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Summary

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Coming into force of Acts

Gouvernement du Québec

O.C. 1349-97, 15 October 1997

An Act to establish the permanent list of electors and amending the Election Act and other legislative provisions (1995, c. 23)

— Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act to establish the permanent list of electors and amending the Election Act and other legislative provisions (1995, c. 23)

WHEREAS the Act to establish the permanent list of electors and amending the Election Act and other legislative provisions (1995, c. 23) was assented to on 16 June 1995;

WHEREAS under section 107 of the Act, section 12 where it enacts sections 40.1 to 40.12 and 40.39 to 40.42, and sections 51 and 57 to 91 and the amendment in the schedule affecting section 570 will come into force on the date or dates to be fixed by the Government;

WHEREAS under the same section, sections 57 to 83 cannot come into force before the first of June following the date of coming into force of section 40.1 of the Election Act;

WHEREAS by Order in Council 520-96, section 12 where it enacts sections 40.2, 40.3 and 40.4, except for the words “by electors and on the basis of the information transmitted” in the third line of the first paragraph and except for the words “or by the person responsible for a municipal poll” in the second and third lines of the second paragraph, sections 40.7 to 40.9, 40.11 and 40.12, 40.39 to 40.42 and section 91, came into force on 1 May 1996;

WHEREAS by Order in Council 667-97, section 12 where it enacts section 40.1, the words “by electors and on the basis of the information transmitted” in the third line of the first paragraph of section 40.4, sections 40.5 and 40.6, section 51 and the amendment in the schedule affecting section 570, came into force on 31 May 1997;

WHEREAS under Order in Council 667-97, section 12 where it enacts the words “or by the person responsible for a municipal poll” in the second and third lines of the

second paragraph of section 40.4 and section 40.10 and sections 57 to 76 and 84 to 90 came into force on 1 June 1997;

WHEREAS it is expedient to fix the date of coming into force of certain other provisions;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for Electoral and Parliamentary Reform:

THAT the date of coming into force of sections 77, 78, 79 where it enacts sections 39 and 80 to 83 be fixed at 15 October 1997.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

1792

Gouvernement du Québec

O.C. 1351-97, 15 October 1997

An Act respecting the Régie de l'énergie (1996, c. 61)

— Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act respecting the Régie de l'énergie as they apply to electric power and petroleum products

WHEREAS the Act respecting the Régie de l'énergie (1996, c. 61) was assented to on 23 December 1996;

WHEREAS section 173 of the Act provides that the provisions of the Act come into force on the date or dates to be fixed by the Government, except section 139 which came into force on 23 December 1996, with the exception of item *d* of subparagraph 1 of the third paragraph of section 45.1 of the Act respecting the use of petroleum products (R.S.Q., c. U-1.1);

WHEREAS under Order in Council 144-97 dated 5 February 1997, sections 8 and 165 of the Act came into force on 5 February 1997;

WHEREAS under Order in Council 275-97 dated 5 March 1997, section 134 of the Act respecting the Régie de l'énergie came into force on 1 May 1997, with

the exception of the first paragraph of section 16 of the Act respecting municipal and private electric power systems (R.S.Q., c. S-41), enacted by section 134;

WHEREAS under Order in Council 657-97 dated 13 May 1997, sections 6, 7, 9, 10, 12, 60 to 62, 122, 135, 148 and 171 of the Act came into force on 13 May 1997 and sections 4, 13 to 15 and 19 to 22 came into force on 2 June 1997;

WHEREAS under Order in Council 714-97 dated 28 May 1997, sections 2, 3, 5, 11, 16, 17, the first paragraph of section 18, sections 23, 26 to 30, the second paragraph of section 31, sections 33, 34, 37 to 41, 63 to 71, 77 to 79, 81 to 85, 104 to 109, 113, 115, 128, 129, 132, 142 to 144, 146, 157 to 159, 161, 162, 166 and 170 and as they apply to natural gas, sections 1, 25, the first paragraph of section 31 with the exception of subparagraph 3, sections 32, 35, 36, 42 to 54, 73 to 75, 80, 86 to 103, 110 to 112, paragraphs 1 to 6 of section 114 and sections 116, 117 and 147 of this Act came into force on 2 June 1997;

WHEREAS under section 172 of the Act, the Government may provide that a provision of the Act comes into force on different dates according as it applies to electric power, to natural gas, to steam or to petroleum products;

WHEREAS it is expedient to fix the date of coming into force of the second paragraph of section 18, sections 24, 59, 118, 127, 130, 131, 137, 138, item *d* of subparagraph 1 of the third paragraph of section 45.1 of the Act respecting the use of petroleum products enacted by section 139, sections 140, 141, 149 to 156, 160, the first paragraph of section 167 and sections 168 and 169 of the Act respecting the Régie de l'énergie;

WHEREAS it is expedient to fix the date of coming into force as they do not apply to natural gas, section 1, subparagraphs 2 and 3 of the first paragraph and of the second paragraph of section 25, subparagraph 4 of the first paragraph of section 31, sections 35, 36, 42 to 47, 75, 86 to 103, 110 to 112, subparagraph 4 of the second paragraph of section 116, sections 117, 147 and as they apply to petroleum products, sections 55 to 58, and 116 of the Act respecting the Régie de l'énergie;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Natural Resources:

THAT 15 October 1997 be fixed as the date of coming into force of sections 24, 127, 130, 131, 149 to 156, 168 and, as they do not apply to natural gas, section 1, subparagraph 3 of the first paragraph and the second paragraph of section 25, sections 35, 36, 42 to 47, 75, 87 to 89, 110 to 112, subparagraph 4 of the second para-

graph of section 116 and section 117 of the Act respecting the Régie de l'énergie;

THAT 1 November 1997 be fixed as the date of coming into force of sections 137, 138, 140, 141 and, as they apply to petroleum products, sections 55 to 58 and 116 of the Act;

THAT 1 January 1998 be fixed as the date of coming into force, as they do not apply to natural gas, sections 102 and 103 of the Act;

THAT 11 February 1998 be fixed as the date of coming into force of the second paragraph of section 18, sections 59, 118, item *d* of subparagraph 1 of the third paragraph of section 45.1 of the Act respecting the use of petroleum products (R.S.Q., c. U-1.1) as enacted by section 139, section 160, the first paragraph of section 167, section 169 and, as they do not apply to natural gas, subparagraph 2 of the first paragraph of section 25, subparagraph 4 of the first paragraph of section 31, sections 86, 90 to 101 and 147 of the Act.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

1794

Regulations and other acts

Gouvernement du Québec

O.C. 1310-97, 8 October 1997

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

Hazardous materials

Regulation respecting hazardous materials and amending various regulatory provisions

WHEREAS paragraphs *c*, *g* and *h* to *h.2* of section 31, subparagraph *f* of the first paragraph of section 46 and subparagraphs 1 to 16, 18 and 19 of the first paragraph of section 70.19 as well as sections 109.1 and 124.1 of the Environment Quality Act (R.S.Q., c. Q-2) empower the Government to regulate the matters that are stated therein;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and with section 124 of the Environment Quality Act, a draft Regulation respecting hazardous materials and amending various regulatory provisions was published in Part 2 of the *Gazette officielle du Québec* of 29 March 1995, with a notice that it may be made by the Government upon the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments to take into account the comments received following the publication in the *Gazette officielle du Québec*.

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation respecting hazardous materials and amending various regulatory provisions, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting hazardous materials and amending various regulatory provisions

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, pars. *c*, *g*, *h* to *h.2*, s. 46, 1st par., subpar. *f*, s. 70.19, 1st par., subpars. 1 to 16, 18 and 19, and ss. 109.1 and 124.1)

CHAPTER I SCOPE AND DEFINITIONS

1. For the purposes of the definition of the term “hazardous material” given in paragraph 21 of section 1 of the Environment Quality Act (R.S.Q., c. Q-2), section 3 of this Regulation defines the properties of hazardous materials and section 4 determines the materials and objects that are classed as hazardous materials.

2. The following do not constitute hazardous materials:

(1) contaminated soil except, for the purposes of prohibiting deposit prescribed in section 94 of this Regulation, soil having more than 50 mg of PCB per kilogram of soil;

(2) material from the construction, dismantling or renovation of an immovable or infrastructure, except materials and objects that are classed as hazardous materials according to section 4 of this Regulation;

(3) scrap metal and other metal objects, except objects that are classed as hazardous materials according to section 4 of this Regulation;

(4) fabrics other than absorbent fabrics used during hazardous material recovery operations;

(5) biomedical waste governed by the Regulation respecting biomedical waste, made by Order in Council 583-92 dated 15 April 1992;

(6) waste from pulp and paper mills mentioned in section 93 of the Regulation respecting pulp and paper, made by Order in Council 1353-92 dated 16 September 1992, as well as other waste mentioned in section 131 of that Regulation;

(7) pesticides governed by the Pesticides Act (R.S.Q., c. P-9.3);

(8) spray formulations and rinsings resulting from the use of a pesticide;

(9) wastewater other than wastewater from pipeless rinsing baths from surface treatment operations;

(10) mine tailings and sludge from treatment of the effluent from a tailings storage yard where such sludge is deposited in the yard;

(11) materials from dredging operations;

(12) collected snow;

(13) radioactive materials which meet the requirements fixed in a permit issued by the Atomic Energy Control Board in respect of their deposit in a sanitary landfill site or an incineration site or in respect of their discharge into a sewer system;

(14) bituminous concrete, asphalt shingles, solid plastic, solid rubber and asbestos;

(15) sludge from a septic tank, from a drinking water treatment plant or from a sanitary or municipal wastewater purification works;

(16) residue from an underground access manhole, from a street catch basin or from a car-wash sump;

(17) manure and liquid manure;

(18) treated wood;

(19) shredding of automobile hulks; and

(20) smoke detectors.

3. The properties of hazardous materials are defined as follows:

“corrosive material” means any material which, when tested in accordance with the methods prescribed in the Liste des méthodes d’analyses relatives à l’application des règlements découlant de la Loi sur la qualité de l’environnement published by the Ministère de l’Environnement et de la Faune, has a pH of less than 2 or greater than 12.5 or corrodes SAE 1020 steel surfaces at a rate exceeding 6.25 mm per year at a temperature of 55°C; (*matière corrosive*)

“explosive material” means

(1) any substance that is capable, by self-sustaining chemical reaction, of producing gas at such temperature, pressure or speed as to damage the surroundings; or

(2) any substance made for the purpose of producing a practical explosive or pyrotechnic effect, or any object made up of such a substance; (*matière explosive*)

“flammable material” means

(1) any liquid or any liquid containing solids in solution or suspension, other than an alcoholic beverage, whose flash point measured in accordance with the method prescribed in the Liste des méthodes d’analyses relatives à l’application des règlements découlant de la Loi sur la qualité de l’environnement published by the Ministère de l’Environnement et de la Faune, is equal to or less than 61°C;

(2) any solid that

(a) is readily ignitable and would burn vigorously or persistently;

(b) is liable to cause fire or contribute to fire through friction or from heat retained from manufacturing or processing; or

(c) is liable to undergo highly exothermic decomposition at ambient temperature or, where combustion occurs, to burn vigorously in air or in the absence of air;

(3) any substance that is liable to combust spontaneously under normal conditions of handling or use, or is liable to heat in contact with air to the point where it ignites; or

(4) any substance that, on contact with water, emits a hazardous quantity of flammable gas or that, on contact with water or water vapour, becomes spontaneously combustible or liable to react vigorously; (*matière inflammable*)

“gaseous material” means any gas that is held in a container and

(1) is ignitable at an absolute pressure of 101.325 kPa at 20°C when in a mixture of 13 percent or less by volume with air;

(2) has a flammability range of at least 12, the flammability range being the difference between the minimum and maximum volume percent of the gas in the air forming a flammable mixture; or

(3) by reason of corrosive effects on the tissues of the respiratory system, has an LC₅₀ value as defined in the Transportation of Dangerous Goods Regulations (SOR/85-77, (1985) 119 *Canada Gazette*, Part II, 393)

which is less than 5000 mL/m³ at an absolute pressure of 101.325 kPa at 20°C; (*matière gazeuse*)

“leachable material” means

(1) any liquid containing a contaminant in a concentration higher than the standard set forth in the following table; or

(2) any material that, when tested in accordance with the procedure provided for in the Liste des méthodes d’analyses relatives à l’application des règlements découlant de la Loi sur la qualité de l’environnement published by the Ministère de l’Environnement et de la Faune, produces a leachate containing a contaminant in a concentration higher than the standard set forth in the following table:

MAXIMUM CONCENTRATIONS OF A CONTAMINANT IN LIQUIDS OR IN LEACHATES FROM SOLID MATERIAL

Contaminant	Standard (mg/L)*
Arsenic	5.0
Barium	100
Boron	500
Cadmium	0.5
Total cyanides**	20
Chromium	5.0
Total fluoride	150
Mercury	0.1
Nitrates + nitrites	1000
Nitrites	100
Lead	5.0
Selenium	1.0
Uranium	2.0

* Standards expressed in milligrams (mg) of contaminant per litre (L) of liquid or of leachate from solid material.

** Total cyanides standard applies only to liquids; (*matière lixiviable*)

“oxidizing material” means any material which, whether combustible or not, causes or contributes to the combustion of other materials by yielding oxygen or another oxidizing material, or contains an organic substance having the bivalent “-0-0-” oxygen structure; (*matière comburante*)

“radioactive material” means any material that spontaneously emits ionizing radiations and for which the

result of the following equation, calculated for one kilogram of material, is greater than 1:

$$S = \frac{C_1}{A_1} + \frac{C_2}{A_2} + \frac{C_3}{A_3} + \dots + \frac{C_n}{A_n}$$

where “C₁, C₂, C₃, ... C_n” represents the specific activity of the radioactive material for each radioelement it contains, expressed in kilobecquerels per kilogram (kBq/kg); and

“A₁, A₂, A₃, ... A_n” is expressed in kilobecquerels per kilogram (kBq/kg) and represents the maximum activity listed in Schedule 1 for one kilogram of material for each corresponding radioelement.

Notwithstanding the foregoing, when the quantity of a radioactive source or material is less than one kilogram, the value “S” is calculated for the total mass of the source or material in question rather than for 1 kilogram of material. In this case, the value “C₁, C₂, ... C_n” represents the total activity of the radioactive material for each radioelement it contains, expressed in kilobecquerels (kBq), and the value “A₁, A₂, ... A_n” listed in Schedule 1 represents the maximum activity of the material for each corresponding radioelement, expressed in kilobecquerels; (*matière radioactive*)

“toxic material” means

(1) any material that, when tested in accordance with the methods provided for in the Liste des méthodes d’analyses relatives à l’application des règlements découlant de la Loi sur la qualité de l’environnement published by the Ministère de l’Environnement et de la Faune, produces:

(a) more than 250 mg/kg of hydrogen cyanide (HCN); or

(b) more than 500 mg/kg of hydrogen sulphide (H₂S);

(2) any material that, when tested in accordance with the methods provided for in the Liste des méthodes d’analyses relatives à l’application des règlements découlant de la Loi sur la qualité de l’environnement published by the Ministère de l’Environnement et de la Faune, contains more than 5 micrograms per kilogram of polychlorinated dibenzofuran or polychlorinated dibenzo [b, e] [1, 4] dioxin. The concentration is calculated according to the method of toxicity equivalency factors listed in Schedule 2.

(3) materials and substances referred to in sections 46 to 63 of the Controlled Products Regulations (SOR/88-66,

(1988) 122 *Canada Gazette*, Part II, 551). For the purposes of those sections, sections 44 and 45 of the Regulation are applicable to determine the toxicity of materials and substances. (*matière toxique*)

4. In addition to an ozone-depleting substance which is a hazardous material under section 2 of the Regulation respecting ozone-depleting substances made by Order in Council 812-93 dated 9 June 1993, the following are classed as hazardous materials:

- (1) any mineral or synthetic oil; or
- (2) any grease that is mineral oil or synthetic oil to which thickeners have been added; and
- (3) any empty vessel other than an aerosol container or gas cylinder that is contaminated by:
 - (a) a toxic material; or
 - (b) a deposit of more than 2.5 cm of oil, grease or other hazardous materials; and
 - (c) oil, grease or other hazardous materials whose quantity is greater than 3 % of the volume of the vessel when its volume is less than 440 litres, or when the quantity is greater than 0.3 % of the volume of the vessel when its volume is 440 litres or more;
- (4) any gas cylinder or aerosol container holding oil, grease or other hazardous materials and whose internal pressure is greater than the normal atmospheric pressure (20°C);
- (5) any material or object containing only 3 % or more of hazardous materials in oil or grease mass;
- (6) any material and object that, when tested in accordance with the methods provided for in the Liste des méthodes d'analyses relatives à l'application des règlements découlant de la Loi sur la qualité de l'environnement published by the Ministère de l'Environnement et de la Faune, contain more than 1500 mg/kg of total organic halogen;
- (7) any material and object containing PCBs or contaminated by PCBs — polychlorinated biphenyls whose molecular formula is $C_{12}H_{10-n}Cl_n$, "n" being a whole number greater or equal to 2 but less than or equal to 10 — that are listed below:

(a) any liquid containing more than 50 mg of PCBs per kilogram of liquid; or

(b) any solid containing more than 50 mg of PCBs per kilogram of solid; or

(c) any substance containing more than 50 mg of PCBs per kilogram of substance; or

(d) any object — equipment, machinery, capacitor, transformer, manufactured object — containing a liquid, solid or substance mentioned above or that is contaminated by such a material; and

(e) any object or exposed metal part whose surface is contaminated by more than 1 mg of PCBs per square metre; and

(8) any other material or object whose surface is contaminated by oil, grease or other hazardous materials;

5. For the application of this Regulation,

"cargo tank" means any tank having one or more compartments that can be attached to a truck, trailer, semi-trailer or tank car; (*citerne*)

"hazardous materials disposal site" means any site for the final disposal of hazardous materials or any site for the incineration of hazardous materials at which the major objective is to reduce hazardous materials to ash or a gas; (*lieu d'élimination de matières dangereuses*)

"receptacle" means any packaging, metal box, drum or other container; (*contenant*) and

"residual hazardous materials" means discarded, spent, used or outdated hazardous materials, as well as any other hazardous material mentioned in section 6; (*matière dangereuse résiduelle*)

"vessel" means any receptacle, cargo tank, tank or cargo container; (*réipient*)

6. The list of the following materials is established for the purposes of subparagraph 4 of the first paragraph of section 70.6 and paragraph 2 of section 70.9 of the Environment Quality Act, where the materials are hazardous within the meaning of paragraph 21 of section 1 of the aforementioned Act:

(1) any non-marketed manufactured product for which the manufacturer can indicate no use other than a use for energy generation purposes or no destination other than a hazardous waste disposal or treatment site;

(2) any material and object from a sector of activity mentioned in Schedule 3, except manufactured products;

(3) any material from an air scrubbing system or a wastewater system including a process water treatment system;

(4) any material from the incineration of hazardous materials;

(5) any material from the incineration of sludge from a wastewater purification plant or a drinking water treatment plant;

(6) any material and object from residual hazardous materials, except manufactured products; and

(7) any fuel obtained from a mixture of residual hazardous materials.

“Manufactured product” means any material or object manufactured in accordance with a specific form or specifications within the framework of a production or processing activity, and whose use is wholly or partly determined by that form or those specifications.

7. Chapters III to VIII are not applicable to radioactive materials governed by the Atomic Energy Control Act (R.S.C. (1985), c. A-16).

CHAPTER II GENERAL

8. No one may emit, deposit, discharge or release a hazardous material into the environment or into a sewage system, or allow the emission, deposit, discharge or release therein, unless the operation is made in accordance with the Environment Quality Act.

9. Any person who accidentally releases a hazardous material into the environment shall immediately

(1) stop the spill;

(2) inform the Minister; and

(3) recover the hazardous material and remove all contaminated material that is not cleaned or treated on site.

10. The mixtures and dilutions of residual hazardous materials with other materials, whether hazardous or not, shall be allowed provided that the materials obtained from such mixtures or dilutions are hazardous materials, except mixtures made in accordance with the Environment Quality Act.

11. No person shall ship a residual hazardous material to any person who is not authorized by the Environment Quality Act to receive such material.

Prior to shipping, a written contract shall be made up between the consignor and the consignee. The contract shall namely indicate the quantity of each category of materials shipped and the identification of the category described according to the indications Schedule 4. Copies of the contract shall be kept for 2 years at the shipping site and at the reception site.

The obligation to enter into a contract shall not be applicable when hazardous materials are shipped to a storage site that meets the conditions mentioned in subparagraph 4 of the first paragraph of section 118 of this Regulation.

12. Any person who ships residual hazardous materials to a hazardous materials disposal site shall entrust them to a carrier holding a permit referred to in section 117 of this Regulation.

The obligation shall not be applicable where pharmaceutical and cosmetic products are shipped to an incineration site whose operator is authorized to incinerate such products.

13. A person who carries on an activity in a sector mentioned in Schedule 3 and a permit holder who carries on an activity referred to in section 70.9 of the Environment Quality Act shall give a 30-day notice to the Minister of the Environment and Wildlife in case of cessation of activities or of dismantling any building in which there were hazardous materials.

Where there is cessation of activities, buildings and equipment shall be decontaminated or dismantled.

