

## Regulations and other acts

Gouvernement du Québec

### O.C. 1031-2000, 30 August 2000

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

#### Environmental impact assessment and review — Amendments

Regulation to amend the Regulation respecting environmental impact assessment and review

WHEREAS under paragraph *h.1* and *h.2* of section 31 and subparagraph *a* of the first paragraph of section 31.9 of the Environment Quality Act (R.S.Q., c. Q-2), amended by chapters 40 and 75 of the Statutes of 1999, the Government may make regulations on the matters mentioned therein;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting environmental impact assessment and review was published in Part 2 of the *Gazette officielle du Québec* of 9 February 2000, with a notice that it could be made by the Government upon the expiry of 60 days following that publication;

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

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

THAT the Regulation to amend the Regulation respecting environmental impact assessment and review, attached to this Order in Council, be made.

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

#### Regulation to amend the Regulation respecting environmental impact assessment and review\*

Environment Quality Act  
(R.S.Q., c. Q-2, s. 31, pars. *h.1* and *h.2*, s. 31.9, first par., subpar. *a*; 1999, c. 40, s. 239; 1999, c. 75, s. 3)

1. Section 2 of the Regulation respecting environmental impact assessment and review is amended

(1) by inserting the following after subparagraph *w* of the first paragraph:

“(x) the establishment or extension of a site used in whole or in part for the final deposit of soils containing one or more substances in a concentration exceeding the limits determined in Schedule C, as well as the final deposit of such soils in an elimination site already established and for which deposit no certificate of authorization has been issued. For the purpose of this subparagraph, the extension of a site used for the final deposit of the above-mentioned soils includes any alteration having for effect to increase the depository capacity of that site.

This subparagraph does not include the establishment or extension, on a piece of land, of a site used exclusively for the final deposit of contaminated soils extracted from that land in the course of rehabilitation work authorized under the Act;

(y) the installation or use of facilities used in whole or in part for the heat treatment of soils containing

— more than 1 500 mg of organochlorines per kilogram of soil;  
— more than 50 mg of polychlorinated biphenyl(s) (PCB) per kilogram of soil; or  
— a total concentration of dioxins and furans greater than 5 µg per kilogram of soil (expressed in 2, 3, 7, 8-TCDD toxic equivalent).”;

\* The Regulation respecting environmental impact assessment and review (R.R.Q., 1981, c. Q-2, r. 9) was last amended by the Regulation made by Order in Council 856-99 dated 28 July 1999 (1999, *G.O.* 2, 2327). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

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

“For the purposes of subparagraphs *x* and *y* of this section, analyses to determine the composition of soils shall be made by a laboratory accredited by the Minister of the Environment under section 118.6 of the Act.”.

2. Schedule C attached to this Regulation is added to the Regulation.

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

### SCHEDULE C

(s. 2, 1st par., subpar. x)

Substances	Maximum concentrations (mg/kg of dry matter)
<b>I- METALS (and metalloids)</b>	
Silver (Ag)	40
Arsenic (As)	50
Barium (Ba)	2 000
Cadmium (Cd)	20
Cobalt (Co)	300
Total chromium (Cr)	800
Copper (Cu)	500
Tin (Sn)	300
Manganese (Mn)	2 200
Mercury (Hg)	10
Molybdenum (Mo)	40
Nickel (Ni)	500
Lead (Pb)	1 000
Selenium (Se)	10
Zinc (Zn)	1 500
<b>II- OTHER INORGANIC COMPOUNDS</b>	
Available bromide (Br)	300
Available cyanide (CN <sup>-</sup> )	100
Total cyanide (CN <sup>-</sup> )	500

Substances	Maximum concentrations (mg/kg of dry matter)
Available fluoride (F)	2 000
Total sulphur (S)	2 000
<b>III- VOLATIL ORGANIC COMPOUNDS</b>	
<b>Monocyclic aromatic hydrocarbons</b>	
Benzene	5
Chlorobenzene (mono)	10
1, 2-Dichlorobenzene	10
1, 3-Dichlorobenzene	10
1, 4-Dichlorobenzene	10
Ethylbenzene	50
Styrene	50
Toluene	30
Xylenes	50
<b>Chlorinated aliphatic hydrocarbons</b>	
Chloroform	50
Vinyl chloride	0.4
1, 1-Dichloroethane	50
1, 2-Dichloroethane	50
1, 1-Dichloroethene	50
1, 2-Dichloroethene (cis and trans)	50
Dichloromethane	50
1, 2-Dichloropropane	50
1, 3-Dichloropropene (cis and trans)	50
1, 1, 2, 2-Tetrachloroethane	50
Tetrachloroethene	50
Carbon tetrachloride	50
1, 1, 1-Trichloroethane	50
1, 1, 2-Trichloroethane	50
Trichloroethene	50

