

Regulations and other acts

Gouvernement du Québec

O.C. 467-2005, 18 May 2005

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

Quality of drinking water

— Amendments

Regulation to amend the Regulation respecting the quality of drinking water

WHEREAS subparagraphs *e*, *h.1*, *h.2*, *j* and *l* of the first paragraph of section 31, section 45, paragraph *a* of section 45.2, paragraphs *a*, *b*, *d*, *o* to *p* and *t* of section 46, section 86, paragraph *a* of section 87 and section 109.1 of the Environment Quality Act (R.S.Q., c. Q-2) confer on the Government the power to make regulations on the matters set forth 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 Regulation was published in the *Gazette officielle du Québec* of 14 July 2004 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments, considering the comments received following publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Regulation to amend the Regulation respecting the quality of drinking water, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the quality of drinking water*

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *e*, *h.1*, *h.2*, *j* and *l*, s. 45, s. 45.2, par. *a*, s. 46, pars. *a*, *b*, *d*, *o*, *o.1*, *o.2*, *p* and *t*, s. 86, s. 87, par. *a*, and s. 109.1)

1. The Regulation respecting the quality of drinking water is amended in section 1

(1) by striking out the paragraph numbers before the definitions and placing the definitions in alphabetical order;

(2) by inserting the following definitions in alphabetical order:

“distribution facility” means a distribution system, except equipment used to collect or treat water intended for human consumption;

“drinking water” means water intended for ingestion by human beings;

“water intended for human consumption” means drinking water or water intended for personal hygiene;

(3) by adding “, except an establishment in respect of which the person in charge has sent the notice referred to in section 44.1” after “camping sites” in the definition of “tourist establishment”;

(4) by replacing the definition of “distribution system” by the following definition:

“distribution system” means mains, a system of mains or equipment used to collect, treat, store or supply water intended for human consumption. In the case of a building connected to a waterworks system, all mains supplying the building and located downstream of the property limit or the shut-off valve are excluded.”;

* The Regulation respecting the quality of drinking water, made by Order in Council 647-2001 dated 30 May 2001 (2001, *G.O.* 2, 2641), was last amended by the regulation made by Order in Council 586-2004 dated 16 June 2004 (2004, *G.O.* 2, 2023). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

(5) by adding the following paragraphs :

“The enterprises, institutions and establishments referred to in this section may also mean, as the context requires, the buildings or premises in which their activities are carried on.

Where this Regulation requires the number of persons supplied to be determined, the method in Schedule 0.1 must be used.”.

2. Section 2 is amended by adding “or the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)”.

3. Section 3 is amended by inserting “of drinking water” after “quality”.

4. Section 4 is amended by adding the following paragraph :

“The provisions become applicable, however, if the treatment system supplying one or more enterprises is modified or a water treatment system is installed.”.

5. Section 5 is amended

(1) by striking out “, before being supplied,” in the first paragraph ;

(2) by replacing subparagraph 2 of the third paragraph by the following :

“(2) at least one sample of water per week is collected for a period of not less than 120 consecutive days and at least 90% of the samples have fewer than 20 fecal coliform bacteria per 100 ml of water collected, and the average turbidity over 30 consecutive days is lower than 1 NTU ;

(2.1) one sample of raw or supplied water is collected at least once a month for a period of not less than 120 consecutive days and none of the disinfection by-product analysis parameters following simulation of the treatment and distribution conditions shows a concentration greater than the standards of quality set out in Schedule 1 ;”.

6. Section 6 is amended by adding the following paragraphs :

“For any other groundwater disinfection treatment or oxidation facility, the person in charge of the facility must, every month, collect or have at least one sample collected of the raw water taken or stored that supplies the facility to test for the presence of *Escherichia coli* bacteria.

Rechlorination stations are not subject to the requirements of the first and second paragraphs.”.

7. Section 7 is amended

(1) by replacing “section 13 or” by “the second paragraph of section 6, section 13 or section” ;

(2) by striking out “, before being supplied,”.

8. Section 8 is amended by inserting “the continuous” before “disinfection is carried out” in the second paragraph.

9. Section 9 is amended

(1) by replacing “Any distribution system that supplies disinfected water” by “Every continuous disinfection treatment facility” ;

(2) by adding the following paragraph :

“Continuous disinfection equipment for one building only and rechlorination stations are not subject to the requirements of the first paragraph.”.