Where there is dismantling, the materials from the dismantling of buildings and, as the case may be, of equipment shall be decontaminated or shipped to an authorized site.

14. No person shall use oil, whether used or not, to settle dust, unless it is paraffinic oil approved by the Bureau de normalisation du Québec.

15. No liquid from electrical equipment shall be re-used as new filling fluid or secondary fluid where the PCB concentration is greater than 50 mg/kg.

16. A transformer that can no longer be used shall be drained of its liquid.

17. The operator of an industrial wastewater or process water treatment system shall drain the basin of deposits of hazardous materials where such a system has not been in operation for at least 6 months.

He shall also take the necessary measures to prevent the hazardous materials accumulated in the basin from reducing the efficiency of the treatment system.

18. Analyses to identify the hazardous properties of a material or object and analyses required under this Regulation, except analyses to determine radioactivity, shall be carried out by a laboratory accredited by the Minister of the Environment and Wildlife under section 118.6 of the Environment Quality Act and in accordance with the methods prescribed in the Liste des méthodes d'analyses relatives à l'application des règlements découlant de la Loi sur la qualité de l'environnement published by the Ministère de l'Environnement et de la Faune.

19. A person who submits results of analyses to the Minister of the Environment and Wildlife shall submit at the same time a document by which he attests that the samples were taken in accordance with the formalities and rules applicable.

20. Any analysis report produced by a laboratory shall bear the signature of the professionals involved, and the results shall be approved by a chemist who is a member of the Ordre des chimistes du Québec.

21. The consignor and the consignee of residual hazardous materials shall keep, for 2 years, at the shipping site and at the reception site, a copy of the shipping document referred to in the Transport of Dangerous Substances Regulation made by Order in Council 674-88 dated 4 May 1988, and present it upon request to the Minister of the Environment and Wildlife.

22. The documents and information that must be submitted to the Minister of the Environment and Wildlife may be submitted by telematic means or by computer medium in accordance with the form of presentation provided by the Minister. Then, a written and signed statement shall be submitted to the Minister attesting to the accuracy of the documents and information.

23. Where this Regulation prescribes the entry of a quantity in a register, a result sheet, a report, a permit application or any other document, the quantity shall be expressed in kilograms.

CHAPTER III THE USES OF RESIDUAL HAZARDOUS MATERIALS FOR ENERGY GENERATION PURPOSES

24. Subject to sections 26 and 27, residual hazardous materials may be used for energy generation purposes only in an industrial establishment and only if they meet the standards set forth for each parameter in Schedule 5.

25. No person shall use, for the manufacture of a fuel, a residual hazardous material that does not meet the standards set forth for each parameter in Schedule 5.

26. Used oil, other than cutting oil and oil emulsions, may be used for energy generation purposes provided that the fuel-burning equipment has at least 3 megawatts and that the standards set forth in Schedule 6 are met.

Notwithstanding the foregoing, a fuel-burning facility of less than 3 megawatts may be used in one of the following cases, provided that the standards listed in Schedule 6 are met.

(1) use of the same facility as the one for which its user has already obtained an authorization from the Minister of the Environment and Wildlife;

(2) use of a facility in a territory that is not linked to the Québec highway system by a public road within the meaning of the Highway Safety Code (R.S.Q., c. C-24.2).

27. Used insulating oil made of monocyclic or polycyclic unsaturated hydrocarbons may be used for energy generation purposes provided that fuel-burning facilities are more than 10 megawatts and that the standards set forth in Schedule 6 are respected.

28. A person who uses used oil shall ensure that the feed tank and the connection between the tank and the burner are equipped with a sampling system.

Where a connection containing used oil joins up with a connection containing a fuel other than used oil, the connection containing used oil shall be equipped with a sampling system above the junction point.

29. Fuel-burning facilities using used oil, and their schedules, shall be kept in good working order.

CHAPTER IV STORAGE OF RESIDUAL HAZARDOUS MATERIALS

DIVISION 1 SCOPE

30. This Chapter prescribes storage standards applicable to residual hazardous materials that are stored by a person who produced or used them, or by a person who has taken possession thereof.

31. This Chapter does not apply

(1) to solid materials whose only property is that they are radioactive, whose leachate spontaneously emits ion-

izing radiations and for which the result of the following equation is less than 0.05:

$$S = \frac{C_1}{A_1} + \frac{C_2}{A_2} + \frac{C_3}{A_3} + \dots + \frac{C_n}{A_n}$$

where “C₁, C₂, C₃, ... C_n” represents the density activity of the leachate for each radioelement it contains, expressed in kilobecquerels per litre (kBq/L); and

“A₁, A₂, A₃, ... A_n” represents the activity listed in Schedule 1 for each corresponding radioelement, expressed in kilobecquerels per litre (kBq/L);

(2) equipment containing PCBs or contaminated by PCBs, where such equipment has been out of service for less than 6 months;

(3) to used oil whose storage is governed by the Petroleum Products Regulation made by Order in Council 753-91 dated 29 May 1991;

(4) to spent or used materials that are still being used for the same purpose or a purpose similar to their initial use by a person who used them the first time while they were new;

(5) where the quantity of materials is less than 100 kilograms. However, this Chapter remains applicable to liquids, solids or substances containing PCBs where the quantity of PCBs contained in all the materials is greater than 1 kilogram.

32. Sections 50 to 92 do not apply

(1) to materials which, according to the terms of a certificate of authorization issued under section 22 of the Environment Quality Act, will be reused into an industrial process on the site of production or use within 120 days following their production or use;

(2) materials stored in a site other than that of their production or use where, according to the terms of a certificate of authorization issued under section 22 of the Environment Quality Act, those materials will be reused in an industrial process within 12 months of having been stored;

(3) to materials listed in paragraphs 3, 4 and 8 of section 4 of this Regulation which will be reused or treated for reuse or recycling purposes within 12 months following the date of their production or their last use or following the date on which those materials become unfit for their intended use;

(4) where the quantity of materials is less than 1 000 kilograms. However, sections 50 to 92 shall remain applicable to liquids, solids or substances containing PCBs where the quantity of PCBs contained in all the materials is greater than 1 kilogram.

Sections 72 to 76 do not apply to heap storage areas referred to in section 144 of this Regulation.

DIVISION 2 **GENERAL STORAGE CONDITIONS**

33. Every building used to store residual hazardous materials shall be built in such a way as to protect what is stored from any alteration caused by water, snow, frost or heat. The floor shall be impermeable, not liable to be attacked by the stored material and able to support that material. Furthermore, the layout of the storage area shall be such that leakage or spillage can be contained.

34. Every shelter under which residual hazardous materials are stored shall have at least 3 sides, a roof and a floor. The floor shall be impermeable, not liable to be attacked by the stored material and able to support that material. The floor shall rise on each side to form an impermeable basin able to hold the greatest of the following volumes: 25 % of the total capacity of all the receptacles stored therein or 125 % of the capacity of the largest receptacle.

35. Every drain situated in a place where residual hazardous materials are stored shall be

(1) tightly blocked off at all times to prevent the discharge of materials; or

(2) connected to a system which, as the case may be, will ensure the discharge of materials into a system able to ensure their recovery. In the case of liquid materials, the system shall be able to hold the greatest of the following volumes: 25 % of the total capacity of all the stored vessels or 125 percent of the capacity of the largest vessel.

Notwithstanding the foregoing, this section shall not be applicable where vessels are placed into a basin able to hold the greatest of the following volumes: 25 % of the total capacity of all the vessels or 125 percent of the capacity of the largest vessel.

36. Every storage site, including a storage area, shall be laid out and maintained in such a way as to be accessible to emergency crews at all times.

37. Movable and immovable property designated for storage shall be kept in good condition, as shall works and equipment used in the protection of such property.

38. Water that has accumulated in a storage area shall be collected and evacuated into a treatment or discharge site, in accordance with the Environment Quality Act.

39. An operator shall inspect the storage facilities at least once every 3 months to ensure that they are in good condition and in good working order.

Furthermore, a person who carries on an activity in a sector listed in Schedule 3, a permit holder carrying on one of the activities referred to in paragraphs 1, 2 and 3 of section 70.9 of the Environment Quality Act and a person who stores materials or objects containing PCBs or contaminated by PCBs shall keep a register of the inspection results, and that register shall remain at the storage site for 2 years from the last entry.

40. Residual hazardous materials shall be stored in vessels, except in the case of

(1) contaminated empty vessels referred to in paragraphs 3 and 4;

(2) gas cylinders referred to in paragraph 4 of section 4;

(3) solid materials at 20°C placed in bulk inside a building in an area laid out to receive such materials;

(4) solid materials at 20°C referred to in section 32 or other solid materials whose heap storage area complies with the standards prescribed by sections 72 to 76;

(5) contaminated objects that, because of their size, cannot be placed in a receptacle or cargo container. In such case, those objects shall be placed in a building, under a shelter, or outside in an impermeable basin that is compatible with the deposited objects and that shall be covered with an impermeable canvas whose extremities are attached to the edges of the basin.

41. Residual hazardous materials shall be stored in such a way as to prevent any situation liable to provoke, because of their incompatibility, hazardous physical or chemical reactions. Thus, receptacles of incompatible materials shall be stored in separate storage areas or in separate cargo containers.

42. Materials and objects containing PCBs or contaminated by PCBs shall be grouped together and stored apart from other hazardous materials, unless those materials and objects are placed in cargo containers.

43. No person shall store a residual hazardous material in a vessel previously used to store an incompatible

hazardous material where the vessel has not been washed out beforehand.

44. No residual hazardous material shall be stored outside a building unless it is stored in a cargo container or under a shelter or it is a contaminated empty receptacle or gas cylinder stored in an area laid out to hold leakage and spillage.

45. Any vessel containing residual hazardous materials shall be closed, shall be impermeable where used outdoors, and shall be sturdy, in good condition and designed to retain its contents; it shall be made of material that cannot be altered by the material stored therein.

Notwithstanding the foregoing, in order to prevent any accident risk, receptacles may be equipped with a safety valve and cargo containers, tanks or cargo tanks may be equipped with vents.

46. Receptacles, cargo containers, tanks and cargo tanks shall bear a tag, in a visible place, indicating the name of the hazardous materials that are stored therein. A tag placed on any receptacle shall bear the date on which storage began.

A sign indicating the name of the material that is stored therein shall be posted in proximity to an underground tank.

A building where bulk materials are stored shall provide a sign at the entrance indicating the name of the materials.

DIVISION 3 CONDITIONS RESPECTING CERTAIN TYPES OF STORAGE

Cargo containers

47. All cargo containers shall be designed and made for safe transportation. Furthermore,

(1) in the case of a top-loading metal cargo container, it shall have continuously welded joints and an impermeable bottom;

(2) in the case of a side-loading cargo container used to store receptacles of liquid materials, it shall have an impermeable basin able to contain 25 percent of the total capacity of all the stored receptacles; and

(3) in the case of a top-loading, side-unloading cargo container used to store bulk materials, it shall be equipped with a leakproof side opening able to retain the materials.

48. Every cargo container shall be situated above ground level to facilitate inspection.

49. Every cargo container shall be kept closed by a safety device that prevents it from opening at times other than periods of loading and unloading, except a cargo container holding bulk materials, which shall be covered with an impermeable canvas fixed in a way as to prevent any infiltration.

Tanks

50. No person shall install under a building a tank for the storage of residual hazardous materials.

51. No person shall deposit explosive materials or flammable liquids into a plastic or fibreglass aboveground tank.

52. No person shall install a plastic or fibreglass aboveground tank in a place in which explosive materials, oxidizing materials or flammable liquids are stored.

53. Every tank shall be equipped with a safety device preventing the use of the pipes at times other than periods of filling or draining.

54. Aboveground tanks and pipes of every tank shall be protected against corrosion.

55. Every aboveground tank shall be protected by barriers at places liable to be struck by vehicles.

56. Every aboveground tank, except double-wall tanks equipped with an interstitial automatic leak detection system and tanks to which an impermeable basin able to contain 110 % of the tank's capacity is integrated, shall be placed in an area having an impermeable basin able to contain 110 percent of the tank's capacity, or, where there are several tanks, 125 % of the capacity of the largest tank. Only tanks containing compatible materials may be placed inside the same basin.

Notwithstanding the foregoing, this section does not apply to tanks that cannot contain more than 2 000 kg of materials.

57. Aboveground tanks able to contain more than 20 000 litres shall be equipped with an automatic continuous inventory device and a spill prevention device.

58. Underground tanks and piping shall have double walls and be equipped with an interstitial automatic leak detection system, an automatic continuous inventory device and a spill prevention device.

59. Each time a leak is suspected, the owner or operator shall pressure test the underground tank or piping, as the case may be.

60. Every underground tank installed shall meet one of the following standards:

(1) Standards Council of Canada Standard CAN/ULC-S603: Steel Underground Tanks for Flammable and Combustible Liquids; or

(2) Standards Council of Canada Standard CAN/ULC-S615: Reinforced Plastic Underground Tanks for Petroleum Products; and

(3) Laboratories of Insurers of Canada ULC/ORD-C58.10: Jacketed Steel Underground Tanks for Flammable and Combustible Liquids; and

The tanks that meet the standard referred to in subparagraph 1 of the first paragraph and that are equipped with a corrosion protection system referred to in section 61 shall be equipped with accessible testing terminals.

61. Steel underground tanks, except those referred to in subparagraph 3 of the first paragraph of section 60, and steel underground piping, shall be protected against corrosion by one of the following systems:

(1) Standards Council of Canada Standard CAN/ULC-S603.1-92: Galvanic Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids; or

(2) PACE-87-1 of the Canadian Institute of Petroleum Products, where its induced current system constitutes an addition to an underground storage system.

62. The owner or operator of an underground tank or underground piping shall, every 2 years, have the working order of the corrosion protection system inspected:

(1) in accordance with Standards Council of Canada Standard CAN/ULC-S603.1-92: Galvanic Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids, in the case of a sacrificial anode system;

(2) in accordance with Report PACE-87-1 of the Canadian Institute of Petroleum Products, if it is an addition to an underground storage system in the case of an impressed current cathodic protection system.

Inspections shall be made at the time of installation of a tank or piping and 12 months thereafter.

The owner or operator shall keep the last working order certification of such a system, which shall indicate the following information:

- (1) the address of the site where the tank or piping is located;
- (2) the identification of the tank;
- (3) the date of inspection;
- (4) test results; and
- (5) the name and address of the person who issued the certification.

63. Underground tanks that are not protected against corrosion by one of the systems referred to in section 61 shall be removed from the ground not later than — the age of the tank being determined on the date of coming into force of this Regulation —

- (1) 1 January 2000, if the tank is 25 years old or over;
- (2) 1 January 2002, if the tank is at least 20 years old and less than 25 years old;
- (3) 1 January 2003, if the tank is at least 17 years old and less than 20 years old;
- (4) 1 January 2004, if the tank is at least 15 years old and less than 17 years old; and
- (5) 1 January 2005, if the tank is less than 15 years old, unless it is protected against corrosion by one of the following systems referred to in section 61 and the assessment of its state, as described in Schedule 7, is in zone 1 of the graph.

Notwithstanding the foregoing, a tank may be removed from the ground, as the case may be, on a later date than the one prescribed in subparagraphs 2, 3, 4 and 5 of the first paragraph where the assessment of the state of the tank is in zone 2, 3 or 4 of the graph. The removal of the tank and the necessary interventions shall be made according to the methods referred to in paragraph 3 of Schedule 7.

64. All underground piping connected to an underground tank that is not protected against corrosion by one of the systems referred to in section 61, shall be removed from the ground at the time of the replacement of the underground tank or at the time of the addition of a cathodic protection system to the underground system, unless the piping is impermeable and that it is henceforth protected against corrosion by any of the systems mentioned in section 61.

65. Where a leak comes from an underground piping that is not protected against corrosion, the piping shall be replaced.

66. Every underground tank installed shall be situated at least 1 metre, measured horizontally, from any building, any tank and from the storage area line and at least 75 centimetres, measured horizontally, from the inside wall of the excavation. Its installation shall prevent the loads carried by the foundations or supports of a building from being transmitted to the tank. Furthermore, from the footing down to the bed of the excavation, no earth shall be removed beyond a line delimited by a 45° slope.

67. Every underground tank shall be set on a layer at least 30 centimetres thick, composed of,

- (1) in the case of a steel tank, sifted or natural stoneless sand, compacted mechanically on site; or
- (2) in the case of a fibreglass tank, crushed stone or pea gravel.

The tank shall be covered with a layer of the same materials which shall not be more than 30 centimetres thick of the natural ground surface.

68. Every underground tank liable to be subjected to overhead vehicular traffic shall be sunk

- (1) to a depth of at least 1 metre below ground level, be covered with a layer not less than 90 centimetres thick of materials referred to in section 67 and a layer of bituminous concrete not less than 10 centimetres thick; or
- (2) to a depth of at least 45 centimetres, be covered with a layer of at least 30 centimetres thick of materials referred to in section 67 and a slab of reinforced concrete not less than 15 centimetres thick. The slab of reinforced concrete shall extend at least 30 centimetres beyond the perimeter of the tank.

69. Every underground tank not to be subjected to overhead vehicular traffic shall be sunk

- (1) to a depth of at least 60 centimetres below the natural ground surface and be covered with materials referred to in section 67; or
- (2) to a depth of at least 40 centimetres, be covered with materials referred to in section 67 and be covered with a slab of reinforced concrete at least 10 centimetres thick.

70. A qualified professional shall supervise the work related to the installation of an underground tank. He shall inspect the underground tank before and after it is set in place. In case of damage, the tank shall be repaired according to the requirements of the manufacturer.

The professional shall send to the Minister of the Environment and Wildlife, once the installation is completed, a report attesting the conformity of the installation to the standards applicable or indicating that those standards have not been respected.

71. An underground tank may be abandoned on its site where removal would be impracticable for one of the following reasons:

(1) removal of the tank would compromise the soundness of the structure of the building or of an element which is indispensable in terms of the building's intended use; or

(2) the necessary machinery for the removal of the tank cannot materially access the location of the tank.

Every abandoned tank shall be decontaminated, then filled with an inert material.

Storage in heaps area

72. Residual hazardous materials may be stored in heaps outside a building only where

(1) materials are in a solid state at 20°C;

(2) materials are not flammable or explosive and do not contain any volatile toxic substances;

(3) materials are stored in a site where a basin having a permeability coefficient of 1×10^{-6} cm/s and able to withstand the effects of the movement of vehicles that can be used therein was laid out. Unless materials are covered with an impermeable membrane or are deposited in a site equipped with at least a roof and three sides, the basin shall be laid out in a way as to prevent the scattering of dust and in a way as to contain the monthly average quantity of precipitation received during the last 5 years in the region;

(4) the storage site shall be surrounded by a dike that prevents materials that are stored therein from contaminating surface water.

73. The operator shall set up a network of wells monitoring the quality of underground water, where one shall be installed at the hydraulic upstream of the storage site and 2 others shall be installed downstream.

74. The operator shall submit to the Minister of the Environment and Wildlife, once the layout is completed, a report prepared by a qualified and independent professional attesting the conformity of the installation, including the network of wells monitoring the quality of underground water, to the standards applicable or indicating the cases where those standards are not respected and the correctional measures to implement.

75. The operator shall cause to have analysed, each year during periods of high water and low water, the quality of the water of monitored wells for contaminants present in the stored material.

The results of those analyses shall be kept on the storage site for at least 5 years.

As soon as the operator notices that ground water has been contaminated, he shall so inform the Minister of the Environment and Wildlife.

76. A sign indicating the name of the stored material shall be posted in proximity to a heap storage area.

Cargo tanks

77. Residual hazardous materials shall be stored in a cargo tank only if it is fit for use, if it bears a placard in accordance with the Transport of Dangerous Substances Regulation and, except for tank cars, if it is registered.

78. During loading and unloading, every cargo tank shall be placed in an impermeable area resistant to the material.

Cargo tanks containing incompatible materials shall not be placed in the same loading zone or unloading zone.

The area shall be equipped with an impermeable basin able to hold at least 110 % of the cargo tank's capacity or, where there are several cargo tanks, 125 % of the capacity of the largest cargo tank, unless the area is equipped with a collection system able to collect leakage and spillage.

The collection system shall be able to resist to the materials that are stored therein and be able to hold 110 % of the cargo tank's capacity or, where there are several cargo tanks, 125 % of the capacity of the largest cargo tank.

The accumulated water in the loading or unloading area shall be dumped into a treatment or discharge system, in accordance with the Environment Quality Act.

79. Every cargo tank shall be equipped with a safety device that prevents the use of pipes at times other than periods of filling or draining.

80. Any tank that is parked for more than 15 days shall meet the standards applicable to aboveground tanks.

DIVISION 4 **PROTECTION OF STORAGE SITES**

81. Sections 82 to 92 do not apply to

(1) the sites where only residual hazardous materials under paragraphs 3, 4 and 8 of section 4, except where such materials are under the possession of a permit holder carrying on an activity under section 70.9 of the Environment Quality Act; or

(2) the following sites, except where materials or objects containing PCBs or contaminated by PCBs are stored therein:

(a) at a service station;

(b) at a commercial automobile maintenance or repair shop having a storage capacity of less than 5 000 kilograms;

(c) at a dry-cleaning establishment;

(d) at a teaching establishment;

(e) at a laboratory for analyses or research/development; or

(f) at an institution within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) and the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., c. S-5).

