

For the 1995-1996 fiscal year:

Regions	% of places required ¹	Number of places allotted	Places that ceased to be in operation in 1993-1994	Total
01 Bas St-Laurent	2.5	78	15	93
02 Saguenay-Lac-St-Jean	3.3	102	22	124
03 Québec	7.0	217	—	217
04 Mauricie-Bois-Francs	5.7	177	—	177
05 Estrie	4.0	124	15	139
06 Montréal	22.0	682	—	682
07 Outaouais	5.5	171	—	171
08 Abitibi-Témiscamingue	2.3	71	11	82
09 Côte-Nord	1.5	46	—	46
10 Nord-du-Québec	—	(15) ²	—	(15) ²
11 Gaspésie-Îles-de-la-Madeleine	1.2	37	32	69
12 Chaudière-Appalaches	5.6	174	—	174
13 Laval	5.5	171	45	216
14 Lanaudière	6.4	198	—	198
15 Laurentides	7.1	220	—	220
16 Montérégie	20.4	632	10	642
Total	100.0	3 100	150	3 250

1 The percentages have been applied to the total of 3 100 places, 15 places in region 10 having been deferred and assigned to that region because, since no application was made for them, it was not possible to allot them in 1994-95.

2 Places not included in the total

9591

Gouvernement du Québec

O.C. 108-96, 24 January 1996

An Act respecting the use of petroleum products (R.S.Q., c. U-1.1)

Petroleum Products — Amendments

Regulation to amend the Petroleum Products Regulation

WHEREAS under section 64 of the Act respecting the use of petroleum products (R.S.Q., c. U-1.1), the Government may make regulations for the purposes of applying the Act;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation to amend the Petroleum Products Regulation was published in Part 2 of the *Gazette officielle du Québec* of 17 May 1995, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendment;

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

THAT the Regulation to amend the Petroleum Products Regulation, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Petroleum Products Regulation

An Act respecting the use of petroleum products (R.S.Q., c. U-1.1, s. 64)

1. The Petroleum Products Regulation, made by Order in Council 753-91 dated 29 May 1991, is amended in section 1

(1) by substituting the following for “isolated location” and its definition:

““isolated location” means a quarry, mine, forest operations site, agricultural establishment, construction site, snowmobile stop, hunting or fishing camp, or a location

not accessible year round by a practicable road in the Québec highway network; (*endroit isolé*);

(2) by inserting the following definition after the definition of “tank”:

““underground tank” means a container that holds more than 225 litres and that is partially or entirely buried; (*réservoir souterrain*)”.

2. The Regulation is amended in section 4 by substituting the following for the second paragraph:

“There are 4 types of gasoline:

- (1) Grade 1;
- (2) Grade 2;
- (3) Grade 3;
- (4) Grade 4.”.

3. The Regulation is amended in section 5

(1) by substituting the number “6” for the number “five” in the second paragraph; and

(2) by adding the following after subparagraph 5 of the second paragraph:

“(6) Type E.”.

4. The Regulation is amended by substituting the following for section 11:

“A lubricant is a liquid substance intended to reduce friction and used in internal combustion engines or in vehicle power trains such as motor oil, transmission oil or differential oil.”.

5. The Regulation is amended by substituting the following for section 12:

“Used oil is considered as a lubricant where it comes, in whole or in part, from a lubricant within the meaning of section 11 and where it is stored for less than one year at the facility of the holder of a petroleum products retailer’s permit.”.

6. The Regulation is amended by substituting “Used oil” for the heading preceding section 18.

7. The Regulation is amended in section 18 by substituting the words “used oil” for the words “used or waste lubricating oil”.

8. The Regulation is amended in section 27 by deleting paragraph 2.

9. The Regulation is amended in section 29 by deleting paragraph 2.

10. The Regulation is amended in section 35 by deleting subparagraph 2 of the first paragraph.

11. The Regulation is amended in section 60

(1) by substituting the words “one copy” for the number and word “2 copies” in the first line of paragraph 2;

(2) by substituting the word “buildings” for the word “facility” in the first line of paragraph 2;

(3) by adding the words “, where a building is part of the facility” at the end of paragraph 4; and

(4) by adding the following after paragraph 4:

“(5) provide the Minister with the data required to classify the site of an underground tank in accordance with sections 99 and 100. Such information shall be certified by an engineer, a land surveyor, an architect or the public servant concerned in each of the municipalities in question.

For the purposes of this section, the following work is not considered alteration, maintenance or demolition work:

- (1) the addition of a spill prevention system;
- (2) the installation of an impervious collector box;
- (3) the removal of petroleum equipment;
- (4) the installation of an aboveground tank not requiring any pipe connecting work;
- (5) inspections required under this Regulation;
- (6) work of an electrical nature;
- (7) the calibration and servicing of distribution equipment;
- (8) the painting and insulation of petroleum equipment;
- (9) the replacement of a part in a motor fuel dispenser;
- (10) the repair of fuelling areas, loading and unloading zones, dispensing islands, and barrier, stairway, platform and fence areas.

Notwithstanding the foregoing, the Minister shall be informed in writing, prior to the beginning of the work referred to in subparagraph 1, 2, 3 or 4, of the date, place, and nature of the work and of the name of the holder of an installer's permit who performs the work."

12. The Regulation is amended by substituting the following for section 99:

"An underground tank may be installed on a Class A site only where it has a double wall and double-wall piping equipped at its lowest point with a collector well.

