this Regulation, includes childcare centres and day care centres governed by the Educational Childcare Act (chapter S-4.1.1); (établissement d'enseignement)

“health and social services institution” means any health and social services institution governed by the Act respecting health services and social services (chapter S-4.2) or by the Act respecting health services and social services for Cree Native persons (chapter S-5). For the purposes of this Regulation, any other place where lodging services are provided for senior citizens or for any users entrusted by a public institution governed by any of the aforementioned Acts is also a health and social services institution; (établissement de santé et de services sociaux)

“tourist establishment” means an establishment which offers to the public restaurant services or sleeping accommodations, including the rental of camping spaces. (établissement touristique)

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

“public road” means a public highway within the meaning of section 4 of the Highway Safety Code (chapter C-24.2); (*voie publique*)

“reference noise level” means a particular noise to which a corrective term may be added; (*niveau acoustique d'évaluation*)

“residual noise” means noise that lingers at a given place, in a given situation, when the particular noise is eliminated from the ambient noise; (*bruit résiduel*)

“surface mineral substances” means one of the substances referred to in the definition of “surface mineral substances” provided for in section 1 of the Mining Act (chapter M-13.1), except for peat. (*substance minérale de surface*)

CHAPTER II

PRIOR AUTHORIZATION AND AMENDMENT

DIVISION I

SUBJECT ACTIVITIES

3. The following activities are subject to prior authorization, under the first paragraph of section 22 of the Act:

- (1) establishing a quarry or sand pit;
- (2) undertaking a surface mineral substances treatment in a quarry or sand pit;
- (3) in a quarry or sand pit established before 17 August 1977,
 - (a) enlarging the quarry or sand pit on land which did not belong, on that date, to the owner of that quarry or sand pit; or
 - (b) as part of redevelopment and restoration of the quarry or sand pit,
 - i. backfilling the quarry with soils containing contaminants resulting from human activities in a concentration equal to or less than the limit values provided for in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37);
 - ii. revegetating excavated land of the quarry or sand pit with fertilizing waste substances;
 - iii. laying out a residual materials landfill; and
 - iv. laying out space or carrying out the construction of a structure or works.

4. The following changes are subject to a prior amendment authorization under the first paragraph of section 30 of the Act:

- (1) enlarging a quarry or sand pit beyond an area or limits prescribed in the authorization;
- (2) changing the redevelopment and restoration plan of a quarry or sand pit.

5. The activities referred to in paragraphs 1 and 2 and in subparagraph *a* of paragraph 3 of section 3 and those referred to in paragraph 1 of section 4 also include, as applicable, the subsequent operation of the quarry or sand pit or the subsequent use of the treatment covered by the application.

DIVISION II**CONTENT OF AN APPLICATION**

6. Every applicant for an authorization for an activity referred to in section 3 must submit to the Minister, in addition to the information and documents referred to in the first paragraph of section 23 of the Act and paragraph 2 of section 5 of the Regulation respecting certain measures to facilitate the carrying out of the Environment Quality Act and its regulations (chapter Q-2, r. 32.1), the following information and documents:

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

(2) a copy of the title of ownership, lease or any other document giving the applicant the right to the surface mineral substance in the quarry or sand pit;

(3) in accordance with subparagraph 1 of the first paragraph of section 23 of the Act, relating to the site of the activity covered by the application,

(a) the geographical coordinates and the limits of the site covered by the application and the applicable municipal zoning;

(b) the environmental characteristics of the site affected by the activity, in particular in the case of a natural sector or if threatened or vulnerable plant or wildlife species, or species likely to be so designated, are present; and

(c) a scale plan of the site, within a radius of 600 m from the limits of the site covered by the application, indicating, where applicable, the location

i. of buildings, structures, works, equipment and different areas of the quarry or sand pit and private access roads;

ii. of public roads;

iii. of places of all kinds and their type including in particular dwellings and public establishments;

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

v. of wetlands and bodies of water and their designation;

vi. of any land or territory protected under the Natural Heritage Conservation Act (chapter C-61.01), the Act respecting the conservation and development of wildlife (chapter C-61.1) or the Parks Act (chapter P-9); and

vii. of any habitat of a threatened or vulnerable wildlife species covered by the Regulation respecting threatened or vulnerable wildlife species and their habitats (chapter E-12.01, r. 2) and for which a chart is prepared under the Regulation respecting wildlife habitats (chapter C-61.1, r. 18) and any habitat of a threatened or vulnerable species covered by the Regulation respecting threatened or vulnerable plant species and their habitats (chapter E-12.01, r. 3);

(4) in accordance with subparagraph 1 of the first paragraph of section 23 of the Act, relatively to the description of the activity covered by the application,

(a) the nature of the activity and how it is to be conducted, in particular

i. the nature of surface mineral substances to be extracted;

ii. the total area of the quarry or sand pit;

iii. an estimate of the total quantity of topsoil and overburden to be stored, expressed in cubic metres and in metric tons;

iv. the average and maximum depth of surface mineral substances to be extracted;

v. the maximum quantities of surface mineral substances to be extracted and processed each year, expressed in cubic metres and metric tons;

vi. the maximum depth of the quarry or sand pit;

vii. the groundwater level of the quarry or sand pit or, if no operations are to take place below the water table, an estimate of that level, except in the case of a sand pit located on lands in the domain of the State; and

viii. a cross section showing the topography of the land and the surface mineral substances to be extracted;

(b) where applicable, a description of the processes, inputs, equipment, facilities and works that will be used; and

(c) the year of permanent cessation of the mining of surface mineral substances in the quarry or sand pit and, where redevelopment and restoration activities will be completed, the year of closure of the quarry or sand pit;

(5) where applicable, the location of the points of discharge into the environment of the waters from the quarry or sand pit;

(6) a plan for the rehabilitation or restoration of the quarry or sand pit in accordance with Chapter VIII and providing for the carrying out of one of the options provided for in section 42;

(7) where the activity involves an operation in the water table, a hydrogeological study certified by an engineer or geologist;

(8) a predictive study of the sound levels, certified by a professional having the required qualifications in the field, where the planned site to establish the quarry or sand pit is located within a radius less than the following distances from a dwelling or public institution:

(a) 600 m in the case of a quarry;

(b) 150 m in the case of a sand pit;

(9) where the applicant has used the services of professionals or other qualified persons to prepare the project or the authorization application, their names and contact information, a brief description of their mandate and a statement by them that the information and documents they have provided are complete and accurate;

(10) a statement by the applicant that all the information and documents the applicant has provided are complete and accurate.

The applicant must attach to the application the fees payable under the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28) for processing the application.

In the case where one or more persons or municipalities wish to mine non-consolidated surface mineral substances in a quarry, the authorization application must be submitted by the owner of the land.

7. Every applicant for an amendment of authorization for a change referred to in section 30 of the Act or in section 4 of this Regulation must submit to the Minister the information and documents provided for in paragraph 4 of section 5 of the Regulation respecting certain measures to facilitate the carrying out of the Environment Quality Act and its regulations (chapter Q-2, r. 32.1), and, as the case may be, any information or document required under section 6 of this Regulation for one of the situations referred to therein and that is concerned by the amendment.

8. The information and documents referred to in sections 6 and 7 are public, except information and documents concerning the location of threatened or vulnerable species, and confidential industrial and trade secrets identified in accordance with section 23.1 of the Act.

CHAPTER III DECLARATION OF COMPLIANCE

DIVISION I ELIGIBLE ACTIVITIES

9. The activities referred to in paragraph 1 and subparagraph *a* of paragraph 3 of section 3 and in paragraph 1 of section 4 related to the establishment or enlargement of a sand pit, including its subsequent operation, are eligible for a declaration of compliance where the following conditions are met:

(1) the sand pit is established or enlarged at more than 150 m from a dwelling or public institution;

(2) the total area of the sand pit does not exceed 10 ha;

(3) the quantity of non-consolidated surface mineral substances extracted annually does not exceed 100,000 metric tons;

(4) extracted non-consolidated surface mineral substances are not washed in the sand pit;

(5) the maximum depth of the sand pit is above the water table.

In order for an activity referred to in the first paragraph to be eligible for a declaration of compliance, the declarant must also attach to the declaration made in accordance with section 11 the financial guarantee required under Chapter VII and the payment of the fees payable under the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28).

10. The activity referred to in paragraph 2 of section 3 related to the process of surface mineral substances in a quarry or sand pit is eligible for a declaration of compliance where the following conditions are met:

(1) the surface mineral substances are not washed in the quarry or sand pit;

(2) the quantity of surface mineral substances processed annually does not exceed 100,000 metric tons.

In order for the activity referred to in the first paragraph to be eligible for a declaration of compliance, the declarant must also attach to the declaration made in accordance with section 11 the payment of the fees payable under the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28).

DIVISION II

CONTENT OF THE DECLARATION

11. Every declarant of an activity eligible for a declaration of compliance referred to in Division I must include the following information in the declaration:

- (1) information identifying the declarant, namely,
 - (a) the declarant's name and contact information, and, where applicable, those of the declarant's representative;
 - (b) in the case of a declarant other than a natural person, the Québec business number (NEQ) assigned to the declarant under the Act respecting the legal publicity of enterprises (chapter P-44.1), where applicable, and that of the institution covered by the declaration;
- (2) where the declarant has used the services of professionals or other qualified persons to prepare the declaration, their names and contact information, a brief description of their mandate along with a declaration attesting that the information and documents provided are complete and accurate;
- (3) a description of the activity covered by the declaration of compliance, by indicating in particular every information to verify the compliance of the activity with the eligibility conditions provided for in Division I;
- (4) information on the site of the activity, namely, the geographical coordinates of the site concerned, the boundaries within which the activity will be conducted and, where applicable, the municipal zoning that applies, and the presence of wetlands and bodies of water within a radius of 100 m and their designation;
- (5) a declaration in which the declarant attests that the information and documents provided are complete and accurate.

The declarant must, at the same time that the declarant sends the declaration of compliance to the Minister, send a copy thereof to the municipality in the territory of which the activity will be conducted.

In the case where one or more persons or municipalities wish to mine non-consolidated surface mineral substances in a sand pit eligible for a declaration of compliance in accordance with section 9, the declaration must be made by the owner of the land.

12. The declarant must, as soon as possible, notify the Minister and the municipality concerned of any change in the information provided in the declaration of compliance.

CHAPTER IV

SITING STANDARDS

13. A quarry or sand pit must not be located in any of the following territories, as described in Schedule I:

- (1) mont Saint-Bruno;
- (2) mont St-Hilaire;
- (3) mont Rougement;
- (4) mont Saint-Grégoire;
- (5) mont Yamaska;
- (6) mont Brome;
- (7) mont Shefford.

The first paragraph does not apply to a quarry or sand pit that was located in one of the territories on 17 August 1977. It also does not apply to a quarry or sand pit located therein after 18 April 2019, following an enlargement on land that belonged, on 17 August 1977, to the owner of the quarry or sand pit or to a person related to that owner within the meaning of section 4 of the Bankruptcy and Insolvency Act (R.S.C. 1985, c. B-3).

14. A quarry or sand pit must not be situated

- (1) in the inner protection zones of a category 1 groundwater withdrawal within the meaning of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);
- (2) in the intermediate or outer protection zones of a category 1 surface water withdrawal within the meaning of that Regulation; or
- (3) in the inner and intermediate protection zones of a category 1 groundwater withdrawal within the meaning of that Regulation.

Subparagraph 2 of the first paragraph applies as of 1 April 2021, except

(1) to a quarry or sand pit that, on that date, is already situated in one of the protection zones referred to in that subparagraph; and

(2) to a quarry or sand pit that is situated in one of the protection zones referred to in that subparagraph following an enlargement, after that date, on land that belonged, before that same date, to the owner of the quarry or sand pit if it was already situated in that zone.

Subparagraph 3 of the first paragraph does not apply to a quarry or sand pit that is situated in one of the zones referred to in that subparagraph on 18 April 2019.

15. A quarry or sand pit must be located at a minimum distance of 30 m from a lake, a steady-flow watercourse, a riparian shrub swamp of one of those environments or a marsh and 100 m from an open peatland situated south of the 50th parallel and 30 m from such a peatland situated north of the 50th parallel.

The first paragraph does not prevent the operation of a quarry or sand pit within the distances prescribed in that paragraph in the following cases:

(1) the quarry or sand pit was established before 17 August 1977 and activities related to that operation were already carried out within those distances on 18 April 2019. From that date, the distance between the site of the activities and the environment concerned must however be maintained;

(2) the quarry or sand pit has been authorized to operate within those distances before 18 April 2019.

In the case referred to in subparagraph 1 of the second paragraph, the operator of the quarry or sand pit must, not later than on 18 April 2022, cause a georeferenced plan to be prepared by a professional or the holder of a university degree in biology or environmental science who has the qualifications required in the field, indicating the distance between the site of the activities and the environment concerned. The plan must be kept until 18 months following the closure of the quarry or sand pit and be provided to the Minister on request.

16. A quarry or sand pit must be located at a minimum distance of 100 m from the following locations:

(1) an ecological reserve constituted or proposed under the Natural Heritage Conservation Act (chapter C-61.01) or any other natural environment designated by a plan under that Act;

(2) a park governed by the Parks Act (chapter P-9);

(3) a habitat of a threatened or vulnerable wildlife or plant species that is demarcated on a chart prepared under the Act respecting the conservation and development of wildlife (chapter C-61.1) or the Act respecting threatened or vulnerable species (chapter E-12.01).

17. A private access road to a quarry or sand pit must be located at a minimum distance of 25 m from any dwelling and public institution.

The first paragraph does not apply to a private access road of a quarry or sand pit established before 17 August 1977 that is laid out within the distance provided for in the first paragraph on 18 April 2019. From that date, the distance between the access road and the dwellings and public institutions concerned must however be maintained.

18. A quarry or sand pit must be located at a minimum distance of 35 m from any public road.

In addition, where the strip of land outdistancing the quarry or sand pit from the public road belongs to the owner of that quarry or sand pit, it must remain wooded if that land is wooded.

The first and second paragraphs do not apply to quarries and sand pits situated north of the 55th parallel.

The first paragraph does not prevent the operation of a quarry or sand pit established before 17 August 1977 within the distance provided for in that paragraph if activities related to that operation were already carried out on 18 April 2019. From that date, the distance between the site of the activities and the public road must however be maintained.