10. The following is inserted after section 9 :

“**9.1.** Where the person in charge of a distribution system installs a treatment system in an immovable not owned by the person to comply with section 5 or 6 or with the standards of quality set out in Schedule I, the person in charge must also provide, by contract with the owner or lessee of the immovable, as the case may be, for access to the immovable for the purpose of maintaining the system and monitoring water quality.

In the case of a disinfection system or a system to remove volatile or radioactive substances, the equipment must be installed at the water inlet.”.

11. The following is inserted after section 10 :

“**10.1.** Every person in charge of a distribution facility to which this Division applies is required to send to the Minister of Sustainable Development, Environment and Parks a signed declaration containing the information in Schedule 3. The person in charge must also send to the Minister any changes to that information.”.

12. Section 11 is amended by replacing the second paragraph by the following :

“The samples to be collected pursuant to the first paragraph must be collected from the tap where the water is put at the disposal of users, after the water has

run for at least 5 minutes and, for the same day of sampling, from the tap of different users. In addition, the water sampled must not have undergone treatment by an individual treatment system other than a system referred to in section 9.1.”

13. Section 12 is amended by striking out “and have as its object the analysis of facultatively aerobic or anaerobic heterotrophic bacteria, in addition to total coliform bacteria and fecal coliform bacteria or *Escherichia coli* bacteria” in the first paragraph.

14. Section 13 is replaced by the following :

“**13.** Where water supplied by a distribution system comes in whole or in part from non-disinfected groundwater having a vulnerability index for the bacteriological protection area that is greater than 100 using the DRASTIC method, the person in charge of the distribution system must collect or have one sample collected of the raw water taken or stored that supplies the distribution system at least once a month to test for the presence of *Escherichia coli* bacteria and enterococci bacteria if works or activities likely to alter the microbiological quality of the water are present within the bacteriological protection area of the catchment site established on the basis of a 200-day groundwater migration time.

Where water supplied by a distribution system comes in whole or in part from non-disinfected groundwater having a vulnerability index for the virological protection area that is greater than 100 using the DRASTIC method, the person in charge of the distribution system must also collect or have one sample collected of the raw water taken or stored that supplies the distribution system at least once a month to test for the presence of F-specific coliphage viruses if works or human activities such as a sewer system, the spreading of septic tank sludge or a domestic waste water infiltration field likely to alter the microbiological quality of the water are present or are carried on within the virological protection area of the catchment site established on the basis of a 550-day groundwater migration time.”.

15. Section 14 is amended

(1) by replacing the first paragraph by the following :

“**14.** The person in charge of a distribution system must, for the purpose of testing for the inorganic substances listed in Schedule 1 other than nitrates+nitrites and nitrites, chloramines and bromates, collect or have at least one sample of the water supplied collected annually between July 1st and October 1st, or if the distribution system is not in service from July 1st to October 1st, at any other period when it is in service.”;

(2) by replacing “He must also, for the control of nitrates” in the second paragraph by “The person must also, for the purpose of testing for nitrates+nitrites”;

(3) by adding the following paragraph :

“This section does not apply to a distribution system supplied by another distribution system that is subject to the inorganic substances testing requirements.”.

16. Section 15 is amended

(1) by replacing the first paragraph by the following :

“If the water supplied by a distribution system is treated by ozonation, the person in charge of the distribution system must, for the purpose of testing for bromates, collect or have at least one sample of the water supplied collected annually between July 1st and October 1st, or if the distribution system is not in service from July 1st to October 1st, at any other period when it is in service.”;

(2) by replacing “analysis report prescribed” in the second paragraph by “analysis request form furnished”;

(3) by adding the following paragraph :

“This section does not apply to a distribution system supplied by another distribution system that is subject to the bromate and chloramine testing requirements.”.

17. Section 17 is amended

(1) by inserting “referred to in section 5” after “distribution system”;

(2) by replacing “analysis report prescribed” by “analysis request form furnished”;

(3) by adding the following paragraph :

“If the analysis of a water sample collected pursuant to the first paragraph shows that the pH value is lower than 6.5 or greater than 8.5, the person in charge of the distribution system must immediately inform the Minister and describe the measures implemented to assess and, if required, to control the corrosion in the distribution system.”.

