Regulations and other acts

Gouvernement du Québec

O.C. 9-2007, 16 January 2007

An Act respecting the provision of health services by medical specialists
(2006, c. 16)

Cessation of effect of Division IV and section 22 of the Act respecting the provision of health services by medical specialists

WHEREAS the Act respecting the provision of health services by medical specialists (2006, c. 16) was assented to on 13 June 2006;

WHEREAS section 29 of the Act provides that Division IV and section 22 of the Act cease to have effect on 31 March 2010 or on an earlier date set by the Government;

WHEREAS it is advisable that Division IV and section 22 of the Act cease to have effect on 16 January 2007;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT Division IV and section 22 of the Act respecting the provision of health services by medical specialists (2006, c. 16) cease to have effect on 16 January 2007.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 15-2007, 16 January 2007

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

Contaminated soil storage and contaminated soil transfer stations

Regulation respecting contaminated soil storage and contaminated soil transfer stations

WHEREAS, under subparagraphs *a*, *c* to *h*.2, *k* and *m* of the first paragraph of section 31, paragraphs 1 and 5 of section 31.69, sections 86, 109.1 and 124.1 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may 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 of the Regulation respecting the storage of contaminated soils and contaminated soil transfer stations was published in Part 2 of the *Gazette officielle du Québec* of 30 June 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 to take into account the comments received following that 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 respecting contaminated soil storage and contaminated soil transfer stations, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting contaminated soil storage and contaminated soil transfer stations

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *a*, *c* to *h*.2, *k* and *m*, s. 31.69, pars. 1 and 5, ss. 86, 109.1 and 124.1)

CHAPTER I
GENERAL

1. The purpose of this Regulation is to protect the environment against pollution related to the handling of contaminated soils.

It establishes rules for contaminated soil storage and the establishment, operation and closure of contaminated soil transfer stations.

Subject to section 4, the contaminated soils to which this Regulation applies are soils that contain contaminants in a concentration equal to or greater than the limit values in Schedule I. In addition, for the purposes of Chapter III, soils containing contaminants listed in Schedule III are also covered by this Regulation.

2. The following definitions apply to this Regulation.

"**Contaminated soil transfer station**" means any facility that receives contaminated soils to be stored temporarily before being transferred to a treatment site authorized under the Environment Quality Act (R.S.Q., c. Q-2) where they are to be totally or partially decontaminated. (*centre de transfert de sols contaminés*)

"**100-year flood line**" means the line that corresponds to the limit line of a flood likely to occur once every one hundred years. (*ligne d'inondation de récurrence de 100 ans*)

In addition, for the purposes of this Regulation,

(1) watercourse or body of water includes marshes and swamps but excludes intermittent watercourses;

(2) soil includes sediments extracted from a watercourse or body of water; and

(3) an increase in storage capacity is included in the enlargement of a storage site or a transfer station.

3. The provisions of this Regulation relating to the storage of contaminated soils do not operate to replace the provisions governing

(1) the treatment of contaminated soils;

(2) the landfilling of contaminated soils;

(3) the landfilling of residual materials;

(4) the final disposal of hazardous materials; or

(5) tailings areas.

4. The disposal of soils containing contaminants in a concentration lower than the limit values in Schedule I is prohibited on or in soils having a contaminant concentration lower than the contaminant concentration in the soils disposed of.

In addition, the soils may not be disposed of on or in land to be used for housing unless the soils are used as backfill in connection with land rehabilitation work in accordance with the Environment Quality Act and the contaminant concentration in the soils is equal to or lower than the contaminant concentration in the host soils.

This section does not, however, apply to soils disposed of on the site of origin or soils disposed of on the site of the source contamination activity.

5. Unless required for an authorized treatment, at no time may contaminated soils be mixed with clean soils or with soils or materials having a different contaminant concentration so that the overall contamination level would change and permit disposal of the soils in a less restrictive manner or, because of the mixing of soils having different contamination levels or different structures, decontamination would be made more difficult.

CHAPTER II
CONTAMINATED SOIL STORAGE

DIVISION I
GENERAL

6. Subject to section 11, a person who has soil excavation carried out may not store contaminated soils elsewhere than on the site of origin or of contamination.

In addition, no contaminated soils may be shipped by the person to a location in Québec other than a site legally authorized to receive such soils, namely

(1) a contaminated soil transfer station;

(2) a contaminated soil storage site;

(3) a contaminated soil treatment site;

(4) a contaminated soil landfill;

(5) a residual materials landfill;

(6) a site for the final disposal of hazardous materials; or

(7) tailings areas, but only if the soils are soils whose metal and metalloid contamination results from the activities of the enterprise responsible for the tailings area.

The operator or any other person responsible for a site listed in the second paragraph must issue a document to the person who had the soil excavation carried out certifying the receipt and quantity in weight of the contaminated soils. That latter person must keep the document for a minimum of two years and make it available to the Minister of Sustainable Development, Environment and Parks.

If the person who had the soil excavation carried out ships contaminated soils to a site listed in the second paragraph and the person is also the operator of the site, the person must, in lieu of the document referred to in the third paragraph, keep a logbook in which the soil excavation site and the quantity in weight of the contaminated soils shipped to the soil disposal site are entered. The person must keep the logbook for a minimum of two years and make it available to the Minister.

7. Soils containing volatile organic compounds in a concentration equal to or greater than the concentrations in Part III of Schedule II must not be handled without the necessary precautions having been taken to prevent a release of soil contaminants into the atmosphere.

8. A contractor who, within the same field of activities and in the normal course of the activities, is likely to contaminate small volumes of soil in various locations may recover, ship and store the soil on one of the contractor's sites or similar sites on the following conditions:

(1) the contractor must inform the Minister in writing of the situation referred to in this section and indicate the sites on which the soils are stored;

(2) the contractor must enter in a logbook the locations where soils were contaminated because of the operation of the contractor's enterprise, and the subsequent destination of the soils; the logbook must be kept and made available to the Minister for five years;

(3) the volume of soils excavated or stored must not exceed 50 m^3 per site;

(4) the soils must be placed in closed and leak-proof containers that must be placed on an impermeable surface protected from bad weather; and

(5) the maximum storage time is 180 days.

For the purposes of the first paragraph, "similar site" means any site the contractor goes to in the normal course of activities and for which the contractor has obtained a written authorization from the owner of the site to store contaminated soils on the conditions set out in subparagraphs 3 to 5 of the first paragraph.