19. A quarry or sand pit must be located at a minimum distance of 10 m from any land belonging to a person other than the owner of that quarry or sand pit, unless either one is also in operation on that land.

The first paragraph does not prevent the operation of a quarry or sand pit established before 17 August 1977 within the distance provided for in the first paragraph on 18 April 2019. From that date, the distance between the site of its activities and the land must however be maintained.

CHAPTER V OPERATING STANDARDS

20. The operation of a quarry or sand pit in a lake, a steady-flow watercourse or a riparian shrub swamp of one of those environments is prohibited.

The operation of a quarry or sand pit is also prohibited in a marsh or an open peatland.

The second paragraph does not apply to a quarry or sand pit whose operation in the environments referred to in that paragraph was authorized before 18 April 2019 neither to a quarry or sand pit established before 17 August 1977 that began operating in such environments before 18 April 2019.

21. The operator of a quarry or sand pit must, until the permanent cessation of the mining of surface mineral substances, identify with visual signs or markers at least 1.5 m high,

- (1) the limits of the quarry or sand pit; and
- (2) the maximum depth for the operation of the quarry or sand pit.

In the case of a quarry or sand pit established or enlarged as of 18 April 2019 that is not located on lands in the domain of the State, the operator must cause the limits of the quarry or sand pit to be identified by a professional having the required qualifications in land surveying and cause a plan to be prepared by the land surveyor indicating the geographical coordinates

- (1) of the limits of the quarry or sand pit, specifying each of the apexes;
- (2) of placed marks or markers;
- (3) of any dwelling or of any public institution located below
 - (a) 600 m from a quarry; and
 - (b) 150 m from a sand pit; and
- (4) of any site referred to in sections 13 to 19 for which a distance is prescribed.

Not later than 1 year after the plan referred to in the second paragraph has been prepared, the operator must send it to the Minister.

Subparagraph 2 of the first paragraph does not apply to a sand pit referred to in section 9 for which the operator made a declaration of compliance.

This section does not apply to a quarry or sand pit established before 17 August 1977.

22. The operator of a quarry or sand pit that keeps topsoil in order to use it in the redevelopment and restoration of that quarry or sand pit must store that soil separately from other materials originating from or generated by the operation.

23. The operator of a quarry or sand pit may store or eliminate particles recovered by any catchment system used in that quarry or sand pit and sludge from sedimentation basins or slurry generated by the treatment of surface mineral substances that have not been recycled or used during backfilling.

The materials stored or eliminated that are referred to in the first paragraph may be mixed with the overburden of the quarry or sand pit.

CHAPTER VI CONTAMINANT RELEASE STANDARDS AND CONTROL MEASURES

DIVISION I NOISE

24. The noise emitted in a quarry or sand pit, represented by the reference noise level obtained at the dwelling or public institution, must not exceed, for any 1-hour interval, the highest of the following sound levels:

- (1) residual noise;
- (2) 40 dBA between 7:00 p.m. and 7:00 a.m. and 45 dBA between 7:00 a.m. and 7:00 p.m.

The first paragraph does not apply in respect of a dwelling owned or rented to the owner or operator of the quarry or sand pit or to educational institutions and tourist establishments when they are closed.

25. For the purposes of section 24, the operator of a quarry or sand pit must evaluate, with an interval of not more than 3 years between each evaluation, the noise emitted in the course of the activities where a dwelling or public institution is situated within

- (1) 600 m from a quarry; and
- (2) 150 m from a sand pit.

The operator must have the sound level evaluations required under this section taken by a professional having the required qualifications in the field. The professional must submit to the operator a report stating the measurements taken and also including the following information:

(1) the professional's name, contact information and profession;

(2) the geographical coordinates of the points of measurement and of the dwellings and public institutions present in the distances provided for in the first paragraph;

(3) a description of the measurement device used, its accuracy and date of its last calibration;

(4) the weather conditions and any other data or observation that may influence the measurements or propagation of the noise;

(5) the date and time of the beginning and end of the measurement period;

(6) a description of all the activities of the quarry or sand pit carried out during the measurement period;

(7) a declaration in which the professional attests that the information provided is accurate and that the measurements were carried out in keeping with good practice and generally accepted standards.

The operator of the quarry or sand pit must keep every report referred to in the second paragraph until the closure of the quarry or sand pit or for a period of 12 years following its production, whichever occurs first. The operator must provide a report to the Minister on request.

DIVISION II

DISCHARGED WATERS

26. The waters from a quarry or sand pit and discharged into the environment must meet the following standards:

(1) the quantity of petroleum hydrocarbons (C10-C50) contained in the waters is less than or equal to 2 mg/l;

(2) the quantity of suspended matter contained in the waters is less than or equal to 50 mg/l;

(3) the waters' pH ranges from 6 to 9.5.

DIVISION III

PARTICLES

27. Particle emissions from equipment used in a quarry or sand pit, such as a crusher, a dryer, a screen, a conveyor, a grinder, an elevator, a hopper or a borer, and from the transfer, fall or handling of materials carried out in a quarry or sand pit must not be visible more than 2 m from the emission source.

In addition, the operator of the quarry or sand pit must establish mitigation measures to prevent particle emission from materials stored and from traffic and parking areas and private access roads to that quarry or sand pit.

28. Every dust control liquid, other than water, used in a quarry or sand pit to control particle emissions must be certified to the most recent version of standard BNQ 2410-300.

29. Where a source of particle emissions situated in a quarry or sand pit is connected to a particle catchment system, the system must not allow the emission into the atmosphere of particles in a concentration greater than 30 mg/m³ of dry gas to the reference conditions, which are at a temperature of 25°C and a pressure of 101.3 kPa.

For the purposes of the first paragraph, the limit value for particle emission into the atmosphere is complied with if the conditions provided for in the first paragraph of section 199 of the Clean Air Regulation (chapter Q-2, r. 4.1) are met.

DIVISION IV

VIBRATIONS

30. A procedure for good blasting practices certified by an engineer or a geologist must be implemented and kept up-to-date by the operator of a quarry where blasting work is carried out. The procedure must include

(1) a communication program with the citizens residing within a radius of 1 km and with the municipalities concerned; and

(2) a vibration monitoring program, that is, air overpressure and particulate velocity.

The operator of a quarry must record in a register the data collected as part of a program referred to in subparagraph 2 of the first paragraph and the following information:

(1) the name, contact information and profession of the person who carried out the measurements;

(2) the geographical coordinates of the points of measurement and of the dwellings and public institutions concerned;

(3) a description of the measurement device used, its accuracy and date of its last calibration;

(4) the weather conditions and any other data or observation that may influence the measurement or propagation of vibrations;

(5) the date and time of the beginning and end of the measurement period;

(6) a declaration of the person having carried out the measurements in which the person attests that the measurements were carried out in keeping with the program and good practice and generally accepted standards.

The operator must keep the procedure of good practice for a 5-year period and the data recorded in the register for the same period from the date of their entry. The procedure and data must be provided to the Minister on request.

31. Blasting in a quarry is prohibited less than 600 m from a dwelling or public institution between 7:00 p.m. and 7:00 a.m.

The first paragraph does not apply in respect of a dwelling belonging or rented to the owner or operator of the quarry, or to educational institutions and tourist establishments when they are closed.

32. Blasting carried out in a quarry must be performed in accordance with the following conditions:

(1) no mineral substance is projected outside the quarry;

(2) the particle velocity does not exceed 10 mm/s at the dwelling or public institution; and

(3) air overpressure does not exceed 126 linear dB at the dwelling or public institution.

In a calendar year, the limit value prescribed by subparagraph 2 of the first paragraph may however be exceeded, up to a maximum of 15 mm/s, only once or up to a maximum of 10% of the total number of blasts during that period.

In a calendar year, the limit value prescribed by subparagraph 3 of the first paragraph may however be exceeded, up to a maximum of 130 linear dB, 2 times or up to a maximum of 20% of the total number of blasts during that period.

CHAPTER VII FINANCIAL GUARANTEE

33. A financial guarantee is required of any operator of a quarry or sand pit to ensure the performance of the operator's redevelopment and restoration obligations.

The operator must provide the financial guarantee to the Minister before the beginning of the operation of the quarry or sand pit and indicate to the Minister the area of land that will be excavated for the entire duration of the guarantee.

The guarantee must be held throughout the duration of the mining of surface mineral substances and redevelopment and restoration activities and for a period of 18 months following the closure of the quarry or sand pit.

This Chapter does not apply to the State and its mandatories. It does not apply either to an operator who has furnished security under section 74 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) to restore the land to its former condition as agricultural land.

34. The amount of the financial guarantee is set at

(1) \$10,000 if the area of the land of the quarry or sand pit that is excavated for the entire duration of the guarantee is equal to or less than 1 ha; and

(2) \$10,000 multiplied by the number of hectares if the area of the land of the quarry or sand pit that is excavated for the entire duration of the guarantee is greater than 1 ha.

For the purposes of the first paragraph, an area of land restored more than 18 months before and an area of land excavated before 17 August 1977 are not considered to be an excavated area of land.

35. The financial guarantee must be provided in the form of

(1) a bank draft or a certified cheque made out to the Minister of Finance;

(2) debt securities in Canadian dollars issued or guaranteed by the Gouvernement du Québec or any other government in Canada having a market value at least 10% greater than the amount of the guarantee calculated in accordance with section 34 and whose term is longer than the term of the guarantee by 12 months;

(3) a security with a waiver of the benefits of division and discussion, issued by a legal person governed by the Act respecting insurance (chapter A-32), the Act respecting financial services cooperatives (chapter C-67.3) or the Bank Act (S.C. 1991, c. 46); or

(4) an irrevocable letter of credit issued by a legal person referred to in subparagraph 3.

A guarantee in the form of a bank draft, certified cheque or debt securities must be deposited with the Bureau général de dépôts pour le Québec.

36. A financial guarantee provided in the form of a security or an irrevocable letter of credit must have a term of not less than 12 months. A proof of its renewal or a new guarantee must be provided to the Minister at least 60 days before the guarantee expires.

The guarantee must contain a clause setting at not less than 12 months after its expiry or rescission the time available to the Minister to file a claim with the legal person who issued the guarantee.

The guarantee must also provide that its modification or rescission may take effect only if prior notice of at least 60 days is sent by registered mail to the Minister.

Subject to the law applicable in Québec, a guarantee provided in the form of an irrevocable letter of credit must comply with the rules of the International Chamber of Commerce related to stand-by letters of credit as the rules read on the day the guarantee is issued.

37. The Minister uses the guarantee provided by the operator of a quarry or sand pit in all cases where the operator, despite a notice to remedy the failure, refuses or fails to execute an obligation with which the operator must comply under the Act or its regulations.

The guarantee may be used to pay or reimburse any expense related to the performance of the obligation involved.

CHAPTER VIII REDEVELOPMENT AND RESTORATION

38. The purpose of redevelopment and restoration is to reinsert the quarry or sand pit into the environment after the permanent cessation of the mining of surface mineral substances. The quarry or sand pit is considered to be closed when the redevelopment and restoration are completed.

The redevelopment and restoration must in particular achieve the following objectives:

- (1) eliminating unacceptable risks to health and ensuring the safety of persons;
- (2) preventing the release of contaminants likely to adversely affect the environment;
- (3) eliminating all long-term maintenance or follow-up;

(4) restoring the site to a condition compatible with its previous use.

39. The operator of a quarry or sand pit must carry out redevelopment and restoration in accordance with the plan included in the operator's authorization issued under section 22 of the Act.

40. The operator of a quarry or sand pit established before 17 August 1977 must, even in the absence of a redevelopment and restoration plan, redevelop and restore the excavated land since that date as part of the operation of the quarry or sand pit, in accordance with this Regulation.

In the case where the operator of a quarry or sand pit established before 17 August 1977 redevelops and restores the excavated land before that date, the operator must carry out the redevelopment or restoration work in accordance with the provisions of this Regulation.

41. The redevelopment and restoration work of the operator referred to in section 39 or in the first paragraph of section 40 must begin not later than 1 year after the permanent cessation of the mining of surface mineral substances of the quarry or sand pit.

42. The redevelopment and restoration of a quarry or sand pit must be carried out using one or more of the following options, on the conditions covered by the provisions of this Chapter:

- (1) the revegetation of the land with the stored topsoil or fertilizing waste substances;
- (2) the levelling of the land and the reduction of the working faces;
- (3) backfilling with one of the following matters:
 - (a) the overburden or surface mineral substances;
 - (b) soils containing no contaminant due to a human activity;
 - (c) sludge from sedimentation basins of the quarry or sand pit or sedimentation basins used in the transformation processes of dimension stone and cutting slurry generated by the treatment of surface mineral substances, insofar as the sludge or slurry meets the following conditions:
 - i. their dryness, measured by a laboratory accredited by the Minister under section 118.6 of the Act, is equal to or greater than 15%;
 - ii. the sludge or slurry contains no free liquid;

(d) particles recuperated by a catchment system installed in the quarry or sand pit and intended to prevent particle emissions into the atmosphere;

(e) in the case of a quarry only, soils containing contaminants due to a human activity in a concentration less than or equal to the limit values provided for in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37);

(4) the restoration or creation of wetlands and bodies of water.

Despite the first paragraph, in the case of the operator of a sand pit having made a declaration of compliance referred to in section 9, the redevelopment and restoration of the sand pit must be carried out only by the levelling and revegetation of the excavated land.

43. The redevelopment and restoration of a quarry or sand pit may also be carried out according to one of the following options:

- (1) the development of a residual materials landfill;
- (2) the development of a space or the construction of a structure or works.

In order for the options to be implemented, the operator must, in the year preceding the year of permanent cessation of the mining of surface mineral substances in the quarry or sand pit, first obtain, as the case may be, an authorization in accordance with subparagraphs iii and iv of subparagraph *b* of paragraph 3 of section 3 or an amendment of the authorization in accordance with paragraph 2 of section 4.

A third person may also apply to the Minister for the issue of an authorization to carry out one of the options provided for in the first paragraph, in the stead and place of the operator, within the time set in the second paragraph and in accordance with section 3.

