

Gouvernement du Québec

**O.C. 492-2000, 19 April 2000**

Environment Quality Act  
(R.S.Q., c. Q-2; 1999, c. 75)

**Management of residual materials  
— Amendments**

Regulation to amend various regulatory provisions relating to the management of residual materials

WHEREAS the Act to amend the Environment Quality Act and other legislation as regards the management of residual materials (1999, c. 75) was assented to on 16 December 1999;

WHEREAS sections 31, 46, 53, 53.30, 70, 70.19 and 109.1 of the Environment Quality Act (R.S.Q., c. Q-2), amended by Chapter 75 of the Statutes of 1999, confer on the Government the power to make regulations respecting the matters set forth in those sections;

WHEREAS under section 55 of the Act to amend the Environment Quality Act and other legislation as regards the management of residual materials, its provisions will come into force on the date or dates fixed by the Government;

WHEREAS the Government fixed 1 May 2000 as the date of coming into force of those provisions, with the exception of Subdivision 2 of Division VII of Chapter I of the Environment Quality Act, enacted by section 13;

WHEREAS the coming into force of those provisions requires that various consequential amendments, of a terminological or technical nature, resulting from those provisions, be made to the regulations under the Environment Quality Act;

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

WHEREAS under section 18 of that Act, a regulation may come into force within a period shorter than that applicable under section 17 of that Act, where the authority that has made it is of the opinion that the urgency of the situation requires it;

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

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

— the amendments provided for in the Regulation attached hereto are consequential amendments of a terminological or technical nature that are required for the coming into force of the Act to amend the Environment Quality Act and other legislation as regards the management of residual materials on 1 May 2000;

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

THAT the Regulation to amend various regulatory provisions relating to the management of residual materials, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

**Regulation to amend various regulatory provisions relating to the management of residual materials**

Environment Quality Act  
(R.S.Q., c. Q-2, ss. 31, 46, 53, 53.30, 70, 70.19 and 109.1; 1999, c. 75, ss. 13 and 29)

1. The purpose of this Regulation is to harmonize the regulations made under the Environment Quality Act with the Act to amend the Environment Quality Act and other legislation as regards the management of residual materials (1999, c. 75) by making consequential amendments of a terminological or technical nature resulting from that Act, to those Regulations in order to make it applicable as soon as possible.

**Regulation respecting the application of the Environment Quality Act<sup>1</sup>**

2. The Regulation respecting the application of the Environment Quality Act is amended

(1) by striking out “, 54, 55” in section 4;

(2) by substituting the words “residual materials” for the word “waste” in section 13.

<sup>1</sup> The Regulation respecting the application of the Environment Quality Act, made by Order in Council 1529-93 dated 3 November 1993 (1993, *G.O.* 2, 5996), was amended by the Regulations made by Orders in Council 305-97 dated 12 March 1997 (1997, *G.O.* 2, 1251) and 1310-97 dated 8 October 1997 (1997, *G.O.* 2, 5199).

### Regulation respecting pits and quarries<sup>2</sup>

3. The Regulation respecting pits and quarries is amended

(1) by substituting the words “residual materials” for the word “waste” wherever it appears in section 47 and by substituting “22” for “54” in the last sentence of the same section;

(2) by substituting the words “residual materials” for the word “waste” in section 48.

### Regulation respecting biomedical waste<sup>3</sup>

4. The Regulation respecting biomedical waste is amended

(1) by substituting “s. 70, pars. 1, 2, 5 and 8” for “s. 70, 1st par., subpars. *a* to *c*, *f* to *i*, *k* and *p*” in the enumeration of sections of the Environment Quality Act under the title of the Regulation and by adding “; 1999, c. 75, s. 29” at the end of the enumeration;

(2) by substituting “51” for “55” in the first paragraph of section 3 and by striking out the words “waste management” in the same paragraph;

(3) by substituting the word “facility” for the words “waste management system” in the part of section 13 preceding paragraph 1;

(4) by striking out the words “waste management” in the part of section 14 preceding paragraph 1;

(5) by substituting the following for the second paragraph of section 15:

“The operator of a facility that treats biomedical waste by disinfection or incineration off its generation site, of a facility that stores biomedical waste off its generation site or of a system that transports biomedical waste shall, on that date, prepare a report in the form in Schedule II.”;

