

Opacity evaluation must be carried out where the opacity is maximum, in a part of the plume where there is no condensed water vapour. The observer must not look continually at the plume but rather must observe the plume momentarily every 15 seconds. Opacity evaluation is carried out over a 60-minute period without interruption between each period (240 observations in 60 minutes) or two 30-minute periods with an interruption at half time (120 observations in 30 minutes, twice).

Where water vapour condenses and becomes visible at a certain distance from the emission point, the opacity must be evaluated between the emission point and the condensation point of the water vapour.

When condensed water vapour is present in the plume, at its emission point, the opacity of the plume must be observed at the point where the vapour is no longer visible.

The following formula is used to establish emission opacity:

$$P = \frac{\text{NEU at opacity No. 1} \times 20\%}{\text{number of observations}}$$

where P is the percentage of emission opacity and NEU is the number of equivalent units.

Each number on the chart represents as many equivalent units.

A single observation may suffice for the application of section 129.

## SCHEDULE II

(s. 130)

INTERNATIONAL TOXICITY EQUIVALENCY  
FACTORS FOR SPECIFIC PCDD  
(POLYCHLORODIBENZO-P-DIOXINS) AND PCDF  
(POLYCHLORODIBENZOFURANS) CONGENERS  
(NATO, 1988)

Congeners	Toxicity equivalency factors
2,3,7,8-T <sub>4</sub> CDD	1
1,2,3,7,8-P <sub>5</sub> CDD	1
1,2,3,4,7,8-H <sub>6</sub> CDD	0.1
1,2,3,6,7,8-H <sub>6</sub> CDD	0.1
1,2,3,7,8,9-H <sub>6</sub> CDD	0.1
1,2,3,4,6,7,8-H <sub>7</sub> CDD	0.01
OCDD	0.0001

Congeners	Toxicity equivalency factors
2,3,7,8-T <sub>4</sub> CDF	0.1
2,3,4,7,8-P <sub>5</sub> CDF	0.5
1,2,3,7,8-P <sub>5</sub> CDF	0.05
1,2,3,4,7,8-H <sub>6</sub> CDF	0.1
1,2,3,7,8,9-H <sub>6</sub> CDF	0.1
1,2,3,6,7,8-H <sub>6</sub> CDF	0.1
2,3,4,6,7,8-H <sub>6</sub> CDF	0.1
1,2,3,4,6,7,8-H <sub>7</sub> CDF	0.01
1,2,3,4,7,8,9-H <sub>7</sub> CDF	0.01
OCDF 0.0001	

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Gouvernement du Québec

### O.C. 454-2005, 11 May 2005

Forest Act  
(R.S.Q., c. F-4.1)

#### Forestry fund

#### — Contribution of holders of certain contracts and agreements

#### — Amendments

Regulation to amend the Regulation respecting the contribution of holders of certain contracts and agreements to the forestry fund

WHEREAS, under the first paragraph of section 73.4 of the Forest Act (R.S.Q., c. F-4.1), every holder of a timber supply and forest management agreement must, at such intervals as are determined by regulation of the Government, pay to the Minister of Natural Resources, Wildlife and Parks a contribution for the financing of activities related to forest management;

WHEREAS, under the second paragraph of that section, the contribution, paid into the forestry fund under section 73.5 of the Forest Act, shall be established by the Minister on the basis of a rate per cubic metre of timber, fixed by regulation of the Government, that is applicable to the volume of timber allotted to the agreement holder in his agreement and is determined on the date or dates fixed by the regulation;

WHEREAS, under section 176 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6), amended by section 58 of chapter 16 of the Statutes of 2003, the provisions of sections 73.4 to 73.6 of the Forest Act concerning the contributions to be paid into the forestry fund apply to forest management agreements and forest management contracts taking effect or renewed after 26 June 2001, which is the day before the date of coming into force of section 176;

WHEREAS, under section 95.2.1 of the Forest Act, sections 73.4 and 73.5 of the Act apply to the holder of a wood processing plant operating permit who has entered into an auxiliary timber supply guarantee agreement as if the permit holder were the holder of a timber supply and forest management agreement; however, section 184 of the Act to amend the Forest Act and other legislative provisions provides that the provisions respecting the contributions to be paid into the forestry fund do not apply to auxiliary timber supply guarantee agreements in force on 27 June 2001;

WHEREAS, under the second paragraph of section 92.0.2 of the Forest Act, amended by section 4 of chapter 6 of the Statutes of 2004, a holder of a wood processing plant operating permit who acquires timber from an agreement holder authorized to send it to the permit holder must pay a contribution to the Minister for the financing of activities related to forest management;

WHEREAS, under the third paragraph of that section, that contribution paid into the forestry fund shall be established by the Minister on the basis of a rate per cubic metre of timber, set by regulation of the Government, applicable to the volume of timber acquired by the holder of a wood processing plant operating permit from the agreement holder;

WHEREAS, under section 92.0.3 of the Forest Act, the Minister may, if considered expedient by the Minister, accredit the holder of a wood processing plant operating permit to enable the permit holder to obtain a management permit in a management unit to supply the permit holder's plant where a volume of timber is made available following a person's waiver of the right provided for in a reservation agreement entered into pursuant to section 170.1 or by reason of the failure by that person to exercise that right in a previous year;