44. The options referred to in subparagraphs 1, 2 and 3 of the first paragraph of section 42 must also meet the following conditions:

(1) the ground leveling, reduction of working faces or backfilling must stabilize the slopes and, in the case of a sand pit, the final profile of the land must not exceed 30° from the horizontal unless the land is stabilized with a structure preventing any landslide or erosion;

(2) the revegetation work, that is, seeding or planting, must allow to reconstitute, 18 months following the closure of the quarry or sand pit, a soil and a permanent natural vegetation cover that is still growing, except if the vegetation is harvested as part of recultivation of land.

If the option referred to in subparagraph 2 of the first paragraph of section 42 is retained for a quarry established after 17 August 1977 and located on the side of a hill, mountain, cliff or slope, the working face must be made up of benches not more than 10 m in height and of horizontal terraces at least 4 m that must be vegetated, unless the operator shows that the objectives referred to in section 38 have been achieved.

Backfilling work in a quarry or sand pit, in accordance with subparagraph *b* of subparagraph 3 of the first paragraph of section 42 must not give rise to the deposit of contaminants due to a human activity in that quarry or sand pit.

At all times, backfilling work in a quarry using the soils referred to in subparagraphs *b* and *e* of subparagraph 3 of the first paragraph of section 42 must not give rise to the deposit of contaminants in a concentration greater than the limit values provided for in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37).

45. The operator of a quarry or sand pit who does backfilling in accordance with subparagraph *e* of subparagraph 3 of the first paragraph of section 42 is required to verify the eligibility of the soils before they enter the quarry. To that end, the operator must, before receiving contaminated soils, confirm the nature and concentration values of the substances present in the soils on the basis of analysis reports submitted by the supplier and that includes a representative number of samples.

In addition, the operator of a quarry or sand pit who receives soils for backfilling purposes in accordance with subparagraphs *b* and *e* of subparagraph 3 of the first paragraph of section 42 must, upon receipt of the soils, take a sample and have it analyzed for each batch of soils less than or equal to 200 metric tons. In the case of a batch of soils greater than 200 metric tons, the operator must take an additional sample and have it analyzed for each additional fraction of soils less than or equal to 400 metric tons.

The analysis of the samples taken in accordance with this section must make it possible to identify the following compounds referred to in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37):

(1) monocyclic aromatic hydrocarbons (MAH) and polycyclic aromatic hydrocarbons (PAH);

(2) petroleum hydrocarbons (C10-C50);

(3) metals and metalloids;

(4) if the material received consists of soils referred to in subparagraph *e* of subparagraph 3 of the first paragraph of section 42, any contaminant identified in the characterization report referred to in the first paragraph.

The analyses required for the purposes of this section must be made by a laboratory accredited by the Minister under section 118.6 of the Act.

46. For any backfilling under subparagraphs *b* and *e* of subparagraph 3 of the first paragraph of section 42, the operator of a quarry or sand pit must enter into a register the following information and documents:

(1) the contact information of the soil supplier and that of the carrier;

(2) in the case referred to in the first paragraph of section 45, the reports submitted by the supplier;

(3) the nature and concentration of the substances present in the soils as well as the analysis reports produced by the laboratory after their receipt;

(4) the identification of the soils' place of origin;

(5) the date on which the soils are received;

(6) the quantity of soils received, expressed in metric tons;

(7) data for collecting and analyzing soils upon their receipt.

The operator of a quarry or sand pit must keep the register during the redevelopment and restoration and thereafter for a period of 5 years from the closure date of the quarry or sand pit.

47. The operator of a quarry that uses one of the options referred to in subparagraphs *b* and *e* of subparagraph 3 of the first paragraph of section 42 must send to the Minister, not later than on 31 January following each year during which the quarry is redeveloped and restored, an annual redevelopment and restoration report containing the following information and documents:

(1) a compilation of the data collected in accordance with section 46;

(2) a plan and the data stating the progression of the backfilling of soils in the quarry.

CHAPTER IX MONETARY ADMINISTRATIVE PENALTIES

48. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in any other case may be imposed on every person who fails

(1) to send a copy of the declaration of compliance to the municipality in the territory of which the activity will be carried out, in contravention of the second paragraph of section 11;

(2) to notify the Minister and the municipality of any change in the information provided in the declaration of compliance, in contravention of section 12;

(3) to have the plan referred to in the third paragraph of section 15 prepared or fails to keep it or provide it to the Minister, in contravention of that paragraph;

(4) to maintain the strip of land outdistancing the quarry or sand pit from a public road wooded, in contravention of the second paragraph of section 18;

(5) to have visual signs or markers identified, in accordance with the first paragraph of section 21;

(6) to have the plan prescribed by the second paragraph of section 21 prepared;

(7) to send to the Minister the plan referred to in the second paragraph of section 21, within the time prescribed by the third paragraph of that section;

(8) to store the topsoil separately from other materials, in contravention of section 22;

(9) to have the noise evaluated in the cases provided for in the first paragraph of section 25, at the interval provided for in that paragraph;

(10) to have the sound levels evaluated by a professional, in accordance with the second paragraph of section 25;

(11) to keep every report of the sound level evaluations referred to in the second paragraph of section 25 or to provide it to the Minister, in contravention of the third paragraph of that section;

(12) to put in place mitigation measures to prevent particle emission, in contravention of the second paragraph of section 27;

(13) to use a dust control liquid certified to the standard prescribed in section 28;

(14) to implement and keep up-to-date a procedure for the good use of blasting, in accordance with the first paragraph of section 30;

(15) to record in a register the data and the information referred to in the second paragraph of section 30;

(16) to keep or to provide the Minister with the procedure for the good use of blasting and the data recorded in the register, in accordance with the third paragraph of section 30;

(17) to provide the Minister with the financial guarantee and indicate to the Minister the area of land that will be excavated for the entire duration of the guarantee, within the time prescribed by the second paragraph of section 33;

(18) to hold a financial guarantee for the duration and period provided for in the third paragraph of section 33;

(19) to provide the Minister with a financial guarantee in the amount calculated in accordance with the first paragraph of section 34;

(20) to provide a financial guarantee in one of the forms referred to in the first paragraph of section 35;

(21) to provide the Minister with proof of renewal of the financial guarantee or with a new financial guarantee, within the time prescribed in the first paragraph of section 36;

(22) to carry out the redevelopment and restoration of a quarry or sand pit in accordance with the plan included in the authorization, in contravention of section 39;

(23) to redevelop and restore the excavated land since 17 August 1977, in contravention of the first paragraph of section 40;

(24) to carry out redevelopment and restoration work of the excavated land before 17 August 1977 in accordance with the provisions of this Regulation, in contravention of the second paragraph of section 40;

(25) to begin the redevelopment and restoration work within the time prescribed in section 41;

(26) to redevelop and restore a quarry or sand pit using one or more of the options provided for in section 42 or in the first paragraph of section 43, on the conditions indicated in those sections and in section 44;

(27) to verify the eligibility of soils before they enter a quarry, in the case and on the conditions provided for in the first paragraph of section 45;

(28) to take or analyze a sample of soils when they are received, in the cases and on the conditions provided for in the second and third paragraphs of section 45;

(29) to have the analyses prescribed by the first and second paragraphs of section 45 carried out by an accredited laboratory, in contravention of the fourth paragraph of that section;

(30) to enter in a register the information and documents referred to in the first paragraph of section 46 or to keep it for the period provided for in the second paragraph of that section, in the cases and on the conditions provided for therein;

(31) to send to the Minister the annual report referred to in section 47, within the time prescribed therein.

The penalty provided for in the first paragraph may also be imposed on every person who stores or eliminates particles or sludge that do not meet the conditions provided for in the first paragraph of section 23.

49. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in any other case may be imposed on every person who fails to comply with the blasting prohibition on the conditions or during the periods provided for in the first paragraph of section 31.

50. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in any other case may be imposed on every person who fails to

(1) obtain an authorization in the cases provided for in section 3;

(2) obtain an amendment of authorization in the cases provided for in section 4;

(3) comply with the siting standards concerning protection zones of a water withdrawal, in contravention of section 14;

(4) comply with the standards regarding the minimum distance between a quarry or sand pit and a lake, a steady-flow watercourse, a riparian shrub swamp of one of those environments, a marsh or an open peatland, in contravention of the first paragraph of section 15;

(5) maintain the distance between a quarry or sand pit and a lake, a steady-flow watercourse, a riparian shrub swamp of one of those environments, a marsh or an open peatland, in contravention with subparagraph 1 of the second paragraph of section 15; or

(6) obtain an authorization or an amendment of authorization before implementing one of the options provided for in the first paragraph of section 43, within the time prescribed in the second paragraph of that section.

51. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in any other case may be imposed on every person who

(1) fails to comply with the siting standard concerning the territories listed in the first paragraph of section 13, in contravention of that paragraph;

(2) fails to comply with the standard regarding the minimum distance between a quarry or sand pit and an ecological reserve or any other natural environment designated by a plan, a park or the habitat of a wildlife or plant species, in contravention of section 16;

(3) fails to comply with the standard regarding the minimum distance between a private access road to a quarry or sand pit and a dwelling or a public institution, in contravention of the first paragraph of section 17;

(4) fails to maintain the distance between the private access road to a quarry or sand pit and the dwellings and public institutions, in contravention of the second paragraph of section 17;

(5) fails to comply with the standard regarding the minimum distance between the quarry or sand pit and a public road, in contravention of the first paragraph of section 18;

(6) fails to maintain the distance between the site of the activities of a quarry or sand pit and the public road, in contravention of the fourth paragraph of section 18;

(7) fails to comply with the standard regarding the minimum distance between a quarry or sand pit and any land belonging to a person other than the owner of that quarry or sand pit, in contravention of section 19; or

(8) operates a quarry or sand pit in a lake, a steady-flow watercourse or a riparian shrub swamp of one of those environments, a marsh or an open peatland in contravention of the first or second paragraph of section 20.

52. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in any other case may be imposed on every person who fails to comply with

(1) the noise standards prescribed by the first paragraph of section 24;

(2) the standards regarding the waters from a quarry or sand pit prescribed by section 26;

(3) the particle emission standard prescribed by the first paragraph of section 27;

(4) the particle emission standard regarding a particle catchment system prescribed by the first paragraph of section 29; or

(5) the conditions governing blasting prescribed by section 32.

CHAPTER X PENAL SANCTIONS

53. Every person who contravenes the second paragraph of section 11, section 12, the third paragraph of section 15, the second paragraph of section 18, section 21 or 22, the first paragraph of section 23, section 25, the second paragraph of section 27, section 28 or 30, the second or third paragraph of section 33, the first paragraph of section 34, 35 or 36, section 39, 40, 41 or 42, the first paragraph of section 43 or section 44, 45, 46 or 47 commits an offence and is liable to a fine of \$2,500 to \$250,000, in the case of a natural person, or \$7,500 to \$1,500,000 in any other case.

54. Every person who contravenes the first paragraph of section 31 commits an offence and is liable to a fine of \$4,000 to \$250,000, in the case of a natural person, or \$12,000 to \$1,500,000 in any other case.

55. Every person who

(1) contravenes section 3, 4 or 14, the first paragraph or subparagraph 1 of the second paragraph of section 15 or the second paragraph of section 43, and

(2) makes a declaration, communicates information or files a document that is false or misleading, pursuant to this Regulation,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in any other case, to a fine of \$15,000 to \$3,000,000.

56. Every person who contravenes section 13, 16 or 17, the first or fourth paragraph of section 18, section 19 or the first or second paragraph of section 20 commits an

offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in any other case, to a fine of \$24,000 to \$3,000,000.

57. Every person who contravenes the first paragraph of section 24, 26, 27 or 29 or section 32 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in any other case, to a fine of \$30,000 to \$6,000,000.

58. Every person who contravenes any other obligation imposed by this Regulation and for which no penalty is otherwise provided also commits an offence and is liable, if no other penalty is provided for in this Chapter or in the Act, to a fine of \$1,000 to \$100,000, in the case of a natural person, or of \$3,000 to \$600,000 in any other case.

CHAPTER XI TRANSITIONAL

59. The first paragraph of section 21 applies as of 18 April 2022 to every operator of a quarry or sand pit established on or after 17 August 1977 but before 18 April 2019.

60. Section 24 applies as of 18 April 2022

(1) to any operator of a quarry or sand pit established before 18 April 2019 and for which no noise standard was applicable under the Regulation respecting pits and quarries (chapter Q-2, r. 7), as it read on 17 April 2019; and

(2) to any operator of a quarry or sand pit established before 17 August 1977.

The noise evaluation required under section 25 must be carried out not later than on 18 April 2022 by any operator of a quarry or sand pit established before 18 April 2019.

Any noise standard provided for in section 12 of the Regulation respecting pits and quarries, as it read on 17 April 2019, or prescribed in the operator's authorization, that applies to a quarry or sand pit on that date continues to apply to the quarry or sand pit until 17 April 2022.

61. Section 29 applies as of 18 April 2022 to any operator of a quarry or sand pit established before 18 April 2019.

Section 32 of the Regulation respecting pits and quarries (chapter Q-2, r. 7), as it read on 17 April 2019, continues to apply to that quarry or sand pit until 17 April 2022.

62. Section 30 and paragraphs 2 and 3 of the first paragraph of section 32 apply as of 18 April 2022 to any operator of a quarry established before 18 April 2019.

Section 34 of the Regulation respecting pits and quarries (chapter Q-2, r. 7), as it read on 17 April 2019, continues to apply to that quarry until 17 April 2022.

63. Chapter VII applies to any operator of a quarry or sand pit established before 18 April 2019 only to the extent where the operator has not finished the redevelopment and restoration of the quarry or sand pit on 18 April 2022. Not later than on that date, the operator is required to provide the Minister with a guarantee in accordance with the conditions provided for in that Chapter.

Any guarantee that is required from the operator of a sand pit on 17 April 2019 must be maintained, in accordance with the conditions in force on that date, until 17 April 2022.

CHAPTER XII FINAL

64. This Regulation replaces the Regulation respecting pits and quarries (chapter Q-2, r. 7).

Despite the foregoing, that Regulation continues to apply to operators of quarries and sand pits to the extent provided for in Chapter XI.