9. Any person who, following an accidental spill, recovers contaminated soils for which the contamination level is unknown must inform the Minister and subparagraphs 3 to 5 of the first paragraph of section 8 then apply.

10. If, because of linear projects or area of the site, it is impossible to store contaminated soils on the site of origin, the authorization issued under the Environment Quality Act must indicate the sites where the soils may be stored and the storage conditions.

If contaminated soils are discovered unexpectedly and the authorization mentioned in the first paragraph does not cover the sites and storage conditions, or an authorization was not required under the Act, and it is impossible because of the linear projects or area of the site to store the soils on the sites of origin, the soils may be stored on another site on the following conditions:

(1) a notice must be given to the Minister not later than ten days after excavation of the soils; and

(2) the notice must contain the identity of the person who has the excavation carried out and the date of excavation, an estimate of the volume of soils stored, the sites where the soils are stored and the storage conditions.

The storage conditions must be such that the contaminated soils cannot contaminate the water, air or subjacent soils. In addition, the storage time may not exceed 180 days.

DIVISION II
STORAGE OF CONTAMINATED SOILS TO BE RECLAIMED

11. The storage, elsewhere than on the site of origin, of contaminated soils to be reclaimed is permitted only if all the concentrations of the substances contained in the soils are equal to or lower than the limit values in Schedule II and there is compliance with the requirements of this Division.

12. No person may establish, enlarge or operate a contaminated soil storage site without holding a certificate of authorization issued under section 22 of the Environment Quality Act.

The certificate is valid for five years and may be renewed on application to the Minister made not later than 180 days before the end of the five-year period.

Information or documents previously filed with the Minister in connection with an application need not be re-filed if the applicant attests to their current accuracy.

13. A contaminated soil storage site may not be established in the flood plain of a watercourse or a body of water within the 100-year flood line.

14. The quality of the soils that may be altered because of the storage site must be determined before the site commences operations, in reference to the contaminants likely to be present in the soils to be stored.

The concentration values determined before the site commences operations are to be used as intervention threshold values in the case of an accidental release into the environment and during final restoration of the site.

15. The quality of the groundwater that may be altered because of the storage site must be determined before the site commences operations, in reference to the contaminants likely to be present in the soils to be stored, and thereafter on an annual basis.

The concentration values determined before the site commences operations are to be used as intervention threshold values should concentration values be exceeded at the time of the annual analysis. For that purpose, section 58 applies, with the necessary modifications. During sampling, the groundwater piezometric level must also be measured. If the values are exceeded, section 60 applies.

16. Contaminated soils may be stored only on an impermeable floor capable of supporting the soils. The storage area must be laid out so that any run-off liquid is contained.

17. At least one observation well must be installed in the vicinity of the storage site, downstream of the storage site, so that groundwater quality can be monitored. If the volume of soils stored is to be greater than 1,000 m^3, the minimum number of wells is three, one upstream and two downstream.

The location of the wells on the land and in the ground must take hydrogeological conditions into account.

18. Dust dispersal control measures must be taken to limit the impacts from the transport and handling of soils in the vicinity of the storage site.

19. Every contaminated soil storage site must have, at the entrance,

(1) a conspicuous sign indicating that the site is a contaminated soil storage site, the name, address and telephone number of the operator and any other person responsible for the site, and, where applicable, the site's business hours; and

(2) a barrier or other device preventing access to the site outside business hours or in the absence of an authorized person.

20. The operator of a contaminated soil storage site must verify the acceptability of soils before they are received. For that purpose, the operator must, on the arrival of every incoming shipment of soil, request from the owner of the soil and enter in an operations logbook the site of origin of the soil, the date and quantity accepted and the concentration of the contaminants it contains.

The operator must also, for each batch of soil and for at least every 100 m^3 of contaminated soils accepted, take a single sample with a mass sufficient to make an analysis of all the contaminants among those listed in Schedule II likely to be present in the soils. The results of the analysis must also be entered in the logbook.

The logbook must make it possible at all times to locate the batches of soils received to allow sampling to be performed to verify their acceptability.

For outgoing soils, the operator must enter in the logbook the destination and quantity of the soils and the date on which they are shipped to the site or sites authorized to receive them.

The operator must keep the logbook and make it available to the Minister for five years after closure of the storage site.

21. The maximum volume of contaminated soils in storage at any time cannot exceed 20,000 m^3.

22. The maximum storage time for a specific batch of soils is 12 months.

23. Contaminated soils must be protected at all times from bad weather.

24. All run-off liquid from the contaminated soils must be recovered, analyzed and decontaminated if need be. For that purpose, the run-off liquid must be recovered in a leakproof tank protected from rainwater so as to enable determination of the contamination concentration before treatment or discharge.

No run-off liquid may be discharged into the environment unless it conforms to the values determined in the certificate of authorization.

25. The operator of a contaminated soil storage site must prepare an annual operations report containing a summary of the monitoring program, the results of the analyses under this Division, the data on the quantity of soil accepted, the nature and extent of contamination, the date of acceptance, the origin and destination of the soil and the quantity of outgoing contaminated soil and the date of shipping. The report must be sent to the Minister in January of each year.

26. The operation of a contaminated soil storage site is subject to a financial guarantee being furnished as provided in Division VIII of Chapter III.

27. The operator of a contaminated soil storage site must, 60 days before the site is to cease operations, send a notice to the Minister confirming the date of closure.

All contaminated soils must have been transferred by the operator to an authorized site listed in section 6 by the day of closure.

The operator must have a characterization study of the land performed within six months after operations have permanently ceased. The study must be sent to the Minister as soon as it is completed.

If the characterization study reveals the presence of contaminants in a concentration exceeding the values determined pursuant to section 14, the operator must take the necessary measures so that the contaminant concentration returns to values equal to or lower than those values. If, however, the values determined pursuant to section 14 were equal to or greater than the limit values in Schedule II, the operator must take the necessary measures to reduce the contaminant concentration to values lower than the values in that Schedule.

CHAPTER III
CONTAMINATED SOIL TRANSFER STATIONS

DIVISION I
GENERAL

28. A contaminated soil transfer station may accept only soils that are to undergo authorized treatment in Québec or elsewhere to partially or totally decontaminate them.

29. No contaminated soil transfer station may accept

(1) soils that contain one or more substances in a concentration equal to or greater than the limit values in Schedule III;

(2) soils that have a residual materials content exceeding 50%, on a volumetric basis, after segregation;

(3) soils that contain explosive or radioactive materials within the meaning of section 3 of the Regulation respecting hazardous materials made by Order in Council 1310-97 dated 8 October 1997;

(4) soils that contain a free liquid, according to a standard test carried out by a laboratory accredited by the Minister under section 118.6 of the Environment Quality Act; or

(5) residual materials or hazardous materials.

