

(2) an explanation of how the activity will be conducted;

(3) an explanation of how the activity allows for the development of the knowledge and skills mentioned in section 13;

(4) if the application is submitted before the activity is held, the name and address of the person responsible for this activity;

(5) if the application is submitted by the financial planner after the activity is held, a proof that he has attended this activity;

(6) if the application is submitted after the activity is held by the person, organization or educational institution who offered it, the list of participants;

(7) the number of PDUs requested for the training activity as well as the duration of the training.

18. The IQPF will recognize or refuse to recognize an activity within 30 days of receipt of the application. If the application is rejected or if the activity is recognized for a lesser number of PDUs than requested, the IQPF will provide an explanation to the person, organization or educational institution who applied.

19. The person responsible for an activity shall submit to the IQPF any change relating to any of the items listed in section 17.

The IQPF may maintain or cancel the recognition of the activity or increase or decrease the number of PDUs assigned to the activity.

20. The IQPF may cancel the recognition of an activity, or increase or decrease the number of PDUs assigned to it if it notices that the activity offered is different from the one that was recognized.

21. A financial planner who acts as a trainer, instructor or leader of an activity is entitled, only once for this activity, to double the number of PDUs assigned to it.

22. This Regulation replaces the Regulation respecting the compulsory professional development of finan-

cial planners made by Order in Council 1091-99 dated 22 September 1999.

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

4559

Draft Regulation

An Act respecting petroleum products and equipment (R.S.Q., c. P-29.1)

Petroleum products — 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 Petroleum Products Regulation, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The main purpose of the draft amending Regulation is to relax and improve the administration of the Petroleum Products Regulation following the implementation of the new legal system introduced by the coming into force of the Act respecting petroleum products and equipment in 1999. Thus, more than one year after the new system has been in application, it now seems necessary to make certain adjustments. The draft Regulation proposes to replace certain sections in their appropriate divisions, to correct certain typographical errors and to relax administrative and technical provisions. It also proposes minor adjustments to the inspection plan and to the application and updating of standards already existing.

Further information may be obtained by contacting Louis Morneau, Direction de la sécurité des équipements pétroliers, ministère des Ressources naturelles, 5700, 4^e Avenue Ouest, bureau A-401, Charlesbourg (Québec) G1H 6R1, by telephone at (418) 627-6385.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Pierre Lavallée, Director, Direction de la sécurité des équipements pétroliers, ministère des Ressources naturelles, 5700, 4^e Avenue Ouest, bureau A-401, Charlesbourg (Québec) G1H 6R1.

JACQUES BRASSARD,
Minister of Natural Resources

Regulation to amend the Petroleum Products Regulation*

An Act respecting petroleum products and equipment (R.S.Q., c. P-29.1, ss. 5, 7, 8, 14, 22, 51 and 96)

1. The Petroleum Products Regulation is amended by substituting “Regulation respecting petroleum products and equipment” for its title.

2. The following is substituted for section 5.1:

“5.1. The permit holder who operates a fuel dispensing outlet adjoining a public road, south of the 55th parallel, must supply road vehicles equipped with a diesel motor with low-sulphur diesel fuel, except for farm, mine, forest, construction machinery and equipment vehicles.”.

3. Section 45 is amended

(1) by substituting the words “pendant lesquelles il ne se sert pas” for “d’inutilisation” in paragraph 8 of the French text; and

(2) by substituting the words “the periods during which he does not use the underground storage system or abandons” for “disuse and abandonment of” in paragraph 9.

4. Section 48 is amended by substituting the words “make sure that the content complies with the requirements in Division 1 of Chapter 2.2 and” for the words “analyze it, make sure”.