(6) by substituting the word “facility” for the words “waste management system” in section 18;

(7) by striking out “54,” in section 20;

(8) by substituting the words “residual materials” for the word “waste” at the end of section 21;

(9) in section 24

(a) by substituting the words “certificate of authorization for the operation of a facility that treats biomedical waste by incineration or that stores” for the words “permit for the operation of a waste management system that treats biomedical waste by incineration or that shores” in the first paragraph;

(b) by substituting the words “certificate of authorization for the operation of a facility” for the words “permit for the operation of a waste management system” in the second paragraph;

(10) by substituting the words “certificate of authorization for the operation of a system” for the words “permit for the operation of a biomedical waste management system” in section 25;

(11) by substituting the word “facility” for the words “waste management system” in section 27 and by substituting the words “d’entreposage” for the words “qui comporte l’entreposage” in the same section in the French text;

(12) by substituting the word “facility” for the words “waste management system” in section 29;

(13) by substituting the word “facility” for the words “waste management system” in section 32;

(14) by substituting the word “facility” for the words “waste management system” in the heading of Subsubdivision 5 that follows section 34 and the words “d’entreposage” for the words “l’entreposage” in the French text;

(15) by substituting the word “facility” for the words “waste management system” in section 35 and the words “d’entreposage” for the words “l’entreposage” in the same section in the French text;

(16) in section 36

(a) by substituting the word “facility” for the words “waste management system” in the part preceding paragraph 1 and the words “d’entreposage” for the words “l’entreposage” in the French text;

(b) by substituting the words “residual materials” for the word “waste” in paragraph 2;

<sup>2</sup> The Regulation respecting pits and quarries (R.R.Q., 1981, c. Q-2, r. 2) was amended by the Regulation made by Order in Council 657-96 dated 5 June 1996 (1996, *G.O.* 2, 2717).

<sup>3</sup> The Regulation respecting biomedical waste, made by Order in Council 583-92 dated 15 April 1992 (1992, *G.O.* 2, 2503), was amended by the Regulations made by Orders in Council 787-96 dated 26 June 1996 (1996, *G.O.* 2, 2931) and 1310-97 dated 8 October 1997 (1997, *G.O.* 2, 5199).

(17) by striking out the words “*Waste management*” in the heading of Subdivision 4 of Division II;

(18) by striking out the words “waste management” in section 37;

(19) by striking out the words “and indicating the number of the permit issued under section 55 of the Act” in section 38;

(20) by striking out the words “CERTIFICATE OF COMPLIANCE,” and “AND OPERATING PERMIT” in the heading of Division III;

(21) by striking out the words “*Certificate of compliance and*” in the heading of Subdivision 1 of Division III;

(22) in section 46

(a) by substituting the word “authorization” for the word “compliance” and the words “facility that stores, treats biomedical waste by incineration or a system that” for the words “waste management system that stores, treats by incineration or” in the part preceding paragraph 1;

(b) by substituting the words “documents required under other provisions of the Act or its regulations” for the words “document required by the second paragraph of section 54 of the Act” in paragraph 2;

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

“(2.1) provide an attestation approved by an engineer within the meaning of section 1 of the Engineers Act (R.S.Q., c. I-9), according to which the planned design and operation of the equipment does not contravene the Act or its regulations;”;

(23) in section 47

(a) by substituting the word “authorization” for the word “compliance” in the part preceding paragraph 1 and the word “facility” for the words “waste management system”;

(b) by substituting the word “facility” for the words “waste management system” in paragraph 6;

(c) by substituting the word “facility” for the words “waste management system” and the words “other residual materials” for the words “other waste” in paragraph 12;

(d) by adding the following second paragraph at the end:

“In addition, where the application for a certificate of authorization made by a person concerns a facility that treats biomedical waste by incineration off its generation site, it must come together with the guarantee referred to in section 56.”;

(24) in section 48

(a) by substituting the word “authorization” for the word “compliance” in the part preceding paragraph 1;

(b) by striking out the words “waste management” in the same part;

(25) by substituting the word “authorization” for the word “compliance” in the first paragraph of section 49;

(26) by substituting the word “authorization” for the word “compliance” and “55” for “54” in section 50;

(27) in section 51

(a) by substituting “55” for “22” in the first paragraph and the word “facility” for the words “waste management system”;