30. No soils containing one or more volatile organic compounds listed in Part III of Schedule III may be accepted by a contaminated soil transfer station unless they are confined in a closed and leakproof container so as to limit their handling and the dispersal of contaminants into the ambient air. The concentration of the compounds must be lower than the limit values in that Schedule.

31. The maximum volume of contaminated soils in storage at any given time cannot exceed 1,000 m^3.

32. The maximum storage time for any batch of soil is 30 days, except soils containing compounds listed in Part III of Schedule III whose containers must be shipped to a treatment centre authorized to receive them within 7 days after being accepted by the contaminated soil transfer station.

DIVISION II
CERTIFICATE OF AUTHORIZATION

33. No person may establish, enlarge or operate a contaminated soil transfer station without holding a certificate of authorization issued under section 22 of the Environment Quality Act.

34. Every application for a certificate of authorization must include the following information and documents, in addition to those required under section 22 of the Environment Quality Act and the Regulation respecting the application of the Environment Quality Act made by Order in Council 1529-93 dated 3 November 1993:

(1) identification of the contaminants present in the soils to be received at the transfer station and the maximum storage capacity;

(2) identification of the locations where gas is to be sampled for analysis, and the sampling frequency;

(3) an overall plan, to scale, indicating

(a) the operations site, including the siting of the building, equipment and surface water drainage system;

(b) the area occupied by the buffer zone required pursuant to section 41 and the area zoning; and

(c) the names and location of public thoroughfares, access roads both existing and proposed, watercourses and bodies of water within a radius of one kilometre and the location of the observation wells on the land and in the ground;

(4) a description of the observation wells and the surface water drainage system;

(5) a plan of the building including the location and description of the ventilation, gas treatment, recovery, water decontamination and floor waterproofing systems;

(6) the location of the soils in the building and identification of the batches of soils stored;

(7) the manner in which the soils are to be handled on being received and shipped to their treatment destination;

(8) the measures to be taken to prevent dust dispersal inside the building and in the vicinity of the site;

(9) the monitoring, maintenance and cleaning program for the equipment including the frequency of the work to be performed;

(10) the quality of the groundwater before the establishment of the transfer station as required by section 43;

(11) the monitoring and control elements required under Division V;

(12) the report of the observations made at the public meeting and a copy of the public notice published as required by section 36;

(13) the fees payable pursuant to the Environment Quality Act; and

(14) the financial guarantee required pursuant to section 63.

35. No person may establish, enlarge or operate a contaminated soil transfer station without being the owner of the land on which the transfer station and the systems necessary to operate the transfer station must be or are situated.

36. Every applicant for a certificate of authorization to establish or operate a contaminated soil transfer station must first inform the public of the proposed establishment or operation by means of a notice published in a newspaper circulated in the municipality where the transfer station is to be situated containing

(1) the designation of the land and the applicant's name and address;

(2) a summary of the project stating at a minimum the information required under paragraphs 1, 7, 8, 10 and 11 of section 34;

(3) the date, time and place in the municipality where the public information meeting will be held, which may not take place earlier than ten days after publication of the notice; and

(4) a statement that the full text of the document introducing the project referred to in subparagraph 2 may be examined at the office of the municipality.

A report of the observations made at the public meeting and a copy of the public notice published in the newspaper must be filed with the application for the certificate of authorization. The report must be made available for examination at the office of the municipality.

This section does not apply to a renewal of a certificate of authorization unless the renewal application involves an enlargement of or alteration to the transfer station.

37. A certificate of authorization issued under section 22 of the Environment Quality Act is valid for five years. To renew the certificate, an application must be filed with the Minister not later than 180 days before the end of the five-year period.

Information or documents previously filed with the Minister in connection with an application need not be re-filed if the applicant attests to their current accuracy.

DIVISION III
ESTABLISHMENT

38. The siting of a contaminated soil transfer station in the flood plain of a watercourse or body of water within the 100-year flood line is prohibited.

39. A contaminated soil transfer station must be sited at a minimum distance of one kilometre upstream of any surface water or groundwater collection facility if the facility is used for the production of spring water or mineral water within the meaning of the Regulation respecting bottled water (R.R.Q., 1981, c. Q-2, r.5), or for the supply of a waterworks system authorized under the Environment Quality Act.

The siting of a contaminated soil transfer station in the supply area of a spring water, mineral water or groundwater catchment site established in accordance with the Groundwater Catchment Regulation made by Order in Council 696-2002 dated 12 June 2002 is prohibited.

The distance prescribed by the first paragraph is measured from the inside limit of the buffer zone required under section 41 to be present on the perimeter of every contaminated soil transfer station.

40. A contaminated soil transfer station may not be sited in a zone susceptible to ground movement.

41. In order to preserve the isolation of the site, mitigate nuisances and allow for the implementation of necessary remedial measures, a buffer zone at least 50 m wide must be present on the perimeter of the contaminated soil transfer station. No watercourse or body of water may lie within the buffer zone.

42. The quality of the soils that may be altered by the transfer station must be determined before the site commences operations, in reference to the contaminants likely to be present in the soils to be accepted.

The concentration values determined before the site commences operations are to be used as intervention threshold values in the case of an accidental release into the environment and during closure of the site.

43. The quality of the site's groundwater and surface water must be determined before the establishment of the contaminated soil transfer station. For that purpose, the parameters to be measured and the substances to be analyzed are those determined before the transfer station is established, in reference to the contaminants likely to be present in the soils to be accepted at the transfer station. The values so obtained are to be used as intervention threshold values for the purposes of section 60.

44. In order to protect the air, water and soil from contamination, contaminated soils cannot be stored in a transfer station elsewhere than inside a building constructed in such manner as to protect its contents from alteration by water, snow, freezing or heat. The floor of the building must be of impermeable material not likely to be damaged by the nature of the contaminants present in the soils and be capable of supporting the soils. In addition, the storage area must be laid out so that any run-off liquid is contained.

The building must be ventilated so that it is maintained at all times under negative air pressure. The ventilation system must enable all the substances present in the gases and dust likely to be released from the building to be collected and sampled, and a gas treatment system must be installed so that all the substances discharged into the atmosphere comply with the ambient air standards at all times, at the limits of the property.