The double wall of the tank shall have a leak detection system equipped with a visual and audible alarm and shall be built in accordance with Underwriters' Laboratories of Canada Standard ULC/ORD-C58.12-1992: Leak Detection Devices (Volumetric Type) for Underground Flammable Liquid Storage Tanks or with Underwriters' Laboratories of Canada Standard ULC/ORD-C58.14-1992: Nonvolumetric Leak Detection Devices for Underground Flammable Liquid Storage Tanks.

The double-wall piping shall have an automatic leak detection system equipped with a visual and audible alarm and shall be built in accordance with Underwriters' Laboratories of Canada Standard ULC/ORD-C107.12-1993: Line Leak Detection Devices — Flammable Liquid Piping or with Underwriters' Laboratories of Canada Standard ULC/ORD-C58.14-1992: Nonvolumetric Leak Detection Devices for Underground Flammable Liquid Storage Tanks.

No person shall put a liquid that would contaminate drinking water into the tank spacing.

For the purposes of the first paragraph, the following territories are Class A sites:

(1) any site within 1 000 metres measured horizontally from a well used to collect drinking water for a residence that cannot be connected to a waterworks system, from the intake of a pipe used to supply a municipality with drinking water, from a channel used exclusively to supply a municipality with drinking water or from a well whose water is used in the making of a food product;

(2) any site within 50 metres measured horizontally from a station, tunnel or other underground structure necessary for the operation of a subway, from a public building with one or more floors below the ground floor, as defined in the Public Buildings Safety Act (R.S.Q., c. S-3) and in the regulation made thereunder, or from an underground or semi-underground parking garage that can accommodate at least 6 vehicles and that requires mechanical ventilation in accordance with sec-

tion 6.2.2.3 of the National Building Code of Canada, 1990."

13. The Regulation is amended by substituting the following for section 110:

"Before the tank is placed into the excavation, its underside shall be inspected and, where damage is discovered, shall be repaired or recertified according to the manufacturer's requirements.

After the tank has been placed into the excavation, its surface shall be inspected and, where damage is discovered, shall be repaired or recertified according to the manufacturer's requirements."

14. The Regulation is amended by inserting the following after section 110:

"**110.1** After the tank has been placed into the excavation, it shall be pressure tested.

110.2 The pressure test performed on a single-wall tank during installation shall be conducted as follows:

(1) all the tank's caps shall be removed and steel caps shall be installed, after a joint compound or tape described in subparagraphs 1 and 2 of the first paragraph of section 174 has been applied thereto;

(2) a safety valve of not more than 40 kilopascals capable of evacuating the flow from the pressure source shall be installed and inspected before each test;

(3) the pressure shall be measured using a pressure gauge calibrated in units of not more than one kilopascal;

(4) pressure of not less than 30 kilopascals and not more than 35 kilopascals shall be applied;

(5) all the tank's openings shall be tested for leaks, using leak detection fluid.

Once the temperature has been stabilized and the pressure source removed, the pressure applied shall hold for one hour. A tank under pressure shall at all times be under the supervision of a person in authority.

Each compartment of a tank with compartments shall be inspected separately, and care shall be taken to ensure that the adjacent compartment is not inspected simultaneously and is not under pressure.

110.3 When a double-wall tank is installed, its inner wall shall be pressure tested in accordance with section 110.2, and the pressure in the tank spacing shall be

measured simultaneously using a pressure gauge calibrated in units of not more than one kilopascal.

There shall be no pressure in the tank spacing.

Notwithstanding the foregoing, the inspection method provided for in the preceding 2 paragraphs may be replaced by the observation, by the person carrying out the inspection, that a vacuum of at least 42 kilopascals is maintained in the tank spacing, where the equipment inspected has been vacuum sealed by the manufacturer, or by the conducting of a minimum 42-kilopascal vacuum test on the tank spacing for at least one hour, where that test is authorized by the manufacturer.

110.4 When the outer wall of a double-wall tank is installed, it shall be pressure tested as follows:

(1) the pressure shall be measured using a pressure gauge calibrated in units of not more than one kilopascal;

(2) the pressure source shall come from the inside part of the tank and shall be transferred into the tank spacing until it reaches not less than 30 kilopascals and not more than 35 kilopascals. Notwithstanding the foregoing, a tank built in accordance with Underwriters' Laboratories of Canada Standard ULC/ORD-C58.10-1992: Jacketed Steel Underground Tanks for Flammable and Combustible Liquids may be pressurized according to the manufacturer's recommendations;

(3) the outer wall of the tank shall be tested for leaks, using leak detection fluid.

Once the temperature has been stabilized, the pressure applied shall be maintained for one hour. A tank under pressure shall at all times be under the supervision of a person in authority. The pressure in the tank spacing shall be released before that of the inner wall.

Notwithstanding the foregoing, the inspection method provided for in the preceding 2 paragraphs may be replaced by the observation that a vacuum of at least 42 kilopascals is maintained in the tank spacing, where the equipment inspected has been vacuum sealed by the manufacturer, or by the conducting of a minimum 42-kilopascal vacuum test on the tank spacing for at least one hour, where that test is authorized by the manufacturer.

110.5 If the tank has already contained petroleum products or other flammable products, the pressure tests shall be performed using nitrogen.”.

15. The Regulation is amended by revoking section 119.

16. The Regulation is amended by substituting Division 5.1, introduced by section 32 of this Regulation, for sections 120 and 121.

17. The Regulation is amended by substituting the following for section 130:

“Where the owner, operator or user decides to no longer take petroleum products from an underground storage system or has not taken petroleum products therefrom for more than 2 years, he shall:

(1) empty the tank, piping and motor fuel dispensers of any petroleum product;

(2) purge the tank of all vapours until the flammable vapour concentration is less than 20 % of the lower flammability limit, remove the tank and piping from the ground, remove them from the site and inspect the surrounding soil for contamination;

(3) inform the branch concerned of the Ministère de l'Environnement et de la Faune of any contamination and decontaminate the contaminated materials;

(4) dispose of the tank in accordance with section 171 or, if the tank is reusable under section 125 or 126, advise the Minister of the manufacturer's name and the serial number of the tank.