82. Storage sites of residual hazardous materials shall be laid out in a way as to prevent intrusions.

83. Absorbent substances shall be kept near a storage site of liquid materials.

84. Any building in which are stored materials liable to emit a flammable gas shall be equipped with an automatic device which will detect that gas, unless an alarm goes off automatically when the ventilation system shuts down.

85. Every permit holder carrying on an activity under section 70.9 of the Environment Quality Act shall protect, by means of an intrusion detection system, ev-

ery building in which are stored more than 45 000 kilograms of one of the categories of material listed in subparagraphs 1 to 5 or more than 45 000 kilograms of several categories listed in subparagraphs 1 to 6:

(1) explosive materials;

(2) gaseous materials;

(3) flammable materials;

(4) oxidizing materials;

(5) materials having more than 1500 mg/kg of total organic halogen; and

(6) liquids containing PCBs.

Where the storage is outside a building, the permit holder shall protect the storage site with an intrusion detection system.

86. Any permit holder who stores, inside a building, more than 20 000 kilograms of one of the categories of materials listed in subparagraphs 1 to 5 of the first paragraph of section 85 or more than 20 000 kilograms of several categories of materials listed in subparagraphs 1 to 6 of that section shall protect the building with a fire detection system and with an automatic fire extinguishing system suited to the type of hazardous materials stored.

87. Every building in which are stored more than 20 000 kilograms of materials or objects containing PCBs or contaminated by PCBs and that is equipped with a mechanical ventilation device shall be equipped with an emergency system that will stop the ventilation and close the air intake and air evacuation registers as soon as there is heat or smoke.

88. Every building in which are stored more than 20 000 kilograms of materials or objects containing PCBs or contaminated by PCBs shall be protected by an intrusion detection system, a fire detection system and an automatic fire extinguishing system suited to the type of materials stored.

Where 20 000 kg or less of liquids containing PCBs are stored, the building shall be protected by a fire detection system and portable extinguishers suited to the type of materials stored.

Where more than 20 000 kilograms of liquids containing PCBs are stored outdoors, the storage site shall be protected by an intrusion detection system.

89. Except where a storage site is supervised, all fire detection and intrusion detection systems shall comprise alarm transmission equipment connected to an external alarm control post.

90. Fire detection systems and intrusion detection systems shall be installed by an alarm device installation contractor who holds a licence issued by the Régie du bâtiment du Québec, and shall be serviced at least once per year by such contractor.

Certificates of installation and maintenance shall be kept on the storage site.

91. Every fire detection system shall comprise a fire alarm.

92. Fire detection systems, fire alarms, automatic fire extinguishing systems as well as portable extinguishers shall be designed, installed and serviced in accordance with Part 6 of the National Fire Code of Canada (1990).

CHAPTER V FINAL DISPOSAL SITES

93. This Chapter does not apply to final disposal sites of radioactive materials under paragraph 1 of section 31. The operator of such a site shall, however, hold the permit referred to in section 70.9 of the Environment Quality Act.

This Chapter also does not apply to the final disposal sites under section 144 of this Regulation.

94. The following hazardous materials may not be placed in a final disposal site:

- (1) materials at the liquid state at 20°C;
- (2) materials that, when tested in accordance with the Liste des méthodes d'analyses relatives à l'application des règlements découlant de la Loi sur la qualité de l'environnement, contain a free liquid;
- (3) flammable or explosive materials;
- (4) soil having more than 50 mg of PCBs per kilogram of soil;
- (5) materials physically and chemically incompatible with the materials that constitute the final disposal site;
- (6) materials that may, on contact with water, air or materials already stored therein, form gases, mists or

fumes at levels liable to endanger the health of human beings or other living species, or may damage the environment or goods; and

(7) materials and objects containing PCBs or contaminated by PCBs, under paragraph 7 of section 4 of this Regulation.

95. Final disposal sites of hazardous materials may be laid out only

— on a site where the soil on which the materials will be deposited is composed of a natural homogeneous layer having a hydraulic conductivity equal or less than 1×10^{-6} cm/s at least 6 m thick whose bed and walls are protected by an impermeable synthetic membrane;

— on a site on which the thickness of the soil having a hydraulic conductivity equal or less than 10^{-6} cm/s is between 3 and 6 m, provided that the bed and walls of the zone where the materials will be deposited have extra protection by the overplacement of 2 impermeable synthetic membranes, the installation of an impermeable synthetic membrane over a layer of clayish materials having a hydraulic conductivity equal or less than 1×10^{-7} cm/s at least 120 cm thick after compaction or by another waterproofing system whose components ensure an almost equivalent efficiency.

96. Final disposal sites shall be equipped with a system able to collect all leachates and evacuate them to their treatment or disposal site. That system is placed over the impermeable membrane.

A second system for the collection or disposal of leachates, intended for detecting leakage, shall be placed between the 2 impermeable membranes or between the membrane and the impermeable layer of the soil, as the case may be.

97. Final disposal sites shall be equipped with a collection system of surface water able to prevent that water from being contaminated by the materials stored therein or from penetrating in the zones where the materials are stored. Once collected, the water, which shall not be diluted, shall be evacuated to its treatment or discharge site.

98. The dimensioning, the choice and the placing of the materials shall guarantee that the equipment and systems with which the final disposal site will be equipped, will work correctly, even on a long term basis, considering the physical, chemical and biological processes that could intervene on the final disposal sites during their layout, their operation and after the site is closed.

Equipment and systems shall be periodically maintained so as to keep them in good working order during operation and after the site is closed.

99. Every final disposal site shall be laid out in a way that blocks all intrusions.

100. A sign made visible to the public shall be posted at the entrance of final disposal sites and it shall indicate that the site is a final disposal site of hazardous materials.

101. The final cover of a disposal site shall comprise

(1) an impermeable layer made by the overplacement of 2 impermeable synthetic membranes or by the combination of an impermeable membrane and a layer of clayish materials;

(2) a layer of drainage composed of natural materials or of synthetic materials if the upper part of the impermeable layer is made by an impermeable synthetic membrane;

(3) a layer of soil whose characteristics are able to protect the impermeable layer; and

(4) a layer of soil fit for vegetation which shall be sown in such way that revegetation takes place within the shortest time possible. Notwithstanding the foregoing, the vegetalization shall not be made by means of species liable to damage the impermeable layer.

The final cover shall include slopes enabling the flow by gravity of runoff outward the zones of material deposits, while limiting soil erosion.

102. Holes, faults and subsidence shall be filled until there is a complete stabilization of the disposal zones of materials.

103. Where the disposal operations are definitely finished, the operator shall send immediately to the Minister of the Environment and Wildlife a notice confirming the date on which the final disposal site has been closed.

Within 6 months from the date on which the final disposal site has been closed, the operator shall send to the Minister of the Environment and Wildlife a closing state that he will cause to have it prepared by a qualified and independent professional attesting

(1) the working order, the efficiency and reliability of the equipment and systems with which the disposal site is equipped; and

(2) the conformity of the disposal site with the prescriptions of this Regulation or of the permit.

Where applicable, the report shall specify the cases of non compliance with the provisions of this Regulation or of the permit and shall indicate the corrective measures to be taken.

CHAPTER VI REGISTER AND ANNUAL MANAGEMENT REPORT REFERRED TO IN SECTIONS 70.6 AND 70.7 OF THE ENVIRONMENT QUALITY ACT

104. The obligation to hold a register in respect of the hazardous materials referred to hereafter that is made to any person who has in his possession hazardous materials

— he has produced or used but which he has discarded,

— he has used and no longer uses for the same end or a similar end to its initial use,

— he has produced or of which he has taken possession with the intention of using them, but are outdated,

— he has produced or used and are mentioned in section 6 of this Regulation

shall apply to

(1) the persons who carry on an activity in a sector indicated in Schedule 3, in respect of each category of hazardous materials listed in Schedule 4, whose quantity exceeds 100 kg, where the quantity of those categories of more than 100 kg exceeds 1 000 kg;

(2) the persons who have in their possession materials and objects containing PCBs or contaminated by PCBs

(a) in respect of each category of those hazardous materials, listed in Schedule 4, whose quantity exceeds 100 kg; and

(b) in respect of each category of liquids, solids or substances containing PCBs where the quantity of PCBs contained in all those categories — other than those already entered in the register — exceeds 1 kilogram.

Notwithstanding the foregoing, the obligation to hold a register does not concern the following materials:

(1) hazardous materials that, according to the terms of a certificate of authorization issued under section 22

of the Environment Quality Act, are reused into an industrial process located on the site of their production or use within 120 days following their production or use;

(2) equipment containing PCBs or contaminated by PCBs where that equipment has not been used for at least 6 months; and

(3) hazardous materials referred to in paragraphs 3, 5 and 8 of section 4 of this Regulation, where such materials are to be recycled or reused within 12 months following the date of their production or of their last use or following the date on which a material becomes unfit for its intended use;

105. The register shall be kept in each site of production or use where the quantities prescribed by section 104 are found.

106. The register shall contain the following information in respect of each category of hazardous materials:

(1) its identification determined according to the indications of Schedule 4;

(2) the quantity in storage on the last day of each quarter; and

(3) the quantity that was subject to a treatment on the site of the production or use during a quarter to reduce the hazardous nature of the material.

107. The information shall be entered in the register not later than on the tenth day following the end of each quarter.

108. The information contained in the register shall be kept at the site of production or use for no less than 2 years from the end of each quarter.

109. The annual management report for each category of hazardous materials in respect of which a register has been kept during a calendar year shall be prepared by

(1) the person who has in his possession materials or objects containing PCBs or contaminated by PCBs; and

(2) the person who carries on an activity in a sector listed in Schedule 8, in respect of each category of materials whose quantity exceeds 1 000 kg or in respect of each category of materials where the quantity of the categories entered in the register exceeds 5 000 kilograms.

110. The annual management report shall contain the following information:

(1) the name and address of the person who drafted the report and the record number assigned to that person, where he is registered in the register of sole proprietorships, partnerships and legal persons; and

(2) in respect of each category of hazardous materials:

(a) its identification determined according to the indications of Schedule 4;

(b) the quantity in storage on the first day and last day of the year;

(c) the quantity produced or used during the year;

(d) the quantity that, during the year, has been treated or used for energy generation purposes on the site of production or use and the identification of the method of managing determined according to the indications of Schedule 9;

(e) the quantity shipped, during the year, to each consignee with the name and address of that person; and

(f) the quantity received, during the year, from each consignor with the name and address of that person.

111. The annual management report shall be sent to the Minister of the Environment and Wildlife no later than 1 April, for the previous calendar year.

CHAPTER VII

EXTENSION OF STORAGE PERIOD REFERRED TO IN SECTION 70.8 OF THE ENVIRONMENT QUALITY ACT

112. The provisions of section 70.8 of the Environment Quality Act and those of this Chapter apply only in respect of a person who has in his possession a hazardous material for which a register must be kept pursuant to section 104 of this Regulation.

Notwithstanding the foregoing, in respect of materials and objects containing PCBs or contaminated by PCBs whose concentration is greater than 10 000 mg per kilogram, section 70.8 shall only apply as of 1 December 2000.

113. An application for authorization to extend the storage period for a hazardous material shall contain the following information:

(1) if the applicant is a natural person, his name, address and telephone number;

(2) in the case of a legal person, a partnership or an association, its name, the address of its head office, the quality of the person signing the application and a certified copy of the deed authorizing the filing of such an application;

(3) in the case of a municipality, a certified copy of the deed authorizing the application and the person signing it;

(4) the record number assigned to the applicant, where he is registered in the register of sole proprietorships, partnerships and legal persons; and

(5) in respect of each category of hazardous materials:

(a) its identification determined according to the indications of Schedule 4;

(b) the date on which the 12-month period provided for in section 70.8 of the Act ends and the quantity that will be in storage on that date;

(c) the storage extension period applied for and an estimate of the quantity that will be in storage each year during that period; and

(d) the grounds for the application for the extension of the period.

114. The management plan submitted with an application for extension of the storage period shall contain the following information:

(1) characterization of the hazardous material in question, including

(a) a sampling schedule;

(b) the name and address of the laboratory accredited by the Minister of the Environment and Wildlife that did the analysis;

(c) the properties referred to in section 3 of this Regulation and the results of the chemical analyses;

(d) in the case of a hazardous material referred to in section 4 of this Regulation, the results of the chemical analyses and the characteristics of materials; and

(e) the grounds for which a chemical analysis or test has not been done in respect of the hazardous material;

(2) the cadastral designation of the lots on which a hazardous material is stored and a plan of the storage sites with an indication of the zoning of the land in question;

(3) a description of the storage method currently used, including equipment, systems and infrastructures as well as a description of the measures taken or envisaged to ensure safety at the storage site against intrusions or accidents;

(4) the characterization of soil and underground water situated on the periphery of the storage site and the decontamination or alleviation measures that have been taken or that are envisaged;

(5) a description of the research projects and experiments that have been carried out or envisaged in respect of removal of the hazardous material from the storage site; and

(6) a document indicating the various steps for completion of the management plan, as well as the means that will be taken to inform the Minister of the state of completion of the plan.

CHAPTER VIII

ACTIVITIES REFERRED TO IN SECTION 70.9 OF THE ENVIRONMENT QUALITY ACT

DIVISION 1

SCOPE

115. The term “hazardous materials disposal site” contemplated in paragraph 1 of section 70.9 of the Environment Quality Act has the same meaning as the one given in section 5 of this Regulation.

116. The purpose of the standards prescribed in this Regulation is not to restrain the power of the Minister of the Environment and Wildlife, referred to in section 70.12 of the Environment Quality Act, to determine other conditions, restrictions and prohibitions he judges necessary to ensure that the completion of the project he is authorizing will not present unacceptable risks for health or the environment.

117. Any person who carries hazardous materials to a hazardous material disposal site shall hold a permit.

118. The obligation to hold a permit for carrying on activities referred to in paragraphs 1 to 4 of section 70.9 is not applicable in respect of the following activities:

(1) the incineration of pharmaceutical and cosmetic products by a permit holder issued under section 55 of the Environment Quality Act;

(2) the operation, for commercial purposes, of a treatment process for recycling or reusing residual hazardous materials referred to in paragraphs 3, 4 and 8 of section 4;

(3) the operation, for commercial purposes, of a treatment process that consists in grinding, sifting or sorting solid residual hazardous materials other than material and objects containing PCBs or contaminated by PCBs, where the following conditions are met:

(a) the quantity of materials stored is less than

100 000 kilograms;

(b) the materials are to be treated within 90 days after being received; and

(c) the hazardous materials thus treated are not earmarked for disposal or for use in energy generation; or

(4) the storage of residual hazardous materials, where the following conditions are met:

(a) the quantity stored is less than 40 000 kilograms;

(b) the materials are not materials from a step in the manufacturing processes or purification processes of air emission, effluents and residues located in a place at which an activity in a sector listed in Schedule 3 is carried on, and they are not materials from the maintenance of those processes; and

(c) the hazardous materials are not materials or objects containing PCBs or contaminated by PCBs.

Notwithstanding the foregoing, where the quantity in storage is between 1 000 kg and 40 000 kg, the person storing the materials shall send a notice to the Minister of the Environment and Wildlife as soon as possible.

The notice shall contain the following information:

(1) the name and address of the person storing the hazardous materials;

(2) the identification for each category of hazardous materials, determined according to the indications of Schedule 4; and

(3) an estimate of the maximum capacity of hazardous materials that can be stored.

DIVISION 2 APPLICATION FOR PERMITS

119. Every application for a permit, other than the one concerning the transportation of hazardous materials to a disposal site, shall include the following information and documents:

(1) if the applicant is a natural person, his name, address and telephone number;

(2) in the case of a legal person, a partnership or an association, its name, the address of its head office, the quality of the person signing the application and a certified copy of the deed authorizing the filing of such an application;

(3) in the case of a municipality, a certified copy of the deed authorizing the application and the person signing it;

(4) the record number assigned to the applicant, where he is registered in the register of sole proprietorships, partnerships and legal persons;

(5) except in the case of an application respecting the operation of mobile facilities, the cadastral designation of the lots on which the project will be carried on and a plan of the sites on which the proposed activity will take place, with an indication of the zoning of the land in question;

(6) a copy of every document confirming the applicant's rights in respect of the lots specified by the application, as well as a copy of the location certificate;

(7) the identification of the categories of hazardous materials determined according to the indications of Schedule 4, in respect of which the activity will be carried on and the quantities involved;

(8) a description of the technical aspects of the project, including a list of the equipment and systems, the various steps of the process, management of the hazardous materials produced and information concerning the nominal capacity of the project;

(9) a description of the nature and volume of the contaminants that may be emitted, discharged, released or deposited into the environment, as well as their points of emission, discharge, release or deposit;

(10) in the case of the operation of a final disposal site, a program for monitoring, supervising and following the quality of surface and underground water, leachates and biogases as well as a program on the

maintenance of the equipment and systems with which the site will be equipped; those programs will apply during the operation, the closing and later on;

(11) a guarantee that complies with the requirements of sections 120 to 123, in an amount determined in Schedule 10, except in the case of an application for a permit to use used oil for energy generation purposes, where the nominal capacity is less than 1 tonne or 1 kilolitre per hour; and

(12) a certificate from the bailiff or the secretary-treasurer of the local municipality or, in the case of an unorganized territory, of the regional county municipality, attesting that the completion of the project does not contravene any municipal by-law.

The application for a permit respecting the transportation of hazardous materials to a disposal site shall, in addition to those referred to in subparagraphs 1 to 4 of the first paragraph, contain the following information and documents:

(1) a copy of the permit issued by the Commission des transports du Québec authorizing the applicant to provide such a transportation service;

(2) the number and type of vehicles used;

(3) the address and place where the vehicles will be put away;

(4) the categories of hazardous materials, whose identification is determined according to the indications of Schedule 4, which the applicant intends to carry;

(5) a guarantee of \$100 000 that complies with the requirements prescribed by sections 120 to 123.

120. The required guarantee is intended to ensure, during the carrying on of the activity and during the cessation, the carrying out of the obligations to which the operator is held pursuant to the Environment Quality Act, the regulations, an order or a permit. Thus, in case of failure of the operator, that guarantee shall be used for the payment of the expenses incurred by the Minister of the Environment and Wildlife under sections 113, 114, 115 and 115.1 of the aforementioned Act.

121. The guarantee shall be provided by the applicant or by a third party on that person's behalf and shall be provided

(1) in cash, by bank money order or by certified cheque made out to the Minister of Finance;

(2) by bearer warrants issued or guaranteed by Québec, Canada or another Canadian province, the United States of America or one of the member States, the International Bank for Reconstruction and Development, a municipality or a school board in Canada or a factory in Québec;

(3) by a security or a guarantee policy, with stipulation of a deed and a waiver of the benefits of discussion and division, subscribed to a legal person authorized to stand security under the Bank Act (L.C. 1991, c. 46), the Savings and Credit Unions Act (R.S.Q., c. C-4.1), the Act respecting trust companies and savings companies (R.S.Q., c. S-29.01) or the Act respecting insurance (R.S.Q., c. A-32);

(4) by an irrevocable letter of credit issued by a banking institution or by a savings and credit union.

122. The amount of money, orders, cheques or warrants provided by guarantee are deposited with the Minister of Finance, for the duration of the carrying on of the activity and until the expiry of the 12-month period following the cessation of the activity, that is the expiry, the revocation or the transfer of the operator's permit, according to the first possibility.

123. A guarantee provided in the form of security, a guarantee policy or a letter of credit shall have a term of not less than 12 months. Not less than 15 days before the expiry of the guarantee, its holder shall send his renewed guarantee to the Minister of the Environment and Wildlife, or any other guarantee meeting the requirements prescribed by sections 120 and 121.

The guarantee shall also contain a clause setting at not less than 12 months after its expiry, or as the case may be after its revocation, rescission or cancellation, the time period for filing a claim based on failure on the part of the operator to perform his actions.

Finally, any clause of revocation, rescission or cancellation of a guarantee may take effect only in return for a notice sent by registered or certified mail to the Minister at least 15 days prior to the expiry of the guarantee. At the time of the taking of effect of such a clause, when the possibility of another guarantee that complies with the requirements prescribed in this Regulation has not been sent to the Minister, the holder may not pursue his activity until he has straightened out his situation.

124. A permit is issued on the condition that the applicant has a civil liability insurance in an amount determined in Schedule 11, except in the case of a

permit to use used oil for energy generation, where the nominal capacity is less than 1 tonne or 1 kilolitre per hour.

The applicant of a transportation permit shall have a civil liability insurance of \$100 000.

The permit holder shall keep his liability insurance contract in force for the duration of the permit validity period.

This section does not apply to the Government or to its departments and agencies.

125. The civil liability insurance policy shall

(1) specifically cover that the permit holder is responsible for damage to the environment attributable to sudden or accidental events related to his activities; and

(2) include a provision obliging the insurer to notify the Minister within 10 working days following the revocation, rescission or cancellation of the contract or following an amendment that reduces the coverage thereof.

At the time of the taking of effect of the rescission, cancellation or amendment to an insurance policy, when the possibility of a new policy that complies with the requirements prescribed in this Regulation has not been contracted, the holder may not pursue his activity until he has straightened out his situation.