45. All run-off liquid from the soils must be recovered, analyzed and decontaminated if need be. No run-off liquid may be discharged into the environment unless it meets the values determined at the time the certificate of authorization is issued. For that purpose, the run-off liquid must be recovered in a leakproof tank protected from rainwater so that a determination of the contaminant concentration may be made before treatment or discharge.

46. The land on which the contaminated soil transfer station is sited must have a surface water drainage system capable of allowing the quality of the surface water to be monitored and preventing the surface water from coming into contact with the contaminated soils.

47. An observation well network must be installed on the perimeter of the site to monitor the quality of groundwater upstream and downstream of the contaminated soil transfer station. The minimum number of wells is three, one upstream and two downstream. The location of the wells on the land and in the ground must take hydrogeological conditions into account.

48. Every contaminated soil transfer station must have, at the entrance,

(1) a conspicuous sign indicating that the site is a contaminated soil transfer station, the name, address and telephone number of the operator and any other person responsible for the transfer station, and the transfer station's business hours; and

(2) a barrier or other device preventing access to the transfer station outside business hours or in the absence of an authorized person.

DIVISION IV
OPERATION

49. The operator of a contaminated soil transfer station must verify the acceptability of the soils before they are received. For that purpose, for every incoming shipment of soil, the operator must request from the owner of the soil and enter in an operations logbook

(1) the name and address of the owner of the soil and the name of the carrier;

(2) the quantity of soil expressed in metric tonnes;

(3) the nature of the contaminants present in the soil and their concentration value with the name of the laboratory that prepared the analysis reports;

(4) the origin of the soil; and

(5) the date on which the soil was accepted by the station.

The logbook must make it possible at all times to locate the batches of soils received to allow sampling to verify their acceptability.

50. The operations logbook and annexed documents referred to in the first paragraph of section 51 must be kept on the premises of the transfer station while the transfer station is in operation and be made available to the Minister. Following closure of the station, they must also be kept by the operator for five years and be made available to the Minister.

51. The operator must, before accepting contaminated soils, ascertain the nature and concentration values of the substances present in the soils, among those in Schedule III, by means of an analysis report comprising a number of representative samples making it possible to confirm whether the soils may be accepted. The analyses must be annexed to the operations logbook.

The data must be obtained from the owner of the soil and entered in the logbook. The sampling and analysis methodology, including the sampling method, must also be specified, as well as the number of samples required per unit of volume to ensure that the soils to be shipped to the transfer station arrive with the appropriate analysis reports attesting to their acceptability.

52. The operator must, for each batch of soil and for at least every 100 m^3 of contaminated soils accepted, take a single sample with a mass sufficient to make an analysis of all the contaminants among those listed in Schedule III likely to be present in the soils. The results of the analysis must be entered in the operations logbook referred to in section 49 and in the report prepared under section 61.

The logbook must make it possible at all times to locate the batches of soils received to allow sampling to verify their acceptability.

53. The operator of a contaminated soil transfer station must take the necessary measures to prevent dust dispersal inside the station and in the vicinity of the site.

54. The operator of a contaminated soil transfer station must, for every shipment of outgoing soils, enter the following in the operations logbook referred to in section 49:

(1) the quantity of outgoing soils;

(2) the destination of the soils; and

(3) the date of transfer.

55. The gas collection and treatment systems referred to in section 44, the water drainage system referred to in section 46 and the groundwater observation well network referred to in section 47 must be maintained in working order at all times.

DIVISION V
MONITORING AND CONTROL

56. The concentration of the substances present in the gases and the gas flow must be measured at the outlet of the building's gas collection and treatment system referred to in section 44. The substances that may be present in the gases must be determined at the time the transfer station is established, in reference to the contaminants present in the soils to be accepted by the station and the sampling frequency.

57. At least twice a year, in the spring and fall, the operator of a contaminated soil transfer station must take at least three grab samples from the water in the surface water drainage system. The samples must be analyzed for the parameters and substances determined pursuant to section 43 to determine their concentration.

58. At least twice a year, in the spring and fall, the operator of a contaminated soil transfer station must take one groundwater sample from each of the observation wells located on the perimeter of the site to quantify each of the parameters and substances determined pursuant to section 43 and have them analyzed to determine their concentration.

During sampling, the groundwater piezometric level must also be measured.

59. The surface water and groundwater samples taken pursuant to sections 57 and 58 must be analyzed within the required time and the analysis report must be annexed to the operations logbook and kept as provided in section 50.

60. Within 15 days after the day on which the operator becomes aware that the values determined as provided in section 43 have been exceeded, the operator must so inform the Minister in writing, indicating the measures the operator has taken or intends to take to remedy the situation and, where necessary, implement the measures.

DIVISION VI
REPORT

61. The operator of a contaminated soil transfer station must prepare an annual operations report containing a compilation of the data collected pursuant to

subparagraphs 2 to 5 of the first paragraph of section 49 and section 54 as regards the quantity of soil accepted, the nature and extent of contamination, the date of acceptance, the origin and destination of the soils and the quantity of contaminated soils transferred and the date of transfer.

The report must be be sent to the Minister in January of each year.

DIVISION VII
CLOSURE

62. The operator of a contaminated soil transfer station must, 60 days before the transfer station is to cease operations, send a notice to the Minister confirming the date of closure.

On the day of closure of the station, all contaminated soils must have been transferred by the operator to an authorized treatment centre so that no such soil is present in the building or on the surrounding land.

The operator of the transfer station must have a characterization study of the land performed within six months after operations have permanently ceased. The study must be sent to the Minister as soon as it is completed.

If the characterization study reveals the presence of contaminants in a concentration exceeding the values determined pursuant to section 42, the operator must take the necessary measures so that the contaminant concentration returns to values equal to or lower than those values. If, however, the values determined pursuant to section 42 were equal to or greater than the limit values in Schedule II, the operator must take the necessary measures to reduce the contaminant concentration to values lower than the values in that Schedule.

DIVISION VIII
FINANCIAL GUARANTEE

63. The operation of a contaminated soil transfer station is subject to the operator, or a third party on the operator's behalf, providing a financial guarantee to ensure the performance of the operator's obligations under the Environment Quality Act, regulations, an order or authorization during the period of operation and on closure.

The amount of the guarantee is fixed on the basis of $75 per metric tonne according to the maximum capacity of soils that may be stored at any given time.