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

SCHEDULE I
PROHIBITED TERRITORIES
(section 13)

[TRANSLATION]

PROVINCE OF QUÉBEC

**MUNICIPALITIES: VILLE DE SAINT-BRUNO-DE-MONTARVILLE AND
VILLE DE SAINTE-JULIE**

**REGIONAL COUNTY MUNICIPALITY: OUTSIDE RCM AND
MARGUERITE-D'YOUVILLE**

TECHNICAL DESCRIPTION

TERRITORY OF MONT SAINT-BRUNO

In reference to the municipal plan of Saint-Bruno-de-Montarville published by the Ministère des Transports du Québec (August 2014) and to the plan of the cadastre of Québec of the registration divisions of Chambly and Verchères (data extracted from Infotot on 27 February 2017), all the following territory:

Starting from the southwestern apex of lot 2 420 823, that is, point "1" appearing on the plan attached to this description, being the "STARTING POINT";

Thence, southwesterly, following the northwestern right of way of boulevard Sir-Wilfrid-Laurier (route 116) (lots 2 420 748 and 2 420 747) to the northeastern right of way of boulevard de Boucherville (lot 2 420 735), that is, up to point "2";

Thence, northwesterly, following the northeastern right of way of the said boulevard (lots 2 420 735, 2 420 736, part 2 420 754, 2 420 778 to 2 740 780 and pt 2 420 669), to the western right of way of chemin De La Rabastalière Est (lot 2 420 669), that is, up to point "3";

Thence, in a general southwesterly direction, following the said right of way (lots 2 420 669, 2 420 810 and 2 420 667) to the northeastern right of way of rue Montarville (lot 2 114 968), that is, up to point "4";

Thence, northwesterly, following the said right of way (lots 2 114 968, 2 420 666, 2 420 664, 2 114 964, 2 114 914, 2 420 629 and 2 114 906), then following the northeastern limit of lots 2 348 482, 2 348 481, 2 111 997, 2 111 998, 2 114 893, 2 111 982, 2 111 995, 2 111 994, 2 111 993, 2 114 741, 2 111 991, 2 228 936, then following the northeastern right of way of rue Frontenac Est (lot 2 114 903), to the southeastern limit of lot 2 348 486, then along a bearing of 308°32'45" over a distance of thirty-seven metres and forty-four hundredths (37.44 m) to the southeastern right of way of Montée Montarville (southeastern apex of lot 2 111 851), that is, up to point "5";

Thence, northeasterly, following the southeastern limit of lots 2 111 851, 2 228 926 and 2 229 006, then along a bearing of 37°01'22" over a distance of four hundred and twenty-four metres and sixty-three hundredths (424.63 m) to the southeastern right of way of rang des Vingt-Cinq Est (lot 2 420 604), then following the said right of way (lots 2 420 604, 2 420 588 and 2 420 824), then the right of way of chemin du Fer-à-Cheval (lots 2 451 967, 5 432 640 and 5 432 643), to the southwestern right of way of rue Jacquelin-Beaulieu, that is, up to point "6";

Thence, northeasterly, following the arc of a circle of fifteen metres and twenty-four hundredths (15.24 m) and of four hundred and sixty-two metres and fifty hundredths of internal radius (462.50 m), to the northeastern right of way of rue Jacquelin-Beaulieu, then following the eastern right of way of chemin du Fer-à-Cheval (lot 5 432 643), to the oil pipeline of "Montreal Pipeline", that is, up to point "7";

Thence, southeasterly, following the oil pipeline along a bearing of 115°20'04" over a distance of one thousand three hundred and sixty-nine metres and eight hundredths (1,369.08 m) to the western limit of lot 2 420 481, boundary separating the towns of Sainte-Julie and Saint-Bruno-de-Montarville, that is, up to point "8";

Thence, northerly and southeasterly, following the said limit (western and northeastern limits of lot 2 420 481), to the boundary separating the towns of Saint-Bruno-de-Montarville and Saint-Basile-le-Grand (lot 3 410 415), that is, up to point "9";

Thence, southerly, following the said limit (eastern limit of lots 2 420 481, 2 420 475 and 2 420 480), to the northwestern right of way of rang des Vingt (lot 2 452 048), that is, up to point "10";

Thence, southwesterly, following the said right of way (lot 2 452 048), to the western apex of lot 2 452 048, then along a bearing of $214^{\circ}17'14''$ over a distance of thirty-seven metres and eighty-seven hundredths (37.87 m), then along a bearing of $202^{\circ}44'29''$ over a distance of thirty metres and seventy-six hundredths (30.76 m), to the eastern apex of lot 2 420 453, then again following the right of way (lot 2 420 823) over a distance of seven hundred and eighty-seven metres and forty-one hundredths (787.41 m), that is, up to point "11";

Thence, southwesterly, along a bearing of $206^{\circ}31'07''$ over a distance of eighty-eight metres and sixty-eight hundredths (88.68 m), then again following the right of way (lot 2 420 823), to return to the "STARTING POINT", number "1" in the attached plan.

The distances in the document are in metres (SI).

The bearings in the document are in reference to the SCOPQ system (zone 8) NAD 83.

The point coordinates are:

Point number	SCOPQ coordinates	
	Y	X
1	5042557	319654
2	5042279	319006
3	5043784	317615
4	5043085	317133
5	5044527	315722
6	5047849	318184
7	5048103	318227
8	5047517	319464
9	5045938	320994
10	5044524	320842
11	5042725	319744

That description was prepared for the Gouvernement du Québec, represented by its Minister of Sustainable Development, the Environment and the Fight Against Climate Change.

The plan that accompanies the description is an integral part of this technical description.

**PREPARED AT QUÉBEC, ON 29 JUNE 2017, UNDER NUMBER 251 OF
MY MINUTES.**

FILE GBY10103603

Audrey HAMEL (2577)
LAND SURVEYOR

CERTIFIED TRUE COPY

ISSUED ON _____

BY: _____

[TRANSLATION]

PROVINCE OF QUÉBEC

MUNICIPALITIES: VILLE DE MONT SAINT-HILAIRE, SAINT-JEAN-BAPTISTE AND PAROISSE DE SAINTE-MARIE-MADELEINE

REGIONAL COUNTY MUNICIPALITY: LA VALLÉE-DU-RICHELIEU

TECHNICAL DESCRIPTION

TERRITORY OF MONT SAINT-HILAIRE

In reference to the municipal plan of Ville de Mont Saint-Hilaire published by the Ministère des Transports du Québec (August 2014) and to the plan of the cadastre of Québec, of the registration division of Rouville (data extracted from Infotot on 27 February 2017), all the following territory:

Starting from the intersection of the southern right of way of boulevard Sir-Wilfrid-Laurier (route 116) (lot 3 956 714) with the eastern right of way of rue Fortier (lot 5 648 298), that is, point "1" appearing on the plan attached to this description, being the "STARTING POINT";

Thence, in a general northeasterly direction, following the southeastern right of way of the said boulevard (lots 3 956 714, 3 956 787, 2 349 006, 2 348 998, 2 349 299, 1 817 447, 1 817 673, 1 817 829, 2 349 300, 1 818 533 and 1 818 511) to the southwestern right of way of chemin Benoit (route 229) (lot 1 818 284), that is, up to point "2";

Thence, in a general southeasterly direction, following the said right of way (lots 1 818 284 and 1 818 472), to the northeast apex of lot 1 818 510, then along a bearing of 131°56'06" over a distance of thirteen metres and thirty hundredths (13.30 m), then following the northeastern limit of lot 2 369 378 to the western right of way of chemin des Carrières (northeastern apex of lot 2 369 378), that is, up to point "3";

Thence, in a southerly and southwesterly direction, following the said right of way (lot 2 768 505), then along a bearing of 215°08'59" over a distance of thirty-six metres and seven hundredths (36.07 m) to the western limit of lot 1 818 510, then southerly, always following the said right of way to the southwestern limit of the said lot, that is, up to point "4";

Thence, in a general southeasterly direction, following the said limit and the dividing limit between Municipalité de Saint-Jean-Baptiste and Paroisse de Sainte-Marie-Madeleine (southwestern limit of lot 2 369 374, southwestern and southeastern limits of lot 2 366 117, and northeastern limit of lots 4 148 899 and 4 148 906), then the southern limit of lot 4 150 479, to the western right of way of chemin des Lots (lot 4 150 468), that is, up to point "5";

Thence, in a general southwesterly direction, following the western and northwestern right of way of the said road and rue Noiseux (lots 4 150 468, 4 150 429, 4 150 428, 4 150 427, 4 150 426 and 4 150 386), then along a bearing of 83°25'59" over a distance of twelve metres and four hundredths (12.04 m) to the northwestern limit of lot 2 349 318, then southwesterly, always following the said right of way, to the northeastern right of way of chemin de la Montagne (lot 5 054 702), that is, up to point "6";

Thence, in a general northwesterly direction, following the said right of way (lots 5 054 702, 2 349 305, 1 819 524, 2 349 314, 2 349 313, 2 349 312, 2 349 311 and 1 816 322), to the southeastern right of way of chemin Ozias-Leduc (lot 2 349 319), that is, up to point "7";

Thence, in a general northerly direction, following the said right of way (lots 2 349 319, 3 271 276, 3 271 278, 3 271 280, 3 271 282, 3 271 284, 3 271 286, 3 271 288, 3 271 290, 3 271 292, 3 271 294, 3 956 776, 3 956 780, 3 236 483, 3 956 781 and 3 271 300), then the northeastern right of way of rue Fortier (lots 3 956 806, 3 956 807, 3 956 791, 3 956 786 and 5 648 298), to the southern right of way of boulevard Sir-Wilfrid-Laurier, to return to the "STARTING POINT", number "1" in the attached plan.

The distances in the document are in metres (SI).

The bearings in the document are in reference to the SCOPQ system (zone 8) NAD 83.

The point coordinates are:

Point number	SCOPQ coordinates	
	Y	X
1	5046930	328880
2	5049421	332561
3	5048709	333060
4	5048334	332986
5	5046965	334416
6	5043167	332122
7	5044747	329229

That description was prepared for the Gouvernement du Québec, represented by its Minister of Sustainable Development, the Environment and the Fight Against Climate Change.

The plan that accompanies the description is an integral part of this technical description.

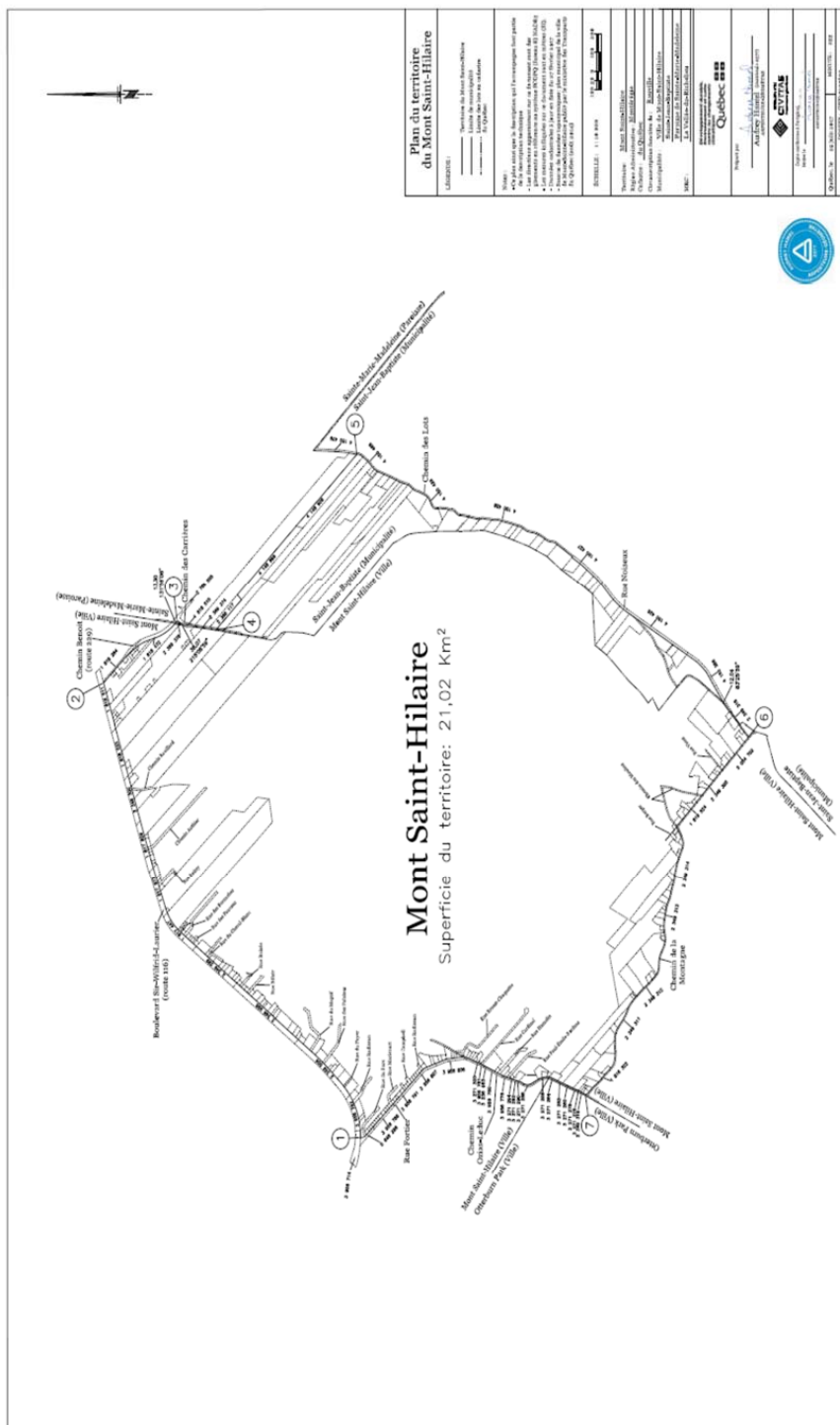
**PREPARED AT QUÉBEC, ON 29 JUNE 2017, UNDER NUMBER 253 OF
MY MINUTES.**

FILE GBY10103603

**Audrey HAMEL (2577)
LAND SURVEYOR**

**CERTIFIED TRUE COPY
ISSUED ON** _____

BY: _____



[TRANSLATION]

PROVINCE OF QUÉBEC

MUNICIPALITIES: ROUGEMONT, SAINT-DAMASE AND SAINT-JEAN-BAPTISTE

REGIONAL COUNTY MUNICIPALITIES: ROUVILLE, LES MASKOUTAINS AND LA VALLÉE-DU-RICHELIEU

TECHNICAL DESCRIPTION

TERRITORY OF MONT ROUGEMONT

In reference to the municipal plan of Rougemont published by the Ministère des Transports du Québec (June 2014) and to the plan of the cadastre of Québec of the registration divisions of Saint-Hyacinthe and Rouville (data extracted from Infotot on 27 February 2017), all the following territory:

Starting from the intersection of the eastern right of way of rang du Cordon (lot 2 768 476) with the dividing line between lots 4 914 295 and 5 263 146, that is, point "1" appearing on the plan attached to this description, being the "STARTING POINT";

Thence, in a southeasterly direction, following the northeastern limit of lot 4 914 295 to the western limit of lot 2 365 921, that is, up to point "2";

Thence, in a northerly direction, following the western limit of the said lot, to the southern right of way of rang Marie-Anne (lot 2 366 169), that is, up to point "3";

Thence, in an easterly direction, following the southern right of way of rang Marie-Anne (lots 2 366 169, 2 706 404 and 2 945 325), to the western right of way of rang du Haut-Corbin (route 231) (lot 2 706 387), that is, up to point "4";

Thence, in a general southerly direction, following the western and southwestern right of way of the said range (lots 2 706 387, 2 706 388, 2 706 390, 2 706 389 and 2 706 325), then the western and northwestern right of way of La Grande-Caroline (route 231) (lots 5 979 550, 5 979 549, 5 979 548, 5 979 547, 5 979 546, 5 979 545, 5 979 544, 5 979 543, 5 979 542, 5 979 541, 5 979 532, 5 979 540, 5 979 531, 5 979 530, 5 979 529, 5 979 539, 5 979 538, 5 979 537, 5 979 536, 5 979 535, 5 979 534, 5 979 533, 6 011 583, 1 715 834, 1 715 833, 1 715 832, 1 715 823, 1 715 824, 1 715 827 and 1 715 828), to the northeastern right of way of rue Principale (lot 1 715 861), that is, up to point "5";

Thence, in a general northwesterly direction, following the said right of way (lots 1 715 861, 1 715 869, 1 715 870, 1 715 863 and 1 715 864), then the northeastern, eastern and southeastern right of way of rang de la Montagne (route 229), (lots 1 715 892, 1 716 080, 1 715 808, 1 715 807, 1 715 803 and 1 715 800), to the eastern right of way of rang du Cordon (lot 2 926 581), that is, up to point "6";

Thence, in a northerly direction, following the said right of way (lots 2 926 581, 4 150 483, 4 150 484, 4 150 491, 4 150 492, 2 768 476) to return to the "STARTING POINT", number "1" in the attached plan.

The distances in the document are in metres (SI).

The bearings in the document are in reference to the SCOPQ system (zone 8) NAD 83.

The point coordinates are:

Point number	SCOPQ coordinates	
	Y	X
1	5041693	338056
2	5040386	339302
3	5040771	339433
4	5040933	341754
5	5032700	339979

6	5037500	336526
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That description was prepared for the Gouvernement du Québec, represented by its Minister of Sustainable Development, the Environment and the Fight Against Climate Change.

The plan that accompanies the description is an integral part of this technical description.

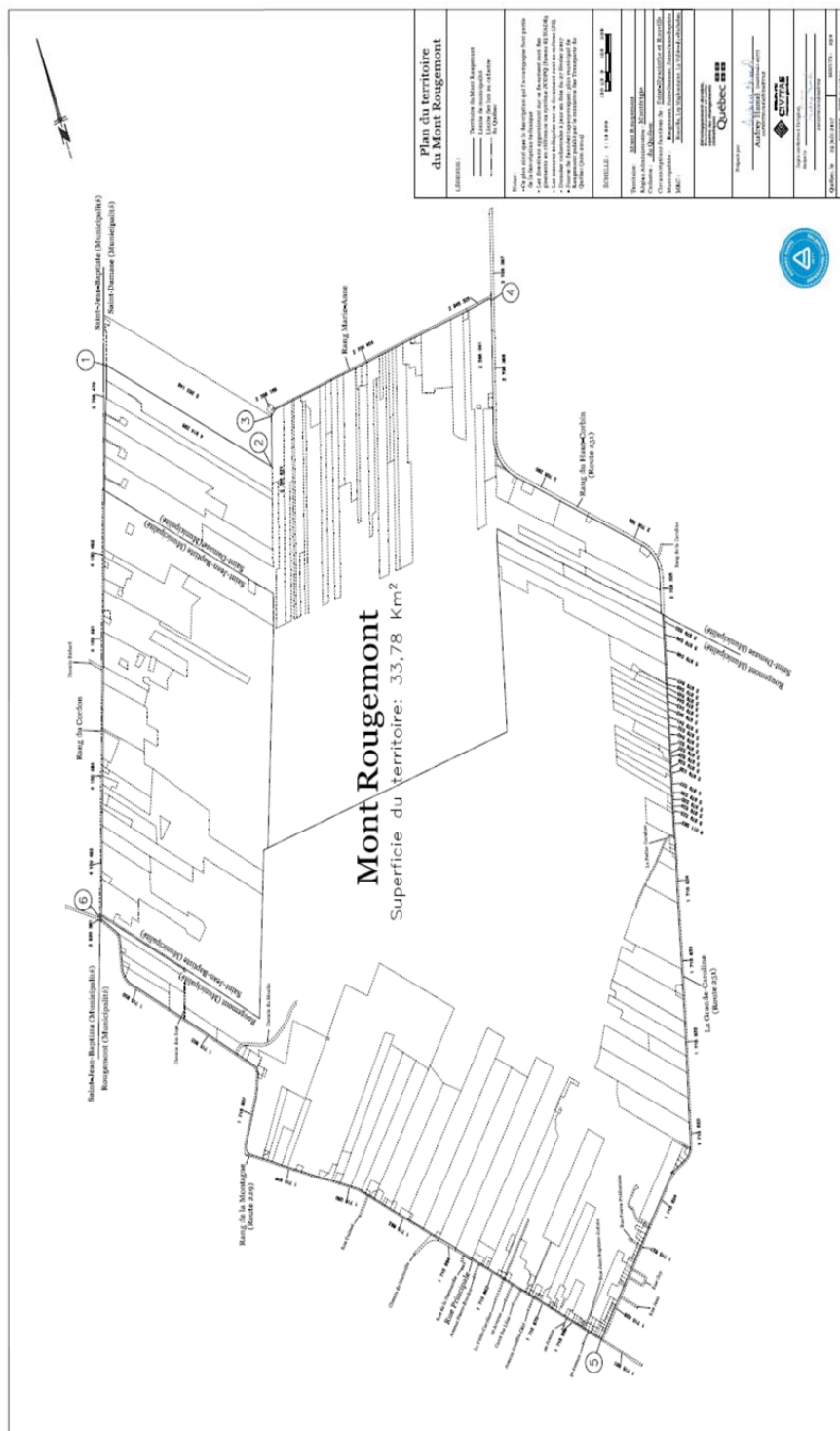
PREPARED AT QUÉBEC, ON 29 JUNE 2017, UNDER NUMBER 250 OF MY MINUTES.

FILE GBY10103603

Audrey HAMEL (2577)
LAND SURVEYOR

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[TRANSLATION]

PROVINCE OF QUÉBEC

MUNICIPALITY: MONT-SAINT-GRÉGOIRE

REGIONAL COUNTY MUNICIPALITY: LE HAUT-RICHELIEU

TECHNICAL DESCRIPTION

TERRITORY OF MONT SAINT-GRÉGOIRE

In reference to the municipal plan of Mont-Saint-Grégoire published by the Ministère des Transports du Québec (June 2014) and to the plan of the cadastre of Québec of the registration division of Saint-Jean (data extracted from Infolot on 27 February 2017), all the following territory:

Starting from the intersection of the eastern right of way of chemin du Sous-Bois (lot 4 160 154), with the dividing limit between the municipalities of Mont-Saint-Grégoire and Sainte-Angèle-de-Monnoir, that is, point "1" appearing on the plan attached to this description, being the "STARTING POINT";

Thence, in a southeasterly direction, following the dividing limit between the municipalities (southwestern limit of lots 4 110 577 and 1 713 845), to the northwestern right of way of rang de la Montagne (lot 4 160 161), that is, up to point "2";

Thence, in a general southwesterly direction, following the said right of way (lots 4 160 161 and 4 160 150), to the northeastern right of way of chemin du Sous-Bois (lot 4 160 149), that is, up to point "3";

Thence, in a general northerly direction, following the said right of way (lots 4 160 149, 4 160 130, 4 160 152 and 4 160 154) to return to the "STARTING POINT", number "1" in the attached plan.

The distances in the document are in metres (SI).

The bearings in the document are in reference to the SCOPQ system (zone 8) NAD 83.

The point coordinates are:

	SCOPQ coordinates	
Point number	Y	X
1	5025641	332349
2	5024492	333535
3	5023297	332398

That description was prepared for the Gouvernement du Québec, represented by its Minister of Sustainable Development, the Environment and the Fight Against Climate Change.

The plan that accompanies the description is an integral part of this technical description.

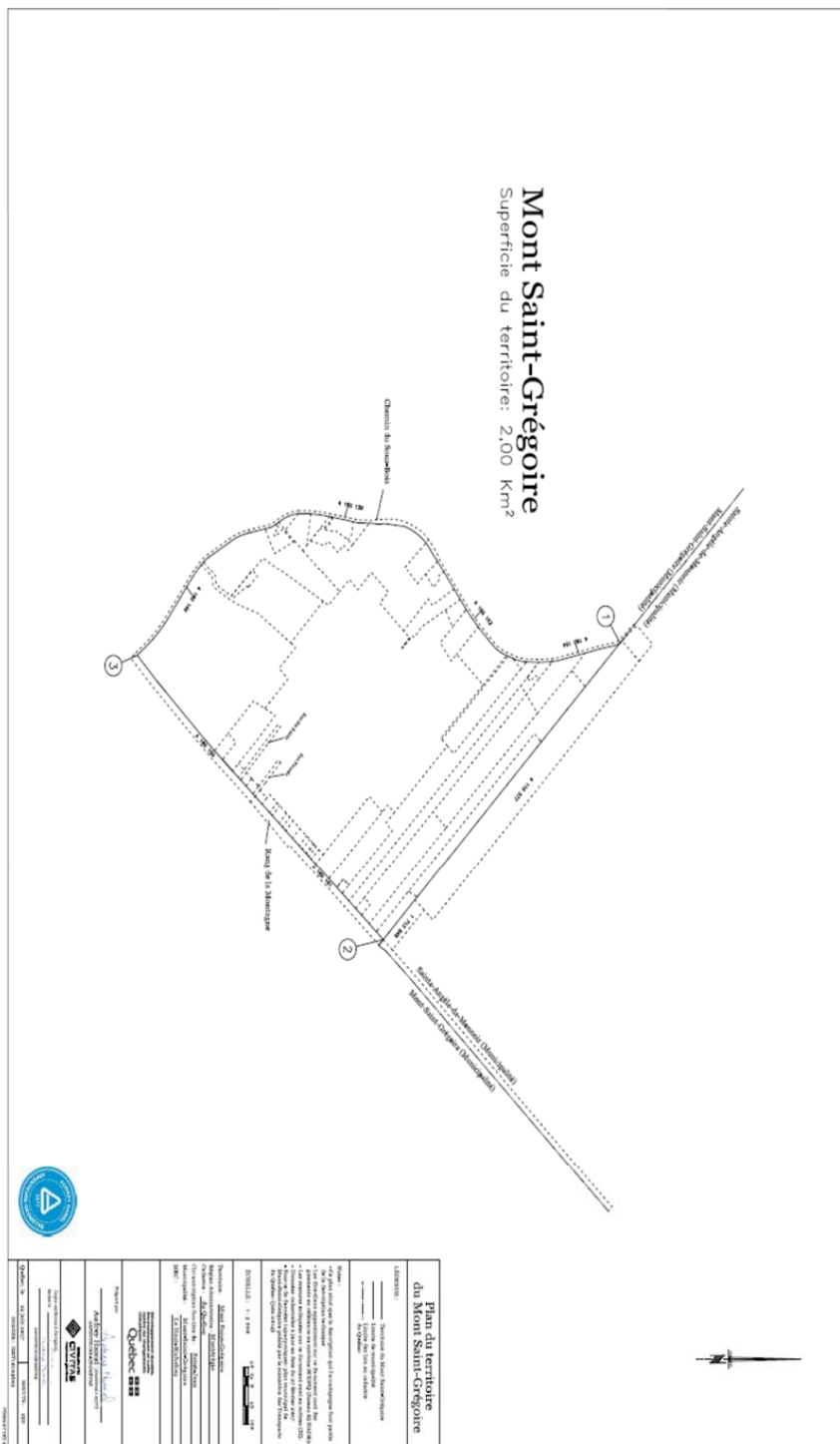
PREPARED AT QUÉBEC, ON 29 JUNE 2017, UNDER NUMBER 252 OF MY MINUTES.