126. The exigible fees for the issue of a permit or the amendment to a permit for the purpose of increasing the nominal capacity of a project by more than 35 % are fixed at \$800, \$1 000 from 1 January 1999, \$1 200 in 2000, \$1 400 in 2001 and \$1 600 in 2002.

Notwithstanding the foregoing, for the issue of a permit that replaces a permit issued under section 55 of the Environment Quality Act in respect of the operation of part of a system for the management of hazardous waste, the exigible fees for the years indicated above are \$400, \$500, \$600, \$700 and \$800.

The exigible fee for the renewal of a permit is \$275.

The exigible fee for a permit amendment pertaining to information referred to in one of the subparagraphs 5 to 9 of the first paragraph of section 119 and in subparagraphs 3 or 4 of the second paragraph of that section is \$275.

From 1 January 2003, the fees provided for in this Regulation shall be indexed on 1 January of each year on the basis of the rate of change in the general Con-

sumer Price Index for Canada as published by Statistics Canada; that rate is calculated by establishing the difference between the monthly average index for the 12-month period ending on 30 September of the preceding year and the monthly average index for the period equivalent to the second preceding year.

The Minister shall publish the indexing calculated in the *Gazette officielle du Québec* before 1 January of each year.

127. Every application for renewal of a permit shall be submitted to the Minister between the one hundred and twentieth day and the sixtieth day preceding its date of expiry.

128. Every application for amendment to a permit shall contain the following information:

(1) a statement of the amendments applied for, and the grounds for the application; and

(2) the foreseeable consequences of the amendments applied for, in terms of contaminants that may be emitted, discharged, released or deposited into the environment, and in terms of the points of emission, discharge, release or deposit of contaminants into the environment.

129. Where an application for a permit, for an amendment or for renewal is submitted, any information or document already filed with the Minister need not be filed a second time if the applicant attests that it is still accurate.

DIVISION 3 REGISTER AND ANNUAL REPORT KEPT OR DRAWN UP BY A PERMIT HOLDER

130. Every permit holder carrying on an activity referred to in section 70.9 of the Environment Quality Act, except the transportation of hazardous materials, shall keep a register that contains the information prescribed hereafter, in respect of the residual hazardous materials he has produced or used, within his activity, of which he has taken possession or which have been consigned to him for the purposes of his activity, as well as in respect of the mixtures he has produced.

131. Where the activity is carried on by means of stationary facilities, the register shall contain the following information:

— in respect of each category of hazardous materials:

(1) its identification determined according to the indications of Schedule 4;

(2) the quantity in storage on the last day of each quarter where such quantity is greater than 100 kilograms;

(3) the quantity that has been disposed of, treated or used for energy generation purposes on the operation site during a quarter and the identification of the method of managing determined according to the indications of Schedule 9;

(4) the quantity that has been produced during a quarter and the identification of the method of managing determined according to the indications of Schedule 9.

— in respect of each category of a mixture of hazardous materials:

(1) its identification determined according to the indications of Schedule 4;

(2) the quantity in storage on the last day of each quarter where such quantity is greater than 100 kilograms;

(3) the quantity that has been disposed of, treated or used for energy generation purposes on the operation site during a quarter and the identification of the method of managing determined according to the indications of Schedule 9.

The information prescribed by this Regulation shall also be indicated in the register in respect of each category of liquids, solids or substances containing PCBs where the quantity of PCBs contained in all those categories — other than those already entered in the register — exceeds 1 kilogram.

The above information shall be entered in the register no later than on the tenth day following the end of each quarter.

132. Where the activity is carried on by means of stationary treatment or incineration facilities, the register shall contain the following information, in respect of each site at which the permit holder carries on his activity and in respect of each hazardous material:

(1) the identification of the hazardous material disposed of or treated, determined according to the indications of Schedule 4;

(2) the name and address of the owner or operator of the site at which the authorized activity is carried on;

(3) the quantity that has been disposed of or treated; and

(4) the quantity of which the permit holder has taken possession and the identification of the method of managing, determined according to the indications of Schedule 9.

The above information shall be entered in the register no later than on the tenth day following the termination of the activity at each site.

133. The register shall be kept at the site of the activity or, in the case of mobile facilities, at the head office of the permit holder, for a period of 2 years from the date of the last entry.

134. The permit holder shall draw up an annual report, containing the following information, on the hazardous materials mentioned in section 130 which he has received, produced or that have been consigned to him during the calendar year and for which a register has been kept.

135. Where stationary facilities are operated, the annual report shall contain the following information:

— in respect of each category of hazardous materials:

(1) the identification determined according to the indications of Schedule 4;

(2) the quantity he has received from each consignor with the name and address of that person;

(3) the quantity in storage on the first day and last day of the year;

(4) the quantity that has been produced or used within his activities;

(5) the quantity that has been disposed of, treated or used for energy generation purposes on the operation site and the identification of the method of managing determined according to the indications of Schedule 9; and

(6) the quantity shipped to each consignee with the name and address of that person.

— in respect of each category of a mixture of hazardous materials:

(1) the identification of the mixture determined according to the indications of Schedule 4;

(2) the identification of each category of hazardous materials composing the mixture;

— for materials from Québec, the identification determined according to the indications of Schedule 4;

— for materials from another Canadian province, the identification is determined according to Column III of List II of Schedule II to the Transportation of Dangerous Goods Regulations (SOR/85-77, (1985) 119, *Canada Gazette*, Part II, 393);

— for materials from outside Canada, the identification is determined according to Column II of parts I, II, III or IV of Schedule 3 to the Export and Import of Hazardous Waste Regulation (SOR/92-637, (1992) 126, *Canada Gazette*, Part II, 4553);

(3) the quantity of each category of hazardous materials composing the mixture he has received from each consignor and the name and address of the latter;

(4) the quantity of the obtained mixture;

(5) the quantity of the mixture in storage on the first and last day of the year;

(6) the quantity of the mixture that has been disposed of, treated or used for energy generation purposes and the identification of the method of managing determined according to the indications of Schedule 9; and

(7) the quantity of the mixture that has been shipped to each consignee and the name and address of the latter.

136. Where the activity is carried on by means of mobile treatment or incineration facilities, the annual report shall contain the following information, in respect of each category of hazardous materials:

(1) the identification determined according to the indications of Schedule 4;

(2) the quantity that has been disposed of or treated and the identification of the treatment or disposal method determined according to the indications of Schedule 9; and

(3) the quantity of materials that the holder has produced during his activity and the identification of the method of managing provided, determined according to the indications of Schedule 9.

Furthermore, the holder shall list in his annual report the sites where he has carried on his activity and their address.

137. In the case of the transportation of hazardous materials to a disposal site, the annual report shall con-

tain the following information, in respect of each category of hazardous materials:

(1) the identification determined according to the indications of Schedule 4 of this Regulation and the identification determined according to columns I and III of List II of Schedule II to the Transportation of Dangerous Goods Regulations; and

(2) the quantity that the carrier has received from each consignor, with the name and address of the latter as well as the name and address of the consignee.

138. The annual report shall be sent to the Minister no later than 1 April, for the previous calendar year.

CHAPTER IX PENAL

139. Any offence against the provisions of sections 18 to 20, 21, 39, 46, 62, 76, 100, 104 to 111 or 130 to 138 makes the offender liable to a fine,

(1) in the case of a natural person, of \$600 to \$25 000; and

(2) in the case of a legal person, of \$1800 to \$200 000.

140. Any offence against the provisions of sections 12, 15 to 17, 28, 29, 33 to 38, 40 to 45, 47 to 49, 53 to 61, 66 to 71, 74, 75, 77 to 80, 82 to 92, 98, 99, 101, 102, 103 or of the second paragraph of section 148 makes the offender liable to a fine,

(1) in the case of a natural person, of \$1 000 to \$25 000; and

(2) in the case of a legal person, of \$3 000 to \$500 000.

141. Any offence against the provisions of sections 9 to 11, 13, 14, 24 to 27, 50 to 52, 63 to 65, 72, 73, 94 to 97, of the third paragraph of section 123, of the second paragraph of section 125 or of section 144 to 146 makes the offender liable to a fine,

(1) in the case of a natural person, of \$2 000 to \$25 000; and

(2) in the case of a legal person, of \$6 000 to \$500 000.

142. Any offence against section 8 makes the offender liable to a fine,

(1) in the case of a natural person, of \$2 000 to \$25 000; and

(2) in the case of a legal person, of \$25 000 to \$500 000.

In the case of a subsequent offence on the part of a natural person, the fine shall be doubled. In the case of a subsequent offence on the part of a legal person, the fine shall be from \$50 000 to \$1 200 000 and, in the case of an additional offence, from \$550 000 to \$1 500 000.

In addition to the fine, the offender is liable to punishment imprisonment for a maximum of 18 months.

143. In the case of a subsequent offence, the fines prescribed in sections 139 to 141 shall be doubled.

CHAPTER X AMENDING AND TRANSITIONAL

144. In respect of heap storage sites and final disposal sites that will be in operation on 1 December 1997 or that have been closed before that date, but after 15 October 1985, operators or owners of such sites, as the case may be, shall send to the Minister of the Environment and Wildlife, within a year following the date of coming into force of this Regulation, a study of characterization of the soil and underground water situated in periphery of such sites. That study shall be prepared by qualified and independent professionals in accordance with the Guide de caractérisation des sols contaminés published by the Ministère de l'Environnement et de la Faune, and with the rules applicable.

145. Where the study of characterization shows that the level of contamination is not an unacceptable health or environment risk, the operator shall request, within 180 days following the forwarding of the study to the Minister, an extension of storage or a permit in respect of the carrying on of the disposal activity by final disposal.

146. Where the study of characterization shows a level of contamination causing or liable to cause damage to the environment or a hazard to health, the operator shall immediately cease to deposit or store hazardous materials. The operator or the owner, as the case may be, shall take the corrective measures to cause to cease or reduce the real effect or to prevent the dreaded effect as soon as possible, after informing the Minister. Then, in the year following the forwarding of the characterization study to the Minister,

— the operator shall request an extension of storage or a permit relating to the carrying on of the disposal activity by final disposal, that is, closing definitely the site in accordance with the prescriptions provided in sections 101 and 102 of this Regulation;

— the owner, whose site is definitely closed, shall send to the Minister a monitoring and supervision program of the quality of surface and underground water, leachates and biogases as well as a program on the maintenance of equipment and systems with which the site will be equipped.

147. For the keeping of the registers referred to in sections 104 to 130, the first quarter begins on 1 January 1998. Not later than 10 January 1998, those who are concerned with the obligation of keeping a register shall indicate therein the quantity of the hazardous materials in question that is stored on 1 January 1998 on the site of the production, use or storage.

148. In respect of the tanks that will already be installed on 1 December 1997:

(1) section 57 is applicable to aboveground tanks that can contain more than 20 000 litres, from 1 June 1998;

(2) section 58 is applicable from 1 December 2000 to double-wall underground tanks. In respect of single-wall underground tanks, section 58 is applicable in the same period only where it is mandatory to be equipped with an automatic continuous inventory device and a spill prevention device; and

(3) sections 60, 66, 67, 68 and 69 are not applicable as long as the tanks remain installed at the same place.

The owners and operators of existing underground tanks shall provide to the Minister of the Environment and Wildlife, not later than 1 February 1998, a statement with the following information:

(1) the address of the site where each tank is located;

(2) the materials composing the tank;

(3) the volume of the tank;

(4) if it is a single-wall or double-wall tank;

(5) if the tank is equipped with a corrosion protection system, an automatic continuous inventory device, a spill prevention device and, in the case of a double-wall tank, an interstitial automatic leak detection system between the walls; and

(6) the age of the tank.

149. The Regulation respecting the application of the Environment Quality Act, made by Order in Council 1529-93 dated 3 November 1993, amended by Order in Council 305-97 dated 12 March 1997, is further amended, in section 2,

(1) by substituting the words “a combustion system or an industrial furnace using residual hazardous materials for energy generation purposes within the meaning of section 5 of the Regulation respecting hazardous materials” for the words “or a combustion system for used oil within the meaning of section 1 of the Hazardous Waste Regulation, made by Order in Council 1000-85 dated 29 May 1985, that is used to supply energy to an industrial establishment or a greenhouse” in paragraph 4; and

(2) by adding the following paragraph:

“(14) the storage activities of residual hazardous materials within the meaning of section 5 of the Regulation respecting hazardous materials:

— where the quantity in storage is less than 1 000 kg;

— where the activity is governed by a permit issued under section 70.9 of the Environment Quality Act;

— where there is an activity for which a notice shall be sent to the Minister pursuant to the second paragraph of section 118 of the Regulation respecting hazardous materials; and

— where there are materials other than those mentioned in paragraphs 1 and 2 of section 32 of the Regulation respecting hazardous materials.”.

150. Section 4 of the Regulation is amended by substituting “, 55 or 70.9” for “or 55” at the end.

151. The Regulation respecting biomedical waste, made by Order in Council 583-92 dated 15 April 1992, amended by the Regulation made by Order in Council 787-96 dated 26 June 1996, is further amended by substituting the words “as well as, where applicable, hazardous materials, in accordance with the Regulation respecting hazardous materials” for the words “and with the Hazardous Waste Regulation, made by Order in Council 1000-85 dated 29 May 1985 and amended by the Regulations made by Orders in Council 1314-88 dated 31 August 1988 and 588-92 dated 15 April 1992, as the case may be” in paragraph 2 of section 36.

152. This Regulation replaces the Hazardous Waste Regulation, made by Order in Council 1000-85 dated 29 May 1985 and amended by the Regulations made by Orders in Council 1314-88 dated 31 August 1988 and 588-92 dated 15 April 1992.

153. The Regulation respecting solid waste (R.R.Q., 1981, c. Q-2, r.14), amended by the Regulations made by Orders in Council 195-82 dated 27 January 1982 (Suppl., p. 1071), 1075-84 dated 9 May 1984, 1003-85 dated 29 May 1985, 2238-85 dated 31 October 1985,

1621-87 dated 21 October 1987, 1863-88 dated 14 December 1988, 1615-91 dated 27 November 1991, 30-92 dated 15 January 1992, 585-92 dated 15 April 1992 and 1458-93 dated 20 October 1993, is further amended, in section 1, by substituting the words

(1) “hazardous materials within the meaning of paragraph 21 of section 1 of the Environment Quality Act” for the words “hazardous waste within the meaning of section 1 of the Hazardous Waste Regulation made by Order in Council 1000-85 dated 29 May 1985 and amended by the Regulation made by Order in Council 1314-88 dated 31 August 1988” in subparagraph 1 of paragraph *e*;

(2) “aforementioned hazardous materials” for the words “hazardous waste within the meaning of the Hazardous Waste Regulation” in subparagraph 2 of paragraph *e*; and

(3) “hazardous materials mentioned in paragraph *e*” for the words “hazardous waste” in paragraph *n*.

154. Section 68 is amended

(1) by adding “and pharmaceutical and cosmetic products that are not toxic within the meaning of section 3 of the Regulation respecting hazardous materials” at the end of the second paragraph; and

(2) by inserting the words “and such products” after the word “biomedical” in the third paragraph.

155. The Regulation respecting environmental impact assessment and review (R.R.Q., 1981, c. Q-2, r.9), amended by the Regulations made by Orders in Council 1002-85 dated 29 May 1985, 879-88 dated 8 June 1988, 586-92 dated 15 April 1992 and 1529-93 dated 3 November 1993 and 101-96 dated 24 June 1996, is further amended by substituting the following for subparagraphs *t*, *u* and *v* of the first paragraph of section 2:

“(t) the installation or use of facilities used in whole or in part for the incineration of residual hazardous materials within the meaning of section 5 of the Regulation respecting hazardous materials;

(u) the installation or use of facilities used in whole or in part for energy generation or pyrolysis of residual hazardous materials, within the meaning of section 5 of the Regulation respecting hazardous materials, in a site other than the one where those materials have been produced or used;

(v) the establishment or extension of a site used in whole or in part for the final deposit of hazardous materials within the meaning of paragraph 21 of section 1 of the Environment Quality Act;

For the purposes of this subparagraph, the restoration of a site having already been used for the deposit of hazardous materials before 26 June 1985 and every site established before 1 December 1997 that will become a final disposal site established under sections 145 or 146 of the Regulation respecting hazardous materials is not considered to be the establishment of such a site. Furthermore, the extension of a site used for the final disposal of hazardous materials includes any alteration whose effect is to increase the depository capacity of that site;

(w) the installation or use of facilities used in whole or in part for the treatment of residual hazardous materials, within the meaning of section 5 of the Regulation respecting hazardous materials, for purposes other than recycling, neutralizing and reducing the volume and, where applicable, the establishment of the disposal site of those materials subsequent to their treatment.”.

156. The Regulation respecting pulp and paper mills, made by Order in Council 1353-92 dated 16 October 1992, amended by the Regulation made by Order in Council 1529-93 dated 3 November 1993, is further amended in section 93 by substituting the words “a hazardous material within the meaning of paragraph 21 of section 1 of the Environment Quality Act” for the words “dangerous within the meaning of paragraph 1 or 2 of section 1 of the Hazardous Waste Regulation made by Order in Council 1000-85 dated 29 May 1985, as amended”.

157. The Regulation respecting the quality of the atmosphere (R.R.Q., 1981, c. Q-2, r.20), amended by the Regulations made by Orders in Council 240-85 dated 6 February 1985, 1004-85 dated 29 May 1985, 187-88 dated 10 February 1988, 715-90 dated 23 May 1990, 584-92 dated 15 April 1992 and 1544-92 dated 28 October 1992 and 448-96 dated 17 April 1996, is further amended:

(1) in section 67.1 by adding the following paragraph: “The second paragraph of section 68.4 applies to the operator of an incinerator of biomedical waste that destroys toxic pharmaceutical products within the meaning of section 3 of the Regulation respecting hazardous materials.”;

(2) by substituting the words “hazardous materials within the meaning of paragraph 21 of section 1 of the Environment Quality Act” for the words “hazardous waste within the meaning of the Hazardous Waste Regulation” in section 68.1; and

(3) by substituting the words “hazardous materials” for the words “hazardous waste” and the word “materials” for the word “waste” in sections 68.1 to 68.7.

For the purposes of this section, the term “hazardous materials” includes hazardous waste within the meaning of the Hazardous Waste Regulation, as that Regulation reads on the day preceding that of the coming into force of this section.

158. The Regulation respecting ozone-depleting substances, made by Order in Council 812-93 dated 9 June 1993, amended by Orders in Council 515-95 dated 12 April 1995 and 1661-95 dated 20 December 1995, is further amended in section 3 by adding the following paragraph:

“In respect of the Regulation respecting hazardous materials, only sections 8 and 9 are applicable to ozone-depleting substances and sections 11 and 12 where discarded, spent, used or outdated carbon tetrachloride or methylchloroform are shipped.”.

159. The provisions of this Regulation also apply to immovables in a reserved area or in an agricultural zone established under the Act to preserve agricultural land (R.S.Q., c. P-41.1).

160. This Regulation comes into force on 1 December 1997, except section 44 which comes into force on 1 June 1998.

SCHEDULE 1 (ss. 3 and 31)

MAXIMUM SPECIFIC ACTIVITY OR DENSITY ACTIVITY FOR MATERIALS CONTAINING A SINGLE RADIOELEMENT

Single radioisotopes	Specific activity or density activity (kBq/kg or kBq/L)
Actinium 227	4
Antimony 124	400
Silver 110	400
Arsenic 74	400
Barium 140	400
Beryllium 7	4 000
Bismuth 207	400
Bismuth 210	40
Bromine 82	400
Cadmium 109	400
Calcium 45	400
Calcium 47	400
Carbon 14	4 000
Cerium 144	40
Cesium 134	400
Cesium 137	400
Chlorine 36	400
Chromium 51	4 000
Cobalt 57	400
Cobalt 58	400

Single radioisotopes	Specific activity or density activity (kBq/kg or kBq/L)
Cobalt 60	400
Copper 64	4 000
Tin 113	400
Iron 55	4 000
Iron 59	400
Hydrogen 3	40 000
Indium 114 m	400
Iodine 123	4 000
Iodine 125	40
Iodine 131	40
Iodine 132	400
Iridium 192	400
Krypton 85	4 000
Lanthanum 140	400
Manganese 54	400
Manganese 56	400
Mercury 197	4 000
Mercury 203	400
Molybdenum 99	400
Nickel 63	400
Gold 198	400
Phosphorus 32	400
Lead 210	4
Polonium 210	4
Potassium 40	400
Potassium 42	400
Promethium 147	400
Radium 226	4
Rubidium 86	400
Scandium 46	400
Selenium 75	400
Sodium 22	400
Sodium 24	400
Sulphur 35	400
Strontium 85	400
Strontium 89	400
Strontium 90	4
Technetium 99	400
Technetium 99 m	4 000
Thallium 204	400
Xenon 133	4 000
Xenon 135	4 000
Yttrium 87	400
Yttrium 90	400
Zinc 65	400
Except where otherwise indicated above, elements whose atomic number is greater than 89	4
All other radioisotopes not listed above	40

SCHEDULE 2

(s. 3)

INTERNATIONAL TOXICITY EQUIVALENCY
FACTORS FOR POLYCHLORINATED
DIBENZOFURANS AND POLYCHLORINATED
DIBENZO [*b, e*] [1, 4] DIOXINS

Congener	Toxicity equivalency factor
2,3,7,8-TCDD	1.000
1,2,3,7,8-PeCDD	0.500
1,2,3,4,7,8-HxCDD	0.100
1,2,3,6,7,8-HxCDD	0.100
1,2,3,7,8,9-HxCDD	0.100
1,2,3,4,6,7,8-HpCDD	0.010
OCDD	0.001
2,3,7,8-TCDF	0.100
1,2,3,7,8-PeCDF	0.050
2,3,4,7,8-PeCDF	0.500
1,2,3,4,7,8-HxCDF	0.100
1,2,3,6,7,8-HxCDF	0.100
1,2,3,7,8,9-HxCDF	0.100
2,3,4,6,7,8-HxCDF	0.100
1,2,3,4,6,7,8-HpCDF	0.010
1,2,3,4,7,8,9-HpCDF	0.010
OCDF	0.001

* The activity of a radioactive source corresponds to the number of nuclear disintegrations that it undergoes per second and is expressed in kilobecquerels (kBq). One kBq equals 1000 disintegrations per second.