18. Section 18 is amended

(1) by replacing “for the control of” in the first paragraph by “for the purpose of testing for the”;

(2) by striking out “annually,” in the first paragraph after “collected”;

(3) by replacing “or a house of detention” in the second paragraph by “, a house of detention or several such establishments or institutions”;

(4) by replacing “bound to make only one sampling of the water supplied per year, between July 1st and October 1st to control trihalomethanes” in the second paragraph by “required to collect only one sample of the water supplied per year for the purpose of testing for trihalomethanes, between July 1st and October 1st or, if the establishment or institution is not in service between July 1st and October 1st, at any other period when it is in service”;

(5) by adding the following paragraph :

“For the purposes of the calculations of the standards of quality set out in Schedule 1 as regards total trihalomethanes, the person in charge must take the average of the values obtained in the preceding four quarters. If in any one quarter more than one value is obtained, the person in charge must average the values and use the result obtained as the value for that quarter.”.

19. Section 19 is amended by adding the following paragraph :

“This section does not apply to a distribution system supplied by another distribution system that is subject to the testing requirements for the substances listed in Schedule 2.”.

20. Section 22 is replaced by the following :

“22. Every continuous disinfection treatment facility (ozone, chlorine dioxide, chlorine, chloramines) for water supplied by a distribution system must have a device that takes continuous measurements of the free residual disinfectant concentration installed at the outlet of each continuous disinfection treatment unit. The device must have an alarm system capable of warning of a breakdown or defective operation, or of non-compliance with section 8.

If the water supplied is disinfected by means of continuous ultraviolet radiation, the treatment facility must have an alarm system capable of warning of a breakdown or defective operation, or that the lamp intensity has fallen below the required level.

In addition, every continuous disinfection treatment facility that treats water supplied by a distribution system referred to in section 5 must have a device that takes continuous measurements of the turbidity of the water installed downstream of each filtration unit, or in the absence of filtration, at the outlet of the facility. The

device must have an alarm system capable of warning of a breakdown or defective operation, or of non-compliance with this Regulation as regards turbidity.

The person in charge of a distribution system that has a continuous disinfection treatment facility must, for the purposes of the first paragraph and for each 4-hour period, enter each day in a record the lowest concentration of free residual disinfectant measured in the period, the measurement of water volume and flow rate in the disinfection reserves corresponding to the lowest free residual disinfectant concentration and, in the case referred to in the third paragraph, the measurement of turbidity. The water temperature must also be measured by the person in charge and entered in the record each day, as must the water pH if chlorine is used as a disinfectant. The date and the names of the persons taking the measurements must also be entered. The person in charge must sign the record, keep it in paper form for a minimum of 2 years and make it available to the Minister of Sustainable Development, Environment and Parks.

For continuous disinfection treatment facilities with software that allows for continuous calculation of the removal rate for the viruses and parasites to which sections 5 and 6 refer, the paper copy of the record referred to in the fourth paragraph may consist of a listing of the removal levels achieved by the disinfection treatment facility at any given time. The person in charge must sign the record, keep it in paper form for a minimum of 2 years and make it available to the Minister.

This section does not apply to a continuous disinfection treatment facility that supplies 20 persons or less.

22.1. For the purposes of section 22, the following adaptations are permitted for a distribution system that has a continuous disinfection treatment facility that only supplies populations served by tank trucks north of the 55th parallel or a population of 500 persons or less, and for one or more health and social services institutions, educational institutions, houses of detention or tourist establishments :

(1) no continuous measurement equipment is required ;

(2) the measurements may be taken by means of daily sampling over not fewer than 5 days per week ; the alarm system installed may be limited to warning of a breakdown or defective operation of the continuous disinfection treatment facility ;

(3) for the purposes of the third paragraph of section 22, the measurements may be taken by means of daily sampling over not fewer than 5 days per week and the alarm system is not required ; and

(4) the entries in the record may be made at each sampling for all the measurements taken.”.

21. Section 23 is amended

(1) by replacing “disinfected” in the first paragraph by “chlorinated”;

(2) by replacing “analysis report prescribed” in the first paragraph by “analysis request form furnished”;

(3) by deleting the second paragraph.

22. Sections 24 and 25 are revoked.

23. Section 26 is amended by adding the following paragraphs:

“In the territories located north of the 55th parallel, the samples collected pursuant to sections 11, 14, 15, 18 and 19 must be collected at the outlet of the reservoir where the owner or operator of the tank truck is supplied with water.

Sections 21 and 23 do not apply to water supplied by a tank truck north of the 55th parallel.”.

