

(5) by inserting the following subparagraph after subparagraph *b* of subparagraph 3 of the first paragraph:

“(c) if a landfill is planned to be sited completely on a mine tailings heap, the documents or information establishing that physical constraints justify the implementation of substitution measures for groundwater monitoring and supervision, as permitted by section 89, and that those measures meet the conditions in that section;”;

(6) by replacing “a northern landfill” in subparagraph 4 of the first paragraph by “an application concerning a northern landfill”;

(7) by replacing “a residual materials transfer station or” in subparagraph 5 of the first paragraph by “an application concerning a residual materials transfer station or”.

36. Section 150 is amended

(1) by inserting “139.2,” after “120,” in the first paragraph;

(2) by inserting “the fifth paragraph of section 91 concerning the application of sections 34 to 36,” after “and 52,” in the second paragraph;

(3) by replacing “subparagraph 4” in the second paragraph by “subparagraphs 1 and 4”.

37. Section 151 is amended

(1) by replacing “41” and “third paragraph” in the first paragraph by “40.1” and “third and fourth paragraphs” respectively;

(2) by replacing “sections 43, 44” and “43, 44, 55 and 63 to 71” in the second paragraph by “sections 40.1, 43, 44” and “40.1, 43, 44, 55, 63 to 67 and 69 to 71” respectively.

38. Section 152 is amended by replacing “sections 53” in the second paragraph by “sections 47, 53”.

39. The following is inserted after section 155:

“**155.1.** Sections 64.2 to 64.12 of the Environment Quality Act related to the fixing of tariffs by the operator of a residual materials disposal facility apply to the engineered landfills governed by Division 2 of Chapter II of this Regulation.”.

40. Section 157 is amended by striking out “annual” in paragraph 2.

41. Section 161 is amended by adding the following paragraph at the end:

“Despite the provisions of this section, residual materials generated in the territory of Ville de Lebel-sur-Quévillon may still be accepted in the in-trench disposal site operated by the municipality before 19 January 2009 and located in the territory of Ville de Senneterre, up to the landfill capacity authorized on that date.”.

42. The Regulation respecting the charges payable for the disposal of residual materials is amended in section 8 by replacing “an annual log” in the first paragraph by “a log” and by striking out “annual” in the last paragraph.

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

9256

Draft Regulation

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

Quarries and pits — Amendments

Notice is hereby given, 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, that the Regulation to amend the Regulation respecting pits and quarries, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The proposed Regulation gives new ways of restoring quarries and pits. More precisely, the proposed Regulation allows the backfill of quarries and pits with materials of a mineral nature generated by the dimension stone industry and by the crushing and screening of aggregate material and fragments of cement concrete or brick. It also allows the use of compost for the purpose of revegetating a quarry or pit.

The regulatory amendments, which, for the purpose of restoring a quarry or pit, will allow the reclamation of certain residues of a mineral nature generated by the crushing and screening activities, will offer a new alternative to the disposal of residues in landfills governed by

the Regulation respecting the landfilling and incineration of residual materials. In addition, the amendments will give a new way of reclaiming compost produced by authorized establishments.

The reclamation alternative offered by the proposed Regulation will consequently allow the enterprises concerned to reduce the management costs of certain residues from dimension stone processing and the crushing and screening of aggregate material and fragments of cement concrete or brick. The Regulation will also offer a new option for using compost produced by composting enterprises.

Further information may be obtained by contacting Francis Flynn, Head, Service des eaux industrielles, Direction des politiques de l'eau, Ministère du Développement durable, de l'Environnement et des Parcs, Édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 8^e étage, boîte 42, Québec (Québec) G1R 5V7; telephone: 418 521-3885, extension 4989; fax: 418 643-2124; e-mail: francis.flynn@mddep.gouv.qc.ca

Any person may submit written comments on the draft Regulation within the 60-day period to Francis Flynn at the same address.

LINE BEAUCHAMP,
*Minister of Sustainable Development,
Environment and Parks*

Regulation to amend the Regulation respecting pits and quarries*

Environment Quality Act
(R.S.Q., c. Q-2, s. 23 and s. 31, 1st par.,
subpars. c, e and f)

1. The Regulation respecting pits and quarries is amended in section 37 by replacing paragraph *b* by the following:

“(b) backfill by one of the following materials, followed by revegetation:

- i. earth, sand, gravel or stone;
- ii. residues of a mineral nature from aggregate material extraction;

iii. sludge generated by sediment basins used in aggregate extraction or dimension stone processing processes, with a dryness equal to or lower than 15% and that, when tested by a laboratory accredited by the Minister under section 118.6 of the Act, contains no free liquid; or

iv. particles of a mineral nature recuperated by an air cleaning system and resulting from the crushing and screening of aggregate material and fragments of cement concrete or brick, with the exception of firebrick;”.

2. Section 43 is replaced by the following:

“**43.** Where the restoration project includes revegetation of the land, the operator must cover the ground uniformly with topsoil or compost and take the measures required so that the new vegetation will still be growing 2 years after completion of the restoration work.

In addition, the use of compost for the revegetation of a quarry or pit is subject to obtaining an authorization from the Minister pursuant to section 22 of the Act.”.

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

9257

* The Regulation respecting pits and quarries (R.R.Q., 1981, c. Q-2, r.2) was last amended by the regulation made by Order in Council 451-2005 dated 11 May 2005 (2005, G.O. 2, 1182). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.