

Gouvernement du Québec

**O.C. 1553-2001, 19 December 2001**

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

**Burial of contaminated soils**  
— Amendments

CONCERNING the Regulation amending the Regulation respecting the burial of contaminated soils

WHEREAS, under paragraphs *a, c, d, e, g, h, h.1, h.2, j, m* and *n* of section 31, paragraphs *d, e* and *f* of section 31.52, amended by section 10 of chapter 75 of the Statutes of 1999, paragraphs 1, 2, 5, 6 and 7 of section 70, replaced by section 29 of chapter 75 of the Statutes of 1999, and sections 86, 109.1 and 124.1 of the Environment Quality Act (R.S.Q., c. Q-2), the Government made, by Order in Council 843-2001 dated 27 June 2001, the Regulation respecting the burial of contaminated soils;

WHEREAS, for the reasons set out in the Order in Council, the proposed regulation was made without having been published;

WHEREAS, since this Regulation was made, it has appeared necessary to clarify certain provisions of the field of application;

WHEREAS, in accordance with section 66 of this Regulation, operators of contaminated soil burial sites in operation on July 11, 2001, have until January 11, 2002, to comply with the obligations applicable to them;

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 where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 18 of the same Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* 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 the same 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 reasons justifies the absence of prior publication and an immediate coming into force of the Regulation amending the Regulation respecting the burial of contaminated soils;

— the need to clarify, before January 11, 2002, certain provisions of the field of application;

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

THAT the Regulation amending the Regulation respecting the burial of contaminated soils, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

**Regulation amending the Regulation respecting the burial of contaminated soils\***

Environment Quality Act  
(R.S.Q., c. Q-2, s. 31, pars. *a, c, d, e, g, h, h.1, h.2, j, m* and *n*, s. 31.52, pars. *d, e* and *f*, s. 70, pars. 1, 2, 5, 6 and 7, s. 86, s. 109.1 and s. 124.1; 1999, c. 75, ss. 10 and 29)

1. Sections 1 and 2 of the Regulation respecting the burial of contaminated soils are replaced by the following:

“1. This Regulation determines the conditions or prohibitions applicable to the layout, extension and operation of sites used in whole or in part for the burial of contaminated soils as well as the conditions applicable to their closure and their post-closure follow-up.

For the purposes of this Regulation:

(1) sediments extracted from a watercourse or body of water constitute soils;

(2) the extension of a contaminated soil burial site includes any alteration having for effect to increase its capacity.

2. The site used exclusively for the burial of contaminated soils extracted from the land on which it is located and soils containing one or many substances coming from such land under rehabilitation work authorized under the Environment Quality Act (R.S.Q., c. Q-2) is exempt from the application of sections 10, 15, 16, 19, 21, 23, 40, 42, 48 to 55 and 64 to 66.”.

\* The Regulation respecting the burial of contaminated soils was made by Order in Council 843-2001 dated 27 June 2001 (2001, G.O. 2, 3518) and has not been amended.

2. Subparagraph *a* of paragraph 1 of section 4 of the same Regulation is amended by substituting “in section” for “in the second paragraph of section”.

3. The first paragraph of section 43 of the same Regulation is amended by deleting the words “referred to in section 2”.

4. Section 46 of the same Regulation is amended by substituting “in section” for “in the second paragraph of section”.

5. The same Regulation is amended by inserting, after section 64, the following:

“64.1 Section 10 does not apply to authorized contaminated soil burial sites in operation on July 11, 2001.”.

6. The same Regulation is amended by inserting, after section 67, the following:

“67.1 This Regulation does not apply to those who, on July 11, 2001, were authorized to bury products resulting from the treatment of contaminated soils by a stabilization, fixation and solidification process.”.

7. Schedule II of the same Regulation is amended by substituting, opposite “Antimony” and “Antimony III”, the symbol “Sb” for the symbol “Sn”.

8. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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## Notice

An Act respecting industrial accidents  
and occupational diseases  
(R.S.Q., c. A-3.001)

### Retrospective adjustment of the assessment — Amendments

Notice is hereby given that the Commission de la santé et de la sécurité du travail, at its meeting of 20 December 2001, adopted the Regulation amending the Regulation respecting retrospective adjustment of the assessment.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation was published on page 5639 in the *Gazette officielle du Québec* of 3 October 2001 with a notice that it would be adopted by the Commission, with or without amendments, upon the expiry of 45 days following the publication of that notice.

TREFFLÉ LACOMBE,  
*Chairman of the board and  
chief executive officer  
of the Commission de la santé  
et de la sécurité du travail*

## Regulation amending the Regulation respecting retrospective adjustment of the assessment\*

An Act respecting industrial accidents  
and occupational diseases  
(R.S.Q., c. A-3.001, s. 454, par. 1,  
subpars. 9, 11 and 13)

1. The Regulation respecting retrospective adjustment of the assessment is hereby amended by replacing the reference to the Act respecting industrial accidents and occupational diseases appearing under the title of the Regulation with the following: “(R.S.Q., c. A-3.001, s. 454, par. 1, subpars. 9, 11 and 13)”.

2. Section 38 of the Regulation is hereby amended by replacing the words “of this Chapter” with the words “of this Division and of Division II”.

3. The second paragraph of each of sections 39, 60, 61, 65 and 77 of the Regulation is hereby amended by replacing the words “Division I” with the words “Division II”.

4. Section 64 of the Regulation is hereby amended by replacing the words “Division I” with the words “Division II”.

5. The Regulation is hereby amended by inserting the following Division after Division III of Chapter VI:

\* The only amendments to the Regulation respecting retrospective adjustment of the assessment adopted by the Commission de la santé et de la sécurité du travail by Resolution A-85-98 of September 17, 1998 (1998, *G.O.* 2, 4156) were made by the Regulation amending the Regulation respecting retrospective adjustment of the assessment adopted by the Commission by Resolution A-74-99 of September 16, 1999 (1999, *G.O.* 2, 3183).