The owner, operator or user is only required to comply with the provisions of subparagraph 1 of the first paragraph if he demonstrates, by conducting a pressure test in compliance with section 269, that the petroleum equipment is impervious and that the interruption in the taking of petroleum products from that equipment does not exceed 5 years.”.

18. The Regulation is amended by inserting the following after section 130:

“**130.1** With the authorization required under section 60, an underground tank may be abandoned on its site, where its location makes its removal impracticable for either of the following reasons:

(1) removing the tank would jeopardize the integrity of the building's structure or of a part thereof that is essential for the intended use of the building; or

(2) the machinery required for the removal of the tank cannot physically be taken onto the site.

130.2 An owner, operator or user who abandons an underground tank on its site under section 130.1 shall

(1) determine whether the surrounding soil is contaminated, by conducting a pressure test complying with section 269, by having the soil analyzed by a specialized firm, or by having the ground water analyzed by a laboratory if the level of the ground water is higher than the bottom of the tank;

(2) remove all sludge from the tank so as to prevent any explosion and dispose of it in accordance with section 72;

(3) remove the piping from the ground;

(4) purge the tank of all vapours until the flammable vapour concentration is less than 10 % of the lower flammability limit; and

(5) fill the tank with inert material such as sand, gravel or concrete and plug the openings.”

19. The Regulation is amended in section 133 by substituting the following for paragraphs 1 to 5:

“(1) Underwriters’ Laboratories of Canada Standard ULC-S601-93: Standard for shop fabricated steel aboveground horizontal tanks for flammable and combustible liquids;

(2) Standards Council of Canada Standard CAN/ULC-S602-M92: Standard for aboveground steel tanks for fuel oil and lubricating oil;

(3) Underwriters’ Laboratories of Canada Standard ULC-S630-93: Standard for shop fabricated steel aboveground vertical tanks for flammable and combustible liquids;

(4) Standards Council of Canada Standard CAN/ULC-S643-M90: Standard for shop fabricated steel aboveground utility tanks for flammable and combustible liquids;

(5) Underwriters’ Laboratories of Canada Standard ULC-S652-93: Standard for tank assemblies for collection of used oil;

(6) Underwriters’ Laboratories of Canada Standard ULC-S653-94: Standard for aboveground steel contained tank assemblies for flammable and combustible liquids;

(7) Underwriters’ Laboratories of Canada Standard ULC/ORD-C142.16-1994: Protected aboveground tank assemblies for flammable and combustible liquids;

(8) Underwriters’ Laboratories of Canada Standard ULC/ORD-C142.5-1992: Concrete encased steel

aboveground tank assemblies for flammable and combustible liquids; or

(9) American Petroleum Institute Standard API-650: Welded steel tanks for oil storage.”

20. The Regulation is amended by revoking section 136.

21. The Regulation is amended by inserting the following after section 137:

“**137.1** In an isolated location, an aboveground tank and the end of the dispensing hose of that tank shall at all times be at least 12 metres measured horizontally from any building or property line.”

22. The Regulation is amended in section 145 by substituting the following for the words “steel shut-off valve”:

“shut-off valve complying with Underwriters’ Laboratories of Canada Standard ULC-C842: Guide for the Investigation of Valves for Flammable and Combustible Fluids.”

23. The Regulation is amended by revoking section 148.

24. The Regulation is amended in section 150 by adding the following after the second paragraph:

“The first 2 paragraphs do not apply to tanks holding 50 000 litres or less and equipped with an overflow protection device complying with Underwriters’ Laboratories of Canada Standard ULC/ORD-C58.15-1992 “Overflow Protection Devices for Flammable Liquid Storage Tanks, if the tanks meet the requirements provided for in paragraphs 5, 6, 7 and 8 of section 133 or, in the case of double-wall tanks, if they meet the requirements provided for in paragraphs 1 and 3 of the same section.”

25. The Regulation is amended by substituting the following for the second and third paragraphs of section 157:

“Such imperviousness shall be ensured by a liner protected against loads and fire and complying with Underwriters’ Laboratories of Canada Standard ULC/ORD-C58.9-1993: Secondary Containment Liners for Underground and Aboveground Flammable and Combustible Liquids, by a compacted layer of homogeneous soil at least 3 metres thick where the water permeability coefficient of the soil is equal to or less than 10^{-6} cm/sec., or by a construction made of concrete or of another incombustible material, provided that the construction is approved by an engineer.”

26. The Regulation is amended by substituting the following for section 184:

“A vent pipe shall be higher than the fill pipe and shall be not less than 3.5 metres from the ground in the case of a Class 1 petroleum products tank and 2 metres therefrom in the case of a Class 2 or Class 3 petroleum products tank, shall be not less than 1.5 metres measured horizontally from any building opening in the case of a Class 1 petroleum products tank and 600 millimetres therefrom in the case of a Class 2 or Class 3 petroleum products tank, and shall empty outside the buildings in such manner that flammable vapours cannot enter through openings or accumulate near buildings.

The end of a vent pipe of an underground tank containing a Class 1 petroleum product shall be situated at least 7.5 metres measured horizontally from any fuel dispenser.”.

27. The Regulation is amended by substituting the following for section 205:

“Where all the piping is ready to be connected to the tank, the piping shall be pressure tested in accordance with section 205.1 in the case of single-wall piping or with sections 205.2 and 205.3 in the case of double-wall piping.”.