64. The guarantee must be provided to the Minister of Sustainable Development, Environment and Parks in lawful money of Canada before the transfer station commences operations, in one of the following forms:

(1) cash, a bank draft or money order, postal money order or certified cheque made out to the Minister of Finance;

(2) bearer bonds issued or guaranteed by Québec, Canada or a Canadian province, the United States of America or one of its member States, the International Bank for Reconstruction or Development, a municipality or a school board in Canada, or a fabrique in Québec;

(3) a security or guarantee policy issued to the Minister of Finance with a stipulation of solidarity and renunciation of the benefits of discussion and division by a legal person authorized to stand security under the Bank Act (S.C. 1991, c. 46), the Act respecting trust companies and savings companies (R.S.Q., c. S-29.01), the Act respecting insurance (R.S.Q., c. A-32) or the Act respecting financial services cooperatives (R.S.Q., c. C-67.3); or

(4) a letter of credit issued to the Minister of Finance by a bank or a financial services cooperative.

Subject to the term specified and section 66, the wording of a guarantee in the form of a security or guarantee policy or letter of credit must be to the effect that the guarantee is unconditional and irrevocable.

65. All sums of money, drafts, cheques, orders or bonds provided as a guarantee must be deposited with the Minister of Finance pursuant to the Deposit Act (R.S.Q., c. D-5) for the duration of the operations until the date of closure confirmed pursuant to section 62 or the date of revocation or transfer of the certificate of authorization, whichever occurs first.

66. A guarantee provided in the form of a security or a guarantee policy or a letter of credit must have a term of not less than 12 months. At least 60 days before the expiry of the guarantee, the proponent must send a renewal of the guarantee or any other guarantee that meets the requirements of sections 63 and 64 to the Minister of Sustainable Development, Environment and Parks.

The guarantee must also contain a clause setting the time period for filing a claim that alleges failure by the operator to perform obligations at not less than 12 months after the expiry of the guarantee or, as the case may be, its revocation, rescission or cancellation, whichever occurs first.

67. If the operator fails to perform an obligation and the default persists after a notice from the Minister to remedy the failure, the Minister may use the financial guarantee provided pursuant to this Chapter to pay expenses necessary for performance of the obligation. In such a case, the sums required to fulfil a financial guarantee provided under this Division become payable.

68. The guarantee is returned to the operator after the closure of the transfer station only if the Minister is satisfied that the operator has complied with all applicable provisions of this Regulation.

CHAPTER IV
OFFENCES

69. Every contravention of sections 14, 15, 17, 20, 23 to 25, the first and third paragraphs of section 27, sections 42, 43, 45 to 52, 56, the first paragraph of section 61 and the first and third paragraphs of section 62 renders the operator of the facility liable to a fine of

(1) $500 to $5,000 in the case of a natural person; and

(2) $1,000 to $20,000 in the case of a legal person.

Every contravention of the third and fourth paragraphs of section 6 renders the offender liable to the fine provided for in the first paragraph.

70. Every contravention of sections 7, 13, 18, 19, 26, 38 to 41, 53 to 55, 57 to 60, 63, 64 and 66 renders the operator of the facility liable to a fine of

(1) $2,000 to $15,000 in the case of a natural person; and

(2) $5,000 to $100,000 in the case of a legal person.

71. Every contravention of sections 16, 21, 22, the second and fourth paragraphs of section 27, sections 28 to 32, 44, the second and fourth paragraphs of section 62 and section 76 renders the operator of the facility liable to a fine of

(1) $10,000 to $25,000 in the case of a natural person; and

(2) $25,000 to $500,000 in the case of a legal person.

Every contravention of sections 4 and 5, the second paragraph of section 6, sections 8 to 12 and section 33 renders the offender liable to the fine provided for in the first paragraph.

72. Every person who introduces materials into a contaminated soil transfer station that under this Regulation cannot be accepted by the transfer station is liable to the fine provided for in section 71.

73. The fines prescribed by sections 69 to 72 are doubled for a second or subsequent offence.

CHAPTER V
MISCELLANEOUS

74. The analyses required pursuant to this Regulation must be carried out by a laboratory accredited by the Minister under section 118.6 of the Environment Quality Act.

75. The applications to obtain the certificate of authorization referred to in section 22 of the Environment Quality Act to establish, renew, enlarge or alter a storage site or a contaminated soil transfer station must be accompanied by payment, in cash, by bank or postal money order, or certified cheque made out to the Minister of Finance, of the fees set out in the following table:

Type of facility	Establishment	Renewal	Enlargement	Alteration without enlargement
Contaminated soil storage site	$1,348	$674	$1,348	$674
Contaminated soil transfer station	$1,348	$674	$1,348	$674

The fees are adjusted on 1 January of each year based on the percentage change in the Consumer Price Indexes for Canada, as published by Statistics Canada; the change is calculated by determining the difference between the average of the monthly indexes for the 12-month period ending on 30 September of the preceding year and the average of the monthly indexes for the same period of the second preceding year. The Minister is to publish the results of the adjustment in Part 1 of the *Gazette officielle du Québec* before 1 January of each year and, if the Minister considers it appropriate, give notice by any other means.

76. The operator of a storage site for contaminated soils to be reclaimed that is referred to in section 11 or of a contaminated soil transfer station in operation on 15 February 2007 in compliance with authorizations granted before that date must, not later than 15 August 2007,

(1) determine, for the purposes of sections 14, 15, 42 and 43, the quality of the water and soils; and

(2) have, for the purposes of sections 24, 45, 55 and 56, the authorizations amended.

77. Certificates of authorization to operate a contaminated soil storage site or transfer station issued under section 22 of the Environment Quality Act four years or more before 15 February 2007 cease to have effect on 15 February 2008. An operator of such a site or transfer station wishing to continue the operation of the site or transfer station after that date must file a renewal application with the Minister in accordance with section 12 or 37, not later than 15 August 2007.

78. The provisions of this Regulation apply to the immovables in a reserved area or an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1).

79. Schedule II to the Regulation respecting the landfilling and incineration of residual materials[1] is amended by striking out "(NATO, 1988)" in the title.