5. The following is substituted for the first paragraph of section 49:

“49. An inspection shall be carried out during the installation, replacement, abandonment or removal of petroleum equipment. During such inspection, an inspector shall make sure that the requirements provided for in the following sections are met: 69, 83, 83.1, 95.0.1, 95.0.2, 95.0.4 to 95.0.7, 99, 100, 103, 104 and 105 respecting only the clearance between the top of the tank and the level of the ground, 122 to 126, subparagraph 2 (with the exception of the requirement respecting the concentration of vapours) and subparagraph 3 of the first para-

graph of section 130, section 130.1, paragraphs 1 and 5 of section 130.2, sections 135, 137 to 138, 143 to 145, 150 to 160, subparagraph 3 of the first paragraph of section 167, sections 175, 178, 180, 181, 183, 185 respecting only the clearance between piping and the level of the ground, sections 189, 192 to 196, 198, 201 to 203, 206 to 208.2, 208.4, 208.6, 218, 221, the second paragraph of section 226, sections 230, 236, 237, 249, 251, 253, 254, 256 to 259, 302, 303, 307 to 312, 314 to 316, 317.1, the first paragraph of section 320, sections 321, 323 to 325, 328, 335, 341 to 344, 349, 359, 365, 369 to 380, 382, 387, 388, 390, 399, 401, 428 to 431, 433, 435 to 439, 444, 446 to 450, 452, 453, 461 to 463, 470 to 476 and 480.”.

6. Section 53 is amended

(1) by striking out “204”, “208.5”, “253”, “302”, “303”, “311”, “312”, “341 to 344”, “365”, “374”, “387” and “399”; and

(2) by adding “64”, “the second paragraph of section 130”, “341”, “343” and “344” in numerical order.

7. Section 54 is amended

(1) by striking out “204”, “208.5”, “211”, “216”, “253”, “399”, “402” and “428 to 431”; and

(2) by adding “64”, “the second paragraph of section 130”, “165”, “the second paragraph of section 167”, “258”, “429” and “430” in numerical order.

8. Section 55 is amended

(1) by striking out “145”, “151”, “204”, “211”, “216”, “237”, “311”, “312”, “341 to 344”, “369 to 374”, “387” and “399”; and

(2) by adding “165”, “the second paragraph of section 167”, “341, 343, 344”, “369” and “371 to 373” in numerical order.

9. Section 63 is amended by substituting the words “during more than one week” for the words “every day” in the second paragraph.

10. The following is substituted for the heading of Chapter 3:

“STANDARDS APPLICABLE TO PETROLEUM EQUIPMENT AND PRODUCTS”.

11. The following section is inserted before section 66.10:

* The Petroleum Products Regulation, made by Order in Council 753-91 dated 29 May 1991 (1991, G.O. 2, 1839), was last amended by the Regulation made by Order in Council 156-99 dated 24 February 1999 (1999, G.O. 2, 227). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

“**66.9.1.** The standards applicable to used oil in this chapter apply only to used oil stored in a service station.”.

12. Section 70 is amended by substituting the words “volume of petroleum products larger than 100 litres” for the words “petroleum product” in the first paragraph.

13. The heading preceding section 71 is revoked.

14. The following is substituted for section 92:

“**92.** Movable tanks must comply with Underwriters’ Laboratories of Canada Standard ULC/ORD-C142.13-1997: Mobile Refuelling Tanks, or with Canadian General Standards Board Standard CAN/CGSB-43.146-94: Intermediate Bulk Containers for the Transportation of Dangerous Goods.”.

15. The following heading is inserted after section 95:

“TANKS AND PIPING”.

16. Sections 96, 133, 173, 174, 179, 199 and 200 are renumbered 95.0.1, 95.0.2, 95.0.3, 95.0.4, 95.0.5, 95.0.6, 95.0.7 respectively and are inserted before Chapter 3.1.

17. Section 99 is amended by substituting the number “95.0.5” for the number “179” in the first paragraph.

18. Section 122 is amended by substituting the number “95.0.1” for the number “96” in the second paragraph.

19. Section 125 is amended by substituting “Standards Council of Canada Standard CAN/ULC-S 603.1-92: Standard for Galvanic Corrosion Protection Systems for Steel Tanks for Flammable and Combustible Liquids” for “Standard CAN4-S603.1-M85”.

