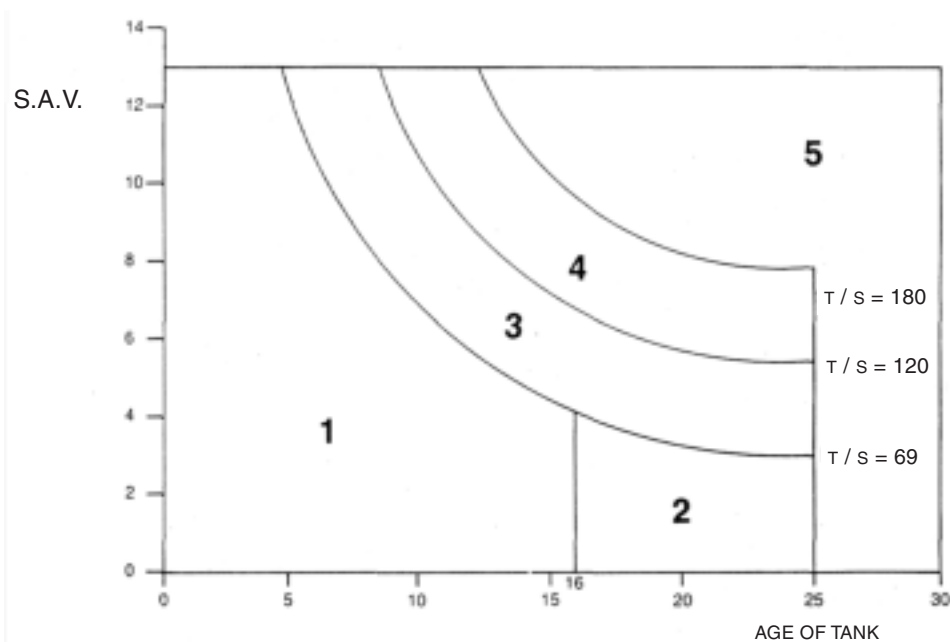


Zone 5

The tank must be replaced immediately.



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Gouvernement du Québec

O.C. 222-2007, 21 February 2007

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

Regulation
— Amendments

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

WHEREAS, under section 4.1 and subparagraph 1 of the first paragraph of section 182 of the Building Act (R.S.Q., c. B-1.1), amended respectively by sections 27 and 61 of chapter 10 of the Statutes of 2005, the Government may, by regulation, exempt from the application, in whole or in part of the Act, categories of contractors, owner-builders, owners of petroleum equipment installations and categories of installations and equipment;

WHEREAS, under section 80 of the Act to amend the Act respecting petroleum products and equipment, the Building Act and other legislative provisions (2005, c. 10), the private inspection programs approved under section 57 of the Act respecting petroleum products and equipment (R.S.Q., c. P-29.1) remain valid until the approval expires and the holder of an approval may also be exempted from furnishing the certificates of conformity required under section 35 of the Building Act, as determined by the Government under section 182 of the Act;

WHEREAS, under subparagraph 3 of the first paragraph of section 182 of the Act, the Government may, by regulation, determine the extent to which the Government, its departments and agencies that are mandatories of the State are bound by the Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the

application of the Building Act was published in Part 2 of the *Gazette officielle du Québec* of 13 December 2006 with a notice that it could be made by the Government, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS comments received have been examined;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting the application of the Building Act, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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 to distribute gas or a petroleum equipment installation”.

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;

(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 1.2 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 exempted 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:

* 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.

**“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 and Chapter VI of the Safety Code:

(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 1 April 2007.

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M.O., 2007

**Order of the Minister of Sustainable Development,
Environment and Parks dated 20 February 2007**

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Assignment of a temporary protection status as a proposed biodiversity reserve to a portion of the territory of the former Seigneurie du Triton

WHEREAS, under the first paragraph of section 27 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), for the purpose of protecting land to be established as a new protected area, the Minister of Sustainable Development, Environment and Parks may, with the approval of the Government, prepare the plan of that area, establish a conservation plan and assign temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

WHEREAS, under section 28 of the Act, the setting aside of land under the first paragraph of section 27 is valid for a period of not more than four years, subject to

subsequent renewals or extensions that may not, unless authorized by the Government, be such that the term of the setting aside exceeds six years;

CONSIDERING that, in view of the ecological value of the areas, the Minister of Sustainable Development, Environment and Parks has been authorized by the Government to assign temporary protection status as a proposed biodiversity reserve to that portion of the territory, and that the plan and the proposed conservation plan for the area have been approved, as provided in Order in Council 130-2007 dated 14 February 2007;

THEREFORE, the Minister of Sustainable Development, Environment and Parks orders as follows:

(1) proposed biodiversity reserve status is assigned to the proposed Seigneurie-du-Triton biodiversity reserve, the plan and conservation plan for the area for the term of the assigned temporary protection being those approved by the Government;

(2) the status is assigned for a term of four years commencing on the date on which the notice of the setting aside of the land is published in the *Gazette officielle du Québec*.

Québec, 20 February 2007

CLAUDE BÉCHARD,
*Minister of Sustainable Development,
Environment and Parks*

8040

M.O., 2007

**Order of the Minister of Sustainable Development,
Environment and Parks dated 20 February 2007**

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Assignment of temporary protection status as proposed biodiversity reserves to certain lands of the domain of the State

WHEREAS, under the first paragraph of section 27 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), for the purpose of protecting land to be established as a new protected area, the Minister of Sustainable Development, Environment and Parks shall, with the approval of the Government, prepare the plan of that area, establish a conservation plan and assign temporary protection