FILE GBY10103603

Audrey HAMEL (2577)
LAND SURVEYOR

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[TRANSLATION]

PROVINCE OF QUÉBEC

MUNICIPALITIES: SAINT-PAUL-D'ABBOTSFORD AND VILLE DE SAINT-PIE

REGIONAL COUNTY MUNICIPALITIES: ROUVILLE, LES MASKOUTAINS

TECHNICAL DESCRIPTION

TERRITORY OF MONT YAMASKA

In reference to the municipal plan of Saint-Paul-d'Abbotsford published by the Ministère des Transports du Québec (June 2014) and to the plan of the cadastre of Québec of the registration divisions of Rouville and Saint-Hyacinthe (data extracted from InfoLot on 27 February 2017), all the following territory:

Starting from the intersection of the northwestern right of way of rue Principale Est (route 112) (lot 3 518 126), with the northeastern right of way of the railroad (lot 3 518 172), that is, point "1" appearing on the plan attached to this description, being the "STARTING POINT";

Thence, in a general northerly direction, following the said right of way of the railroad (lots 3 518 172, 3 518 183, 3 518 085 and 3 518 086), to the southeastern right of way of rang Elmire, that is, up to point "2";

Thence, in a general easterly direction, following the said right of way (lot 3 851 044), then the right of way of rang d'Émileville (lots 2 972 100 and 2 972 099), then following the southern right of way of rang du Haut-de-la-Rivière Sud (lots 2 979 099, 2 972 103, 2 972 098, 2 972 091, 2 972 102, 2 972 090, 2 972 101, 2 972 089 and 2 972 063), to the southwestern right of way of Grand rang Saint-Charles, that is, up to point "3";

Thence, in a general southerly direction, following the said right of way (lots 2 972 063, 3 518 115, 3 518 106, 3 518 110, 3 518 116 and 3 518 117) to the northern right of way of rue Principale Est (route 112), that is, up to point "4";

Thence, in a general westerly direction, following the said right of way (lots 3 518 119, 3 518 120 and 3 518 241) to the western right of way of rue Southière (lot 3 518 215), that is, up to point "5";

Thence, in a southerly direction, following a bearing of 217°53'16" over a distance of nineteen metres and forty-one hundredths (19.41 m), then, following the western limit of lot 3 518 739 to its southern limit, then following a bearing of 192°30'10" over a distance of nine metres and fourteen hundredths (9.14 m) to the northern limit of lot 3 516 683, that is, up to point "6";

Thence, westerly, following the said limit to the eastern right of way of Petit rang Saint-Charles (lot 3 518 136), then following a bearing of 281°44'58" over a distance of eighteen metres and nineteen hundredths (18.19 m) to the northeastern apex of lot 3 517 331, then following the northern limit of the said lot and lots 5 300 460 and 5 300 459 to the western limit of the latter, that is, up to point "7";

Thence, northerly, following the western limit of lot 3 519 101, then following a bearing of 11°42'33" over a distance of seventy metres and thirty-two hundredths (70.32 m) to the southwestern apex of lot 3 518 611, then following the western limit of the said lot to its northwestern apex, then following a bearing of 11°31'26" over a distance of one hundred and nineteen metres and sixty-seven hundredths (119.67 m) to the southwestern apex of lot 3 518 371, then following the western limit of the said lot to the southern right of way of rue Principale Est (route 112) (lot 3 518 248), then following a bearing of 11°56'37" over a distance of thirteen metres and twenty-five hundredths (13.25 m) to its northern right of way, that is, up to point "8";

Thence, in a general westerly direction, following the said right of way (lots 3 518 248 to 3 518 250, 3 518 258 and 3 518 126) to return to the "STARTING POINT", number "1" in the attached plan.

The distances in the document are in metres (SI).

The bearings in the document are in reference to the SCOPQ system (zone 8) NAD 83.

The point coordinates are:

Point number	SCOPQ coordinates	
	Y	X
1	5032937	352168
2	5037759	351910
3	5038169	355940
4	5032486	356476
5	5032914	354461
6	5032560	354378
7	5032804	353202
8	5033163	353276

That description was prepared for the Gouvernement du Québec, represented by its Minister of Sustainable Development, the Environment and the Fight Against Climate Change.

The plan that accompanies the description is an integral part of this technical description.

**PREPARED AT QUÉBEC, ON 29 JUNE 2017, UNDER NUMBER 255 OF
MY MINUTES.**

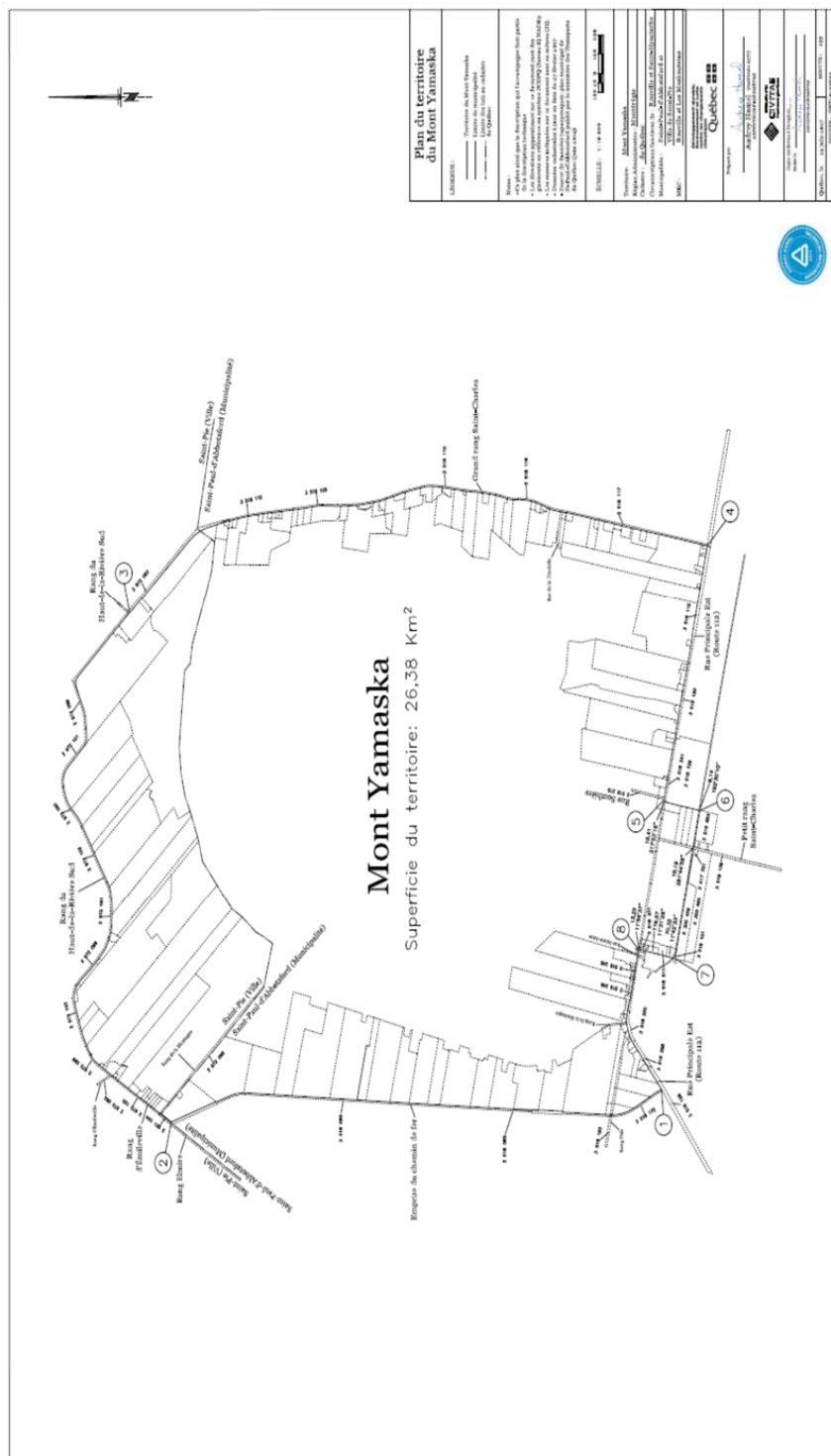
FILE GBY10103603

Audrey HAMEL (2577)
LAND SURVEYOR

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BY: _____



[TRANSLATION]

PROVINCE OF QUÉBEC

MUNICIPALITIES: VILLE DE BROMONT AND VILLE OF LAC-BROME

REGIONAL COUNTY MUNICIPALITY: BROME-MISSISQUOI

TECHNICAL DESCRIPTION

TERRITORY OF MONT BROME

In reference to the municipal plan of the towns of Bromont and Lac-Brome published by the Ministère des Transports du Québec (August 2014) and to the plan of the cadastre of Québec of the registration divisions of Brome and Shefford (data extracted from Infolot on 27 February 2017), all the following territory:

Starting from the intersection of the southeastern right of way of rue Shefford (route 241) (lot 2 591 977) with the southwestern natural high-water mark of rivière Yamaska (left bank), that is, point "1" appearing on the plan attached to this description, being the "STARTING POINT";

Thence, in a general southeasterly direction following the southwestern natural high-water mark of rivière Yamaska (left bank) to a

point situated at the northeastern limit of lot 2 593 948, at a distance of thirty-three metres and ninety-seven hundredths (33.97 m) from the northern apex of that lot, that is, up to point "2";

Thence, southerly, along a bearing of 179°59'27" over a distance of two hundred and one metres and forty-six hundredths (201.46 m) to the southern limit of lot 3 581 215, that is, up to point "3";

Thence, westerly, following the said limit then the southern limit of lot 3 581 216 over a distance of fifty-four metres and seventy-eight hundredths (54.78 m), that is, up to point "4";

Thence, southerly, along a bearing of 171°15'23" over a distance of four hundred and ninety-five metres and seventeen hundredths (495.17 m), that is, up to point "5";

Thence, westerly, along a bearing of 269°34'19" over a distance of three hundred and seventy-three metres and forty-one hundredths (373.41 m), that is, up to point "6";

Thence, southerly, along a bearing of 173°23'23" over a distance of five hundred and forty-eight metres and fifty-seven hundredths (548.57 m), to the northeastern apex of lot 2 929 108, that is, up to point "7";

Thence, westerly, following the northern limit of the said lot and of lot 2 929 110, to the eastern limit of lot 2 929 113, that is, up to point "8";

Thence, southerly, along a bearing of 177°21'04" over a distance of five hundred and seventy six metres and thirty-four hundredths (576.34 m), to the northern limit of lot 2 929 095, that is, up to point "9";

Thence, westerly, following the northern limit of lots 2 929 095 and 2 929 138, to the western right of way of chemin Huntington (lot 2 929 138), that is, up to point "10";

Thence, southerly, following the said right of way and the right of way of chemin d'Iron Hill (lots 2 929 138, 2 929 139, 3 379 012, 3 379 011, 3 379 010, 3 379 009, 3 379 001, 3 163 819 and 3 167 075) to the southern limit of lot 3 163 647, that is, up to point "11";

Thence, westerly, following the southern limit of lots 3 163 647 and 3 163 646, then along a bearing of 273°11'10" over a distance of eleven metres and ninety-four hundredths (11.94 m), to the eastern limit of chemin Rumsby, that is, up to point "12";

Thence, westerly, following the southern limit of lot 3 163 689, then along a bearing of 270°23'39" over a distance of seven hundred and sixty-one metres and eighty-two hundredths (761.82 m) to the eastern limit of lot 2 930 640, that is, up to point "13";

Thence, southerly, following the western limit of lots 4 437 806, 4 437 805, 4 437 804 and 2 930 625, to the boundary separating the towns

of Bromont and Lac-Brome to the northern limit of lot 3 938 229, that is, up to point "14";

Thence, westerly, following the northern limit of lot 3 167 048, then along a bearing of 280°57'47" over a distance of seven metres (7.00 m), to point "15";

Thence, westerly, following the northern limit of lot 3 163 512, then along a bearing of 280°57'47" over a distance of one hundred and forty metres and twenty hundredths (140.20 m), to point "16";

Thence, westerly, following the northern limit of lots 5 236 349, 5 236 350, 5 236 348, 4 090 006, 4 090 005, 5 252 129, 5 252 128 and 2 929 900, to the natural high-water mark of Lac-Bromont, that is, up to point "17";

Thence, in a general westerly direction, following the southern natural high-water mark of Lac-Bromont, then the southern natural high-water mark of ruisseau Beaver Meadow (left bank), to the eastern right of way of route Pierre-Laporte (route 241) (lot 2 929 783), that is, up to point "18";

Thence, in a general northerly direction, following the said right of way (lots 2 929 783, 3 473 048, 2 929 805, 3 473 047, 3 473 057, 2 929 807, 3 473 056, 2 929 806, 2 929 801, 2 929 802, 2 929 855, 2 929 804, 2 929 812 and 2 929 814), to the northern limit of lot 2 929 814, that is, up to point "19";

Thence, in a general northerly and northeasterly direction, following the eastern and southeastern right of way of rue Shefford (route 241) (lots 2 929 815, 2 929 816, 2 929 810, 2 929 759, 2 929 758, 2 929 757, 2 929 761, 2 929 756, 2 930 049, 2 930 056, 2 930 050, 2 930 051, 2 591 985, 2 591 984, 2 591 983, 2 591 980 to 2 591 982, 2 591 978, 2 591 979 and 2 591 977), to return to the "STARTING POINT", number "1" in the attached plan.

The distances in the document are in metres (SI).

The bearings in the document are in reference to the SCOPQ system (zone 8) NAD 83.

The point coordinates are:

Point number	SCOPQ coordinates	
	Y	X
1	5020382	371568
2	5019083	374568
3	5018882	374568
4	5018895	374477
5	5018406	374552
6	5018403	374179
7	5017858	374242
8	5017876	373858
9	5017286	373884

10	5017290	373780
11	5014401	373571
12	5014453	372853
13	5014482	371532
14	5013920	371553
15	5013935	371477
16	5013968	371307
17	5014153	370365
18	5013302	366463
19	5017090	367324

That description was prepared for the Gouvernement du Québec, represented by its Minister of Sustainable Development, the Environment and the Fight Against Climate Change.

The plan that accompanies the description is an integral part of this technical description.