WHEREAS, under the second paragraph of section 92.0.11 of the Forest Act, amended by section 5 of chapter 6 of the Statutes of 2004, in such a case the holder of a wood processing plant operating permit must also pay a contribution to the Minister for the financing of activities related to forest management;

WHEREAS, under the third paragraph of that section, the contribution paid into the forestry fund shall be established by the Minister on the basis of a rate per cubic metre of timber, set by regulation of the Government, applicable to the volume of round timber indicated in the accreditation;

WHEREAS, to the extent that the amendments to sections 92.0.2 and 92.0.11 came into force on 22 April 2004, it is expedient to set a rate per cubic metre applicable to the volume of timber acquired by the holder of a wood processing plant operating permit from the agreement holder, and applicable to the volume of round timber indicated in the accreditation;

WHEREAS, under subparagraph 18.2.1 of the first paragraph of section 172 of the Forest Act, introduced by section 11 of chapter 6 of the Statutes of 2004, the Government may, by regulation, set the rate referred to in the third paragraph of sections 92.0.2 and 92.0.11 and determine the date and other terms of payment of the contribution referred to in those sections;

WHEREAS the Government made the Regulation respecting the contribution of holders of certain contracts and agreements to the forestry fund by Order in Council 328-2002 dated 20 March 2002;

WHEREAS it is expedient to amend that Regulation to set a rate per cubic metre applicable to the volume of timber acquired by the holder of a wood processing plant operating permit from the agreement holder, and applicable to the volume of round timber indicated in the accreditation. That rate is four times the rate per cubic metre prescribed by section 2 of the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the contribution of holders of certain contracts and agreements to the forestry fund, attached to this Order in Council, was published in Part 2 of the *Gazette officielle du Québec* of 29 September 2004 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife:

THAT the Regulation to amend the Regulation respecting the contribution of holders of certain contracts and agreements to the forestry fund, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

## **Regulation to amend the Regulation respecting the contribution of holders of certain contracts and agreements to the forestry fund\***

Forest Act  
(R.S.Q., c. F-4.1, ss. 73.4, 92.0.2, 92.0.11, 95.2.1, 104.5 and 172, 1st par., subpars. 18.2 and 18.2.1; 2004, c. 6, ss. 4, 5 and 11)

**1.** The title of the Regulation respecting the contribution of holders of certain contracts and agreements to the forestry fund is replaced by the following:

“Regulation respecting contributions to the forestry fund”.

**2.** The following is inserted before section 1:

“**DIVISION I**  
CONTRIBUTION BASED ON THE ALLOCATED,  
AUTHORIZED OR AUXILIARY VOLUME OF  
TIMBER”.

**3.** The following is inserted after section 3:

“**DIVISION II**  
CONTRIBUTION BASED ON THE VOLUME  
OF TIMBER ACQUIRED FROM ANOTHER  
AGREEMENT HOLDER OR BASED ON THE  
VOLUME OF ROUND TIMBER INDICATED  
IN AN ACCREDITATION

**3.1.** A holder of a wood processing plant operating permit that acquires timber from an agreement holder authorized to send the timber to the permit holder shall pay a contribution to the forestry fund.

**3.2.** A holder of a wood processing plant operating permit, accredited by the Minister to enable the permit holder to obtain a management permit in a management unit to supply the permit holder’s plant, in particular, where a volume of timber is made available following a person’s waiver of the right provided for in a reservation agreement or by reason of the failure by that person to exercise that right in a previous year, shall pay a contribution to the forestry fund.

**3.3.** The rate per cubic metre of timber used to establish the contribution prescribed in sections 3.1 and 3.2 payable by holders of wood processing plant operating permits is set at \$0.69.

**3.4.** The volume of timber to which the contribution rate set in section 3.3 is to be applied is determined on the date on which the holder of a wood processing plant operating permit acquires timber from an agreement holder authorized to send the timber to the permit holder, and on the date on which the Minister accredits the holder of a wood processing plant operating permit to enable the permit holder to obtain a management permit in a management unit to supply the permit holder’s plant, in particular, where a volume of timber is made available following a person’s waiver of the right provided for in a reservation agreement or by reason of the failure by that person to exercise that right in a previous year.

The volume of timber referred to in the first paragraph is the volume acquired from the agreement holder by the holder of a wood processing plant operating permit, and the volume of round timber indicated in the accreditation.”.

**4.** The following is inserted before section 4:

“**DIVISION III**  
FINAL”.

**5.** Section 4 is amended by inserting “or when a holder of a wood processing plant operating permit is billed by the Minister following an acquisition of timber from an agreement holder or if the permit holder is granted an accreditation, as provided in sections 3.1 and 3.2” at the end of the first paragraph.

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

\* The Regulation respecting the contribution of holders of certain contracts and agreements to the forestry fund, made by Order in Council 328-2002 dated 20 March 2002 (2002, *G.O.* 2, 1673), was last amended by the regulation made by Order in Council 270-2004 dated 24 March 2004 (2004, *G.O.* 2, 1145A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.