28. The Regulation is amended by inserting the following after section 205:

“**205.1** The pressure testing of single-wall piping shall be conducted as follows:

(1) the ends of the pipes shall be plugged, after a joint compound or tape described in section 174 has been applied thereto;

(2) the pressure shall be measured using a pressure gauge calibrated in units of not more than 10 kilopascals;

(3) air or nitrogen hydrostatic pressure, of not less than 350 kilopascals and not more than 700 kilopascals shall be applied. Notwithstanding the foregoing, the suction pipes of the piping conveying heating oil or fuel intended to supply an electricity generating system and covered by Standards Council of Canada Standard CAN/CSA-B139-M91: Installation Code for Oil Burning Equipment” may be tested in a vacuum of at least 68 kilopascals; and

(4) each connection and all pipe surfaces shall be tested for leaks, using leak detection fluid.

Once the temperature has been stabilized and the pressure source removed, the pressure applied shall be maintained for at least one hour.

205.2 The inner wall of double-wall piping shall be pressure tested in accordance with section 205.1.

Notwithstanding the foregoing, where the installation of the piping makes it impossible to test all pipe surfaces as required in subparagraph 4 of the first paragraph of section 205.1, only accessible parts shall be tested using leak detection fluid.

205.3 The outer wall of double-wall piping shall be pressure tested according to the manufacturer’s recommendations.”.

29. The Regulation is amended by substituting the following for section 206:

“Once the tests prescribed in section 205 have been conducted and the piping has been connected to the tank, the connections of single-wall piping or the connections of the inner wall of double-wall piping that have not been tested shall be air pressure tested in accordance with section 207 or shall be nitrogen pressure tested.

The test shall be conducted as follows:

(1) a safety valve of not more than 40 kilopascals capable of evacuating the flow from the pressure source shall be installed and inspected before each test;

(2) the pressure shall be measured using a pressure gauge calibrated in units of not more than one kilopascal;

(3) a pressure of not less than 30 kilopascals and not more than 35 kilopascals shall be applied over the entire installation; and

(4) using leak detection fluid, the connections between the tank and piping shall be tested for leaks while the entire installation is under pressure.

Once the temperature has been stabilized and the pressure source removed, the pressure shall be maintained for one hour.”.

30. The Regulation is amended by substituting the following for section 254:

“Every underground fuel storage system, except a system intended to supply an electricity generating system, shall be equipped with an overflow protection device complying with Underwriters’ Laboratories of Canada

Standard ULC/ORD-C58.15-1992: Overfill Protection Devices for Flammable Liquid Storage Tanks and with a spill containment device complying with Underwriters' Laboratories of Canada Standard ULC/ORD-C58.19-1992: Spill Containment Devices for Underground Flammable Liquid Storage Tanks.

The first paragraph applies from 1 January 1998 to any underground storage system already installed in the case of an operator, and from 1 January 2001 for a user, but does not require the replacement of overfill protection and spill containment devices already installed.”.

31. The Regulation is amended by revoking section 255.

32. The Regulation is amended by inserting the following Division after section 260:

**“DIVISION 5.1
REMOVAL OF UNDERGROUND TANKS
AND THEIR PIPING**

260.1 An operator or owner who uses a steel underground tank that is not protected against corrosion according to section 97 shall remove it from the ground before

(1) 1 January 1993 if the tank was manufactured before 12 July 1966;

(2) 1 January 1995 if the tank was manufactured between 11 July 1966 and 12 July 1971;

(3) 1 January 1996 if the tank was manufactured between 11 July 1971 and 12 July 1974;

(4) 1 January 1997 if the tank was manufactured between 11 July 1974 and 12 July 1976; or

(5) 1 January 1998 if the tank was manufactured after 11 July 1976. Notwithstanding the foregoing, the operator or owner is not required to remove the underground tank from the ground if the assessment of the condition of that tank, as defined in Schedule 7, falls within zone 1 of the graph and if he protects it against corrosion in accordance with section 97.

Notwithstanding the foregoing, the operator or owner may remove a tank from the ground on a date later than that provided for in subparagraph 2, 3 or 4 of the first paragraph if the assessment of the condition of the tank, as defined in Schedule 7, falls within zone 2, 3 or 4 of the graph. The tank shall then be removed not later than the time specified in paragraph 3 of that Schedule.

260.2 A user or owner who uses an underground steel tank that is not protected against corrosion according to section 97 shall remove it from the ground before

(1) 1 January 1996 if the tank was manufactured before 12 July 1966;

(2) 1 January 1998 if the tank was manufactured between 11 July 1966 and 12 July 1971;

(3) 1 January 1999 if the tank was manufactured between 11 July 1971 and 12 July 1974;

(4) 1 January 2000 if the tank was manufactured between 11 July 1974 and 12 July 1976; or

(5) 1 January 2001 if the tank was manufactured after 11 July 1976. Notwithstanding the foregoing, the operator or owner is not required to remove the underground tank from the ground if the assessment of the condition of that tank, as defined in Schedule 7, falls within zone 1 of the graph and if he protects it against corrosion in accordance with section 97.

Notwithstanding the foregoing, the operator or owner may remove a tank from the ground on a date later than that provided for in subparagraph 2, 3 or 4 of the first paragraph if the assessment of the condition of the tank, as defined in Schedule 7, falls within zone 2, 3 or 4 of the graph. The tank shall then be removed not later than the time specified in paragraph 3 of that Schedule.