(b) by substituting the word “facility” for the words “waste management system” and the words “other residual materials” for the words “other waste” in the third paragraph;

(28) by substituting the following for the heading of Subdivision 2 of Division III:

**“DIVISION III.1  
GUARANTEE”;**

(29) by revoking sections 52 to 55;

(30) by substituting the following for the first paragraph of section 56:

“**56.** The operation by a person of a facility that treats biomedical waste by incineration off its generation site is subject to the setting up of a guarantee complying with sections 57 to 61. The guarantee shall be kept in force for all the duration of the operation.”;

(31) in section 57

(a) by substituting the word “operator” for the words “permit holder” in paragraph 1;

(b) by striking out “59,” in paragraph 2;

(32) by substituting the word “operator” for the words “applicant for an operating permit or for renewal thereof” and the word “operator” for the word “applicant” in the part in section 58 preceding paragraph 1;

(33) by substituting the words “duration of the operation” for the words “term of the permit” and the words “final termination of the operation” for the words “expiry or revocation of the operating permit” in section 59;

(34) in section 60

(a) by substituting the word “operator” for the words “holder of the operating permit” wherever they appear in the second paragraph;

(b) by substituting the word “operator” for the word “holder” wherever it appears in the last paragraph;

(35) by revoking sections 62 and 63;

(36) in section 64

(a) by striking out the words “, a certificate of compliance or an operating permit,”;

(b) by substituting the words “an operator” for the words “a holder of an operating permit”;

(37) by striking out any reference to the permit number in Schedule IV.

#### **Regulation respecting solid waste<sup>4</sup>**

5. The Regulation respecting solid waste is amended

(1) by substituting “53.30” for “54” in the enumeration of sections of the Environment Quality Act under the title of the Regulation and by adding “; 1999, c. 75, ss. 13, 14 and 29” at the end of the enumeration;

(2) by striking out paragraphs *b* and *o* in section 1;

(3) in section 3

(a) by inserting the words “, in addition to those required under other provisions of the Act or its regulations,” after the word “include” in the part preceding subparagraph *a* of the first paragraph;

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

“(h) in the case of an application for a certificate made by a person, the guarantee prescribed by section 17.”;

(4) by revoking sections 8 and 11 to 16;

(5) by substituting the word “GUARANTEE” for the word “PERMITS” in the heading of Division III;

(6) by substituting the words “The operation of an elimination or storage site by a person is subject to the setting up of a guarantee” for the words “All applications for new permits or for the renewal of existing ones must include a guarantee” in the first paragraph of section 17;

(7) by striking out the words “valid for a shorter period of time than that of the permit” in the first paragraph of section 18 and by substituting the word “operation” for the words “validity of the permit” and the words

“final termination of the operation” for the words “expiry or revocation of the permit” in the same paragraph;

(8) by striking out “59,” in the first paragraph of section 19;

(9) by substituting the word “operator” for the words “permit holder” wherever they appear in section 20;

(10) by substituting the words “after the final termination of the operation” for the words “on expiry of his permit” in section 21;

(11) by revoking section 22;

(12) by striking out the second paragraph of section 40;

(13) by striking out the words “or permit” in subparagraph *c* of the first paragraph of section 93;

(14) by substituting the words “APPORTIONMENT OF COSTS AMONG THE MUNICIPALITIES” for the words “INTERMUNICIPAL WASTE MANAGEMENT SYSTEM” in the heading of Division XIII;

<sup>4</sup> The Regulation respecting solid waste (R.R.Q., 1981, c. Q-2, r. 3.2) was last amended by the Regulation made by Order in Council 1036-98 dated 12 August 1998 (1998, *G.O.* 2, 3695). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

(15) by substituting the words “of a residual materials elimination facility ” for the words “of a waste management system or a part thereof” in the part of section 111 preceding paragraph *a*;

(16) by striking out the words “a permit or” and “permit or” in section 117;

(17) by striking out the words “permit or” in the first paragraph of section 118 and by striking out the words “a permit or”, “permit or” and “section 59 of” in the second paragraph of the same section;

(18) by revoking Division XV including sections 119 to 122;

(19) in section 127

(a) by substituting “55 to 58” for “54, 55, 56, 58, 59 and 64” in the first paragraph;

(b) by striking out the second paragraph;