24. Section 27 is amended by replacing the first paragraph by the following:

“**27.** The owner or operator of a tank truck must fill the tank with water that complies with the standards of quality set out in Schedule 1.”.

25. Section 28 is amended

(1) by inserting “, and the origin of the water” in the second paragraph after “who took them”;

(2) by replacing “he shall keep an up-to-date register” in the second paragraph by “the owner or operator must maintain a record” and “shall be preserved and kept at the disposal of the Minister for a minimum period of 5 years” by “must be kept for a minimum of 2 years and be made available to the Minister”;

(3) by adding the following paragraph:

“This section does not apply to the territories located north of the 55th parallel.”.

26. Section 30 is amended by replacing the second paragraph by the following:

“Every person who collects or has a water sample collected pursuant to this Regulation must sign the analysis request form furnished by the Minister to certify that the sampling, and the preservation and sending of the sample to a laboratory accredited by the Minister of Sustainable Development, Environment and Parks under section 118.6 of the Environment Quality Act have taken place in compliance with the requirements of this Regulation.

The person in charge of the distribution system must keep a copy of the analysis request form sent to the accredited laboratory for a minimum of two years and make it available to the Minister.”.

27. Section 31 is replaced by the following:

“**31.** The water samples collected pursuant to subparagraph 2 of the third paragraph of section 5, section 6, sections 11 to 14, the first paragraph of section 15, sections 18 to 21, 26, 39, 40 and 42 must be sent for analysis to laboratories accredited by the Minister of Sustainable Development, Environment and Parks under section 118.6 of the Environment Quality Act. The analysis request forms furnished by the Minister must also be sent with the samples.

North of the 55th parallel, any Northern village constituted under the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., c. V-6.1) is considered to be a laboratory accredited by the Minister under section 118.6 of the Environment Quality Act.”.

28. Section 32 is amended

(1) by inserting “, section 27” after “section 23” in the first paragraph;

(2) by replacing the second paragraph by the following:

“The person who analyses the sample must certify that the analysis was carried out in accordance with those methods. The certification is to be made on the analysis request form furnished by the Minister of Sustainable Development, Environment and Parks, which must be kept and be made available to the Minister for a minimum of two years.”.

29. Section 33 is amended

(1) by replacing “Minister of the Environment, by electronic means and on the record prescribed” by “Minister of Sustainable Development, Environment and Parks using an information technology medium furnished to the laboratory”;

(2) by replacing “analysis reports” by “analysis request forms”.

30. Section 34 is replaced by the following:

“**34.** The third paragraph of section 35 and sections 36 to 41 do not apply to a distribution system supplying one residence only.

Sections 39 and 40 do not apply to a distribution system to which section 10 does not apply.”.

31. Section 35 is amended

(1) by replacing “does not comply with any of the standards of quality defined in Schedule 1 or contains total coliform bacteria” at the end of the first paragraph by “shows the presence of fecal coliform bacteria or *Escherichia coli* bacteria, total coliform bacteria, enterococci bacteria or F-specific coliphage viruses”;

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

“If the water does not comply with one of the other standards of quality set out in Schedule 1 or contains more than 80 µg/L of trihalomethanes, the laboratory must immediately communicate that information to the persons referred to in the first paragraph.”;

(3) by replacing the second paragraph by the following:

“Every result showing the presence of fecal coliform bacteria or *Escherichia coli* bacteria, enterococci bacteria or F-specific coliphage viruses must also be immediately communicated by the laboratory to the Minister of Sustainable Development, Environment and Parks and to the public health director of the region concerned. If the water does not comply with one of the other standards of quality set out in Schedule 1 or contains more than 80 µg/L of trihalomethanes, the laboratory must communicate that information to those persons as soon as possible during working hours.”.

32. The following is inserted after section 35:

“**35.1.** In the event of the failure of the coagulation system, the sedimentation system, the filtering system, the disinfection system or the entire treatment system, the person in charge must immediately inform the Minister of Sustainable Development, Environment and Parks and describe the necessary remedial measures. The person in charge must also immediately inform the public health director of the region concerned.

Where the person in charge of a distribution system that has a continuous disinfection treatment facility becomes aware as a consequence of section 22 or 22.1 that the standards set out in section 8 or in the second paragraph of paragraph 6 of Schedule 1 have been exceeded, the person must immediately implement remedial measures and inform the Minister as soon as possible during working hours. The person in charge must also inform the public health director of the region concerned as soon as possible.”.