260.3 Where an underground tank must be replaced or where cathodic protection is added thereto, all steel piping that is not protected against corrosion and is connected thereto shall be removed from the ground. Notwithstanding the foregoing, the owner, operator or user is not required to remove piping from the ground if a pressure test complying with section 269 shows that it is impervious and if he protects it in accordance with the PACE-87-1 method of the Petroleum Association for Conservation of the Canadian Environment.

260.4 Where a petroleum product leaks out of steel underground piping that is not protected against corrosion and the tank connected thereto does not need to be removed under section 260.1 or 260.2, the entire length of the piping concerned shall be removed.”.

33. The Regulation is amended by revoking section 277.

34. The Regulation is amended in section 278 by adding the following at the end: “together with the following designations:

- Grade 1: Regular unleaded gasoline
- Grade 2: Mid-grade unleaded gasoline
- Grade 3: Premium unleaded gasoline
- Grade 4: Super premium unleaded gasoline.”.

35. The Regulation is amended by substituting the following for section 279:

“For facilities comprising underground tanks, the layout plans for the installations, such as the tanks, piping, buildings, motor fuel dispensers and electrical devices and, in the case of underground petroleum equipment situated less than 10 metres from the property line, the certificate of localization for the facility’s land, as registered in the official cadastre, shall be available on the premises of the facility within 24 hours.”.

36. The Regulation is amended in section 282

(1) by substituting the words “underground tanks or aboveground tanks that hold more than 5 000 litres and are used to store motor fuel,” for the words “motor fuel storage tanks”; and

(2) by inserting, in the third line, the words “available on the premises of the facility within 24 hours,” after the word “operations”.

37. The Regulation is amended in section 287 by substituting the following for the text preceding paragraph 1:

“An operator shall gauge the used oil tank on a monthly basis and shall keep the following information in the register of operations for 2 years:”.

38. The Regulation is amended by revoking section 301.

39. The Regulation is amended by substituting the following for section 304:

“The storage of fuel in an aboveground tank is prohibited, except for the supply of

- (1) vehicles in an isolated location that is not included within the limits of a municipality;
- (2) all-terrain vehicles, snowmobiles or other vehicles of the same kind;
- (3) vehicles in an user outlet;
- (4) aircrafts and boats; or

(5) vehicles on a territory situated north of the 50th parallel and east of the 63rd meridian or situated north of the 53rd parallel.”.

40. The Regulation is amended in section 309

(1) by inserting the words “, except those affixed to a tank,” after the word “dispenser” in the first line;

(2) by substituting the following for the second paragraph:

“Any island, except where it is situated on a floating quay, shall be equipped under each dispenser with a collector box built in accordance with Underwriters’ Laboratories of Canada Standard ULC/ORD-C107.21-1992: Under Dispenser Sumps or incorporated into a storage system complying with Underwriters’ Laboratories of Canada Standard ULC-S653-94: Standard for aboveground steel contained tank assemblies for flammable and combustible liquids.”;

(3) by substituting the words and numbers “1 January 1988 for an operator and from 1 January 2001 for a user and does not apply to collector boxes already installed” for the date “11 July 1994” in the third line of the third paragraph; and

(4) by adding the following after the third paragraph:

“Notwithstanding the foregoing, the third paragraph does not apply where work is being carried out on the piping under the island.”.

41. The Regulation is amended by substituting the following for section 310:

“The fuelling areas, except those intended to supply off-road vehicles or farm equipment or those intended to be used for a single period of less than one year, shall be impervious to petroleum products over a surface extending at least 3 metres from the front and at least 1.5 metres from the sides of each motor fuel dispenser, measured from the centre of the dispenser.

Imperviousness may be obtained using either a reinforced concrete apron or an asphalt layer treated to make it resistant and impervious to petroleum products.

The preceding paragraphs apply from 1 January 1998 to an operator’s fuelling area built before 11 July 1991 and from 1 January 2001 to a user’s tanks having a capacity of more than 2 500 litres.”.

42. The Regulation is amended in section 315 by substituting the number “25” for the number “18” in the second line of the second paragraph.

43. The Regulation is amended by inserting the following after section 317:

“**317.1** Where a submersible pump is used or where a tank is situated at a level higher than the base of a motor fuel dispenser, a fuse safety valve not exceeding 70° Celsius shall be used and shall be firmly attached to the island.

The shear point of that valve shall be situated below the motor fuel dispenser, less than 25 millimetres from its base.

317.2 An owner, user or operator shall, every year, test the operation of each fuse safety valve or have such test conducted. The test shall be conducted according to the method recommended by the manufacturer of each valve.

The owner, user or operator shall keep, in the register of operations, certification that the valves are in good working order. That certification shall be available within 24 hours of an application to the facility and shall comprise

- (1) identification of the facility;
- (2) identification of the equipment;
- (3) the date of the test;
- (4) identification of the person who issued the certification.”.

44. The Regulation is amended by revoking section 319.

45. The Regulation is amended by revoking section 326.

46. The Regulation is amended by revoking section 329.

47. The Regulation is amended in section 342 by substituting the number “25” for the number “18” in the second line.

48. The Regulation is amended in section 402 by inserting the words “connected to an underground tank” after the word “dispenser” in the first line.

49. The Regulation is amended by inserting Division 8 entitled “Operator outlets in isolated locations” and the following sections after section 404:

“**404.1** An operator’s aboveground motor fuel tank shall be situated at least 15 metres measured horizontally from any building and from any property line.

404.2 An operator’s aboveground motor fuel tank situated within the limits of a municipality shall be fenced in accordance with the requirements of sections 471, 472, 474 and 476.”.

50. The Regulation is amended by deleting the heading “isolated consumer outlets” after section 404 and by deleting sections 405 to 412.