Substances	Maximum concentrations (mg/kg of dry matter)
<b>IV- PHENOLIC COMPOUNDS</b>	
<b>Non-chlorinated</b>	
Cresol (ortho, meta, para)	10
2, 4-Dimethylphenol	10
2-Nitrophenol	10
4-Nitrophenol	10
Phenol	10
<b>Chlorinated</b>	
(2, 3, or 4-) Chlorophenol	5
2, 3-Dichlorophenol	5
2, 4-Dichlorophenol	5
2, 5-Dichlorophenol	5
2, 6-Dichlorophenol	5
3, 4-Dichlorophenol	5
3, 5-Dichlorophenol	5
Pentachlorophenol (PCP)	5
2,3,4,5-Tetrachlorophenol	5
2, 3, 4, 6-Tetrachlorophenol	5
2, 3, 5, 6-Tetrachlorophenol	5
2, 3, 4-Trichlorophenol	5
2, 3, 5-Trichlorophenol	5
2, 3, 6-Trichlorophenol	5
2, 4, 5-Trichlorophenol	5
2, 4, 6-Trichlorophenol	5
3, 4, 5-Trichlorophenol	5
<b>V- POLYCYCLIC AROMATIC HYDROCARBONS</b>	
Acenaphtene	100
Acenaphthylene	100
Anthracene	100
Benzo (a) anthracene	10

Substances	Maximum concentrations (mg/kg of dry matter)
Benzo (a) pyrene	10
Benzo (b, j, k) fluoranthene	10
Benzo (c) phenanthrene	10
Benzo (g,h,i) perylene	10
Chrysene	10
Dibenzo (a,h) anthracene	10
Dibenzo (a,i) pyrene	10
Dibenzo (a,h) pyrene	10
Dibenzo (a,l) pyrene	10
7, 12-Dimethylbenzo (a) anthracene	10
Fluoranthene	100
Fluorene	100
Indeno (1,2,3-cd) pyrene	10
3-Methylcholanthrene	10
Naphtalene	50
Phenanthrene	50
Pyrene	100
Methylnaphtalenes (each)	10
<b>VI- NON-CHLORINATED BENZENIC COMPOUNDS</b>	
2, 4, 6-Trinitrotoluene (TNT)	1.7
<b>VII- CHLOROBENZENES</b>	
Hexachlorobenzene	10
Pentachlorobenzene	10
1, 2, 4, 5-Tetrachlorobenzene	10
1, 2, 3, 4-Tetrachlorobenzene	10
1, 2, 3, 5-Tetrachlorobenzene	10
1, 2, 3-Trichlorobenzene	10
1, 2, 4-Trichlorobenzene	10
1, 3, 5-Trichlorobenzene	10

Substances	Maximum concentrations (mg/kg of dry matter)
VIII- POLYCHLORINATED BIPHENYLS (PCB)	
Summation of congeners	10
IX- PESTICIDES	
Tebuthiuron	3 600
X- OTHER ORGANIC SUBSTANCES	
Acrylonitrile	5
Bis (2-chloroethyl) ether	0.01
Ethylene glycol	411
Formaldehyde	125
Phtalates (each)	60
Dibutyl phtalate	70 000
XI- INTEGRATING PARAMETERS	
Petroleum hydrocarbons C <sub>10</sub> to C <sub>50</sub>	3 500
XII- DIOXINS AND FURANS (ng/kg of dry matter)	
Summation of chlorinated dibenzodioxins and chlorinated dibenzofurans (expressed in 2,3,7,8 TCDD toxic equivalent) (NATO scale, 1988)	750

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Gouvernement du Québec

**O.C. 1042-2000, 30 August 2000**Mining Act  
(R.S.Q., c. M-13.1)**Mineral substances other than petroleum, natural gas and brine  
— Amendments**

Regulation respecting mineral substances other than petroleum, natural gas and brine

WHEREAS under paragraphs 1, 2, 3, 5 to 14.2, 21.1 to 27 and 29 to 31 of section 306 and sections 306.1 to 309, 311, 312, 313.2 and 313.3 of the Mining Act (R.S.Q.,

c. M-13.1), as amended or enacted by sections 128 to 130 and 133 of chapter 24 of the Statutes of 1998 and by section 178 of chapter 40 of the Statutes of 1999, the Government may, by regulation, establish the standards related to mineral substances other than petroleum, natural gas and brine;

WHEREAS under the first paragraph of section 158 of the Act to amend the Mining Act and the Act respecting the lands in the public domain (1998, c. 24), the Government may, by regulation, prescribe any other transitional provision that is not inconsistent with the provisions of that Act to ensure the carrying out of that Act;

WHEREAS under the second paragraph of section 158 of that Act, a regulation made under that section is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS under Order in Council 1443-88 dated 21 September 1988, the Government made the Regulation respecting mineral substances other than petroleum, natural gas and brine;

WHEREAS it is expedient to replace the Regulation in order to take into account the new provisions of the Mining Act, enacted by the Act to amend the Mining Act and the Act respecting the lands in the public domain;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting mineral substances other than petroleum, natural gas and brine was published in Part 2 of the *Gazette officielle du Québec* of 2 February 2000 with a notice that it could be made by the Government upon the expiry of a 45-day period following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting mineral substances other than petroleum, natural gas and brine, attached to this Order in Council, be made.

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