33. Section 36 is amended by replacing the second paragraph by the following:

“If the water contains fecal coliform bacteria or *Escherichia coli* bacteria, the person in charge of the distribution system, or the owner or operator of the tank truck, is also required on being so informed to notify the users in question using the media, by sending individual written notices or by any other appropriate means, that the water at their disposal is unfit for consumption and of the precautions to be taken, including an advisory to boil water for at least one minute before it is ingested. If the users include health and social services institutions or educational institutions, they must be notified individually. The Minister of Agriculture, Fisheries and Food entrusted under the Food Products Act (R.S.Q., c. P-29) with protecting the health and safety of consumers must also be immediately informed if institutions supplied by water governed by that Act are affected.

In the case of an enterprise, an educational institution, a house of detention, a health and social services institution or a tourist establishment, the notice required by the second paragraph may be given as provided in section 38.”.

34. Section 37 is amended by adding the following sentence: “If the presence of fecal coliform bacteria or *Escherichia coli* bacteria is detected, the persons in charge of those systems must, on being so informed, notify the users as provided in the second, third and fourth paragraphs of section 36.”.

35. Section 39 is amended

(1) by replacing the first paragraph by the following:

“**39.** If the water at the disposal of a user that originates from a distribution system or tank truck does not comply with one of the bacterial parameters in Schedule 1, or if a distribution system is supplied by another distribution system for which a boil advisory has been issued pursuant to section 36, the person in charge of the system, or the owner or operator of the vehicle must, over 2 days separated by less than 72 hours, collect or have the minimum number of samples as determined in the table below collected for the purpose of bacteriological monitoring of the water supplied.

Users concerned	Minimum number of samples per day
500 persons or fewer	2
501 to 5,000 persons	4
5,001 to 20,000 persons	1 per 1,000 persons
20,001 persons and over	20

“;

(2) by replacing “report prescribed” in the second paragraph by “analysis request form furnished”;

(3) by replacing “raw groundwater that supplies the system must be collected per day during 2 consecutive days, for the purposes of checking” in the third paragraph after “2 samples of” by “the raw groundwater taken or stored that supplies the system must be collected per day, separated by at least 2 hours, for at least 1 day to test for”;

(4) by striking out the last sentence of the fourth paragraph;

(5) by adding the following sentence at the end of the fifth paragraph: “If the analysis of a sample of raw water collected in accordance with this section shows that the water contains *Escherichia coli* bacteria or enterococci bacteria, the boil advisory may not be lifted without the necessary remedial measures having been implemented.”.

36. The following is inserted after section 39:

“**39.1.** If raw water contamination is detected after testing pursuant to section 6, 13 or 39, the person in charge of the system must immediately inform the Minister of Sustainable Development, Environment and Parks and the director of public health in the region concerned and describe the necessary remedial measures.”.

37. Section 40 is amended

(1) by replacing the first paragraph by the following:

“**40.** If the water put at the disposal of a user that originates from a distribution system or tank truck does not comply with one of the parameters for organic or inorganic substances, radioactive substances or activities, or turbidity, set out in Schedule 1, the person in charge of the distribution system, or the owner or operator of the vehicle must, over 2 days separated by less than 72 hours, collect or have at least one sample per day

collected for the purpose of testing the water supplied for those parameters. In the case of a standard based on the average of quarterly sampling, the 2-day sampling requirement is replaced by the requirement to certify to the Minister the efficiency of the necessary remedial measures.”;

(2) by inserting “, 19” in the third paragraph after “15”.

38. Section 42 is amended

(1) by replacing “he has reasons to suspect that the water supplied” by “there are reasons to suspect that the water put at the disposal of the user”;

(2) by inserting “or in section 17” after “Schedule 1”;

(3) by adding the following paragraph:

“If the quality of the water put at the disposal of the user shows a gross alpha activity greater than 0.1 Bq/L or a gross beta activity greater than 1 Bq/L, the person in charge of the distribution system or, as the case may be, the owner or operator of the tank truck must, as soon as possible, take the necessary remedial measures to enable testing for the presence of radioactive substances in the water.”.

39. Section 43 is amended by replacing “one residence” in paragraphs 1 and 3 by “20 persons or less”.

40. Section 44 is replaced by the following:

“**44.** All the duties relating to the operation and monitoring of a catchment, treatment or distribution facility for water intended for human consumption, including the duties relating to the supply of such water by a tank truck, must be carried out by a certified person.