20. Section 128 is amended

(1) by substituting the following for the part preceding paragraph 1:

“**128.** Where a permit holder does not use his underground storage system for a period of less than 180 days, he shall”;

(2) by deleting paragraphs 1 and 4; and

(3) by substituting the words “in which it is not used” for the words “of disuse” in paragraph 3.

21. Section 129 is amended

(1) by substituting the following for the part preceding paragraph 1:

“**129.** Where a permit holder does not use his underground storage system for a period of more than 180 days but less than 2 years, he shall”;

(2) by deleting paragraphs 1 and 5; and

(3) by substituting the words “in which the system is not used” for the words “of disuse” in paragraph 4.

22. Section 130 is amended

(1) by substituting the following for the part preceding subparagraph 1 of the first paragraph:

“**130.** Where the permit holder or owner of petroleum equipment 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”;

(2) by substituting the words “have it certified again according to the requirements of” for the words “, if the tank is reusable under” in subparagraph 4 of the first paragraph;

(3) by substituting “The permit holder or owner of petroleum equipment is only required to comply with the provisions of subparagraph 1 of the first paragraph if he demonstrates” for “The permit holder is only required to comply with the provisions of subparagraph 1 of the first paragraph if he demonstrates” in the second paragraph; and

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

“Notwithstanding the preceding paragraph, pneumatic tests with inert gas may be conducted on installations whose interruption in the taking of petroleum products does not exceed 5 years, provided that they last at least 4 hours and be conducted on equipment emptied of their petroleum products.”.

23. Section 131 is amended

(1) by inserting the word “underground” before the word “storage”; and

(2) by substituting the words “has not been used” for the words “has been in disuse”.

24. The following is substituted for section 132:

“**132.** Where an owner or permit holder has not used an underground tank and its piping for a period exceeding one year, the tests prescribed in sections 267 and 269 shall be conducted before the equipment is reactivated.”.

25. Section 137.2 is amended

(1) by substituting the words “An aboveground motor fuel tank intended for the sale of petroleum products” for the words “A permit holder’s aboveground motor fuel tank”; and

(2) by substituting the words “a designated” for the words “an isolated”.

26. Section 150 is amended by substituting the number “95.0.2” for the number “133” in the second paragraph.

27. Section 154 is amended by striking out the words “where necessary to respect the volumetric capacity requirement set forth in section 151”.

28. Section 165 is amended

(1) by substituting “165. Where the permit holder will not use his aboveground storage installation for less than 180 days, he shall” for the part preceding paragraph 1; and

(2) by deleting paragraphs 1 and 6.

29. The following is substituted for section 166:

“**166.** Where the permit holder does not use his aboveground storage installation for less than 180 days, he shall gauge the tanks not less than once a week.”.

30. Section 167 is amended

(1) by substituting “**167.** Where the owner or permit holder of an aboveground storage installation decides to no longer use the installation or has closed it for more than 2 years, he shall:” for the part preceding subparagraph 1 of the first paragraph;

(2) by deleting subparagraph 1 of the first paragraph; and

(3) by substituting the words “a period of 2 years shall be extended to 5 years for subparagraphs 3, 4 and 5” for the words “only subparagraphs 1 and 2 apply provided that the period of disuse does not exceed 5 years”.

31. Section 169 is amended by substituting the number “95.0.2” for the number “133” in paragraphs 1 and 2.

32. Section 179 is amended by substituting the numbers “95.0.3”, “95.0.4”, “95.0.6” and “95.0.7” for the numbers “173”, “174”, “199” and “200” in the first paragraph.

33. The heading preceding section 192 is amended by adding the word “underground” before the word “metallic”.

34. The following is substituted for the first paragraph of section 208.1:

“**208.1.** The end of the vent pipe shall be higher than the end of a fill pipe, not less than 3.5 metres above ground level for a Class 1 petroleum product tank, not less than 2 metres for a tank containing other products and not less than 1.5 metres from any building opening for a Class 1 petroleum product tank or not less than 600 millimetres for a tank containing other products. The end of a vent pipe shall terminate in open air outside buildings in such a manner that flammable vapour cannot be drawn into building openings.”.