SCHEDULE 3

(ss. 6, 13, 39, 104 and 108)

SECTORS OF ACTIVITY

Economic activity	Industrial code
Mines (excluding Peat Bogs)	Large group 06 excluding 0622
Petroleum and Natural Gas Extraction	0711
Service Industries Incidental to Petroleum and Natural Gas	0911 and 0919
Service Industries Incidental to Mining	0921 and 0929
Rubber Products Industry	Large group 15
Plastic Products Industry	Large group 16
Tanneries	1711
Primary Textile Industries	Group 18
Natural Fibres Processing and Felt Products Industry	1911
Contract Textile Dyeing and Finishing Industry	1992
Sawmill Products and Shingle Industries	2511 and 2512
Veneer and Plywood Industries	2521 and 2522
Wood Industries (Wood Preservation and Reconstituted Boards Subsector only)	2591 and 2593
Pulp and Paper Industries	2711 to 2714 and 2719
Asphalt Roofing Industries	2721
Printing, Publishing and Allied Industries	Large group 28
Primary Metal Industries	Large group 29
Fabricated Metal Products Industries (except Machinery and Transportation Equipment Industries)	Large group 30
Machinery Industries (except Electrical Machinery)	Large group 31

Economic activity	Industrial code
Transportation Equipment Industries	Large group 32
Electrical and Electronic Products Industries	Large group 33
Non-Metallic Mineral Products Industries	Large group 35
Petroleum and Coal Products Industries	Large group 36
Chemical Industries	Large group 37
Jewellery and Precious Metal Industries	3921 and 3922
Transport (except Limousine Service to Airports and Stations, Taxicab Industry and Other Transport Industries)	Large group 45 excluding 4575, 4581 and 4589
Electricity Production and Distribution Industry	4911
Gas Distribution	4921
Telegraph and Telephone Services	4821 and 4822

The economic activities listed above are those defined in the document Classification des activités économiques du Québec, published in 1990 by the Bureau de la Statistique du Québec.

SCHEDULE 4

(ss. 11, 104, 106, 110, 113, 118, 119, 131, 132, 135, 136 and 137)

CATEGORIES AND IDENTIFICATION OF HAZARDOUS MATERIALS

SECTION 1

CATEGORIES OF HAZARDOUS MATERIALS

Code	Category
	Mineral oils and grease
A01	Used oil whose PCB concentration ≤ 3 mg/kg
A02	Used oil whose PCB concentration is > 3 mg/kg and ≤ 50 mg/kg
A03	Oily water/emulsions
A04	Used grease

Code	Category
Organic solids and sludge	
B01	Residues from the distillation, refining or pyrolysis of halogenated organic compounds
B02	Residues from the distillation, refining or pyrolysis of non-halogenated organic compounds
B03	Bottom sludge or bottom sediment sludge from hydrocarbons
B04	Residues from petroleum products and hydrocarbons
B05	Organic solids or sludge generated in the treatment of process water or wastewater
B06	Bottom sediment sludge from the wood preserving industry, and reject products
B07	Sludge and residues from the preparation of pharmaceuticals, and reject products
B08	Sludge and solid residues from the production of pesticides, and reject products (> 200 kg or 200 L)
B09	Sludge and residues from the formulation and use of ink, paint, colouring agents, lacquers and varnishes
B10	Sludge from coking operations
B11	Sludge and residues from the formulation and use of residues, latex plasticizers, glues, adhesives and polymers
B12	Sludge and residues from decarbonization and descaling operations
B13	Other organic sludge and solids not otherwise specified (specify)
Organic solvents	
C01	Halogenated organic solvents (total organic halogen > 0.15 %)
C02	Non-halogenated organic solvents (total organic halogen ≤ 0.15 %)
C03	CFCs used as solvent or cleaner

Code	Category
Organic solutions	
D01	Antifreeze, brake and hydraulic fluids
D03	Other organic solutions (specify)
Inorganic solids and sludge	
E01	Sludge from surface treatment and plating not otherwise specified
E02	Spent catalysts
E03	Sludge and residues containing metals
E04	Metallic dust
E05	Metallic salts, whether from tempering or not
E06	Non-metallic salts, whether from tempering or not
E07	Spent anodes and cathodes
E08	Ash
E09	Cinders, scum, dross and cakes from primary metal production
E10	Slag
E11	Foundry sand
E12	Filters and filtering mediums
E13	Solids, dust or sludge generated by air scrubbing systems
E14	Inorganic solids or sludge generated by process water or wastewater purification systems
E15	Discarded lead batteries
E16	Batteries and other accumulators
E17	Sludge and residues from the production, formulation and use of inorganic pigments
E18	Calcium fluoride sludge
E19	Used blast sand
E20	Gypsum from industrial processes
E21	Activated glass (cathode-ray and other tubes)

Code	Category
E22	Sludge and solids not otherwise specified (specify)
Inorganic aqueous solutions	
F01	Spent solutions from surface treatment and plating not otherwise specified
F02	Solutions and brines containing cyanides, sulphides or nitrides
F03	Other inorganic aqueous solutions and brines (specify)
Acidic hazardous materials (pH < 2)	
G01	Organic acidic liquids or sludge
G02	Inorganic acidic liquids or sludge
G03	Other acidic materials (specify)
Caustic hazardous materials (pH > 12.5)	
H01	Inorganic alkaline liquids or sludge
H02	Organic alkaline liquids or sludge
H03	Other alkaline materials (specify)
Hazardous materials containing PCBs or contaminated by PCBs	
J01	Liquids containing PCBs in a concentration of between 50 mg/kg and 10 000 mg/kg (1 %)
J02	Liquids containing PCBs in a concentration greater than or equal to 10 000 mg/kg (1 %)
J03	Solids containing PCBs in a concentration between 50 mg/kg and 10 000 mg/kg (1 %)
J04	Solids containing PCBs in a concentration greater than or equal to 10 000 mg/kg (1 %)

Code	Category
J05	Substances containing PCBs in a concentration between 50 mg/kg and 10 000 mg/kg (1 %)
J06	Substances containing PCBs in a concentration greater than or equal to 10 000 mg/kg (1 %)
J07	Equipment containing PCBs
J08	Equipment contaminated by PCBs
J09	Exposed metal part contaminated by PCBs
Hazardous materials from a laboratory	
K01	Industrial or commercial R & D laboratory
K02	Laboratory in an educational institution
K03	Other sources (specify)
Contaminated hazardous materials	
L01	Contaminated equipment
L02	Contaminated receptacles
L03	Other contaminated materials
Other hazardous materials	
M01	Reject pharmaceutical preparations, medications and cosmetics
M02	Leather tannery sludge and residues
M03	Explosive materials not otherwise specified
M04	Radioactive materials not otherwise specified
M05	Sludge from the scouring and decontamination of tanks and receptacles not otherwise specified
M06	Reject ion-exchange resins
M07	Other materials not otherwise specified (specify)

Code	Category
Mixtures (categories reserved for permit holders referred to in section 70.9 of the Environment Quality Act)	
N01	Acid mixture
N02	Acid mixture to reduce
N03	Neutral mixture
N04	Alkaline mixture
N05	Alkaline/neutral mixture to reduce
N06	Mixture to oxidize
N07	Oxidizing mixture
N08	Low energy fuel
N09	Low energy, halogenated
N10	High energy fuel
N11	High energy fuel, halogenated
12	Organic solvent mixture
N13	Organic solution mixture
N14	Organic sludge and solids mixture
N15	Inorganic sludge and solids mixture
N16	Organic and inorganic sludge and solids mixture
Other materials composing a mixture (categories reserved for permit holders referred to in section 70.9 of the Environment Quality Act)	
001	Contaminated soil
002	Non-hazardous materials

SECTION 2 IDENTIFICATION OF HAZARDOUS MATERIALS

The identification of hazardous materials is determined by the code of its category, indicated in section 1 of this Schedule, accompanied by the numbers of its class and division, as assigned under the Transport of Dangerous Substances Regulation (where a hazardous material is not referred to in this Regulation, the code 0.0

shall be used), as well as the code indicating its physical state as determined according to the following table:

Code	Physical state
L	Liquid
S	Solid
P	Semi-solid (sludge)
G	Gaseous

SCHEDULE 5 (ss. 24 and 25)

STANDARDS FOR THE USE, IN ENERGY GENERATION, OF RESIDUAL HAZARDOUS MATERIALS OTHER THAN USED OIL OR OF FUEL PREPARED FROM A MIXTURE OF RESIDUAL HAZARDOUS MATERIALS

Parameters	Standards	
	For each hazardous material prior to mixing	For each hazardous material used as is or for fuel obtained from a mixture of residual hazardous material
Minimum calorific value*	14 000 kJ/kg	18 500 kJ/kg
Maximum water content**	20 %	20 %
Maximum sulphur content***	2 %	2 %

* Calorific value is expressed in kilojoules (kJ) per kilogram (kg) of hazardous material.

** Maximum water content is expressed in percentage mass\mass (%).

*** Maximum sulphur content is expressed in percentage mass\mass (%).

SCHEDULE 6

(ss. 26 and 27)

STANDARDS FOR USE OF USED OIL IN ENERGY GENERATION

Parameters	Fuel equipment whose capacity is greater than 10 megawatts	Fuel equipment whose capacity is greater than or equal to 3 megawatts
MAXIMUM CONCENTRATION ALLOWED (mg/kg)*		
Arsenic	5	5
Cadmium	2	2
Chromium	10	10
Lead	100	50
Total halogens	1 500	1 000
Polychlorinated biphenyls	50	3
MINIMUM VALUE ALLOWED		
Flash point	38°C	38°C
Calorific value**	18 500 kJ/kg	18 500 kJ/kg
TOTAL CONTENT ALLOWED		
Water***	20 %	20 %
Sulphur****	1.5 %	1.5 %

* Maximum concentration allowed is expressed in milligrams (mg) of contaminant per kilogram (kg) of used oil.

** Minimum calorific value is expressed in kilojoules (kJ) per kilogram (kg) of used oil.

*** Maximum water content is expressed in percentage volume/volume (%).

**** Maximum sulphur content is expressed in percentage mass/mass (%).

SCHEDULE 7

(s. 63)

EVALUATION OF UNPROTECTED STEEL TANK CONDITION

1. The soil aggressiveness value (SAV) is determined according to the CIPP-82.3 method of the Canadian Institute of Petroleum Products.

2. The tank/soil index (T/S) is determined by multiplying the soil aggressiveness value by the age of the tank. $T/S = (SAV \times AGE)$.

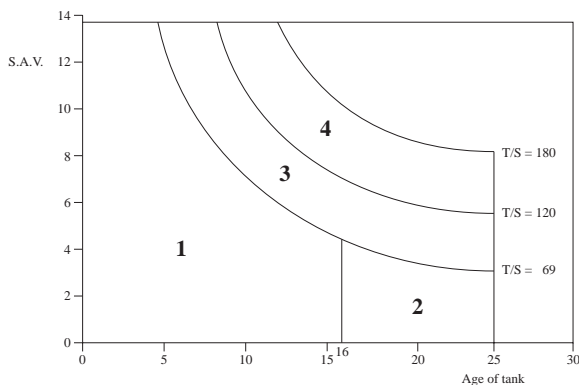
3. On the basis of the zones indicated in the following graph, the requirements with regard to the tank are as follows (see graph):

(1) may be protected;

(2) may be protected but must be removed from the ground before the expiry of 25 years;

(3) may be protected but must be removed from the ground before the expiry of 25 years. The impermeability shall be inspected every 5 years; and

(4) may be protected but must be removed from the ground before the expiry of a T/S of 180 or the age of 25. The impermeability shall be inspected every year.



SCHEDULE 8

(s. 109)

SECTORS OF ACTIVITY SUBJECT TO THE OBLIGATION OF PRODUCING AN ANNUAL MANAGEMENT REPORT

Economic activities	Industrial code	Minimum number of employees per establishment
Metal Mines	Group 061	—
Leather Tanneries	1711	—
Wood Preservation Industry	2591	50
Reconstituted Boards Industry	2593	—
Pulp and Paper Industry	2711 to 2714 and 2719	—
Primary Metal Industry	Large group 29	—
Steel Plate Products Industry	3011	20
Metal Doors and Windows Industry	3031	20
Other Metallic Ornament and Architecture Products Industries	3039	20
Metal Coating Products Industry	3041	20
Metal Vessels and Closing Devices Industry	3042	20
Wires and Wire Cable Industry	3052	20
Other Wire Products Industries	3059	20
Hardware Supplies, Tooling Items and Cutlery (excluding profiling metal dies, molds and cutting outfits)	Group 306	20
Machine shops	3081	20
Metal Valve Industries	3092	20
Other Metal Products Industries	3099	20
Transportation Equipment Industry	Large group 32	50
Electrical and Electronic Products Industries	Large group 33	50
Petroleum and Coal Products Industry	Large group 36	—

Economic activities	Industrial code	Minimum number of employees per establishment
Chemical Industries	Large group 37	50
Electricity Production and Distribution Industry	4911	—

The economic activities listed above are those defined in the document Classification des activités économiques du Québec, published in 1990 by the Bureau de la statistique du Québec.

Where no number of employees is given, the group in question comprises all the establishments in the corresponding sector of activity, irrespective of the number of employees.

SCHEDULE 9

(ss. 1150, 131, 135 and 136)

MANAGEMENT METHODS FOR HAZARDOUS MATERIALS

Code	Management method
Disposal	
D01	Discharging other than by methods described under Code D05
D05	Final disposal
D10	Incineration
D16	Testing of new hazardous materials disposal technology
Treatment for reducing the hazardous nature of materials	
D08	Biological treatment to transform hazardous materials into non-hazardous materials
D09	Physical or chemical treatment such as evaporation, drying, calcination, neutralization and precipitation to transform

Code	Management method	Code	Management method
Storage			
E01	Storage with producer (reserved for operators of mobile treatment or disposal facilities)	R03	Recovery of organic substances not used as solvents
		R04	Recovery of metals or metal compounds
		R05	Recovery of inorganic materials other than metals and metal compounds
Energy generation purposes		R06	Regeneration of acids and bases
R01	Use as fuel	R09	Re-refining or reuse of used oil
		R14	Other recovery or regeneration of a substance, or other use or reuse of hazardous materials
Treatment for reuse or recycling purposes		R15	Testing of new hazardous materials recycling technology
R02	Recovery or regeneration of substances used as solvents		

SCHEDULE 10

(s. 119)

GUARANTEE REQUIRED FOR THE ISSUE OF A PERMIT REFERRED TO IN SECTION 70.9 OF THE ENVIRONMENT QUALITY ACT

Guarantee	Total storage capacity		Nominal capacity for the activity ⁽¹⁾	Total capacity of final disposal site
	Kilograms	Litres	Tonnes or kilolitres per hour	Cubic metres
\$ 50 000	< 150 000	< 100 000	< 0.5	< 100 000
100 000	≥ 150 000 and < 750 000	≥ 100 000 and < 500 000	≥ 0.5 and < 1	≥ 100 000 and < 200 000
150 000	≥ 750 000 and < 2 250 000	≥ 500 000 and < 1 500 000	≥ 1 and < 2	≥ 200 000 and < 300 000
200 000	≥ 2 250 000	≥ 1 500 000	≥ 2	≥ 300 000

The amount payable is the highest amount according to the total or nominal capacity for the activities covered by the permit application.

(1) The nominal capacity for the activity corresponds to the nominal capacity for treatment, energy generation or disposal.

SCHEDULE 11

(s. 124)

CIVIL LIABILITY INSURANCE:**MINIMUM LIMIT FOR ENVIRONMENTAL DAMAGE**

Liability insurance	Total storage capacity		Nominal capacity for the activity ⁽¹⁾	Total capacity of final disposal site
	Kilograms	Litres	Tonnes or kilolitres per hour	Cubic metres
\$ 1 000 000	< 750 000	< 500 000	< 1	< 200 000
2 000 000	≥ 750 000 and < 2 250 000	≥ 500 000 and < 1 500 000	≥ 1 and < 2	≥ 200 000 and < 300 000
3 000 000	≥ 2 250 000	≥ 1 500 000	≥ 2	≥ 300 000

The amount payable is the highest amount according to the total or nominal capacity for the activities covered by the permit application.

(1) The nominal capacity for the activity corresponds to the nominal capacity for treatment, energy generation or disposal.

1789

Gouvernement du Québec

O.C. 1338-97, 15 October 1997

An Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, c. 63)

Signing of certain documents

Signing of certain documents relating to the fund to combat poverty through reintegration into the labour market

WHEREAS the management of the fund to combat poverty through reintegration into the labour market was entrusted to the Minister of Employment and Solidarity under the Act to establish a fund to combat poverty through reintegration into the labour market (1997, c. 28);

WHEREAS under the second paragraph of section 52 of the Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, c. 63), no deed,

document or writing may bind the Minister or be attributed to him unless it is signed by him, the Deputy Minister, a member of the personnel of the department or the holder of a position, and, in the latter two cases, only to the extent determined by the Government;

WHEREAS, for the purposes of the Act respecting income security (R.S.Q., c. S-3.1.1), the operation of the fund to combat poverty through reintegration into the labour market constitutes a designated measure;

WHEREAS under the third paragraph of section 52 of the Act, a member of the personnel of an organization is, to the extent that he is assigned to the administration of a program that the Minister has delegated by agreement to that organization, considered to be a member of the personnel of the department for the purposes of the second paragraph;

WHEREAS under such an agreement, the Ville de Montréal administers income security programs on its territory;

WHEREAS it is expedient to provide terms and conditions for the signing of certain documents relating to the fund to combat poverty through reintegration into the labour market;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Employment and Solidarity:

THAT the following terms and conditions for the signing of certain documents relating to the fund to combat poverty through reintegration into the labour market be adopted:

1. Subject to other conditions of validity that may be prescribed by law, any document relating to the management of the fund to combat poverty through reintegration into the labour market and signed, in accordance with the authorizations given hereafter, by the persons who occupy the positions listed hereafter and, as the case may be, persons authorized to occupy those positions on an interim basis, binds the Minister of Employment and Solidarity in the same way as if it had been signed by the Minister;

2. The director of the fund to combat poverty through reintegration into the labour market, the assistant deputy minister of the Direction générale des politiques et programmes du soutien à l'emploi, the assistant deputy minister of the Direction générale de la planification stratégique et opérationnelle and, in respect of their sector of activity, in the Travail-Québec Network, the assistant deputy minister of the Travail-Québec Network, a director general, an assistant director general, a regional director and, in the Service de la sécurité du revenu de la Ville de Montréal, the director of the Service de la sécurité du revenu de la Ville de Montréal are authorized to sign, with no limit in respect of the amount, the agreements relating to the granting of subsidies or other contributions paid within the scope of the allocations of the fund to combat poverty through reintegration into the labour market the allocation standards of which, as prescribed or otherwise, were approved by the Government or the Conseil du trésor;

In respect of its sector of activity, an assistant to the regional director of the Travail-Québec Network and, in the Service de la sécurité du revenu de la Ville de Montréal, a head of the operations, regionalized services and programs division are authorized to sign the agreements provided for in the first paragraph, up to \$150 000;

3. The persons named in this Order in Council are authorized to certify as true documents and copies of documents that they are authorized to sign under the provisions applying to them or in accordance with the powers conferred on them by their position. Those persons may also certify as true any document or copy of a document pertaining to the matters within their sector of activity or administrative unit;

THAT this Order in Council comes into force on the day it is made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

1795

Gouvernement du Québec

O.C. 1341-97, 15 October 1997

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

Lac-Brébeuf Controlled Zone

Lac-Brébeuf Controlled Zone

WHEREAS under section 81.2 of the Wild-life Conservation Act (R.S.Q., c. C-61), the Government made the Regulation respecting the Lac-Brébeuf Controlled Zone (R.R.Q., 1981, c. C-61, r.121);

WHEREAS under section 186 of the Act respecting the Conservation and development of wildlife (R.S.Q., c. C-61.1), every provision of a regulation, order in council or order made by the Government under the Wild-life Conservation Act continues to be in force to the extent that it is consistent with that Act;

WHEREAS under section 184 of that Act, the provisions of the Wild-life Conservation Act are replaced by the corresponding provisions of the Act respecting the conservation and development of wildlife;

WHEREAS under section 104 of the Act respecting the conservation and development of wildlife, the Government may, by order, establish controlled zones on land in the public domain for the development, harvesting and conservation of wildlife or a species of wildlife;

WHEREAS under section 191.1 of the Act respecting the conservation and development of wildlife, regulations made by the Government under section 104 of the Act before 1 January 1987 shall continue to be in force until they are replaced, amended or repealed by an order of the Government;

WHEREAS it is expedient to replace the Regulation respecting the Lac-Brébeuf Controlled Zone;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Lac-Brébeuf Controlled Zone be established according to the technical description and plan attached hereto as a schedule;

THAT this Order in Council replace the Regulation respecting the Lac-Brébeuf Controlled Zone (R.R.Q., 1981, c. C-61, r.121);

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

PROVINCE DE QUÉBEC
MINISTÈRE DE L'ENVIRONNEMENT
ET DE LA FAUNE
**CHICOUTIMI, CHARLEVOIX NO. 1
AND CHARLEVOIX NO. 2 LAND DIVISIONS**

TECHNICAL DESCRIPTION

Lac-Brébeuf Controlled Zone

A territory situated in the regional county municipalities of Fjord-du-Saguenay and Charlevoix-est; in the townships of Lalemant, Périgny, Brébeuf, Otis, Hébert and in unorganized territory, comprising an area of 434 km² and whose perimeter may be described as follows:

Foreword

In this technical description, it is understood that when following a watercourse or skirting a lake, it is always done, unless otherwise mentioned, along the outside limit of the bank or shore, that is, the normal high water mark.

Starting from point 1 located at the southeastern corner of Canton de Lalemant, point whose coordinates are: 5 316 675 m N and 385 750 m E;

From point 1, westerly, along the limit of Canton de Lalemant to point 2 located at the southwestern corner of that township, skirting, so as to exclude them, Lac Plat and Rivière Malbaie, point whose coordinates are: 5 317 150 m N and 370 000 m E;

From point 2, northerly, along the western limit of Canton de Lalemant, to point 3 whose coordinates are: 5 323 600 m N and 370 200 m E;

From point 3, northeasterly, along a straight line to point 4 whose coordinates are: 5 324 275 m N and 374 250 m E;

From point 4, northeasterly, along a straight line to point 5 whose coordinates are: 5 329 650 m N and 378 850 m E;

From point 5, northerly, along a straight line to point 6 whose coordinates are: 5 331 950 m N and 378 880 m E;

From point 6, northeasterly, along a straight line to point 7 whose coordinates are: 5 335 250 m N and 380 200 m E;

From point 7, northwesterly, along a straight line to point 8 located at the southern corner of Canton d'Otis, point whose coordinates are: 5 338 750 m N and 377 400 m E;

From point 8, northwesterly, along the southwestern limit of Canton d'Otis to point 9 located on the left bank of the tributary of Lac des Quenouilles skirting, so as to exclude it, Lac Éclusé, point whose coordinates are: 5 341 650 m N and 374 150 m E;

From point 9, northeasterly, following along the banks and shores a string of brooks and lakes including Quenouilles, à Foin and à la Balle lakes, so as to include them, to point 10, whose coordinates are: 5 343 300 m N and 378 100 m E;

From point 10, easterly, along a straight line to point 11 located on the northern limit of the right-of-way (10 m) of a road leading to Lac Rond, point whose coordinates are: 5 343 300 m N and 378 200 m E;

From point 11, southeasterly then northeasterly, along that right-of-way limit to point 12, located on the dividing line between lots 49 and 50 of Rang II of Canton d'Otis, point whose coordinates are: 5 343 200 m N and 379 600 m E;

From point 12, southwesterly, along that dividing line to point 13 located on the right bank of the effluent of Lac à la Balle, point whose coordinates are: 5 342 800 m N and 378 800 m E;

From point 13, easterly, along that bank and the shore of l'Anse à la Balle (Lac Brébeuf), so as to include them, to point 14 located on the northeastern limit of lot 51-2-2, Rang II of Canton d'Otis, point whose coordinates are: 5 342 750 m N and 379 250 m E;

From point 14, northeasterly, along the limit of that lot and its extension to point 15 located on the northern limit of the right-of-way (10 m) of the road leading to Lac Rond, point whose coordinates are: 5 342 900 m N and 379 300 m E;

From point 15, northeasterly, along the northern limit of that right-of-way to point 16 located on the dividing line between ranges II and III of Canton d'Otis, point whose coordinates are:
5 343 200 m N and 379 600 m E;

From point 16, southeasterly, along that dividing line to point 17 located on the northwestern limit of Canton de Brébeuf, skirting, so as to include it, la Baie de la Sauvagesse (Lac Brébeuf), point whose coordinates are:
5 342 350 m N and 380 600 m E;

From point 17, northeasterly, along the limit of that township and the northwestern limit of Canton d'Hébert to point 18 located on the southern limit of Rang B of Canton d'Hébert, skirting, so as to exclude it, Lac Cazot, point whose coordinates are:
5 346 600 m N and 384 850 m E;

From point 18, southeasterly, along the limit of that range to point 19, whose coordinates are:
5 345 400 m N and 388 825 m E;

From point 19, southeasterly, along a straight line to point 20 located on the western limit of the bridge over a tributary of Rivière Éternité, point whose coordinates are:
5 342 650 m N and 389 350 m E;

From point 20, southeasterly then southwesterly, along the banks and shores of a strip of brooks and lakes including Lac Adolphe, so as to exclude them, to point 21 located at the southwestern end of an unnamed lake, point whose coordinates are:
5 341 500 m N and 389 250 m E;

From point 21, southeasterly, along a straight line to point 22 whose coordinates are:
5 338 400 m N and 390 650 m E;

From point 22, southeasterly, along a straight line to point 23 whose coordinates are:
5 327 200 m N and 391 550 m E;

From point 23, southeasterly, along a straight line to point 24 located on the southern limit of Canton de Périgny, point whose coordinates are:
5 316 750 m N and 393 600 m E;

From point 24, westerly along the southern limit of that township to point 25 located on the eastern limit of Canton de Lalemant, skirting, so as to include it, Lac Épinglette, its tributary, Lac Antlie, its tributary, Lac Ouskyatou, point whose coordinates are:
5 316 925 m N and 385 750 m E;

From point 25, southerly, along the limit of that township to the starting point.

The above-mentioned coordinates are given in metres and were graphically traced from the U.T.M. squaring used on the maps to a scale of: 1:50 000 published by the Department of Energy, Mines and Resources of Canada, N.A.D. 1927, Zone 19.

The whole as shown on plan P-1067 to a scale of 1:75 000, a reduced copy of which, bearing number P-1067-1, is attached hereto.

The original of this document is kept at the Division des données foncières et de la cartographie of the Ministère de l'Environnement et de la Faune.

Maps: 1:50 000 21 M/15, 21 M/16, 22 D/1, 22 D/2

Prepared by: JACQUES PELCHAT,
Land Surveyor

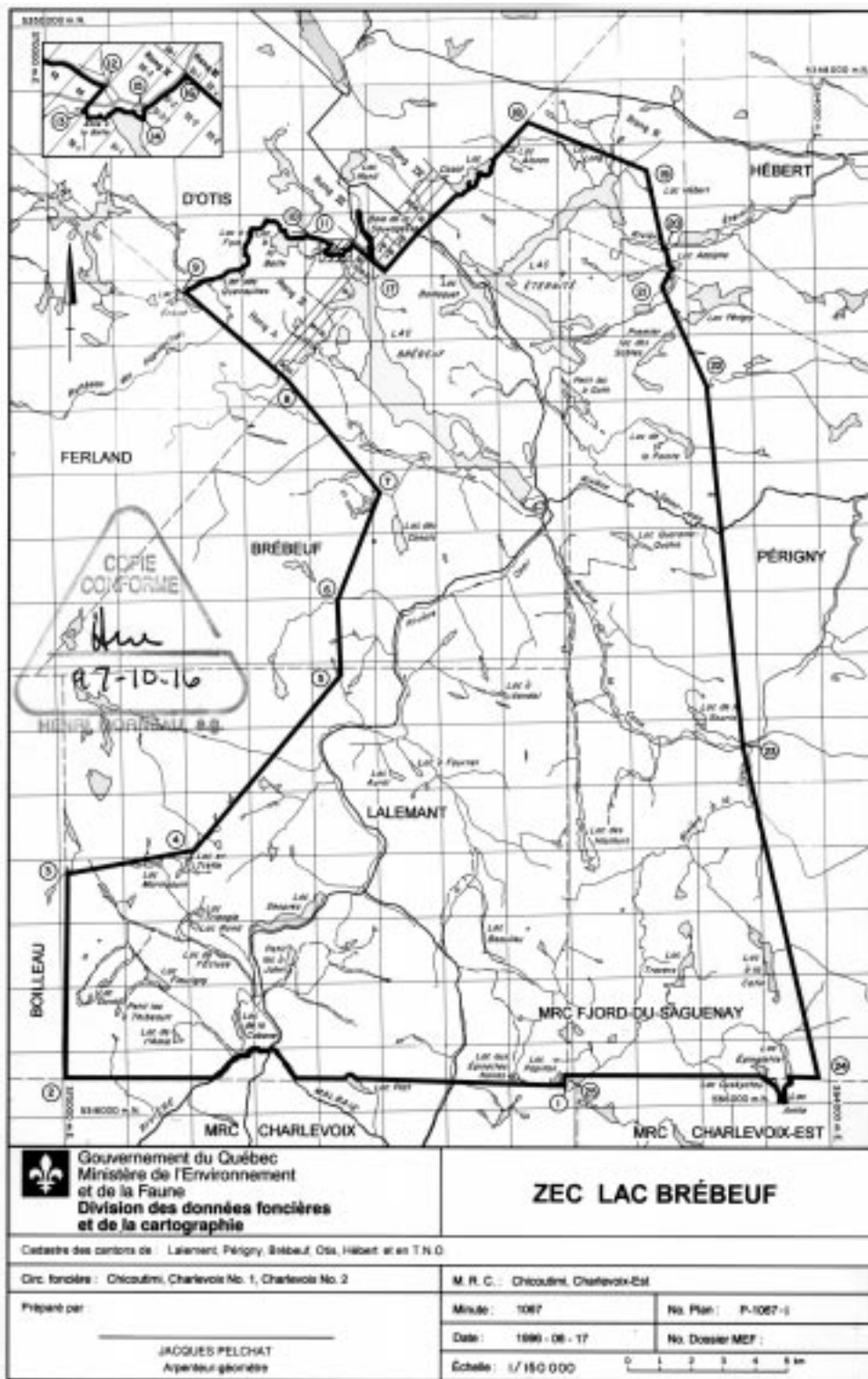
H.L.

Québec, 17 June 1996

Minute 1067

Place names revised by the Commission de toponymie in April 1996.

7806



Gouvernement du Québec

O.C. 1342-97, 15 October 1997

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

La Lièvre Controlled Zone

La Lièvre Controlled Zone

WHEREAS under section 81.2 of the Wild-life Conservation Act (R.S.Q., c. C-61), the Government made the Regulation respecting the La Lièvre Controlled Zone (R.R.Q., 1981, c. C-61, r.124) and amended it by Order in Council 1618-82 dated 30 June 1982 and Décret 1379-91 dated 9 October 1991;

WHEREAS under section 186 of the Act respecting the Conservation and development of wildlife (R.S.Q., c. C-61.1), every provision of a regulation, order in council or order made by the Government under the Wild-life Conservation Act continues to be in force to the extent that it is consistent with that Act;

WHEREAS under section 184 of that Act, the provisions of the Wild-life Conservation Act are replaced by the corresponding provisions of the Act respecting the conservation and development of wildlife;

WHEREAS under section 104 of the Act respecting the conservation and development of wildlife, the Government may, by order, establish controlled zones on land in the public domain for the development, harvesting and conservation of wildlife or a species of wildlife;

WHEREAS under section 191.1 of the Act respecting the conservation and development of wildlife, regulations made by the Government under section 104 of the Act before 1 January 1987 shall continue to be in force until they are replaced, amended or repealed by an order of the Government;

WHEREAS it is expedient to replace the Regulation respecting the La Lièvre Controlled Zone;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the La Lièvre Controlled Zone be established according to the technical description and plan attached hereto as a schedule;

THAT this Order in Council replace the Regulation respecting the La Lièvre Controlled Zone (R.R.Q., 1981,

c. C-61, r.124) amended by Order in Council 1618-82 dated 30 June 1982 and Décret 1379-91 dated 9 October 1991;

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

PROVINCE DE QUÉBEC
MINISTÈRE DE L'ENVIRONNEMENT
ET DE LA FAUNE
LAC-SAINT-JEAN-OUEST LAND DIVISION

TECHNICAL DESCRIPTION

La Lièvre Controlled Zone

A territory situated in the municipalité régionale de comté de Le Domaine-du-Roy, in the townships of Bécart, Chabanel, Lyonne, Ross, Dechêne and in unorganized territory, comprising an area of 964 km² and whose perimeter may be described as follows:

Foreword

In this technical description, it is understood that when following a watercourse or skirting a lake, it is always done, unless mentioned otherwise, along the outside limit of the shore, that is the normal high water mark.

Starting from point 1 located on the northwest shore of Lac Davenne at its intersection with the right bank of a tributary of that lake, point whose coordinates are:
5 328 500 m N and 669 100 m E;

From point 1, northwesterly, along the bank of that tributary, so as to include it, to point 2 whose coordinates are:
5 332 350 m N and 666 050 m E;

From point 2, northwesterly, along a straight line to point 3 located on the right bank of Rivière à la Corne at its mouth in Rivière Trenche, point whose coordinates are:
5 337 200 m N and 659 100 m E;

From point 3, northeasterly, along the right bank of Rivière à la Corne, so as to include it, to point 4 located on the northern limit of Canton de Chabanel, point whose coordinates are:
5 346 950 m N and 663 050 m E;

From point 4, westerly, along that limit to point 5 located on the right bank of Rivière Raimbault, point whose coordinates are:
5 346 800 m N and 656 700 m E;

From point 5, northeasterly then northwesterly, along the bank of that river, so as to include it, to point 6 whose coordinates are:
5 375 550 m N and 655 400 m E;

From point 6, northeasterly, along a straight line to point 7 located on the southwestern limit of Canton de Drapeau, point whose coordinates are:
5 382 000 m N and 661 150 m E;

From point 7, southeasterly, along that limit and the southwestern limit of Canton de Lyonne to point 8 located on the southeast shore of Lac Touladi, skirting Lac Poucet and Lac Touladi so as to exclude them, point whose coordinates are:
5 370 350 m N and 670 000 m E;

From point 8, southeasterly, along a straight line to point 9, skirting Lac Lunette, so as to exclude it, point whose coordinates are:
5 369 850 m N and 676 250 m E;

From point 9, southeasterly, along a straight line to point 10 located on the left bank of Rivière Ouiatchouaniche, point whose coordinates are:
5 366 000 m N and 691 100 m E;

From point 10, southeasterly then southwesterly, along the bank of that river, so as to exclude it, to point 11 located on the southwestern limit of Canton de Chabanel, point whose coordinates are:
5 351 200 m N and 685 550 m E;

From point 11, southeasterly, along the limit of that township to point 12, located on the left bank of the tributary of Lac Poitiers, point whose coordinates are:
5 350 550 m N and 686 050 m E;

From point 12, southwesterly, along the bank of that tributary, the shore of Lac Poitiers, the bank of its effluent, the shore of Lac de la Vase, the bank of the tributary of Lac du Panache, the bank of Rivière Croche of the shore of Lac de la Baie, the shore of Lac Davenne, so as to include them, to point 13 located at the southeast end of Lac Davenne, point whose coordinates are:
5 326 100 m N and 670 000 m E;

From point 13, westerly, along a straight line to point 14 located on the right bank of Rivière Croche (Lac Davenne), point whose coordinates are:
5 326 100 m N and 669 975 m E;

From point 14, northwesterly, along the west shore of Lac Davenne, so as to include it, to the starting point.

1. Was withdrawn from that territory:
the J. Clovis-Laflamme Ecological Reserve

A territory situated in Canton de Ross and in unorganized territory and described as follows:

Starting from point 15 located on the southern limit of the road leading to Saint-Hedwidge-de-Roberval at the intersection with the left bank of a tributary of Lac Charley, point whose coordinates are:
5 359 725 m N and 681 250 m E;

From point 15, southwesterly, along the bank of that tributary, the shore of Lac Charley, the bank of its effluent, the shore of Lac de l'Abri à Canot, the left bank of Ruisseau Panache, so as to exclude them, to point 16 whose coordinates are:
5 354 000 m N and 680 850 m E;

From point 16, northeasterly, along a straight line to point 17, located on the southwest shore of Lac des Roches, point whose coordinates are:
5 354 800 m N and 681 725 m E;

From point 17, northeasterly, along the shore of that lake and the bank of a tributary, so as to exclude them, to point 18 whose coordinates are:
5 355 650 m N and 681 750 m E;

From point 18, northwesterly, along a straight line to point 19 and its coordinates are:
5 355 800 m N and 681 650 m E;

From point 19, northeasterly, along a straight line to point 20 located on the eastern limit of Canton de Ross, point whose coordinates are:
5 355 850 m N and 681 750 m E;

From point 20, northwesterly, along that limit to point 21 and its coordinates are:
5 356 575 m N and 681 150 m E;

From point 21, northeasterly, along a straight line to point 22 located on the western limit of the right-of-way of the road leading to Lac Mathabé, point whose coordinates are:
5 357 100 m N and 681 850 m E;

From point 22, northeasterly, along that right-of-way limit, so as to exclude it, to point 23 located on the southern limit of the road leading to Saint-Hedwidge-de-Roberval, point whose coordinates are:
5 359 500 m N and 682 175 m E;

From point 23, northeasterly, along that right-of-way limit, so as to exclude it, to the starting point.

2. Were withdrawn from that territory, the following private lots located on the shore of Lac aux Iroquois:

Canton de Ross
Rang A
Lots 1 to 32

The above-mentioned coordinates are given in metres and were graphically traced from the U.T.M. squaring used on maps to a scale of 1:50 000 published by the Department of Energy, Mines and Resources of Canada, N.A.D. 1927, Zone 18.

The whole as shown on plan P-1066 to a scale of 1:75 000, a reduced version of which, bearing number P-1066-1, is attached hereto for information purposes.

The original of that document is kept at the Division des données foncières et de la cartographie of the Ministère de l'Environnement et de la Faune.

Maps: 1:50 000 32 A/2, 32 A/7, 32 A/8, 32 A/10

Prepared by: JACQUES PELCHAT,
Land Surveyor

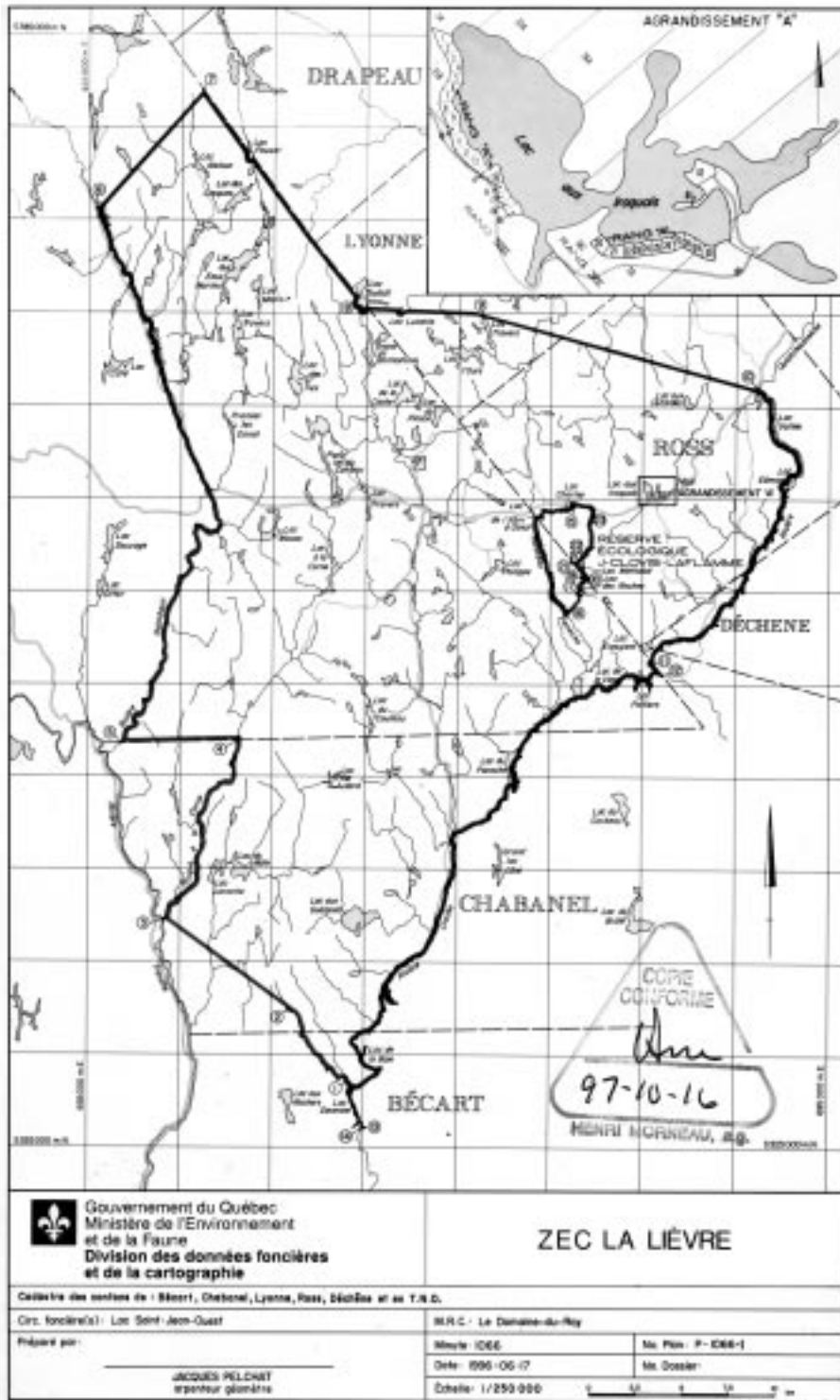
H.L.

Québec, 17 June 1996

Minute 1066

Place names revised by the Commission de toponymie in April 1996.

574



Gouvernement du Québec

O.C. 1343-97, 15 October 1997

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

Des Passes Controlled Zone

Des Passes Controlled Zone

WHEREAS under section 81.2 of the Wild-life Conservation Act (R.S.Q., c. C-61), the Government made the Regulation respecting the Des Passes Controlled Zone (R.R.Q., 1981, c. C-61, r.108);

WHEREAS under section 186 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), every provision of a regulation, order in council or order made by the Government under the Wild-life Conservation Act continues to be in force to the extent that it is consistent with that Act;

WHEREAS under section 184 of that Act, the provisions of the Wild-life Conservation Act are replaced by the corresponding provisions of the Act respecting the conservation and development of wildlife;

WHEREAS under section 104 of the Act respecting the conservation and development of wildlife, the Government may, by order, establish controlled zones on land in the public domain for the development, harvesting and conservation of wildlife or a species of wildlife;

WHEREAS under section 191.1 of the Act respecting the conservation and development of wildlife, regulations made by the Government under section 104 of the Act before 1 January 1987 shall continue to be in force until they are replaced, amended or repealed by an order of the Government;

WHEREAS it is expedient to replace the Regulation respecting the Des Passes Controlled Zone;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Des Passes Controlled Zone be established according to the technical description and plan attached hereto as a schedule;

THAT this Order in Council replace the Regulation respecting the Des Passes Controlled Zone (R.R.Q., 1981, c. C-61, r.108);

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

PROVINCE DE QUÉBEC
MINISTÈRE DE L'ENVIRONNEMENT
ET DE LA FAUNE
LAC-SAINT-JEAN-OUEST LAND DIVISION

TECHNICAL DESCRIPTION

Des Passes Controlled Zone

A territory situated in the municipalité régionale de comté de Maria-Chapdeleine, in the townships of Maltais, Milot, Petit, Primeau, Tanguay, Constantin, Faraud, Pinsonnault, Saint-Onge in unorganized territory, comprising an area of 1 491 km² and whose perimeter may be described as follows:

Foreword

In this technical description, it is understood that when following a watercourse or skirting a lake, it is always done, unless mentioned otherwise, along the outside limit of the bank or shore, that is the normal high water mark.

Starting from point 1 located on the southwest shore of Lac Bernabé and its coordinates are:
5 420 400 m N and 306 550 m E;

From point 1, westerly, along a straight line to point 2 located on the right bank of Rivière Alex, point whose coordinates are:
5 420 400 m N and 298 400 m E;

From point 2, northeasterly, along that bank and the right bank of Rivière des Aigles, so as to include them, to point 3 whose coordinates are:
5 431 300 m N and 303 350 m E;

From point 3, northwesterly, along the banks and shores of a string of brooks and lakes including Lac Restigouche, so as to include them, to point 4, located on the southern limit of Canton de Petit and its coordinates are:
5 432 950 m N and 300 950 m E;

From point 4, westerly, along that limit to point 5 located on the right bank of Petite Rivière Péribonka, point whose coordinates are:
5 432 950 m N and 291 975 m E;

From point 5, northwesterly then northeasterly, along the bank of that river and the shores of Long, du Camp and Brûlé de la Charrue lakes, so as to include them, to point 6 located on the right bank of Ruisseau de la Charrue, point whose coordinates are:
5 463 350 m N and 302 300 m E;

From point 6, southeasterly, along the bank of that brook, so as to include it, to point 7 located on the northern limit of Canton de Saint-Onge, point whose coordinates are:
5 458 600 m N and 307 150 m E;

From point 7, easterly, along that limit to point 8 located on the western limit of Canton de Faraud, point whose coordinates are:
5 548 150 m N and 318 600 m E;

From point 8, northerly, along the western limit of that township to point 9, skirting Lac Gobeil, so as to include it, point whose coordinates are:
5 469 000 m N and 318 925 m E;

From point 9, easterly, along a straight line to point 10 located on the left bank of Rivière Alex, point whose coordinates are:
5 469 000 m N and 323 100 m E;

From point 10, northeasterly, along the bank of that river, the shore of Petit Lac Alex, the bank of its tributary, so as to include them, to point 11, located on the western limit of the right-of-way of the Alcan power transmission line No. 25, point whose coordinates are:
5 473 400 m N and 324 300 m E;

From point 11, northeasterly, along that right-of-way limit, so as to include it, to point 12 located on the watershed between the two drainage basins, point whose coordinates are:
5 480 500 m N and 326 350 m E;

From point 12, northwesterly, along that watershed between the two drainage basins to point 13, whose coordinates are:
5 489 900 m N and 322 000 m E;

From point 13, northerly, a straight line to point 14 located on the right bank of a tributary of Lac D'Ailleboust and its coordinates are:
5 490 900 m N and 322 000 m E;

From point 14, northwesterly, along the banks and shores of a string of brooks and lakes, so as to include them, to point 15 located at the west end of Petit Lac Brochet, point whose coordinates are:
5 492 450 m N and 319 375 m E;

From point 15, northwesterly, along a straight line to point 16 located on the east shore of Lac de la Batture, point whose coordinates are:
5 492 800 m N and 319 200 m E;

From point 16, southwesterly then northwesterly, along the banks and shores of a string of lakes and brooks including Lac Laliberté, so as to include them, to point 17 whose coordinates are:
5 496 000 m N and 315 350 m E;

From point 17, northeasterly, along a straight line to point 18 located on the shore of an unnamed lake skirting by the shore the lake met there, so as to exclude it, point whose coordinates are:
5 497 500 m N and 316 750 m E;

From point 18, northeasterly then southeasterly, along the shore of that lake, so as to include it, to point 19 located on the bank of a tributary, point whose coordinates are:
5 496 950 m N and 318 600 m E;

From point 19, northeasterly then southeasterly, along the banks and shores of a string of brooks and lakes including Lac D'Ailleboust, so as to include them, to point 20 whose coordinates are:
5 496 500 m N and 322 550 m E;

From point 20, southeasterly, along a straight line to point 21 located on the east shore of Lac Étienne, skirting by their shore so as to include Lac de la Pagaille and Lac en Bordure, point whose coordinates are:
5 494 100 m N and 329 825 m E;

From point 21, southeasterly, along the shore of that lake, the effluent of Lac Richard and Lac Richard, so as to include them, to point 22 whose coordinates are:
5 480 000 m N and 331 425 m E;

From point 22, easterly, along a straight line to point 23 located on the watershed between the two drainage basins, point whose coordinates are:
5 480 000 m N and 332 250 m E;

From point 23, southeasterly, along that limit to point 24 located 3 km from the right bank of Rivière Péribonka, point whose coordinates are:
5 470 225 m N and 335 100 m E;

From point 24, southwesterly, along a line parallel to and 3 km from the bank of that river to point 25 located on the southern limit of Canton de Saint-Onge, skirting Lac du Chagrin and Lac Noir, so as to include them, point whose coordinates are:
5 444 900 m N and 331 150 m E;

From point 25, westerly, along that township limit to point 26 located on the eastern limit of the right-of-way of Alcan power transmission line No. 25, skirting to the south, so as to include them, du Cinq de l'Éternité, de la Belle-Truite, des Angéliques et du Marasme lakes, point whose coordinates are:
5 445 175 m N and 322 900 m E;

From point 26, southwesterly, along the eastern limit of that right-of-way, so as to include it, to point 27, located on the southern limit of Canton de Constantin, point whose coordinates are:
5 432 550 m N and 319 500 m E;

From point 27, westerly, along that township limit to point 28 located on the east bank of Rivière Brûlée skirting Lac Kidney, so as to include it, point whose coordinates are:
5 432 700 m N and 314 400 m E;

From point 28, southeasterly, along the bank of that river, so as to include it, to point 29 located at the end of Lac Côté, skirting to the west, so as to exclude it, the first lake met and to the east, so as to include them, Prudent, du Mâle and Côté lakes, point whose coordinates are:
5 424 400 m N and 314 175 m E;

From point 29, southwesterly, along a straight line to point 30 located on the southeast shore of Lac Bernabé, point whose coordinates are:
5 420 650 m N and 308 250 m E;

From point 30, southwesterly, northwesterly then southwesterly, along the shore of that lake, so as to include it, to the starting point.

Were withdrawn from that territory, the following private lots located on the shore of Lac aux Grandes Pointes.

Canton de Constantin
Rang A
Lots 1 to 28

The above-mentioned coordinates are given in metres and were graphically traced from the U.T.M. squaring used on maps to a scale of 1:50 000 published by the Department of Energy, Mines and Resources, Canada, N.A.D. 1927, Zone 19.

The whole as shown on plan P-1068 to a scale of 1:200 000, a reduced copy of which, bearing number P-1068-1, is attached hereto.

The original of this document is kept at the Division des données foncières et de la cartographie of the Ministère de l'Environnement et de la Faune.

Maps: 1:50 000 22 D/13, 22 E/3, 22 E/4, 22 E/5,
22 E/6, 22 E/11

Prepared by: JACQUES PELCHAT,
Land Surveyor

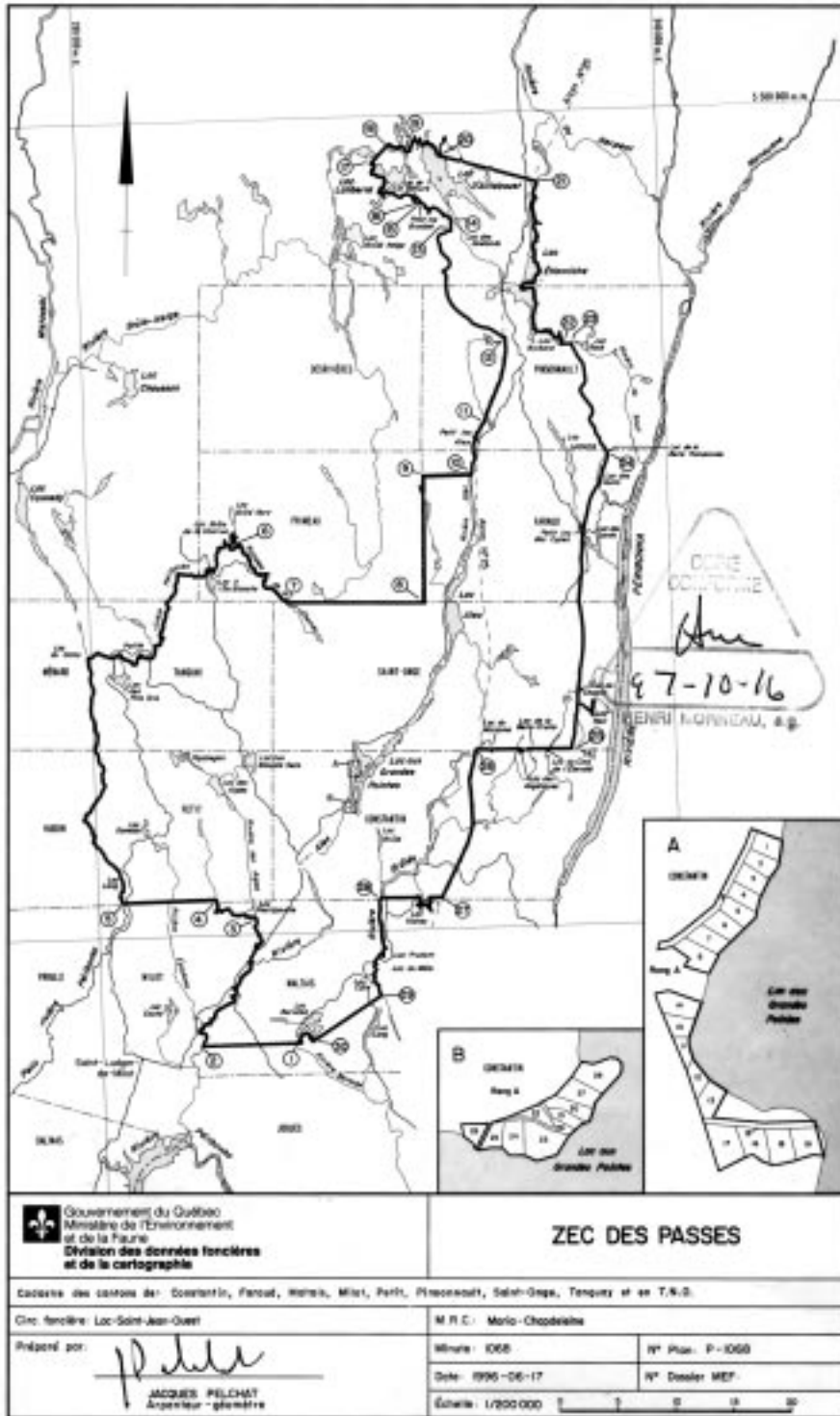
H.L.

Québec, 17 June 1996

Minute 1068

Place names revised by the Commission de toponymie in April 1996.

7744



Gouvernement du Québec

O.C. 1344-97, 15 October 1997

Financial Administration Act
(R.S.Q., c. A-6)

Signing on behalf of the Minister of Finance

Signing of documents on behalf of the Minister of Finance with regard to certain financial transactions

WHEREAS under section 36.1 of the Financial Administration Act (R.S.Q., c. A-6), any document relating to a transaction to which that section applies may be signed on behalf of the Minister by any person designated by the Government;

WHEREAS it is expedient to designate persons for that purpose;

WHEREAS the Government designated persons for that purpose by Order in Council 517-96 dated 1 May 1996;

WHEREAS it is necessary to replace Order in Council 517-96 dated 1 May 1996;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Finance:

1. THAT any of the following persons be authorized to sign on behalf of the Minister of Finance any document relating to options and futures contracts, currency exchange agreements, interest rate exchange agreements and any other instrument or contract of a financial nature determined by the Government:

- (a) the Deputy Minister of Finance;
- (b) the Associate Deputy Minister, Policies and Financial Transactions;
- (c) the Assistant Deputy Minister, Financing;
- (d) the Director General, Management, Funds and Public Debt;
- (e) the Director, Market Operations;
- (f) the Director, Treasury Operations;
- (g) the Director, Loan Contracting;
- (h) the Director, Management, Public Debt;
- (i) the Assistant Director, Market Operations;

2. THAT upon written approval of the terms and conditions of a transaction referred to in paragraph 1 by a person referred to in that paragraph, any of the following persons be authorized to sign, on behalf of the Minister of Finance, any document respecting that transaction:

(a) the Delegate General of Québec or the Director of Economic Affairs in Brussels;

(b) the Delegate General of Québec, the Economic Attaché or the Communication Attaché in London;

(c) the Delegate General of Québec, the Deputy Delegate General or the Director of Economic Affairs in New York;

(d) the Delegate General of Québec or the Director of Economic Affairs in Paris;

(e) the Delegate General of Québec, the Director of Economic Affairs or the Administration Attaché in Tokyo;

(f) the representative of Québec at the Québec Government Office in Munich;

(g) the representative of Québec at the Québec Government Office in Toronto;

(h) the representative of Québec at the Québec Government Office in Ottawa;

3. THAT this Order in Council replace Order in Council 517-96 dated 1 May 1996.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

1799

Gouvernement du Québec

O.C. 1350-97, 15 October 1997

An Act to amend the Consumer Protection Act (1995, c. 38)

Amendment to Order in Council 992-97

WHEREAS Order in Council 992-97 concerning the coming into force of certain provisions of the Act to amend the Consumer Protection Act (1995, c. 38) was made by the Government on 6 August 1997 and published in the *Gazette officielle du Québec* of 20 August 1997 on page 4325;

WHEREAS a technical error shall be rectified in the operative part of that Order;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Relations with the Citizens and Immigration:

THAT the operative part of Order in Council 992-97 dated 6 August 1997 be amended by substituting the words “on 20 August 1997” for the words “on the date of their publication in the *Gazette officielle du Québec*”, at the end.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

1793

Gouvernement du Québec

O.C. 1352-97, 15 October 1997

An Act respecting the Régie de l'énergie
(1996, c. 61)

Adjustment of rates — Supply of electric power by Hydro-Québec

THE adjustment of rates for the supply of electric power by Hydro-Québec

WHEREAS Hydro-Québec has pledged not to require any increase in rates for the supply of electric power for 1999, 2000 and 2001;

WHEREAS under section 165 of the Act respecting the Régie de l'énergie (1996, c. 61) the Government may, until the coming into force of Chapter IV of that Act, fix or modify a rate for the supply of electric power by Hydro-Québec by adjusting the rates then in effect by not more than the average variation in the annual Consumer Price Index for Canada for the 12 months of the preceding year in relation to such Index for the 12 months of the year preceding that year;

WHEREAS it is expedient to fix the adjustment of rates for the supply of electric power by Hydro-Québec as of 1st May 1998 according to the average variation in the annual Consumer Price Index for Canada for 1997, in relation to the 12 months of 1996, not exceeding 1,8 %;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Natural Resources:

To fix the adjustment of rates for the supply of electric power by Hydro-Québec as of 1st of May 1998 according to the average variation in the annual Consumer Price Index for Canada for 1997, in relation to the 12 months of 1996, not exceeding 1,8 %.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

1800

Draft Regulations

Draft Regulation

An Act respecting municipal taxation
(R.S.Q., c. F-2.1)

Compensations in lieu of taxes — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting compensations in lieu of taxes, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the Draft Regulation is to make adjustments to the Regulation respecting compensations in lieu of taxes that have become necessary following the adoption of the Act to establish an administrative review procedure for real estate assessment and to amend other legislative provisions (1996, c. 67) and the Act respecting the implementation of the Act respecting administrative justice (1997, c. 43).

To this end, the Draft Regulation proposes to amend certain references that have become null and void or incomplete since the adoption of these Acts. These Acts have, among other things, temporarily created biennial rolls on the territory of the Communauté urbaine de Montréal, introduced the possibility of reaching agreements having the same effect as a decision of the Bureau de révision de l'évaluation foncière du Québec, and provide for the replacement of the latter by the Administrative Tribunal of Québec.

The Draft Regulation also proposes to extend to compensations in lieu of taxes the new rule concerning the suspension of the computation of interest on municipal taxes by the Administrative Tribunal of Québec for the duration of a proceeding.

To date, study of the matter has revealed no impact on the public and businesses.

Further information may be obtained from Mrs. Élène Delisle, advocate, 20, rue Pierre-Olivier-Chauveau, 2^e étage, Québec, G1R 4J3; telephone: (418) 691-2030; fax: (418) 643-3455.

Any interested person having comments to make on this Draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of

Municipal Affairs, 20, rue Pierre-Olivier-Chauveau, 3^e étage, Québec, G1R 4J3.

RÉMY TRUDEL,
Minister of Municipal Affairs

Regulation to amend the Regulation respecting compensations in lieu of taxes(*)

An Act respecting municipal taxation
(R.S.Q., c. F-2.1, s. 262, par. 2)

1. Section 10 of the Regulation respecting compensations in lieu of taxes is amended by striking out “under section 72.1 of the Act,” in the second paragraph.

2. Section 22 is amended

(1) by substituting “by an agreement reached under section 138.4 of the Act, a decision of the Administrative Tribunal of Québec” for “by a decision of the Bureau de révision de l'évaluation foncière du Québec” in subparagraph 1 of the second paragraph; and

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

“Where the alteration to the roll follows a recourse before the Administrative Tribunal of Québec, the additional compensation or the amount collected in excess bears no interest for the period indicated in the decision of the Tribunal, where applicable, as the period during which the hearing of the recourse has been subject to an undue delay for which the debtor of the additional compensation or amount collected in excess, or the party litigant whose debtor is the successor, is not responsible.”

3. Until the day on which the Bureau de révision de l'évaluation foncière du Québec ceases to exist, the provisions of section 22 of the Regulation respecting compensations in lieu of taxes, as amended by section 2 of this Regulation, that apply to a decision of the Administrative Tribunal of Québec or a recourse before the

* The Regulation respecting compensations in lieu of taxes, made by Order in Council 1086-92 dated 22 July 1992 (1992, G.O. 2, 4058), was amended by the Regulation made by Order in Council 1055-95 dated 9 August 1995 (1995, G.O. 2, 2659).

latter apply, as the case may be, to a decision of the Bureau or a complaint before the latter.

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

1802

Draft Regulation

An Act respecting the Régie de l'énergie
(1996, c. 61)

Procedure of the Régie de l'énergie

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the procedure of the Régie de l'énergie, the text of which appears below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

The purpose of the Regulation is to make provisions respecting the examination of applications submitted to the Régie de l'énergie and, where required, the conduct of public hearings.