80. This Regulation comes into force on the 15 February 2007.

SCHEDULE I
(ss. 1 and 4)

Contaminants	**Limit values mg/kg of soil (dry matter)**
I- METALS AND METALLOIDS	
Silver (Ag)	20
Arsenic (As)	30
Barium (Ba)	500
Cadmium (Cd)	5
Cobalt (Co)	50
Chromium (Cr)	250
Copper (Cu)	100
Tin (Sn)	50
Manganese (Mn)	1,000
Mercury (Hg)	2
Molybdenum (Mo)	10
Nickel (Ni)	100
Lead (Pb)	500
Selenium (Se)	3
Zinc (Zn)	500
II- OTHER INORGANIC COMPOUNDS	
Available bromide (Br^-)	50
Available cyanide (CN^-)	10
Total cyanide (CN^-)	50
Available fluoride (F^-)	400
III- VOLATILE ORGANIC COMPOUNDS	
Monocyclic aromatic hydrocarbons	
Benzene	0.5
Monochlorobenzene	1
1,2-Dichlorobenzene	1
1,3-Dichlorobenzene	1
1,4-Dichlorobenzene	1
Ethylbenzene	5
Styrene	5
Toluene	3
Xylenes	5
Chlorinated aliphatic hydrocarbons	
Chloroform	5
1,1-Dichloroethane	5
1,2-Dichloroethane	5
1,1-Dichloroethylene	5
1,2-Dichloroethylene (cis and trans)	5
Dichloromethane	5
1,2-Dichloropropane	5
1,3-Dichloropropylene (cis and trans)	5

[1] The Regulation respecting the landfilling and incineration of residual materials was made by Order in Council 451-2005 dated 11 May 2005 (2005, *G.O.* 2, 1182) and has not been amended since.

Contaminants	Limit values mg/kg of soil (dry matter)
1,1,2,2-Tetrachloroethane	5
Tetrachloroethylene	5
Carbon tetrachloride	5
1,1,1-Trichloroethane	5
1,1,2-Trichloroethane	5
Trichloroethylene	5
IV- PHENOLIC COMPOUNDS	
Non-chlorinated	
Cresol (ortho, meta, para)	1
2,4-Dimethylphenol	1
2-Nitrophenol	1
4-Nitrophenol	1
Phenol	1
Chlorinated	
Chlorophenol (-2, -3, or -4)	0.5
2,3-Dichlorophenol	0.5
2,4-Dichlorophenol	0.5
2,5-Dichlorophenol	0.5
2,6-Dichlorophenol	0.5
3,4-Dichlorophenol	0.5
3,5-Dichlorophenol	0.5
Pentachlorophenol (PCP)	0.5
2,3,4,5-Tetrachlorophenol	0.5
2,3,4,6-Tetrachlorophenol	0.5
2,3,5,6-Tetrachlorophenol	0.5
2,3,4-Trichlorophenol	0.5
2,3,5-Trichlorophenol	0.5
2,3,6-Trichlorophenol	0.5
2,4,5-Trichlorophenol	0.5
2,4,6-Trichlorophenol	0.5
3,4,5-Trichlorophenol	0.5
V- POLYCYCLIC AROMATIC HYDROCARBONS	
Acenaphthene	10
Acenaphthylene	10
Anthracene	10
Benzo(a)anthracene	1
Benzo(a)pyrene	1
Benzo(b+j+k)fluoranthene (combination or each)	1
Benzo(c)phenanthrene	1
Benzo(g,h,i)perylene	1
Chrysene	1
Dibenzo(a,h)anthracene	1
Dibenzo(a,i)pyrene	1
Dibenzo(a,h)pyrene	1
Dibenzo(a,l)pyrene	1
7,12-Dimethylbenzo(a)anthracene	1
Fluoranthene	10
Fluorene	10
Indeno(1,2,3-cd)pyrene	1
3-Methylcholanthrene	1
Naphthalene	5
1-Methylnaphthalene	1
2-Methylnaphthalene	1
1,3-Dimethylnaphthalene	1
2,3,5-Trimethylnaphthalene	1
Phenanthrene	5
Pyrene	10
VI- NON-CHLORINATED BENZENE COMPOUNDS	
2,4,6-Trinitrotoluene (TNT)	0.04
VII- CHLOROBENZENES	
Hexachlorobenzene	2
Pentachlorobenzene	2
1,2,3,4-Tetrachlorobenzene	2
1,2,3,5-Tetrachlorobenzene	2
1,2,4,5-Tetrachlorobenzene	2
1,2,3-Trichlorobenzene	2
1,2,4-Trichlorobenzene	2
1,3,5-Trichlorobenzene	2
VIII- POLYCHLORINATED BIPHENYLS (PCBs)	
Summation of the congeners	1

Contaminants	Limit values mg/kg of soil (dry matter)
IX- PESTICIDES	
Tebuthiuron	50
X- OTHER ORGANIC SUBSTANCES	
Acrylonitrile	1
Ethylene glycol	97
Formaldehyde	100
Dibutyl phthalate	6
XI- INTEGRATING PARAMETERS	
Petroleum hydrocarbons C_{10} to C_{50}	700
XII- DIOXINS AND FURANS	
Summation of chlorodibenzodioxins and chlorodibenzofurans expressed as 2,3,7,8-TCDD toxic equivalents (NATO scale, 1988)	1.5×10^{-5}

SCHEDULE II
(ss. 7, 11, 20, 27 and 62)

Contaminants	Limit values mg/kg of soil (dry matter)
I- METALS AND METALLOIDS	
Silver (Ag)	40
Arsenic (As)	50
Barium (Ba)	2,000
Cadmium (Cd)	20
Cobalt (Co)	300
Chromium (Cr)	800
Copper (Cu)	500
Tin (Sn)	300
Manganese (Mn)	2,200
Mercury (Hg)	10
Molybdenum (Mo)	40
Nickel (Ni)	500
Lead (Pb)	1,000
Selenium (Se)	10
Zinc (Zn)	1,500
II- OTHER INORGANIC COMPOUNDS	
Available bromide (Br^-)	300
Available cyanide (CN^-)	100
Total cyanide (CN^-)	500
Available fluoride (F^-)	2,000
III- VOLATILE ORGANIC COMPOUNDS	
Monocyclic aromatic hydrocarbons	
Benzene	5
Chlorobenzene (mono)	10
1,2-Dichlorobenzene	10
1,3-Dichlorobenzene	10
1,4-Dichlorobenzene	10
Ethylbenzene	50
Styrene	50
Toluene	30
Xylenes	50
Chlorinated aliphatic hydrocarbons	
Chloroform	50
1,1-Dichloroethane	50
1,2-Dichloroethane	50
1,1-Dichloroethylene	50
1,2-Dichloroethylene (cis and trans)	50
Dichloromethane	50
1,2-Dichloropropane	50
1,3-Dichloropropylene (cis and trans)	50
1,1,2,2-Tetrachloroethane	50
Tetrachloroethylene	50
Carbon tetrachloride	50
1,1,1-Trichloroethane	50
1,1,2-Trichloroethane	50
Trichloroethylene	50
IV- PHENOLIC COMPOUNDS	
Non-chlorinated	
Cresol (ortho, meta, para)	10
2,4-Dimethylphenol	10