(c) by substituting “55 to 58” for “54, 55, 56, 58, 59 and 64” and the words “residual materials elimination or reclamation facilities” for the words “waste management systems or parts thereof” in the third paragraph;

(d) by substituting “55 to 58” for “54, 55, 56, 59 and 64” in the fourth paragraph;

(e) by striking out the second sentence in the fourth paragraph;

(f) by deleting the last paragraph;

(20) by substituting “55 to 66” for “54 to 68” in section 128;

(21) by substituting “55” for “54” in section 130;

(22) by substituting “55 to 66” for “54 to 68” in the second paragraph of section 131;

(23) in section 136

(a) by striking out the words “permit or” in subparagraph *c* of the first paragraph;

(b) by striking out the words “permit, certificate or” in the second paragraph;

(24) by substituting “17 to 21” for “11 to 22” and “12 to 22” in section 137.

### Regulation respecting used tire storage<sup>5</sup>

6. The Regulation respecting used tire storage is amended

(1) by substituting “s. 53.30, 1st par., subpars. 1, 2, 4, s. 70, pars. 1, 2, 5 and 8” for “s. 70, 1st par., subpars. *a* to *d, f* and *g*” in the enumeration of sections of the Environment Quality Act under the title of the Regulation and by adding “; 1999, c. 75, ss. 13, 14 and 29” at the end of the enumeration;

(2) by substituting the word “AUTHORIZATION” for the word “COMPLIANCE” in the heading of Division II;

(3) in section 2

(a) by substituting the word “authorization” for the word “compliance” and the words “or information required under the Environment Quality Act (R.S.Q., c. Q-2) or other regulations made thereunder” for the words “required under section 54 of the Environment Quality Act (R.S.Q., c. Q-2)” in the part preceding paragraph 1;

(b) by inserting the words “, the phases of the carrying out” after the words “the location” in subparagraph *e* of paragraph 9;

(4) by substituting the word “authorization” for the word “compliance” in section 3;

(5) by substituting the word “authorization” for the word “compliance” in section 4;

(6) by substituting the word “authorization” for the word “compliance” and “22” for “54” in section 5;

(7) by revoking the heading of Division III and sections 6 to 11;

(8) by striking out the words “operating permit or” in section 12 and by substituting the word “authorization” for the word “compliance” and the words “holder of a certificate of authorization” for the words “operating permit holder”;

(9) in section 13

(a) by substituting the following for the first paragraph:

<sup>5</sup> The Regulation respecting used tire storage was made by Order in Council 29-92 dated 15 January 1992 (1992, *G.O.* 2, 485) and has not been amended since.

“13. The operation of a storage site by a person is subject to the setting up of a guarantee complying with the provisions of sections 14 to 20. The guarantee must be sent to the Minister before the storage site is in operation.”;

(b) by substituting the words “duration of the operation” for the words “term of the permit” in the second paragraph;

(10) by striking out the words “referred to in the permit” in paragraph 1 of section 14 and by striking out “59,” in paragraph 2 of the same section;

(11) by substituting the words “the operator” for the words “a person applying for the issue or the renewal of a permit” and the word “operator” for the word “person” in the part of section 15 preceding paragraph 1;

(12) by substituting the words “duration of the operation” for the words “term of the permit” in section 16 and the words “closure of the operation” for the words “expiry or revocation of the permit” and by striking out the words “referred to in the permit” in the same section;

(13) in section 17

(a) by substituting the word “operator” for the words “permit holder” and the words “the closure of its operation” for the words “expiry of the permit” in the part preceding subparagraph 1 of the first paragraph;

(b) by substituting the word “operator” for the words “permit holder” in the second paragraph;

(14) in section 18

(a) by substituting the words “an operator” for the words “a permit holder” wherever they appear in the second paragraph;

(b) by striking out the words “referred to in the permit” in the same paragraph;

(c) by substituting the word “operator” for the words “permit holder” in the third paragraph;

(15) by striking out “7,” in the first and second paragraphs of section 45.