In addition, all the maintenance and repair work on a distribution facility for water intended for human consumption, and all the stages involved in putting distribution facilities into service after remedial or extension work must be carried out by or under the immediate supervision of a certified person.

For the purposes of this section, a certified person is a person who holds a diploma, certificate or other attestation recognized by the Minister of Education, Recreation and Sports or by Emploi-Québec or the minister responsible for Emploi-Québec for the production or distribution of water intended for human consumption. Attestations or certificates issued for the purposes of this section by Emploi-Québec or the minister responsible for Emploi-Québec must be renewed every 5 years.

The certification requirement also applies to persons responsible for collecting water for analysis, unless the persons are employed by a laboratory accredited for that purpose by the Minister of Sustainable Development, Environment and Parks under section 118.6 of the Environment Quality Act.”.

41. The following Chapter is inserted after section 44:

**“CHAPTER V.1
SPECIAL PROVISIONS FOR CERTAIN SEASONAL
TOURIST ESTABLISHMENTS**

44.1. The person in charge of a seasonal tourist establishment may put water that does not comply with the standards of quality set out in Schedule 1 at the disposal of users, to be used for personal hygiene, from the date of receipt by the Minister of Sustainable Development, Environment and Parks of a notice from the person in charge stating that the water is not being treated in accordance with the standards in section 5 or 6 and that the water is not suitable as drinking water.

The person in charge is subject only to the requirements of this Chapter.

44.2. The person in charge of a seasonal tourist establishment must install pictograms in such manner that they are visible by any person at taps supplying water that is not suitable as drinking water. The pictograms must be at least 10 cm in height by 10 cm in width and show a glass of water appearing in a red circle crossed by an oblique red bar.

If the person in charge of the seasonal tourist establishment installs such pictograms in a building having premises where food is stored or commercially prepared, the person must immediately so inform the Minister of Agriculture, Fisheries and Food.

44.3. The person in charge of a seasonal tourist establishment supplying more than 20 persons south of the 50th parallel must also, each month and with a minimum of 10 days between samplings, collect at least one sample of the water used for personal hygiene to test for the number of *Escherichia coli* bacteria present.

The person must also enter in a record the date and the name of the person who collected the sample and the number of *Escherichia coli* bacteria present in the sample. The paper copy of the record must be made available to the Minister of Sustainable Development, Environment and Parks for a minimum of 2 years after the date of the last entry.

44.4. The water samples collected pursuant to section 44.3 must be sent for analysis to laboratories accredited by the Minister of Sustainable Development, Environment and Parks under section 118.6 of the Environment Quality Act. The person in charge of the seasonal tourist establishment must keep a copy of the analysis request furnished by the accredited laboratory and the analysis report for a minimum of 2 years and make them available to the Minister.

44.5. If the presence of more than 20 *Escherichia coli* bacteria per 100 ml is detected in a sample collected pursuant to section 44.3, the person in charge of the seasonal tourist establishment must immediately implement the necessary remedial measures or cease supplying the water. As well, the person must immediately inform the Minister of Sustainable Development, Environment and Parks and describe the remedial measures implemented. The person must also immediately inform the public health director of the region concerned.”.

42. Section 45 is replaced by the following:

“45. Every person who, in contravention of section 3, puts water intended for human consumption that does not comply with the standards of quality set out in Schedule 1 at the disposal of a user, or does not install the required pictograms as provided in this Regulation, is liable

(1) to a fine of \$2,000 to \$20,000 in the case of a natural person;

(2) to a fine of \$4,000 to \$40,000 in the case of a legal person.”.

43. Section 46 is replaced by the following:

“46. In the case of a contravention of any of sections 5 to 9.1, 27, 29, 36, 39.1 and 42, the owner or operator of the distribution system or tank truck, as the case may be, is liable to the fines set out in section 45.

The following persons are also liable to those fines:

(1) every person who enters false or inaccurate data in a record, report or other document referred to in sections 10.1, 22, 22.1, 23, 28, the second paragraph of section 30, the first and second paragraphs of section 39 and the second paragraph of section 44.3, or fails to enter the data prescribed by those sections in those records, reports or documents; and

(2) every person who contravenes section 44.”.