Contaminants	Limit values mg/kg of soil (dry matter)
2-Nitrophenol	10
4-Nitrophenol	10
Phenol	10
Chlorinated	
Chlorophenol (-2, -3, or -4)	5
2,3-Dichlorophenol	5
2,4-Dichlorophenol	5
2,5-Dichlorophenol	5
2,6-Dichlorophenol	5
3,4-Dichlorophenol	5
3,5-Dichlorophenol	5
Pentachlorophenol (PCP)	5
2,3,4,5-Tetrachlorophenol	5
2,3,4,6-Tetrachlorophenol	5
2,3,5,6-Tetrachlorophenol	5
2,3,4-Trichlorophenol	5
2,3,5-Trichlorophenol	5
2,3,6-Trichlorophenol	5
2,4,5-Trichlorophenol	5
2,4,6-Trichlorophenol	5
3,4,5-Trichlorophenol	5
V- POLYCYCLIC AROMATIC HYDROCARBONS	
Acenaphthene	100
Acenaphthylene	100
Anthracene	100
Benzo(a)anthracene	10
Benzo(a)pyrene	10
Benzo(b+j+k)fluoranthene (combination or each)	10
Benzo(c)phenanthrene	10
Benzo(g,h,i)perylene	10
Chrysene	10
Dibenzo(a,h)anthracene	10
Dibenzo(a,i)pyrene	10
Dibenzo(a,h)pyrene	10
Dibenzo(a,l)pyrene	10
7,12-Dimethylbenzo(a)anthracene	10
Fluoranthene	100
Fluorene	100
Indeno(1,2,3-cd)pyrene	10
3-Methylcholanthrene	10
Naphthalene	50
1-Methylnaphthalene	10
2-Methylnaphthalene	10
1,3-Dimethylnaphthalene	10
2,3,5-Trimethylnaphthalene	10
Phenanthrene	50
Pyrene	100
VI- NON-CHLORINATED BENZENE COMPOUNDS	
2,4,6-Trinitrotoluene (TNT)	1.7
VII- CHLOROBENZENES	
Hexachlorobenzene	10
Pentachlorobenzene	10
1,2,3,4-Tetrachlorobenzene	10
1,2,3,5-Tetrachlorobenzene	10
1,2,4,5-Tetrachlorobenzene	10
1,2,3-Trichlorobenzene	10
1,2,4-Trichlorobenzene	10
1,3,5-Trichlorobenzene	10
VIII- POLYCHLORINATED BIPHENYLS (PCBs)	
Summation of the congeners	10
IX- PESTICIDES	
Tebuthiuron	3,600
X- OTHER ORGANIC SUBSTANCES	
Acrylonitrile	5
Ethylene glycol	411
Formaldehyde	125
Dibutyl phthalate	70,000
XI- INTEGRATING PARAMETERS	
Petroleum hydrocarbons C_{10} to C_{50}	3,500

Contaminants	Limit values mg/kg of soil (dry matter)
XII- DIOXINS AND FURANS	
Summation of chlorodibenzodioxins and chlorodibenzofurans expressed as 2,3,7,8-TCDD toxic equivalents (NATO scale, 1988)	7.5×10^{-4}

SCHEDULE III
(ss. 29, 30, 32, 51 and 52)

Contaminants	Limit values mg/kg of soil (dry matter)
I- METALS AND METALLOIDS	
Silver (Ag)	200
Arsenic (As)	250
Barium (Ba)	10,000
Cadmium (Cd)	100
Chromium (Cr)	4,000
Cobalt (Co)	1,500
Copper (Cu)	2,500
Tin (Sn)	1,500
Manganese (Mn)	11,000
Mercury (Hg)	50
Molybdenum (Mo)	200
Nickel (Ni)	2,500
Lead (Pb)	5,000
Selenium (Se)	50
Zinc (Zn)	7,500
II- OTHER INORGANIC COMPOUNDS	
Available bromide (Br^-)	1,500
Available cyanide (CN^-)	300
Total cyanide (CN^-)	5,900
Available fluoride (F^-)	10,000
III- VOLATILE ORGANIC COMPOUNDS	
Monocyclic aromatic hydrocarbons	
Benzene	100
Monochlorobenzene	60
1,2-Dichlorobenzene	60
1,3-Dichlorobenzene	60
1,4-Dichlorobenzene	60
Ethylbenzene	100
Styrene	100
Toluene	100
Xylenes	300
Chlorinated aliphatic hydrocarbons	
Bromodichloromethane	150
2-Chloro-1,3-butadiene	2.8
3-Chloropropylene	300
Chlorodibromomethane	150
Chloroethane	60
Chloroform	60
Chloromethane or methyl chloride	300
Vinyl chloride	60
1,2-Dibromo-3-chloropropane	150
1,1-Dichloroethane	60
1,2-Dichloroethane	60
1,1-Dichloroethylene	60
1,2-Dichloroethylene (cis and trans)	600
Dichloromethane	300
1,2-Dichloropropane	180
1,3-Dichloropropylene (cis and trans)	360
Dichlorodifluoromethane	72
Hexachlorobutadiene	56
Hexachloroethane	300
Pentachloroethane	60
1,1,1,2-Tetrachloroethane	60
1,1,2,2-Tetrachloroethane	60
Tetrachloroethylene	60
Carbon tetrachloride	60
1,1,1-Trichloroethane	60
1,1,2-Trichloroethane	60
1,2,3-Trichloropropane	300
Trichloroethylene	60
Trichlorofluoromethane	300