## Regulation respecting pulp and paper mills<sup>6</sup>

7. The Regulation respecting pulp and paper mills is amended

(1) by substituting “s. 53.30, 1st par., subpars. 1, 2 and 4, s. 70, pars. 1, 2, 5 and 6” for “s. 55, s. 70, subpars. *a* to *d*, *f* to *h* and *k*” in the enumeration of sections of the Environment Quality Act under the title of the Regulation and by adding “; 1999, c. 75, ss. 13 and 29” at the end of the enumeration;

(2) by substituting the words “facility for the storage, final deposit by burial in a landfill or treatment by combustion or composting of mill waste” for the words “mill waste management system comprising storage, final deposit by burial in a landfill or treatment by combustion or composting” in section 92;

(3) by substituting the words “facility that treats mill waste by combustion” for the words “mill waste management system comprising treatment by combustion” in section 98;

(4) by substituting the words “facility that treats” for the words “waste management system comprising treatment of” in the first paragraph of section 102;

(5) by substituting the words “facility that treats mill waste by composting” for the words “mill waste management system comprising treatment by composting” in section 105;

(6) by substituting the words “facility for treatment by composting” for the words “waste management system” in section 106 and by substituting the word “*établie*” for the word “*établi*” in the French text of the same section;

(7) by substituting the words “facility for the final deposit of mill waste by burial in a landfill” for the words “waste management system comprising final deposit by burial in a landfill” in section 111;

(8) by substituting the following for the part of section 112 preceding paragraph 1:

<sup>6</sup> The Regulation respecting pulp and paper mills, made by Order in Council 1353-92 dated 16 September 1992 (1992, *G.O.* 2, 4453), was last amended by the Regulation made by Order in Council 674-98 dated 20 May 1998 (1998, *G.O.* 2, 2113). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

“112. No facility for the final deposit of mill waste by burial in a landfill may be established or expanded.”;

(9) by substituting the words “storage facility” for the words “management system comprising storage” in section 132;

(10) by substituting the word “*authorization*” for the word “*compliance*” in the heading of Subdivision 6 of Division VI;

(11) in section 139

(a) by substituting the word “authorization” for the word “compliance” and the words “facility for the storage, final deposit by burial in a landfill or treatment by combustion or by composting of mill waste” for the words “mill waste management system comprising storage, treatment by combustion or by composting or final deposit by burial in a landfill site” in the part preceding paragraph 1;

(b) by inserting the words “, in addition to those required under other provisions of the Act or its regulations,” after the word “provide” in paragraph 2;

(12) in section 140

(a) by substituting the word “facility” for the words “waste management system” in paragraph 10;

(b) by deleting paragraph 11;

(13) by substituting the words “facility that stores or treats mill waste by combustion or composting” for the words “mill waste management system comprising storage or treatment by combustion or by composting” in the part of section 143 preceding paragraph 1;

(14) by substituting the word “authorization” for the words “compliance” in the first paragraph of section 144;

(15) by substituting the words “authorization for a facility for the storage, treatment or final deposit of mill waste” for the words “compliance for a waste management system comprising storage, treatment or final deposit” and “22” for “54” in section 145;

(16) by revoking sections 146 to 150;

(17) by substituting the words “authorization” for the words “compliance or an operating permit” in section 151 and by striking out the words “or permit” in the same section;

### **Regulation respecting hazardous materials and amending various regulatory provisions<sup>7</sup>**

8. The Regulation respecting hazardous materials and amending various regulatory provisions is amended by substituting the words “holder of a certificate of authorization issued under” for the words “permit holder issued under section 55 of” in subparagraph 1 of the first paragraph of section 118.

### **Regulation respecting the quality of the atmosphere<sup>8</sup>**

9. The Regulation respecting the quality of the atmosphere is amended by substituting the words “residual materials” for the word “waste” wherever it appears in the first paragraph of section 22.

10. This Regulation comes into force on 1 May 2000.

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Gouvernement du Québec

### **O.C. 512-2000, 19 April 2000**

Professional Code  
(R.S.Q., c. C-26)

### **Nursing extern — Professional acts that may be performed on certain terms and conditions**

Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions

WHEREAS under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order may, by regulation, determine, among the professional acts that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, and the terms and conditions on which such persons may engage in such acts;

<sup>7</sup> The Regulation respecting hazardous materials and amending various regulatory provisions was made by Order in Council 1310-97 dated 8 October 1997 (1997, *G.O.* 2, 5199) and has not been amended since.

<sup>8</sup> The Regulation respecting the quality of the atmosphere (R.R.Q., 1981, c. Q-2, r. 20) was last amended by the Regulation made by Order in Council 1310-97 dated 8 October 1997 (1997, *G.O.* 2, 5199). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.