35. Section 208.5 is revoked.

36. Section 208.6 is amended

(1) by striking out the word “Aboveground” before the word “tanks”; and

(2) by substituting the number “95.0.2” for the number “133”.

37. Section 249 is amended

(1) by substituting “1.5 metres” for “2 metres measured horizontally”; and

(2) by adding the following paragraph:

“For a Class 2 motor fuel tank supplying an electricity generating system or for a heating oil tank supplying a heating system, the distance shall be not less than 600 millimetres from any opening in the building.”.

38. Section 253 is amended by adding the following at the end:

“unless it is equipped with a device allowing to limit the filling at 95% of its capacity and that the device complies with Underwriters’ Laboratories of Canada Standard ULC/ORD-C58.15-1992: Overfill Protection Devices for Flammable Liquid Storage Tanks or unless these other outlets are equipped with devices that prevent the product to come back up such as non-return spring valves”.

39. Section 260.2 is amended by substituting the number “95.0.1” for the number “96” in the last paragraph.

40. Section 274 is amended by striking out the words “, either with service, as a self-serve or unattended self-serve outlet, and with or without a service centre” in the definition of “user outlet”.

41. Section 309 is amended by substituting the words “or be protected by barriers” for the words “and shall be protected by barriers where not sufficiently protected by the island”.

42. Section 310 is amended

(1) by inserting the words “or those located in a designated location,” after the word “year,”;

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

“The measurements set forth in the first paragraph shall apply to any fuelling area manufactured or modified after 26 February 1996.”; and

(3) by substituting the words “The second paragraph applies” for the words “The preceding paragraphs apply” and by inserting “equal to or” after the word “capacity” in the third paragraph.

43. Section 327 is amended by substituting “ULC-S612-99” for “ULC-S612-M83”.

44. The following is substituted for the first paragraph of section 335:

“335. Underground tanks used to store used oil shall be equipped with a double shell and piping system which shall have an automatic leak detector system equipped with a visual and audible alarm and be manufactured 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.”.

45. Section 362 is amended by striking out the words “for the sale of motor fuel”.

46. Section 428 is amended by substituting the word “propriété” for the word “celui-ci” in the first paragraph of the French text.

47. The following is inserted before Chapter 8:

“CHAPTER 7.1 PENAL

528.1. Every person who contravenes any provision of sections 5.1, 130, 167, 260.1, 260.2 and 348 is guilty of an offence under paragraph 1 of section 106 of the Act if he is a natural person or under paragraph 2 of the same section if he is a legal person.”.

48. Schedule 1 is amended by substituting “CGSB 3-GP-24Mb” for “CGSB 3-GP-24Ma” in paragraph 4 of Table 3.

49. Schedule 1 is amended by substituting the number “650” for the number “638” in the requirement for heating oil number 6 relating to the ASTM D 455 stated in Table 4.

50. Schedule 7 is amended by substituting the following for paragraphs 1 to 4 of section 3:

“1. may be protected against corrosion according to Petroleum Association for Conservation of the Canadian Environment Standard PACE 87-1: Guideline Specification for the Impressed Current Method of Cathodic Protection of Underground Petroleum Storage Tanks;

2. replace before reaching 25 years after its installation;

3. replace before reaching 25 years after its installation and subject to a leak detection test in accordance with section 269 within 12 months of the year of assessment of its condition and every 5 years afterward;

4. replace before obtaining a T/S of 180 or before the tank reaches 25 years after its installation and subject to a leak detection test in accordance with section 269 every year;”.

51. Schedule 8 is amended

(1) by striking out the symbol “****” before the ratings D, 1,5 and 0,5 in the table; and

(2) by striking out “**** Where section 412 applies, the distance shall be 0.15 metres for steel vats.” in the legend after the table.

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