Contaminants	Limit values mg/kg of soil (dry matter)
IV- PHENOLIC COMPOUNDS	
Non-chlorinated	
Cresol (ortho, meta, para)	56
2,4-Dimethylphenol	140
2-Nitrophenol	130
4-Nitrophenol	290
Phenol	62
Chlorinated	
Chlorophenol (-2, -3, or -4)	57
2,3-Dichlorophenol	140
2,4-Dichlorophenol	140
2,5-Dichlorophenol	140
2,6-Dichlorophenol	140
3,4-Dichlorophenol	140
3,5-Dichlorophenol	140
p-Chloro-*m*-cresol	140
Pentachlorophenol	74
2,3,4,5-Tetrachlorophenol	74
2,3,4,6-Tetrachlorophenol	74
2,3,5,6-Tetrachlorophenol	74
2,3,4-Trichlorophenol	74
2,3,5-Trichlorophenol	74
2,3,6-Trichlorophenol	74
2,4,5-Trichlorophenol	74
2,4,6-Trichlorophenol	74
3,4,5-Trichlorophenol	74
V- POLYCYCLIC AROMATIC HYDROCARBONS	
Benzo(a)anthracene	34
Benzo(a)pyrene	34
Benzo(b+j+k)fluoranthene	136
Benzo(c)phenanthrene	56
Benzo(g,h,i)perylene	18
2-Chloronaphthalene	56
Chrysene	34
Dibenzo(a,h)anthracene	82
Dibenzo(a,h)pyrene	34
Dibenzo(a,i)pyrene	34
Dibenzo(a,l)pyrene	34
7,12-Dimethylbenzo(a)anthracene	34
Indeno(1,2,3-cd)pyrene	34
1-Methylnaphthalene	56
2-Methylnaphthalene	56
1,3-Dimethylnaphthalene	56
2,3,5-Trimethylnaphthalene	56
3-Methylcholanthrene	150
Naphthalene	56
Phenanthrene	56
VI- NON-CHLORINATED BENZENE COMPOUNDS	
2,6-Dinitrotoluene	280
2,4,6-Trinitrotoluene (TNT)	280
VII- CHLOROBENZENES	
Benzal chloride or dichloromethylbenzene	60
Hexachlorobenzene	100
4,4-Methylene bis(2-chloroaniline)	300
p-Chloroaniline or chloroaminobenzene	160
Pentachlorobenzene	100
Pentachloronitrobenzene	48
1,2,3,4-Tetrachlorobenzene	140
1,2,3,5-Tetrachlorobenzene	140
1,2,4,5-Tetrachlorobenzene	140
1,2,3-Trichlorobenzene	190
1,2,4-Trichlorobenzene	190
1,3,5-Trichlorobenzene	190
VIII- POLYCHLORINATED BIPHENYLS (PCBs)	
Summation of the congeners	50
IX- PESTICIDES	
Chlorinated	
2,4,5-T	79
2,4-D	100

Contaminants	Limit values mg/kg of soil (dry matter)
Aldrin	0.66
alpha-BHC or hexachlorocyclohexane	0.66
beta-BHC or hexachlorocyclohexane	0.66
delta-BHC or hexachlorocyclohexane	0.66
gamma-BHC or lindane or hexachlorocyclohexane	0.66
Barban	14
Chlordane (*alpha and gamma*)	2.6
Dieldrin	1.3
Endosulfan I	0.66
Endosulfan II	1.3
Endosulfan sulfate	1.3
Endrin	1.3
Endrin aldehyde	1.3
Heptachlor epoxide	0.66
Heptachlor	0.66
Formetanate hydrochloride	14
Isodrin	0.66
Kepone	1.3
Methoxychlor	1.8
o,p'-DDD	0.87
p,p'-DDD	0.87
o,p'-DDE	0.87
p,p'-DDE	0.87
o,p'-DDT	0.87
p,p'-DDT	0.87
Pronamide	15
Silvex or fenoprop	79
Thiodicarb	14
Toxaphene	26
Triallate	14
Non-chlorinated	
Aldicarb (*summation of Aldicarb, Aldicarb sulfone and Aldicarb sulfoxide*)	2.8
Bendiocarb	14
Benomyl	14
Butylate	14
Carbaryl	1.4
Carbendazim	14
Carbofuran	1.4
Carbofuran phenol	14
Carbosulfan	14
Dimetilan	14
Dinoseb	25
Disulfoton	62
EPTC	14
Famphur	150
Methiocarb	14
Methomyl	1.4
Metolcarb	14
Mexacarbate	14
Molinate	14
Oxamyl	2.8
Parathion	46
Methyl parathion	46
Pebulate	14
Phorate	46
Promecarb	14
Propham	14
Propoxur	14
Prosulfocarb	14
Thiophanate-methyl	14
Vernolate	14
A2213 or oxamyl oxime	14
X- OTHER ORGANIC SUBSTANCES	
Acrylonitrile	840
Diethyl phthalate	280
Dimethyl phthalate	280
Di-n-octyl phthalate	280
Hexachlorocyclopentadiene	24
Hexachloropropylene	300

Contaminants	Limit values mg/kg of soil (dry matter)
1,1,2-Trichloro-1,2,2-trifluoroethane	300
bis(2-chloroethyl)ether	60
bis(2-chloroethoxy)methane	72
bis(2-chloroisopropyl)ether	72
Butyl benzyl phthalate	280
XI- INTEGRATING PARAMETERS	
Petroleum hydrocarbons C_{10} to C_{50}	10,000
XII- DIOXINS AND FURANS	
Summation of chlorodibenzodioxins and chlorodibenzofurans expressed as 2,3,7,8-TCDD toxic equivalents (NATO scale, 1988)	0.005

7977

Gouvernement du Québec

O.C. 20-2007, 16 January 2007

An Act respecting the Pension Plan of Elected Municipal Officers
(R.S.Q., c. R-9.3)

Regulation
— Amendments

Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers

WHEREAS, under subparagraph 1 of the first paragraph of section 75 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3), the Government may make a regulation to determine the rates of interest which must be fixed by regulation pursuant to the Act and, where that is the case, the rules governing the computation of the interest;

WHEREAS, under subparagraph 4 of the first paragraph of section 75 of the Act, the Government may make a regulation to determine the standards for calculating the actuarial value of a pension;

WHEREAS the Government made the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers by Order in Council 1742-89 dated 15 November 1989, which was last amended by the regulation made by Order in Council 1009-2005 dated 26 October 2005;

WHEREAS it is expedient to further amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers was published in Part 2 of the *Gazette officielle du Québec* of 30 August 2006 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS comments were made on the draft Regulation;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions:

THAT the Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers*

An Act respecting the Pension Plan of Elected Municipal Officers
(R.S.Q., c. R-9.3, s. 75, 1st par., subpars. 1 and 4)

1. The Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers is amended by replacing the part that precedes section 1 by the following:

* The Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers, made by Order in Council 1742-89 dated 15 November 1989 (1989, *G.O.* 2, 4153), was last amended by the regulation made by Order in Council 1009-2005 dated 26 October 2005 (2005, *G.O.* 2, 4834). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 September 2006.