44. The following is inserted after section 47:

“**47.1.** Any offence against sections 11, 12, 14, 15, 17 to 19, 21, the first or third paragraph of section 30, the third, fourth or fifth paragraph of section 39, section 40 or the first paragraph of section 44.3 renders the offender liable

(1) to a fine of \$2,000 to \$25,000 in the case of a natural person;

(2) to a fine of \$5,000 to \$60,000 in the case of a legal person.”.

45. Section 48 is amended by replacing “Any” by “Every” and “47” by “47.1”.

46. Section 53 is amended

(1) by replacing “the water supplied by which on the 28 June 2001 comes in whole or in part from surface water and is not subject to any treatment including flocculation, slow filtration or membrane filtration shall be exempt from the application of the provisions of section 5” and the first and second dashes by “supplying water on 28 June 2001 that consists in whole or in part of surface water that undergoes no treatment including flocculation, slow filtration or membrane filtration are exempt from the application of section 5 until 28 June 2008”;

(2) by deleting the third paragraph.

47. The following is inserted after section 53:

“**53.1.** The person in charge of a system covered by section 10.1 must send the information required by that section to the Minister of Sustainable Development, Environment and Parks before 1 December 2005.”.

48. Section 55 is amended by adding “for the facilities of municipalities and intermunicipal boards supplying residences, and on 1 December 2007 in all other cases” after “2005”.

49. Schedule 0.1 appearing as Schedule I to this Regulation is inserted before Schedule 1.

50. Schedule 1 is amended

(1) by replacing “destinée à la consommation humaine” in the French text of the heading by “potable”;

(2) by inserting “F-specific” in subparagraph *a* of paragraph 1 before “coliphage”;

(3) by deleting subparagraph *g* of paragraph 1;

(4) by inserting the following line in alphabetical order in the table in paragraph 2:

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Copper (Cu)	1
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”;

(5) by replacing all that appears opposite “Other organic substances” in the second last line of paragraph 3 by “Maximum average concentration calculated over 4 consecutive quarters (µg/L)”;

(6) by replacing the table in paragraph 4 by the following:

“

Radioactive substances	Maximum concentration (Bq/L)
Cesium-137	10
Iodine-131	6
Radium-226	0.6
Strontium-90	5
Tritium	7,000

”;

(7) by deleting paragraph 5 relating to pH;

(8) by replacing the second paragraph of paragraph 6 by the following:

“In addition, in the case of coagulated, filtered or disinfected water, the turbidity must not exceed 0.5 NTU in more than 5% of the measurements entered in the record pursuant to section 22 or 22.1 over a period of 30 consecutive days; despite the foregoing, the limit of 0.5 NTU will be increased to 1 NTU if filtration is carried out by means of a slow filtration process or with diatomaceous earth, or decreased to 0.1 NTU if it is carried out by means of a membrane filtration process. If any other filtration is carried out without coagulation, the limit of 0.5 NTU in 5% of the measurements is increased to an average value of 1 NTU for that period.”.

51. Schedule 3 appearing as Schedule II to this Regulation is added after Schedule 2.

52. The Regulation is amended by replacing “Minister of the Environment” wherever that title appears by “Minister of Sustainable Development, Environment and Parks”.

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

SCHEDULE I

(s. 49)

“SCHEDULE 0.1

(s. 1)

METHOD TO DETERMINE THE NUMBER OF USERS SUPPLIED

System supplying residences : the maximum number of persons supplied by the operator or 2.5 persons multiplied by the number of residences supplied.

Establishment offering camping sites : the number of camping sites of the establishment multiplied by 2.5 persons, to which is added the maximum number of regular employees of the establishment present on the same work shift.

Establishment offering sleeping accommodations : the number of persons supplied is determined by the number of beds (in single-bed equivalents) in the establishment, increased by the number of regular non-resident employees on the same work shift.

Establishment offering restaurant services : the number of persons supplied is determined by the number of seated places in the establishment increased by the number of regular employees of the establishment on the same work shift. In the case of an establishment for which the Régie des alcools, des courses et des jeux has issued a permit, the number of places is the number indicated on the permit, increased by the number of regular employees on the same work shift. In the case of a canteen, convenience store or restaurant not having seating accommodation for users but providing glasses of water or access to toilets, refer to the calculation under Public place.

Educational institution : the number of persons supplied is determined by the accommodation capacity of the institution, increased by the number of regular employees of the institution working on the premises.

