

## Regulations and other acts

Gouvernement du Québec

### O.C. 119-2002, 13 February 2002

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 subparagraph *a* of the first paragraph of section 31.9 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may make regulations to determine the classes of construction, works, plans, programmes, operations, works or activities to which section 31.1 of the Act applies;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 124 of the Environment Quality Act, a draft Regulation to amend the Regulation respecting environmental impact assessment and review was published in the *Gazette officielle du Québec* of 7 March 2001 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 after having taken into consideration the comments received following the publication of the draft Regulation;

IT IS ORDERED, therefore, upon 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.

JEAN ST-GELAIS,  
*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. 31.9, 1st par., subpar. *a*)

**1.** The Regulation respecting environmental impact assessment and review is amended in section 2 by substituting the following for subparagraphs *v* and *w* of the first paragraph:

“(v) the establishment or extension of a site used in whole or in part for the final deposit of hazardous materials within the meaning of paragraph 21 of section 1 of the Environment Quality Act or for the final deposit of materials coming from the treatment of residual hazardous materials. For the purposes of this subparagraph, the extension of a site used for the final deposit of such materials includes any alteration resulting in an increased capacity of the site;

The following is not subject to the application of this subparagraph:

— the establishment or extension, on a lot, of a site used exclusively for the final deposit of residual hazardous materials extracted from that lot within restoration work authorized under the Act for sites used before 26 June 1985 for the deposit of such materials;

— any storage site established before 1 December 1997 which becomes a final deposit site established in accordance with sections 145 or 146 of the Regulation respecting hazardous materials;

(w) the installation or use of facilities used, in whole or in part, for the treatment of residual hazardous materials outside their production location, within the meaning of section 5 of the Regulation respecting hazardous materials, for the purpose of elimination by final deposit or incineration.

\* The Regulation respecting environmental impact assessment and review (R.R.Q., 1981, c. Q-2, r. 9) was last amended by the Regulations made by Orders in Council 988-2001 dated 29 August 2001 (2001, *G.O.* 2, 4921) and 1552-2001 dated 19 December 2001 (2002, *G.O.* 2, 246). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2001, updated to 1 September 2001.

For the purposes of this paragraph, any treatment process for which there is no existing market for all or part of the products derived from such is considered a treatment for elimination purposes.

For the purposes of this subparagraph, anyone who, in the same field of activity, produces residual hazardous materials on more than one production site in Québec is deemed to treat the materials on the site where they are produced if one of those production sites is used to treat those materials;”.

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