

SCHEDULE II

(s. 8.157)

HAZARDOUS AREAS IN WHICH A HEATING APPLIANCE MAY NOT BE INSTALLED

1. The area around the end of the fill pipe of an underground tank, up to 0.5 m from ground level and within a horizontal radius of 3 m;
2. The area around the vent outlet of an underground tank, up to a radius of 5 m in all directions;
3. A dispensing area, up to 0.5 m from ground level;
4. The area around a motor fuel dispenser, up to 1.5 m in all directions;
5. A service area, up to 0.5 m above ground or floor level over the entire surface area;
6. A zone for transferring Class 1 petroleum products, up to 1.5 m in all directions;
7. A salesroom, storeroom or washroom, if an opening connects to any area described above; and
8. Any space, pit or box below ground level and located wholly or partly in any area described above.

7880

Draft Regulation

Building Act
(R.S.Q., c. B-1.1; 2005, c.10)

Regulation**— 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 Regulation respecting the application of the Building Act, appearing below, may be made by the Government, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to determine, in relation with the draft Regulation to amend the Construction Code that introduces Chapter VIII - Petroleum Equipment Installation, and the draft Regulation to amend the Safety Code that introduces Chapter VI - Petroleum Equipment Installation, the exemptions related to their application.

As well, it proposes to subject the petroleum equipment installations owned by the Government and its departments and the bodies that are its mandataries to Chapter II and III of the Building Act (R.S.Q., c. B-1.1) and to the regulations applying those chapters, in particular Chapter VIII of the Construction Code and Chapter VI of the Safety Code. Construction work carried out on those installations, as well as their use and maintenance will be governed by the same requirements as those applicable to appliances in the private sector.

To date, study of the matter has shown no financial impact on the public or enterprises, including small and medium-sized enterprises.

Further information may be obtained by contacting Pierre Gauthier, Régie du bâtiment du Québec, 800, place D'Youville, 15^e étage, Québec (Québec) G1R 5S3; telephone: 418 643-9896; fax: 418 646-9280.

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 Daniel Gilbert, President and Chief Executive Officer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

LAURENT LESSARD,
Minister of Labour

Regulation to amend the Regulation respecting the application of the Building Act*

Building Act
(R.S.Q., c. B-1.1, ss. 4.1, 182, 1st par., subpars. 1 and 3, and s. 192; 2005, c. 10, ss. 27, 61 and 80)

1. The Regulation respecting the application of the Building Act is amended by replacing “or on an installation designed to use or to distribute gas” in the second paragraph of section 1 by “, an installation designed to use or distribute gas or a petroleum equipment installation”.

* The Regulation respecting the application of the Building Act, made by Order in Council 375-95 dated 22 March 1995 (1995, G.O. 2, 1100), was last amended by the regulation made by Order in Council 676-2006 dated 28 June 2006 (2006, G.O. 2, 1919A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 September 2006.

2. The Regulation is amended by inserting the following after section 1:

“**1.1.** Subject to section 49 of the Act, amended by section 44 of chapter 10 of the Statutes of 2005, a contractor and an owner-builder are exempt from the application of Chapter IV of the Act as regards the requirement to hold a “4515 petroleum equipment installation contractor” licence in the subcategory of the category of specialized contractor and in the subcategory of the category of owner-builder referred to in Schedule B to the Regulation respecting the professional qualification of building contractors and owner-builders approved by Order in Council 876-92 dated 10 June 1992 where

(1) the planned construction work involves the installation of an aboveground tank outside the building, if the tank is not connected by piping to an apparatus designed to use, dispense or transfer a petroleum product or to another tank, and the tank’s capacity is

(a) less than 2500 L for a tank that is to contain gasoline, fuel ethanol or aviation fuel; or

(b) less than 5000 L for a tank that is to contain diesel fuel, biodiesel fuel or fuel oil;

(2) the planned construction work involves the installation or removal of an aboveground petroleum equipment installation outside a building when the installation was manufactured and a tank was connected by piping, during the manufacturing, to an apparatus designed to use, dispense or transfer a petroleum product, and the tank’s capacity is

(a) less than 2500 L for a tank that is to contain gasoline, fuel ethanol or aviation fuel; or

(b) less than 5000 L for a tank that is to contain diesel fuel, biodiesel fuel or fuel oil; or

(3) the planned construction work involves the installation, maintenance, repair or alteration of an apparatus that is part of a petroleum equipment installation.”.

3. The Regulation is amended by inserting the following after section 3.3.0.1:

“DIVISION I.2

EXEMPTION FROM THE APPLICATION OF SECTION 35 OF THE BUILDING ACT

3.3.0.2. The owner of a petroleum equipment installation that includes high-risk petroleum equipment is exempt from furnishing the certificate of conformity

required under section 35 of the Building Act if the owner holds an approval referred to in section 80 of the Act to amend the Act respecting petroleum products and equipment, the Building Act and other legislative provisions (2005, c. 10).”.

4. The Regulation is amended by inserting the following after section 3.3.5:

“DIVISION II.3

EXEMPTION FROM THE APPLICATION OF CHAPTER VIII OF THE CONSTRUCTION CODE AND CHAPTER VI OF THE SAFETY CODE

3.3.6. The following are exempt from the application of Chapter VIII of the Construction Code approved by Order in Council dated and Chapter VI of the Safety Code approved by Order in Council dated :

(1) any apparatus that uses a petroleum product in a petroleum equipment installation and that is to be connected by piping to a tank designed to hold such a product; and

(2) any petroleum equipment or petroleum equipment installation manufactured and designed to use a petroleum product.”.

5. Section 3.5 is amended by inserting “, their petroleum equipment installations” after “gas”.

6. Section 3.6 is amended by inserting “, their petroleum equipment installations” after “electrical installations”.

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

7875

Draft Regulation

Building Act
(R.S.Q., c. B-1.1)

Safety Code — Amendment

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 Safety Code, appearing below, may be approved by the Government with or without amendment, on the expiry of 45 days following this publication.