51. The Regulation is amended by revoking section 421.

52. The Regulation is amended in section 531 by inserting the following paragraph after the first paragraph:

“Notwithstanding the foregoing, for 1994, the indexing provided for in the first paragraph does not apply to registration certificates.”.

53. The Regulation is amended by substituting Schedule 1 attached hereto for Schedule 1.

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

SCHEDULE 1**PETROLEUM PRODUCTS QUALITY STANDARDS**

1.0 Gasoline

1.1 Gasoline shall be clear and free of undissolved water, sediment and suspended matter.

1.2 Gasoline shall meet the following base physico-chemical specifications:

Specifications	Grade 1	Grade 2	Grade 3	Grade 4	ASTM method
Average octane number (R+M)/2,min.	87.0 ¹	89.0	91.0	93.0	Set out in sections 1.5 and 1.6
Maximum sulphur content, mass %	0.15	0.15	0.15	0.15	D 1226, D 2622, D 3120 ² , D 4294
Maximum gum content, mg/100mL	5	5	5	5	D 381
Minimum oxidation stability, minutes	240	240	240	240	D 525
Corrosion (Cu strip) 3 hours at 50°C, max.	1	1	1	1	D 130
Maximum lead content, mg/L	5	5	5	5	D 3237 ² , D 3341
Maximum phosphorous content, mg/L	1.3	1.3	1.3	1.3	D 3231
Maximum manganese content, mg/L	18	18	18	18	D 3831
2-methoxy-tert-butane content (MTBE), max. % in vol.	11.0	11.0	11.0	11.0	D 4815

Notes: ¹ The engine octane number of Grade 1 gasoline shall not be more than 5.0 units below the anti-knock value indicated.² Reference method in case of dispute.

1.3 Volatility specifications for each type of gasoline shall meet the following requirements:

In this Schedule,

“Volatility A gasoline” means a summer gasoline;

“Volatility B gasoline” means a transition 1 gasoline;

“Volatility C gasoline” means a transition 2 gasoline;

“Volatility D gasoline” means a winter gasoline.

		Types				ASTM Test methods
		A	B	C	D	
Distillation temperature (°C) for an evaporation % of:						D 86
10 %	minimum	35	—	—	—	
	maximum	65	60	55	50	
50 %	minimum	70	70	70	70 ¹	
	maximum	120	117	113	110	
90 %	maximum	190	190	185	185	
Reid vapour pressure (kPa)						D 5191 ² D 323 D 5190 D 4953
	minimum	—	—	62	69	
	maximum	72	86	97	107	

NOTES: ¹ A 50 % evaporation rate for gasoline at a temperature greater than 65 °C but less than 70 °C may be acceptable if the vapour pressure is less than 97 kPa.

² Reference method in case of dispute.

1.4 For analysis purposes, a minimum sample of 4 litres shall be taken using the method indicated in standard ASTM D 4057.

1.5 To determine the conformity of a product with each specification, the last significant figure in any value read or calculated shall be rounded off according to the recommendation in the ASTM E 29 documentation booklet. The last figure on the right in values entered for each requirement in this standard shall be considered the last significant figure for the purposes of these rounding-off rules.

1.6 The average octane number shall be measured in accordance with standards ASTM D 2699 and ASTM D 2700 or ASTM D 2885. (R+M)/2 is calculated taking the arithmetic mean of the engine octane number (M) and the research octane number (R). The values for (R+M)/2 shall be rounded off to the nearest tenth.



FIGURE 1 — LIMITS OF USE ZONES MENTIONED IN TABLE 1

1.7 Only the types of gasoline listed in Table 1 may be available during the seasons and in the zones indicated in that Table.

TABLE 1
LOCAL AND SEASONAL REQUIREMENTS, BY TYPE OF GASOLINE¹

Zones ² Month	1 (South)	2 (Centre-West)	3 (Centre-East)	4 (North)	5 (Arctic)
January	D	D	D	D	D
February	D	D	D	D	D
March	D	D	D	D	D
April	D/C	D	D	D	D
May	B/A	C/A	C/A	C	D
June	A	A	A	B	D
July	A	A	A	B	C or D ³
August	A	A	A	B	C or D ³
September	A/B	A/C	A/B	C	D
October	C	C/D	C	D	D
November	D	D	D	D	D
December	D	D	D	D	D

Notes: ¹ The requirements for Types A, B, C and D apply to refineries for products intended for sale and to ports of entry⁴. Where 2 types are indicated, the first shall be provided during the first 2 weeks of the month; the second shall be provided until the end of the month.

² Corresponds to the zones indicated in Figure 1.

³ Type C gasoline is normally required, but because of delivery constraints, Type D is acceptable.

⁴ A point of entry is defined as a permanent or temporary tank or a cargo tank containing gasoline from outside Québec.

2.0 Diesel fuel

2.1 Diesel fuel shall be clear, stable and free of matter likely to clog filters and damage motors and of visible undissolved water.