**PREPARED AT QUÉBEC, ON 29 JUNE 2017, UNDER NUMBER 249 OF
MY MINUTES.**

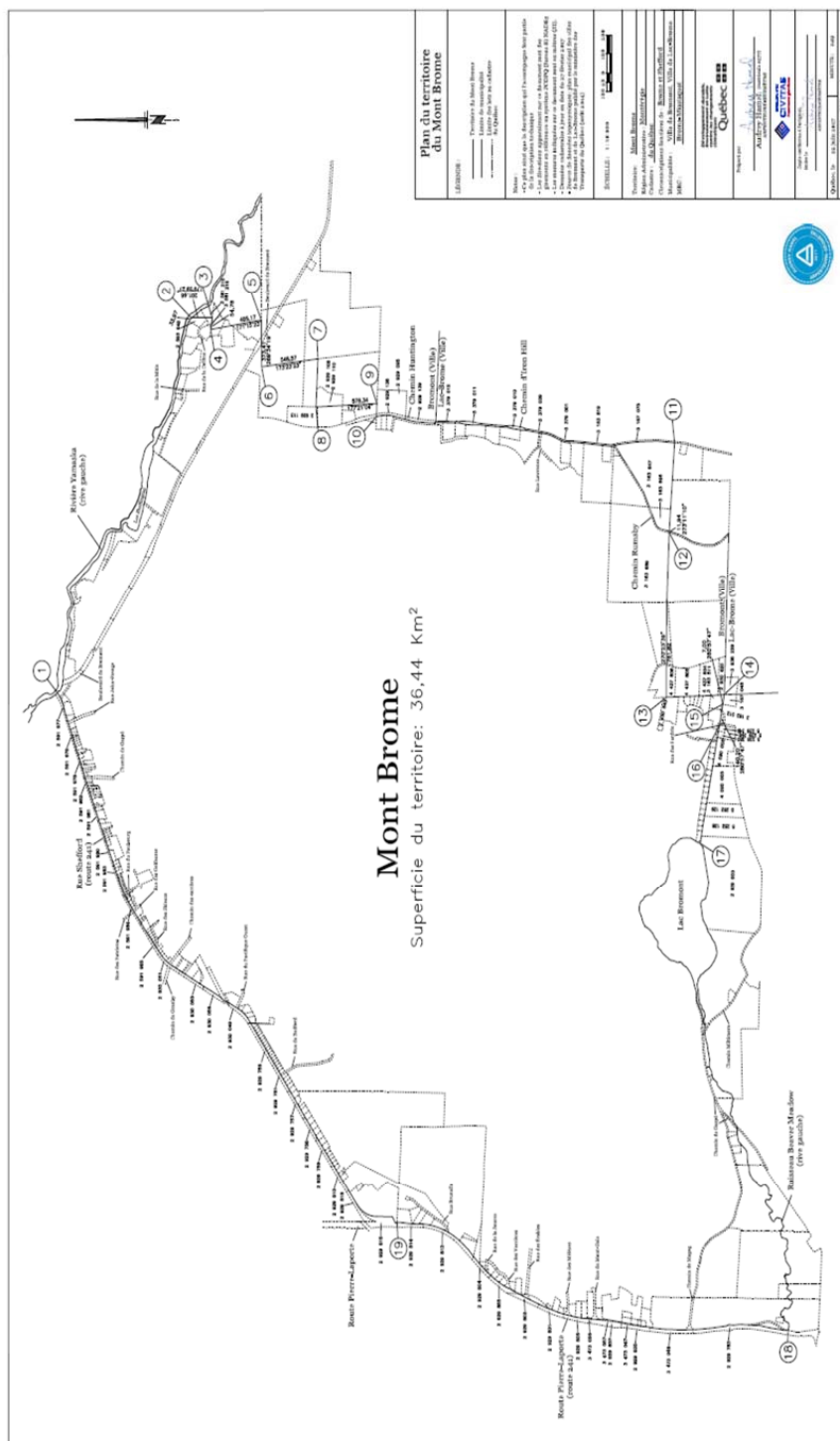
FILE GBY10103603

Audrey HAMEL (2577)
LAND SURVEYOR

CERTIFIED TRUE COPY

ISSUED ON _____

BY: _____



[TRANSLATION]

PROVINCE OF QUÉBEC

MUNICIPALITY: CANTON DE SHEFFORD

REGIONAL COUNTY MUNICIPALITY: LA HAUTE-YAMASKA

TECHNICAL DESCRIPTION

TERRITORY OF MONT SHEFFORD

In reference to the municipal plan of Shefford published by the Ministère des Transports du Québec (August 2014) and to the plan of the cadastre of Québec of the registration division of Shefford (data extracted from Infolot on 27 February 2017), all the following territory:

Starting from the intersection of the eastern right of way of chemin Saxby Sud (lot 3 317 645), with the southern right of way of chemin Denison Est (route 112) (lot 3 317 508), that is, point "1" appearing on the plan attached to this description, being the "STARTING POINT";

Thence, in a general easterly direction, following the southern right of way of chemin Denison Est (route 112) (lots 3 317 508, 4 620 041, 4 620 039, 4 620 037, 4 620 035, 4 620 033, 3 317 618, 3 317 615,

3 317 612 and 3 317 609), then the right of way of chemin Robinson Ouest (route 112) (lots 3 317 609, 3 317 606, 4 573 994 and 3 317 599) to the western limit of lot 4 523 539, that is, up to point "2";

Thence, in a general southerly direction, following the said limit and the eastern limit of lot 2 596 079 to its southern apex then in the extension of the said limit, along a bearing of $199^{\circ}10'59''$ over a distance of forty-three metres and sixty-three hundredths (43.63 m), then following the western limit of lot 4 523 537, that is, up to point "3";

Thence, in an easterly direction, then in a general southerly direction, following the southern and western limit of lot 4 523 537 to its southwestern apex, then along a bearing of $164^{\circ}35'47''$ over a distance of four hundred and eight metres and ninety hundredths (408.90 m), to the northeastern apex of lot 2 595 680, then following the eastern limit of the said lot and of lots 3 411 700 and 2 595 704 to the northern right of way of Route 241 (lot 3 317 897), that is, up to point "4";

Thence, westerly, following the said right of way (lot 3 317 897), then in a general southwesterly direction (lots 3 317 498, 3 317 910 and 3 317 908) to the northern right of way of chemin Jolley (lot 3 317 907), that is, up to point "5";

Thence, in a general northwesterly direction, following the northeastern and eastern right of way of the said road (lots 3 317 907, 3 317 921 and 3 317 808) to the southern right of way of chemin du Mont-Shefford (lot 3 398 222), then along a bearing of $343^{\circ}10'28''$ over a distance of sixteen metres and fifty-one hundredths (16.51 m), then following the

northeastern right of way of chemin Jolley (lots 3 398 222 and 3 317 500) to the eastern right of way of chemin Saxby Sud (lot 3 317 893), then along a bearing of 301°55'30" over a distance of thirteen metres and eighty hundredths (13.80 m) to the northeastern apex of lot 2 593 394 situated along the western right of way of that road, that is, up to point "6";

Thence, westerly, following the northern limit of the said lot and of lot 2 593 392, to its northwestern apex, that is, up to point "7";

Thence, northerly, along a bearing of 2°39'05" over a distance of one thousand one hundred and forty metres and twenty-two hundredths (1140.22 m) to the southern limit of lot 2 596 191, that is, up to point "8";

Thence, northerly, along a bearing of 0°18'47" over a distance of fifty-nine metres and sixty hundredths (59.60 m), then following the eastern limit of lots 2 596 186 and 2 596 193, then along a bearing of 357°19'42" over a distance of seven hundred and seventy-six metres and sixty-four hundredths (776.64 m), to the northern limit of lot 2 594 349, that is, up to point "9";

Thence, easterly, following the northern limit of the said lot and of lots 2 594 348, 3 594 347, 2 594 346, 2 594 345, 2 594 344, 3 318 210, 2 594 369 and 2 594 368 to the western right of way of rue Paquette (lot 3 318 072), then along a bearing of 97°24'49" over a distance of eighteen metres and seventy hundredths (18.70 m) to the eastern right of way of the said street, then following the northern limit of lots 2 596 153, 5 332 622 and 5 332 621 to the northwestern right of way of chemin Saxby Sud (lot 3 317 645), then along a bearing of 97°36'16" over a distance of twelve

metres and seventy-nine hundredths (12.79 m), to the southeastern right of way of the said road, that is, up to point "10";

Thence, in a general northeasterly direction, following the said right of way (lot 3 317 645) to return to the "STARTING POINT" identified by number "1" in the attached plan.

The distances in the document are in metres (SI).

The point coordinates are:

Point number	SCOPQ coordinates	
	Y	X
1	5027188	372605
2	5025699	378078
3	5024774	377756
4	5023218	378166
5	5022076	373921
6	5024077	371617
7	5024116	371325
8	5025255	371378
9	5026782	371316
10	5026648	372321

The bearings in the document are in reference to the SCOPQ system (zone 8) NAD 83.

That description was prepared for the Gouvernement du Québec, represented by its Minister of Sustainable Development, the Environment and the Fight Against Climate Change.

The plan that accompanies the description is an integral part of this technical description.

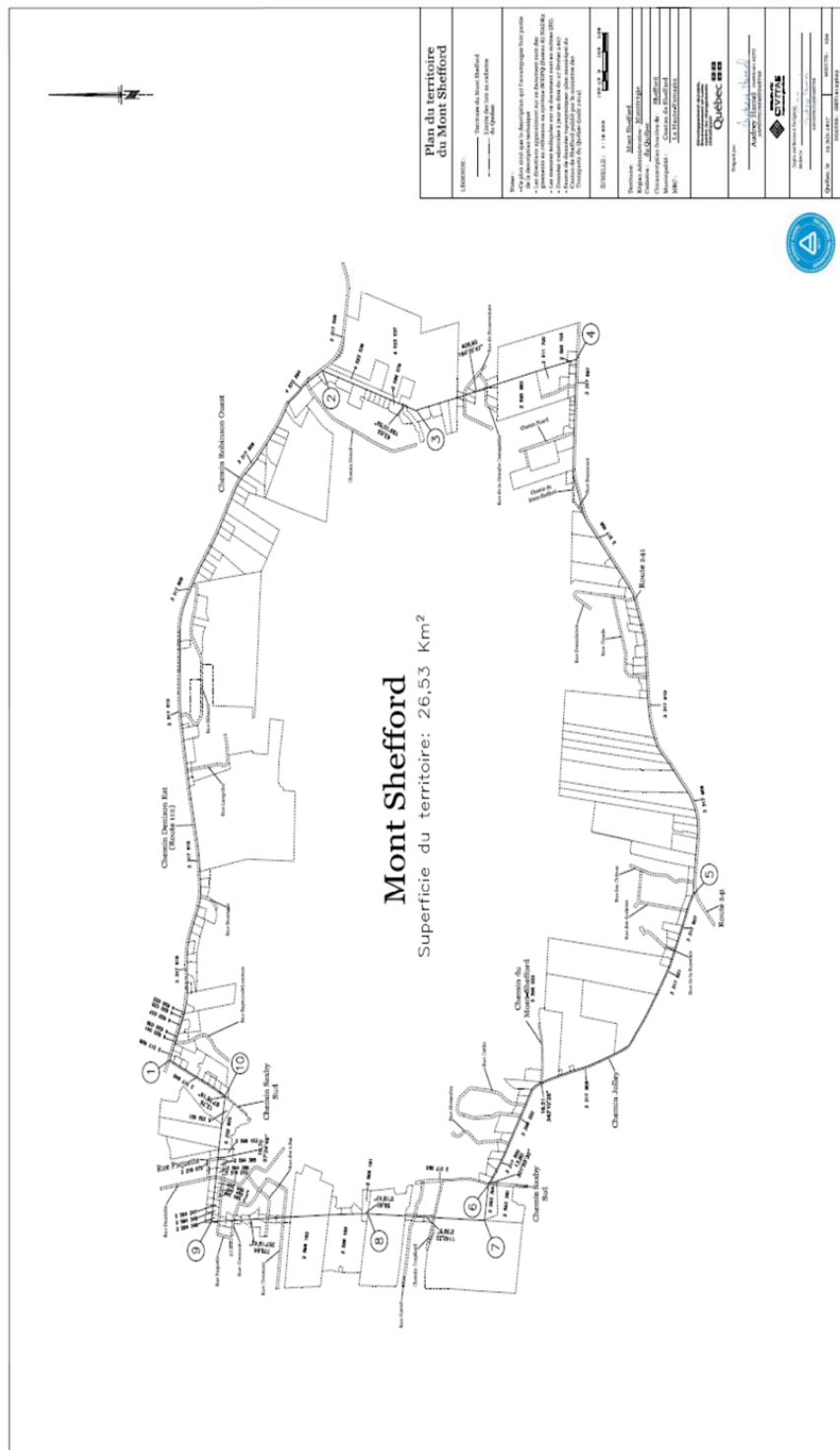
PREPARED AT QUÉBEC, ON 29 JUNE 2017, UNDER NUMBER 254 OF MY MINUTES.

FILE GBY10103603

Audrey HAMEL (2577)
LAND SURVEYOR

CERTIFIED TRUE COPY
ISSUED ON _____

BY: _____



Gouvernement du Québec

O.C. 237-2019, 20 March 2019

Environment Quality Act
(chapter Q-2)

**Contaminated soil storage and contaminated soil transfer stations
—Amendment**

Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations

WHEREAS, under paragraph 1 of section 31.69 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prescribe the concentration limit values for the contaminants it determines, in excess of which those contaminants, when present in land, may give rise to implementation of the characterization, rehabilitation or publicity measures provided for in Division IV of Chapter IV of Title I of the Act and the limit values may vary in particular on the basis of land use;

WHEREAS, under subparagraph *b* of paragraph 5 of section 31.69 of the Act, the Government may make regulations to regulate, in all or part of the territory of Québec, the treatment, recovery, reclamation and elimination of contaminated soils not subject to the provisions of Division VII of Chapter IV of Title I of the Act and of any materials containing such soils, in particular, to prescribe or prohibit, in respect of one or more categories of contaminated soils or materials containing contaminated soils, any mode of treatment, recovery, reclamation or elimination;

WHEREAS, under subparagraph 4 of the first paragraph of section 95.1 of the Act, the Government may make regulations to determine, for any class of contaminants or of sources of contamination, a maximum quantity or concentration that may be released into the environment, for all or part of the territory of Québec;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations was published in Part 2 of the *Gazette officielle du Québec* of 26 December 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment and the Fight Against Climate Change:

THAT the Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations

Environment Quality Act
(chapter Q-2, ss. 31.69 and 95.1)

1. The Regulation respecting contaminated soil storage and contaminated soil transfer stations (chapter Q-2, r. 46) is amended in section 4 by adding the following at the end of the third paragraph: “It does not apply either to soils containing contaminants naturally present or originating from human activity in a concentration lower than or equal to the limit values in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37) and used for the reclamation and restoration of a quarry in accordance with the Regulation respecting sand pits and quarries (*insert the reference to the Compilation of Québec Laws and Regulations*).”

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

103861

Gouvernement du Québec

O.C. 238-2019, 20 March 2019

Environment Quality Act
(chapter Q-2)

**Burial of contaminated soils
—Amendment**

Regulation to amend the Regulation respecting the burial of contaminated soils

WHEREAS, under paragraph 2 of section 70 of the Environment Quality Act (chapter Q-2), the Government may make regulations that may prescribe or prohibit, in respect of one or more classes of residual materials, any mode of elimination;

WHEREAS, under subparagraph 3 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prohibit, limit and control sources of contamination and the release into the environment of any class of contaminants for all or part of the territory of Québec;

WHEREAS, under subparagraph 4 of the first paragraph of section 95.1 of the Act, the Government may make regulations to determine, for any class of contaminants or of sources of contamination, a maximum quantity or concentration that may be released into the environment, for all or part of the territory of Québec;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting the burial of contaminated soils was published in Part 2 of the *Gazette officielle du Québec* of 26 December 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the burial of contaminated soils without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment and the Fight Against Climate Change:

THAT the Regulation to amend the Regulation respecting the burial of contaminated soils, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the burial of contaminated soils

Environment Quality Act
(chapter Q-2, ss. 70 and 95.1)

1. The Regulation respecting the burial of contaminated soils (chapter Q-2, r. 18) is amended in section 1 by adding “or to the reclamation and restoration of a quarry done in accordance with the Regulation respecting sand pits and quarries (*insert the reference to the Compilation of Québec Laws and Regulations*)” at the end of the second paragraph.