Health and social services institution or house of detention : the number of persons supplied is determined by the accommodation capacity of the institution

or house of detention, increased by the number of regular employees of the institution or house of detention on the same work shift.

Public place : if there is a book or register of the number of persons who visited the place in the previous year, the number of persons supplied is determined by the average daily number of visitors during the open period, increased by the maximum number of regular employees on the same work shift. The number of persons supplied may also be determined, if applicable, by the number of seated places for persons waiting for the service offered by the place, increased by the number of regular employees on the same work shift. In the absence of data, the number of persons supplied is 500.

Place not accessible to the public : the number of regular employees on the same work shift indicated on the declaration made by the person in charge if the employer puts water intended for human consumption at the disposal of employees through piping.”.

SCHEDULE II

(s. 51)

“SCHEDULE 3

(s. 10.1)

DECLARATION BY THE PERSON IN CHARGE OF A DISTRIBUTION FACILITY

- Identification of distribution system :
- Type of establishment or institution according to user base :
- Name of owner of distribution facility :
- Address :
- Telephone :
- Name of operator if different from owner :
- Address :
- Telephone :
- Operation start date and end date :
- Chlorinated water : yes/no
- Ozonated water : yes/no
- Chloraminated water : yes/no

- Water disinfected on a continuous basis : yes/no
- Surface water in whole or in part : yes/no
- Supplied by another distribution facility subject to testing requirements : yes/no
- Total number of persons supplied :
- Signature of person in charge of the distribution facility
- Date of the declaration”.

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Gouvernement du Québec

O.C. 468-2005, 18 May 2005Environment Quality Act
(R.S.Q., c. Q-2)

Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains

WHEREAS section 2.1 of the Environment Quality Act (R.S.Q., c. Q-2) provides that it shall be the responsibility of the Minister of Sustainable Development, Environment and Parks to elaborate and propose to the Government a protection policy for lakeshores, riverbanks, littoral zones and floodplains, to implement such policy and to coordinate its application;

WHEREAS, in a report published in January 1997 following the flooding that occurred in the Saguenay region in July 1996, the Commission scientifique et technique sur la sécurité des barrages determined that the current Politique de protection des rives, du littoral et des plaines inondables, adopted by Décret 103-96 dated 24 January 1996, does not allow for adequate protection of floodplains and consequently, that the measures in that Policy should be reviewed;

WHEREAS it is expedient to replace that Policy to enhance the management of land use in floodplains;

WHEREAS it is desirable that the new Policy be made readily available to the entire population of Québec;

WHEREAS, under paragraph 6 of section 4 of the Regulation respecting the *Gazette officielle du Québec*, made by Order in Council 1259-97 dated 24 September 1997, the Government may order that a document published in the French edition of Part 2 also be published in English;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks :

THAT the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, attached to this Order in Council, be adopted and also be published in the English edition of the *Gazette officielle du Québec*.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

**PROTECTION POLICY FOR LAKESHORES,
RIVERBANKS, LITTORAL ZONES AND
FLOODPLAINS**Environment Quality Act
(R.S.Q., c. Q-2, s. 2.1)**PREAMBLE**

Lakeshores, riverbanks, littoral zones and floodplains are critical to the survival of the ecological and biological components of watercourses and bodies of water. In keeping with its desire to grant them adequate, minimum protection, the Government of Québec adopted the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains on December 22, 1987, acting on the recommendation of the Minister of Sustainable Development, Environment and Parks pursuant to section 2.1 of the Environment Quality Act (R.S.Q., c. Q-2).

In 1991, the Government broadened the application of the Policy to cover all watercourses in Québec. The Policy was revised in 1996 to address various problems that had been encountered in implementing it. In order to enable the adoption of measures better suited to objectives pursued, the new Policy among other things allowed regional county municipalities and urban communities to submit a management plan for its lakeshores, riverbanks or littoral zones for approval and to adopt special protection measures departing wholly or in part from the measures set out in the Policy.

Although the Policy seeks to clarify the types of activity that may or may not be carried on in the targeted environments, the management plan mechanism enables allowance to be made for certain special circumstances, in consideration of the quality of the environment or the degree to which the environment has been artificialized. Strict enforcement of the Policy in such circumstances may not always be realistic, making it necessary to adopt different measures while nevertheless continuing to ensure adequate protection, enhancement and, if need be, rehabilitation of riparian zones.