2.2 Diesel fuel shall meet the following basic physico-chemical specifications:

TABLE 2

TABLE OF REQUIREMENTS

ASTM	Test methods		Requirements for each type					
	Properties	Measures	AA	A	B	C	D	E
D 974	Acidity	(mg KOH/g Max)	0.10	0.10	0.10	0.10	0.10	0.10
D 524	Carbon	(% mass Max)	0.15	0.15	0.20	0.20	0.20	0.20
D 482	Ash	(% mass Max)	0.01	0.01	0.01	0.01	0.01	0.01
D 130	Corrosion	(Max)	1	1	1	1	1	1
D 86	Distillation (°C Max)	90% rec.	290	315	360	360	360	360
D 1796	Water and sediment	(% volume Max)	0.05	0.05	0.05	0.05	0.05	0.05
D 613 ¹ D 976 D4737 CAN/CGSB-3.0, no. 20.9	Cetane index	(Min)	40	40	40	40	40	40
D 93	Flash point	(°C Min)	40	40	40	40	40	40
D 2500 ²	Cloud point	(°C Max)	-48	-34	-23	-18	-12	0
D 2624	Electrical conductivity	(pS/m Min)	25	25	25	25	25	25
D 1552	Sulphur	(% mass Max)	0.20	0.50	0.50	0.50	0.50	0.50
D 445	Viscosity 40 °C ° mm ² / _s (cSt)	(Min) (Max)	1.2	1.3 4.1	1.4 4.1	1.4 4.1	1.4 4.1	1.4 4.1

Notes: ¹ Reference method in case of dispute. Where additives intended to improve the cetane index are used, only the ASTM D613 method is acceptable.

² Where additives that make it possible to improve the flow of diesel fuel are used, the cloud point test shall be replaced by the low temperature flow test (LTFT) according to the CAN/CGSB-3.0 method, No. 140.1- M88.

TABLE 3

MONTHLY REQUIREMENTS FOR EACH ZONE

Zone	January	February	March	April	May	June	July	August	September	October	November	December
1	B	B	C	E	E	E	E	E	E	D	C	B
2	A	B	C	E	E	E	E	E	E	D	C	B
3	A	A	B	C/D	D/E	E	E	E	E	D	C/B	A
4	A	A	A	B	D	E	E	E	E	C	B	A
5	AA	AA	AA	A	B	C	D	D	C	A	A	AA

Notes: ¹ The zones correspond to the zones in Figure 2.

² Cloud points differing as to storage and use conditions may be specified in a written agreement between the user and the supplier.

³ Where 2 types are indicated, the first shall be provided during the first 15 days of the month and the second until the end of the month.

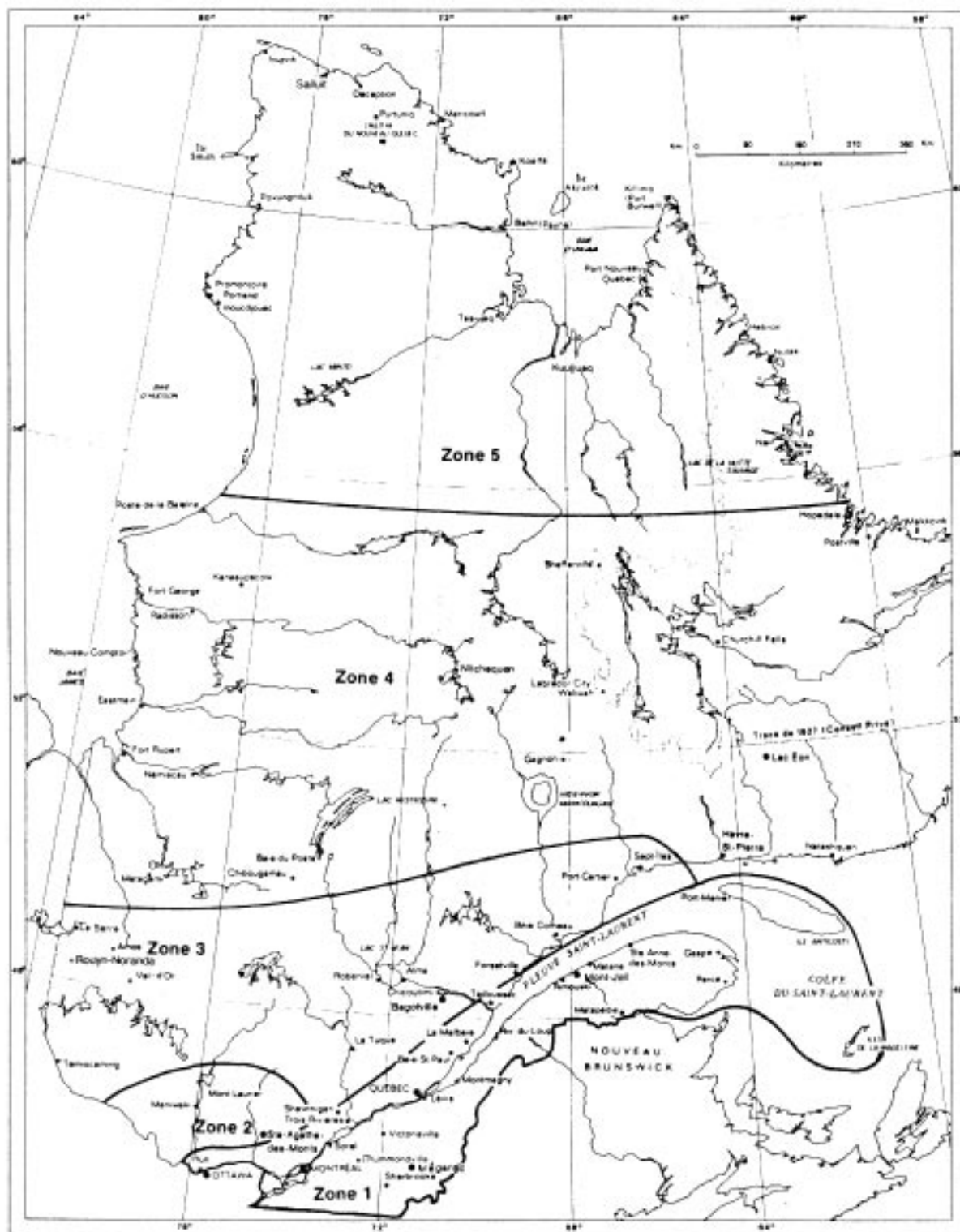


FIGURE 2 — MAP ILLUSTRATING LIMITS OF USE ZONES FOR THE VARIOUS TYPES OF DIESEL FUEL

3.0 Aviation fuel

3.1 Aviation fuel shall meet the applicable standard of the Canadian General Standards Board:

1. 1100LL aviation gasoline: CAN/CGSB-3.25-M89 Standard
2. wide-cut type aviation turbine fuel: CAN/CGSB-3.22-93 Standard
3. kerosene type aviation turbine fuel: CAN/CGSB-3.23-93 Standard
4. high-flash type aviation turbine fuel: CGSB 3-GP-24Ma Standard