That Regulation will encourage citizens, groups and businesses to participate while prescribing rules for the presentation of evidence and observations by interested persons. The Regulation also provides for optional pre-hearing conferences intended, in particular, to simplify the conduct of the public hearings.

Further information may be obtained by contacting the secretary of the Régie de l'énergie, Tour de la Bourse, 800, place Victoria, bureau 255, C. P. 001, Montréal (Québec), H4Z 1A2; tel. (514) 873-2452; fax: (514) 873-2070.

Any person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Secretary of the Régie de l'énergie, Tour de la Bourse, 800, place Victoria, bureau 255, C. P. 001, Montréal (Québec), H4Z 1A2. Comments will be studied by the Régie and forwarded to the Minister of Natural Resources, responsible for the administration of the Act respecting the Régie de l'énergie.

LISE LAMBERT,
Vice-chairman of the Régie de l'énergie

Regulation respecting the procedure of the Régie de l'énergie

An Act respecting the Régie de l'énergie
(1996, c. 61, ss. 113 and 115)

CHAPTER I SUBMISSION OF AN APPLICATION TO THE RÉGIE DE L'ÉNERGIE

1. Every application to the Régie shall be made in writing and shall

— indicate the name, address, telephone and fax numbers of the applicant and, where applicable, those of his representative;

— contain a clear and succinct summary of the facts, the reasons for the application and the conclusions sought;

— be signed by the applicant or his representative;

— include a list of all the documents that may be used to support the application;

— include the applicable fees, if any;

— include a receipt of the sending of the application to the defendant or the impleaded party, if any.

Any application not validly submitted may be returned to the applicant for completion.

2. The defendant or the impleaded party shall appear within 15 days of receiving the application, by filing an appearance with the Régie signed by him or his representative and by giving notice thereof to the applicant.

3. The defendant or the impleaded party may also, within 15 days of the expiry of the time allowed for appearing, file an answer with the Régie together with the receipt of the sending of that answer to the applicant.

4. The applicant may file with the Régie a reply in writing, within 15 days of receiving the answer, together with the receipt of the sending of that reply to the defendant or impleaded party.

CHAPTER II PUBLICATION OF INSTRUCTIONS RELATING TO A PUBLIC HEARING

5. Where the Régie orders a participant to publish its written instructions, the notice shall appear in a periodical distributed in the territory concerned by the public hearing.

CHAPTER III INTERVENTION WITH THE RÉGIE

6. Any person interested by an application may request the Régie to intervene before it.

The Régie shall then decide the status to be granted to that person and determine the particular conditions applicable to his participation. The Régie may, in particular, order several interveners to participate through a single representative.

7. With the authorization of the Régie, a person, a body or a group of persons or bodies may either intervene by presenting observations and arguments in writing, or intervene actively by presenting written or testimonial evidence and arguments.

8. An application for intervention shall be made in writing, signed by the intervener or his representative and sent to the Régie within 15 days following the date the public notice was last published or within the time period indicated therein. Copies of that application for intervention shall be sent to the other participants within the same time period.

The intervener shall indicate

(1) his name, address and telephone and fax numbers;

(2) the nature of his interest and, where applicable, his representativeness;

(3) the status desired and the reasons in support of his intervention;

(4) the conclusions sought;

(5) where applicable, the manner in which he intends to present his observations and arguments, including a list of his witnesses and the hearing time desired for presenting his evidence and for examining the other witnesses.

9. The Attorney General and the Minister of Natural Resources may intervene *ex officio* with the Régie at all times.

10. The Régie shall send the participants a list of the intervening parties' names, addresses, telephone and fax numbers.

CHAPTER IV PRE-HEARING CONFERENCE

11. The Régie may at all times summon the participants to a pre-hearing conference intended to define and clarify the issues to be dealt with and the position of each of them.

The Régie may give instructions for the conduct of the hearing and for the drawing up of a roll of hearing and schedule and may fix, in particular the time allowed to each participant for presenting his observations and arguments.

CHAPTER V PRESENTATION OF OBSERVATIONS AND ARGUMENTS BY PARTICIPANTS

DIVISION I FILING OF DOCUMENTS

12. Documents that must be filed with or sent to the Régie shall be

(1) remitted at the office of the Régie;

(2) mailed to the Régie;

(3) sent by fax to the Régie; or

(4) sent by any other electronic means available to the Régie.

Mailed documents are presumed to be sent on the day of the postmark. Documents sent by any other means are presumed to be sent on the day they are received by the Régie.

13. Upon request by the Régie, the applicant shall provide the Régie and the participants with the documents or additional evidence considered necessary for examining the application.

14. The Régie shall inform the participants of any missing elements in the filed documents.

The Régie may then decide not to examine the file as long as the default is not remedied.

15. Every document quoted or relied on by a participant shall be filed with the Régie and sent to the other participants before the case is entered on the roll of hearing, unless the Régie decides otherwise.

DIVISION II ROLL OF HEARING

16. A request for a priority hearing based on valid reasons shall be submitted in writing to the Chairman of the Régie.

Such request shall be communicated to the other participants and shall indicate the reasons supporting it.

17. For valid reasons, a request for adjournment may be submitted in writing to the Régie before the date fixed for the hearing. Such request shall give reasons.

In exceptional circumstances, the Régie may receive a request for adjournment in the course of a hearing.

DIVISION III PRESENTATION OF OBSERVATIONS BY PARTICIPANTS

18. During the hearing, a participant may call and examine witnesses, examine the other participants' witnesses and present his arguments and observations, on the conditions determined by the Régie.

Unless the commissioners decide otherwise, witnesses shall be heard orally under oath, which is a solemn affirmation to tell the truth, the whole truth and nothing but the truth.

19. The Régie may call witnesses upon request by a participant or *ex officio*.

In such case, the Régie shall issue a subpoena to the participant who requested it, who is responsible for serving it on the witness, at his own expenses.

The subpoena shall be served at least 5 clear days before the hearing, unless the Régie issues different instructions.

20. Expenses incurred to ensure the appearance of witnesses may be reimbursed following the procedure established in Chapter VII.

21. When examining an application, the Régie may receive any evidence it considers reliable and relevant.

22. A hearing may be recorded by any means permitted by the Régie. Particularly, it may be taken down by stenotype or by shorthand.

A participant who requests such recording shall provide the Régie, on the conditions determined by it, a copy of any transcription of the recording, no matter the medium used.

The recording and transcription costs shall be borne by the participant who requested it, unless the Régie decides otherwise.

CHAPTER VI AMICABLE SETTLEMENT

23. The content of any agreement between the participants shall be put in writing and signed by them or their representatives and deposited in the file of the Régie.

24. Upon filing that agreement in the file of the Régie, the signatories shall declare that they have informed the other participants of the agreement.

CHAPTER VII PAYMENT OF EXPENSES

25. A participant in a hearing may claim expenses; to that end, he shall file an application for payment of expenses with the Régie when he presents his final arguments.

26. Within 30 days following the application for payment, the participant shall file with the Régie a detailed report of the necessary and reasonable expenses incurred on the occasion of his participation in the hearing, using the form attached as a schedule, with a copy to the distributor from which the expenses are claimed.

27. A distributor from which expenses are claimed may, within 10 days following the date of receipt of the report provided for in section 26, send in writing to the Régie, with a copy to the claimant, any objection or comment respecting the payment of the expenses, their eligibility, the amount thereof and any other subject covered by the application for payment.

28. A participant who claims expenses may, within 10 days following the date of receipt of the objections or comments, reply in writing to the Régie with a copy to the distributor.

29. Where a participant fails to send the Régie the documents required within the prescribed time limits, or where the file is completed by the distributor's answer, the Régie shall render its decision on the payment of the expenses.

30. The Régie may grant preliminary expenses to groups of persons formed to take part in its public hearings.

An application for such expenses shall be made within the time and in the form provided for in the instructions

written by the Régie. The participant shall demonstrate, in particular,

— that his participation will be useful and relevant to the deliberations of the Régie about the whole or part of the file;

— that he does not have enough financial resources to participate in the hearing effectively; and

— that the public interest justifies it.

The amounts granted by the Régie shall be paid by the distributor concerned to the participant, upon submission of vouchers.

At the end of his participation, a participant shall file a statement of expenses and follow the ordinary procedure for the payment of expenses described in the preceding sections.

31. The Régie may depart from the procedure described in this Chapter in order to accelerate or facilitate the payment of expenses.

CHAPTER VIII COMPLEMENTARY PROVISIONS RESPECTING EXAMINATION OF COMPLAINTS

32. If the complainant and the distributor consent thereto, the Régie may designate a conciliator whose task is to meet them and to attempt to come to an agreement.

33. In the absence of an agreement, the Régie shall examine the complaint on the basis of the file as it is. However, it may, on its own initiative or upon request by the complainant or distributor, hold a hearing.

CHAPTER IX COMPLEMENTARY PROVISIONS RESPECTING ADVICE GIVEN TO THE MINISTER OR THE GOVERNMENT

34. Where the Régie holds a public hearing with a view to advising the Minister or the Government, the interveners and the proposer, if any, shall also comply with the provisions published in the written instructions of the Régie.

35. An intervener in such hearing shall, in his application for intervention, state precisely the recommendations he believes should be made to the Minister or the Government.

36. The interveners shall file with the Régie, within the time period fixed by it, a written memorandum accompanied by a brief summary of its content.

37. The Régie shall make the memoranda it receives public, on the terms and conditions fixed in its written instructions.

38. During such a hearing, in addition to the person who called them, only the Régie and the proposer, if any, are authorized to examine the witnesses of an intervener.

39. For the purposes of this Chapter, the Minister or the Government is deemed to be a proposer when requesting advice from the Régie.

CHAPTER X MISCELLANEOUS

40. Where the date fixed in this Regulation for doing something falls on a non-working day, that thing may be validly done on the following working day.

For the purposes of the first paragraph, Saturday, Sunday and any other day the offices of the Régie are closed are non-working days.

41. The Régie may allow a participant to depart from the provisions of this Regulation where it is of the opinion that such departure is necessary.

42. Any delay, formal defect or procedural defect may be remedied.

43. The secretary of the Régie is empowered to receive the documents that must be filed with or sent to the Régie under the Act or this Regulation.

44. Upon payment of reproduction costs, any interested person may obtain a copy of any document filed with the Régie, except for documents judged to be confidential or for which a publication restriction was ordered.

CHAPTER XI TRANSITIONAL AND FINAL

45. This Regulation replaces the Rules of Procedure and Practice of the Régie du gaz naturel, approved by Order in Council 713-90 dated 23 May 1990.

46. Applications already before the Régie upon the coming into force of this Regulation shall be continued in accordance with this Regulation.

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

SCHEDULE
(s. 26)

STATEMENT OF EXPENSES INCURRED FOR A HEARING

File No.: _____ Nature of file: _____
 Period covered: _____ from _____ to _____
 Claimant: _____

Advocate's fees (attach a detailed statement of account)

Name of advocate: _____

Firm: _____

Address: _____

PREPARATION

Amounts claimed

Hours/days

Rate

Total

ATTENDANCE AT HEARING

Hours/days

Rate

Total

TOTAL OF ADVOCATE'S FEES

Expert's fees (attach a detailed statement of account)

Name of expert: _____

Firm: _____

Address: _____

PREPARATION

Amounts claimed

Hours/days

Rate

Total

ATTENDANCE AT HEARING

Hours/days

Rate

Total

TOTAL OF EXPERT'S FEES

Expenses (Attach receipt and vouchers) *

Amounts claimed

TRAVEL (indicate the means of transportation)

ACCOMODATION

Number of nights

Price of room

Total

MEALS

Number of meals

Total

OTHER EXPENSES

Stenotype, shorthand, etc.

Photocopies

Mail and courier

Telephone calls

Fax

Other (specify)

.....

.....

.....

Total

TOTAL OF EXPENSES

* N.B.: Indicate in each case the names of the persons for whom expenses are claimed.

Prepared by: _____

Telephone: _____

Signature: _____

Date: _____

1803

Draft Regulation

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2)

Selection of foreign nationals
— **Amendments**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the

selection of foreign nationals, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft regulation introduces amendments relating to the selection of foreign nationals within Canada, to the sponsorship of foreign nationals and to securities investors.

With respect to the sponsorship to be made, the draft regulation adds the following to the required conditions for giving an undertaking: actually residing in Québec, being neither detained nor subject to a removal order and having earned a sufficient gross annual income of Canadian source in the twelve months preceding an application for undertaking. It also clarifies the condition for taking into account former undertakings subscribed elsewhere in Canada. It further allows *de facto* spouses to jointly give an undertaking and persons who failed to comply with a prior undertaking to give a new undertaking to any person if the latter has reimbursed the amounts due in Québec or elsewhere in Canada. It also makes the duration of the undertaking run from the coming into force of a Minister's permit rather than from the subsequent granting of landing.

As for the selection in Canada of certain applications filed in Québec, the draft regulation amends the procedure for obtaining a selection certificate so that such a certificate will no longer be issued automatically with regard to the claimants' dependants abroad.

The draft regulation no longer prohibits an investor from using securities certifying his investment as a loan guarantee until he becomes a permanent resident.

The main impact of the draft regulation is to further define the financial capacity of a Québec resident who wants to give an undertaking with regard to a foreign national. Its purpose is also to apply to the dependants living abroad of a foreign national who is selected within Canada, the same rules relating to the undertaking applicable to a Québec resident who wants to sponsor a member of that family. The draft regulation will also promote investments in Québec.

Further information may be obtained by contacting Mr. Yvan Turcotte, Director of Immigration Policies and Programs, 800, place Victoria, 14^e étage, C. P. 216, Montréal (Québec), H4Z 1E3; telephone: (514) 873-1631; fax: (514) 864-2796.

Any interested person having comments to make on this matter is asked to send them in writing, to the Minister of Relations with the Citizens and Immigra-

tion, 360, rue McGill, 4^e étage, Montréal (Québec), H2Y 2E9, before the expiry of the 45-day period following this publication.

ANDRÉ BOISCLAIR,
*Minister of Relations with
the Citizens and Immigration*

Regulation to amend the Regulation respecting the selection of foreign nationals(*)

An Act respecting immigration to Québec (R.S.Q., c. I-0.2, ss. 3.1.1, 3.3. 1st par., subpars. a, b, b.1, b.2, c, c.1 and c.2)

1. Section 2 of the Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r. 2) is amended by inserting the following after the first sentence:

“Notwithstanding the foregoing, the application for a selection certificate filed in Québec in the class contemplated in section 11.2 of the 1978 Immigration Regulations (SOR 78/172), may not consider the dependants who are not in Canada.”.

2. Section 23 is amended

(1) by substituting the following for subparagraph *b* of the first paragraph:

“(b) the resident has complied with the obligations provided for in the undertaking given to the Minister or to the Minister responsible for the Act respecting Immigration to Canada or, failing that, he has reimbursed in full the amounts received as special benefits or last resort assistance benefits in compliance with the Act respecting income security (R.S.Q., c. S-3.1.1) or similar benefits contemplated in Schedule VI to the 1978 Immigration Regulations;”;

(2) by adding the following after subparagraph *b.1* of the first paragraph:

“(b.2) the resident demonstrates that he will reside exclusively in Québec, continuously, from the date the undertaking is signed to the date the foreign national

* The Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r. 2) was last amended by the Regulation made by Order in Council 578-97 dated 30 April 1997 (1997, G.O. 2, 1947). For previous amendments, refer to the “Tableau des modifications et Index sommaire”, Éditeur officiel du Québec, 1997, updated to 1 March 1997.

obtains permanent resident status, within the meaning of the Act respecting immigration to Canada; however, a Canadian citizen residing exclusively abroad on the date the undertaking is signed may give an undertaking on behalf of his spouse or dependent child if he demonstrates that he will reside in Québec when they will have obtained permanent resident status;

(b.3) the resident is not subject to a removal order made under the Act respecting immigration to Canada;

(b.4) the resident is not detained in a penitentiary or jail;”;

(3) by substituting the following for the second paragraph:

“Any person married to the resident and with whom he lives or any person who, for the twelve months preceding the application for undertaking, cohabits with the resident and is publicly introduced as his spouse, may also join into the application and subscribe to the undertaking if that person is a Québec resident and is at least 18 years of age. Other than the condition relating to the required fees, that person is subject to the conditions prescribed in this section.”

3. Section 26.1 is revoked.

4. Section 30 is amended

(1) by adding the following at the end of paragraph *b*:

“or, failing that, they have reimbursed the amounts received as special benefits or last resort assistance benefits in compliance with the Act respecting income security (R.S.Q., c. S-3.1.1) or similar benefits contemplated in Schedule VI to the 1978 Immigration Regulations”;

(2) by adding the following after paragraph *c*:

“(d) no member of a group contemplated in section 29 is subject to a removal order made under the Act respecting immigration to Canada;

(e) no member of a group contemplated in section 29 is detained in a penitentiary or jail; and

(f) every member of a group contemplated in section 29 demonstrates that they will reside exclusively in Québec, continuously, from the date the undertaking is signed to the date the foreign national obtains permanent resident status, within the meaning of the Act respecting immigration to Canada.”

5. Section 34.1 is amended by striking out the words “; they may not be used to obtain a loan or as a guarantee on a loan or for any act of a similar nature, unless the investor has obtained permanent resident status” at the end of subparagraph *o* in the third paragraph.

6. Section 45 is amended

(1) by inserting the words “for at least one year,” after the words “if he demonstrates to the Minister that he has,” in the first paragraph;

(2) by inserting the words “, to the Minister or to the Minister responsible for the Act respecting immigration to Canada,” after the words “has given an undertaking”, in the fourth paragraph; and

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

“For the purposes of this section, the gross annual income of a person is the amount that must be taken into consideration to define the gross income of Canadian source, within the meaning of section 1 of the Taxation Act (R.S.Q., c. I-3).”

7. Section 46.2 is amended by adding, at the end, the words “or, in the case of a national admitted under a Minister’s permit issued in compliance with section 37 of the Act, on the date of issue of the permit, if the application is filed in Québec, or on the date of his arrival in Québec, if the application is filed abroad.”

8. Section 46.3 is amended by adding, at the end of paragraph *b*, the words “under the undertaking or as the holder of a Minister’s permit contemplated in section 37 of the Act respecting immigration to Canada.”

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

1804

Draft Regulation

Veterinary Surgeons Act
(R.S.Q., c. M-8)

Veterinary surgeons — Labelling and packaging of medications

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Ordre des médecins vétérinaires du Québec made the Regulation respecting the labelling

and packaging of medications intended for animals, the text of which appears below.

The Regulation will be examined by the Office des professions du Québec pursuant to section 95 of the Professional Code. Then, it will be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment, upon the expiry of 45 days following this publication.

According to the Ordre des médecins vétérinaires du Québec, the purpose of that Regulation is to prescribe norms applicable to the labelling and packaging of medications to veterinarians who prepare prescriptions. It provides for an exception in the case of medications delivered in the manufacturer's original container and intended for a licensed use.

According to the Order, the only impact of the Regulation will be to ensure better protection of the public by providing more complete and readily available information where medications are administered to animals. Also, the Order underlines that the adoption of that Regulation is compulsory under the Act governing it.

Further information on the Regulation may be obtained by contacting Mr. Marcel Bouvier, Secretary of the Ordre des médecins vétérinaires du Québec, 795, avenue du Palais, bureau 200, Saint-Hyacinthe (Québec), J2C 5C6; tel.: (514) 774-1427 or 1-800-267-1427, fax: (514) 774-7635.

Any interested person having comments to make on the matter is asked to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, complexe de la place Jacques-Cartier, 320, rue Saint-Joseph Est, 1^{er} étage, Québec (Québec), G1K 8G5. Those comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order that made the Regulation, that is the Ordre des médecins vétérinaires du Québec, as well as to interested persons, departments and bodies.

ROBERT DIAMANT,
*Chairman of the Office
des professions du Québec*

Regulation respecting the labelling and packaging of medications intended for animals

Veterinary Surgeons Act
(R.S.Q., c. M-8, s. 6.1, 1st par., subpar. 2)

1. A veterinary surgeon who prepares a prescription shall enter, on the label of the medication,

- (1) the name, address and telephone number of the establishment;
- (2) the client's full name;
- (3) the identification or description of the animal or group of animals;
- (4) the full name of the veterinarian prescribing it;
- (5) the common or commercial name of the medication, the quantity, the dosage and, where applicable,
 - (a) the concentration of the medication, if necessary;
 - (b) the method of administering the medication;
 - (c) the particular method of conserving the medication;
 - (d) special precautions;
 - (e) the expiry date;
 - (f) the waiting period before the animal product is fit for human consumption;
- (6) the date the prescription is prepared; and
- (7) the number of remaining renewals.

2. Section 1 does not apply to a medication delivered in the manufacturer's original container, provided that the information prescribed in paragraph 5 of that section already appears on such container and that the medication is intended for a licensed use.

3. All medications shall be packaged in safe containers.

4. This Regulation comes into force seven months after the date of its publication in the *Gazette officielle du Québec*.

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

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Conservation and development of wildlife, An Act respecting the... — Des Passes Controlled Zone (R.S.Q., c. C-61.1)	5240	N
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