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

103862

Gouvernement du Québec

O.C. 239-2019, 20 March 2019

Environment Quality Act
(chapter Q-2)

Clean Air —Amendment

Regulation to amend the Clean Air Regulation

WHEREAS, under subparagraph 3 of the first paragraph of section 95.1 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit and control sources of contamination and the release into the environment of any class of contaminants for all or part of the territory of Québec;

WHEREAS, under subparagraph 4 of the first paragraph of section 95.1 of the Act, the Government may make regulations to determine, for any class of contaminants or of sources of contamination, a maximum quantity or concentration that may be released into the environment, for all or part of the territory of Québec;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Clean Air Regulation was published in Part 2 of the *Gazette officielle du Québec* of 26 December 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Clean Air Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment and the Fight Against Climate Change:

THAT the Regulation to amend the Clean Air Regulation, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Clean Air Regulation

Environment Quality Act
(chapter Q-2, s. 95.1)

1. The Clean Air Regulation (chapter Q-2, r. 4.1) is amended in section 10 by adding the following at the end of the first paragraph:

“(15) crushing, drying or sieving of surface mineral substances or aggregate from the operation of a quarry or sand pit governed by the Regulation respecting sand pits and quarries (*insert the reference to the Compilation of Québec Laws and Regulations*) but carried out outside that quarry or sand pit, except crushing, drying or sieving carried out in a cement plant.”.

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

103860

Gouvernement du Québec

O.C. 344-2019, 27 March 2019

Professional Code
(chapter C-26)

Professional activities that may be engaged in by a clinical perfusionist — Amendment

Regulation to amend the Regulation respecting professional activities that may be engaged in by a clinical perfusionist

WHEREAS, under subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, and the terms and conditions on which such persons may engage in such activities;

WHEREAS, under subparagraph *h* of the first paragraph of section 94 of the Professional Code, the board of directors of the Collège des médecins du Québec consulted the Ordre des infirmières et infirmiers du Québec and the Ordre professionnel des inhalothérapeutes du Québec before making the Regulation to amend the Regulation respecting professional activities that may be engaged in by a clinical perfusionist on 19 October 2018;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting such an order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting professional activities that may be engaged in by a clinical perfusionist was published in Part 2 of the *Gazette officielle du Québec* of 5 December 2018 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 22 February 2019 and then submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting professional activities that may be engaged in by a clinical perfusionist, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting professional activities that may be engaged in by a clinical perfusionist

Professional Code
(chapter C-26, s. 94, 1st par., subpar. *h*)

1. The Regulation respecting professional activities that may be engaged in by a clinical perfusionist (chapter M-9, r. 3.1) is amended in section 7 by replacing “2019” by “2024”.

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

103865

M.O., 2019

Order of the Minister of the Environment and the Fight Against Climate Change dated 22 March 2019

Environment Quality Act
(chapter Q-2)

AMENDING the Ministerial Order concerning the fees payable under the Environment Quality Act

THE MINISTER OF THE ENVIRONMENT AND THE FIGHT AGAINST CLIMATE CHANGE,

CONSIDERING subparagraph 2 of the first paragraph of section 95.3 of the Environment Quality Act (chapter Q-2), which provides that the Minister of the Environment and the Fight Against Climate Change may, by order, determine the fees payable by anyone required to file a declaration of compliance under the Act;

CONSIDERING the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28), which came into force on 1 June 2008;

CONSIDERING the publication, in the *Gazette officielle du Québec* of 16 January 2019 (2019, G.O. 2, 91), in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of a draft Ministerial Order to amend the Ministerial Order concerning the fees payable under the Environment Quality Act with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the draft Ministerial Order with amendments;

ORDERS AS FOLLOWS:

The Regulation to amend the Ministerial Order concerning the fees payable under the Environment Quality Act is hereby made.

Québec, 22 March 2019

BENOIT CHARETTE,
Minister of the Environment and the Fight Against Climate Change

Regulation to amend the Ministerial Order concerning the fees payable under the Environment Quality Act

Environment Quality Act
(chapter Q-2, s. 95.3)

1. The Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28) is amended by inserting the following after Chapter III:

**“CHAPTER III.1
DECLARATION OF COMPLIANCE**

14.1. Fees of \$295 are payable by any person or municipality that, in accordance with subdivision 2 of Division II of Chapter IV of the Environment Quality Act, files a declaration of compliance with the Minister for carrying out an activity referred to in Chapter III of the Regulation respecting sand pits and quarries (*insert the reference to the Compilation of Québec Laws and Regulations*).”.

2. Sections 3 and 7 are revoked.

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

103866

Draft Regulations

Draft Regulation

Code of Civil Procedure
(chapter C-25.01)

Superior Court of Québec in family matters — Amendment

Notice is hereby given, in accordance with article 64 of the Code of Civil Procedure (chapter C-25.01), that the Chief Justice of the Superior Court of Québec publishes the Regulation to amend the Regulation of the Superior Court of Québec in family matters appearing below. The draft Regulation will be adopted upon the expiry of 45 days following this publication.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Mtre. Bruno Guillot-Hurtubise, Director, Service de recherche, Superior Court in Montréal, 1, rue Notre-Dame Est, Bureau 12.12, Montréal (Québec), H2Y 1B6; email: bruno.guillot-hurtubise@judex.qc.ca

*The Honourable JACQUES R. FOURNIER,
Chief Justice of the Superior Court*

Regulation to amend the Regulation of the Superior Court of Québec in family matters

Code of Civil Procedure
(chapter C-25.01, art. 63)

1. The Regulation of the Superior Court of Québec in family matters (chapter C-25.01, r. 0.2.4) is amended by replacing “AND FILIATION” in the heading of Chapter III by “; FILIATION AND OTHER FAMILY MATTERS”.

2. Section 16 is replaced by the following:

“**16. Mandatory information:** In all pending cases, the parties must attest to whether or not they are subject to conditions regarding another party or their child under an order, undertaking or recognizance provided for in the Criminal Code. Any party subject to such conditions must provide the particulars in a notice filed with the court office and provide evidence of said conditions; the same applies if those conditions are replaced, varied or lifted in the course of proceedings.

When parties apply for custody of a child or tutorship to a child, they must attest to whether or not they are the object of a court decision, a case pending before a court or an agreement with the Director of Youth Protection and, if such is the case, give the particulars of such decision, pending case or agreement.”.

3. Section 17 is replaced by the following:

“**17. Documents attesting to birth:** In any matter, a photocopy of the birth certificate, of the copy of the act of birth or of any other document issued by a competent foreign authority attesting the birth of the parties and children concerned by the application must be provided as evidence.

Where an application concerns the filiation of a child, the original of the child’s birth certificate, of the copy of the child’s act of birth or of any other document issued by a competent foreign authority attesting the child’s birth must be provided as evidence.”.

4. Section 19 is revoked.

5. Section 30 is amended by replacing “the Superior Court of Québec” by “an institution governed by the Act respecting health services and social services (chapter S-4.2)”.

6. Section 31 is amended by replacing “Service d’expertise psychosociale attached to the Superior Court” in the first paragraph by “Service d’expertise psychosociale”.

7. Section 34 is amended

(1) by replacing “if applicable, issue an order” by “on the same form, issue an order”;

(2) by striking out “, using Form VI” at the end.

8. Form I is amended by

(1) replacing “copy of her birth certificate” in paragraph 1 by “photocopy of her birth certificate, of the copy of her act of birth or of the document issued by a competent foreign authority” and “copy of his birth certificate” in paragraph 2 by “photocopy of his birth certificate, of the copy of his act of birth, or of the document issued by a competent foreign authority”;

(2) replacing “the copy of their marriage certificate numbered” by “the marriage certificate or the copy of the act of marriage numbered”;

(3) replacing “The copies of the birth certificates of each child dealt with in the application are Exhibit P-5 (optional).” in paragraph 6 by “The photocopies of the birth certificate, of the copy of the act of birth or of the document issued by a competent foreign authority attesting the birth of each child concerned by the application are numbered Exhibit P-5.”.

9. Form II is revoked.

10. Form IV is replaced by the form in Schedule I.

11. Form V is replaced by the form in Schedule II.

12. Form VI is revoked.

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

SCHEDULE I
(section 10)

FORM IV

CANADA
PROVINCE OF QUÉBEC

SUPERIOR COURT
Family Division

District: _____
File No. _____

Plaintiff
v.

Defendant

CONSENT TO PSYCHOSOCIAL EVALUATION AND CONSULTATION OF RECORDS

We, the undersigned, hereby consent to an evaluation by an expert of the Service d'expertise psychosociale of an institution governed by the Act respecting health services and social services (CQLR, c. S-4.2) with respect to our minor child(ren):

_____ (given name and surname of the child)	_____ (given name and surname of the child)
_____ (given name and surname of the child)	_____ (given name and surname of the child)

We consent to cooperate with the holding of interviews with each one of us and our child(ren), as well as with other members of our respective families, if required by the expert.

We consent that the expert may consult and obtain a copy of the Court file, including medical reports and files kept under seal in accordance with section 16 of the Regulation of the Superior Court of Québec in civil matters (CQLR, c. C-25.01, r. 0.2.1).

We also consent that the expert may communicate with the persons, professionals or institutions hereinafter named and, if need be, obtain a copy of all the files necessary and relevant to the preparation of his or her report:

Lastly, we understand that the expert's report will be deposited under seal in the Court file, subject to our right to examine the expert and introduce any additional evidence.

AND WE HAVE SIGNED IN _____, on _____

_____ Counsel for the plaintiff	_____ Plaintiff
_____ Counsel for the defendant	_____ Defendant

CONSENT OF THE MINOR CHILD(REN) OF 14 YEARS OF AGE OR OLDER

I consent that an evaluation be conducted by an expert of the Service d'expertise psychosociale, and that he or she be given access to and be provided copies of the above files.

_____ Counsel for the child	_____ Minor child of 14 years of age or older
_____ Counsel for the child	_____ Minor child of 14 years of age or older

SCHEDULE II
(section 11)

FORM V

CANADA
PROVINCE OF QUÉBEC
District: _____
File No. _____

SUPERIOR COURT
Family Division

Plaintiff
v.

Defendant

ORDER FOR PSYCHOSOCIAL EVALUATION AND COMMUNICATION OF DOCUMENTS

GIVEN the evidence and representations related to the appropriateness of ordering a psychosocial expert evaluation for the following children:

_____ (given name and surname of the child)	_____ (given name and surname of the child)
_____ (given name and surname of the child)	_____ (given name and surname of the child)

CONSIDERING the Court deems it appropriate to obtain an evaluation by an expert designated by the Service d'expertise psychosociale of an institution governed by the Act respecting health services and social services (CQLR, c. S-4.2);

CONSIDERING

- ☐ the parties gave ☐ written ☐ oral consent at the hearing to have a psychosocial evaluation conducted by an expert of the Service d'expertise psychosociale, and to have the Court and medical files consulted by the designated expert;
☐ in the absence of consent from the parties, the Court may, on its own initiative, order that a psychosocial evaluation be conducted by an expert of the Service d'expertise psychosociale;

CONSIDERING the hearing of this case is set for _____ (if the date has been set);

FOR THESE REASONS:

ORDERS the Service d'expertise psychosociale to designate an expert to conduct a psychosocial evaluation with respect to the above children.

ORDERS that the evaluation address:

- ☐ Custody of minor child(ren) and/or
☐ Rights of access and/or
☐ Other issues affecting the child(ren) – specify: _____

ORDERS the expert to file his or her written report within three months after being designated by the Service d'expertise psychosociale or not later than _____ (to be specified especially if the date of the hearing on the merits is set for within less than three months (a. 425 C.C.P.)).

ORDERS that the report be forwarded to:

- ☐ the Chief Justice ☐ the judge designated by the Chief Justice or ☐ the undersigned judge

AUTHORIZES the expert to examine the entire Court file, including any document deposited under seal, such as medical files and physical, mental or psychosocial evaluation reports, in accordance with article 16 of the C.C.P. and section 16 of the Regulation of the Superior Court of Québec in civil matters.

And ☐ ORDERS the following institutions governed by the Act respecting health services and social services (CQLR, c. S-4-2):

to communicate all relevant files concerning the above parents and children to the expert, for the purposes of preparing his or her psychosocial evaluation report.

In _____, on _____

Judge of the Superior Court

103867

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

	Page	Comments
Burial of contaminated soils (Environment Quality Act, chapter Q-2)	520	M
Clean Air. (Environment Quality Act, chapter Q-2)	521	M
Code of Civil Procedure — Superior Court of Québec in family matters (chapter C-25.01)	525	Draft
Contaminated soil storage and contaminated soil transfer stations (Environment Quality Act, chapter Q-2)	520	M
Environment Quality Act — Burial of contaminated soils (chapter Q-2)	520	M
Environment Quality Act — Clean Air (chapter Q-2)	521	M
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Environment Quality Act — Fees payable under the Act (chapter Q-2)	523	M
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Fees payable under the Act. (Environment Quality Act, chapter Q-2)	523	M
Professional activities that may be engaged in by a clinical perfusionist (Professional Code, chapter C-26)	522	M
Professional Code — Professional activities that may be engaged in by a clinical perfusionist (chapter C-26)	522	M
Quantity of renewable natural gas to be delivered by a distributor. (An Act respecting the Régie de l'énergie, chapter R-6.01)	465	N
Régie de l'énergie, An Act respecting the... — Quantity of renewable natural gas to be delivered by a distributor (chapter R-6.01)	465	N
Sand pits and quarries (Environment Quality Act, chapter Q-2)	466	N
Superior Court of Québec in family matters (Code of Civil Procedure, chapter C-25.01)	525	Draft