4.0 Heating oil

4.1 Heating oil shall be composed of hydrocarbons derived from petroleum and shall be homogeneous.

4.2 Heating oil shall also meet the standards set out in Table 4:

TABLE 4
TABLE OF REQUIREMENTS FOR HEATING OIL

Test methods			Requirements						
ASTM	Properties	Measures	00	0	1	2	4	5	6
D 524	Carbon	(% Mass Max)	0.15	0.15	0.15	0.35	—	—	—
D 482	Ash	(% Mass Max)	—	—	—	—	0.10	0.10	—
D 130	Corrosion	(Max)	1	1	1	1	—	—	—
D 1298	Density 15°C	(kg/l Max)	—	0.850	0.850	0.900	—	—	—
D 86	Distillation (°C Max)	10 % rec. 90 % rec.	— 290	215 290	215 315	— 360	— —	— —	— —
D 1796 ¹	Water and sediment	(% volume Max)	0.01	0.05	0.05	0.05	0.50	1.00	2.0 0
D 93	Flash point	(°C Min)	40	40	40	40	54	54	60
D 2500	Cloud point	(°C Max)	-48	(2)	(2)	(2)	(2)	—	—
D 97	Pour point	(°C Max)	-51	(2)	(2)	(2)	(2)	—	—
D 1266 or D 1552 or D 4294	Sulphur	(% Mass, Max)	0.2	0.5	0.5	0.5	—	—	—
D 445	Viscosity 40°C (cSt)	(Min) (Max)	1.2 —	1.3 2.	1.4 3.6	1.6 3.6	5.5 24.0	— —	— —
D 445	Viscosity 50°C (cSt)	(Min) (Max)	— —	— —	— —	— —	— —	17.1 80	92 638
D 2624	Electric conductivity	(pS/m Min)	25	25	25	25	—	—	—

Notes: ¹ The ASTM D 95 and D 473 methods are also used, depending of the type of heating oil.

² The pour point and the cloud point shall be specified according to storage and use conditions. If the cloud point is less than -18°C, viscosity shall not be less than 1.2 mm²/s (cSt).

5.0 Dispute

5.1 Where parties obtain different test results, the dispute shall be settled by using the ASTM D 3244 method to determine whether the product complies with the specifications.

5.2 For the ASTM D 3244 method, a $P = 0.950$ factor shall be used for all the specifications, except for the vapour pressure measurements of gasoline (ref. s. 1.3) and the sulphur content measurements of distillates (ref. ss. 2.2 and 4.2), in which case a $P = 0.700$ factor shall be used.

6.0 Prescribed requirements

The prescribed requirements shall not be departed from. The margins of error inherent to the test methods and the rounding-off of the results of those test methods shall not be used.

9581

Gouvernement du Québec

O.C. 110-96, 24 January 1996

Health Insurance Act
(R.S.Q., c. A-29)

Hearing devices — Amendment

Regulation to amend the Regulation respecting hearing devices insured under the Health Insurance Act

WHEREAS under subparagraph *h.2* of section 69 of the Health Insurance Act (R.S.Q., c. A-29), as amended by section 15 of Chapter 8 of the Statutes of 1994, the Government may, after consultation with the Board or upon its recommendation, make regulations to determine the hearing aids which are to be considered insured services for the purposes of the seventh paragraph of section 3 of the Act and fix the cost of purchase, fitting, replacement or repair thereof;

WHEREAS under Order in Council 869-93 dated 16 June 1993, the Government made the Regulation respecting hearing devices insured under the Health Insurance Act and it is expedient to amend it;

WHEREAS the Régie de l'assurance-maladie du Québec has been consulted regarding the amendments;

WHEREAS under section 69.0.1 of the Health Insurance Act, as amended by section 16 of Chapter 8 of the Statutes of 1994, a regulation adopted in particular under subparagraph *h.2* of section 69 of the Act following a contract with a supplier pursuant to section 3.1 of the Act is not subject to the provisions concerning the obli-

gation of publication and the date of coming into force which are set out in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS it is expedient to make the Regulation attached to this Order in Council;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting hearing devices insured under the Health Insurance Act, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting hearing devices insured under the Health Insurance Act

Health Insurance Act
(R.S.Q., c. A-29, s. 69, 1st par., subpar. *h.2*)

1. The Regulation respecting hearing devices insured under the Health Insurance Act, made by Order in Council 869-93 dated 16 June 1993 and amended by the Regulations made by Orders in Council 1471-93 dated 20 October 1993, 1593-94 dated 9 November 1994, 475-95 dated 5 April 1995, 738-95 dated 31 May 1995 and 1395-95 dated 25 October 1995, is further amended, in Subdivision 2 of Division I of Chapter V, by adding, at the beginning of the list of models appearing under the name of the manufacturer DANALAB ENR. "GN DANAVOX", the following model: