

(2) in the case of a legal person, to a fine of \$5,000 to \$250,000.

56. Every person who fails to communicate to the Minister information whose communication is prescribed by section 6, the third paragraph of section 8, sections 9 to 11, the second paragraph of section 26, sections 27 and 33, the second paragraph of section 39 and sections 46 and 52, or communicates false or inaccurate information is liable,

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

(2) in the case of a legal person, to a fine of \$2,000 to \$50,000.

57. In the case of a subsequent offence, the fines prescribed by sections 55 and 56 are doubled.

CHAPTER VIII TRANSITIONAL AND MISCELLANEOUS

58. The Regulation respecting the recovery and reclamation of discarded paint containers and paints, made by Order in Council 655-2000 dated 1 June 2000, and the Regulation respecting the recovery and reclamation of used oils, oil or fluid containers and used filters, made by Order in Council 166-2004 dated 10 March 2004, are revoked.

Despite the foregoing, the provisions of those Regulations continue to apply to enterprises that implement recovery programs under those Regulations until they develop recovery and reclamation programs in accordance with this Regulation.

59. Recovery systems implemented under the Regulation respecting the recovery and reclamation of discarded paint containers and paints and the Regulation respecting the recovery and reclamation of used oils, oil or fluid containers and used filters remain in force until they are replaced by recovery and reclamation programs developed in accordance with this Regulation, which must be made not later than (*insert the date that occurs 1 year after the date of coming into force of this Regulation*).

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

9530

Draft Regulation

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

Disposal of residual materials — Charges payable

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 (R.S.Q., c. Q-2), that the Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The purpose of the draft Regulation is to prescribe additional charges for the disposal of residual materials in certain disposal sites for a 5-year period. Those charges are fixed at \$9.50 for each tonne of residual materials accepted for disposal and will not be indexed. The disposal sites subject to those charges are, in particular, engineered landfills, construction or demolition waste landfills and residual materials incineration facilities referred to in the Regulation respecting the landfilling and incineration of residual materials, made by Order in Council 451-2005 dated 11 May 2005.

By prescribing additional charges, the draft Regulation further reduces the quantity of residual materials that are sent for disposal in relation to their current level. It will also enable the establishment of funds that will be used to finance the program for the treatment of organic matters by biomethanization and composting.

Lastly, the draft Regulation amends certain due dates for the payment of charges and adds rules respecting the information to be provided.

The draft Regulation will have an impact on municipalities, operators of disposal sites and producers of residual materials.

Further information on the draft Regulation may be obtained by contacting André G. Bernier, Direction des affaires institutionnelles et des services à la clientèle, Ministère du Développement durable, de l'Environnement et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 29^e étage, boîte 97, Québec (Québec) G1R 5V7; telephone: 418 521-3929; e-mail: agbernier@mddep.gouv.qc.ca; fax: 418 644-4598. Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to André G. Bernier at the above-mentioned address.

LINE BEAUCHAMP,
Minister of Sustainable Development,
Environment and Parks

Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials*

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpar. e.1 and s. 70, par. 5)

1. The Regulation respecting the charges payable for the disposal of residual materials is amended in section 3 by inserting the following after the first paragraph:

“In addition, for each metric tonne of residual materials received for disposal from 1 April 2010 to 31 March 2015, an operator of a disposal site must pay, in addition to the charges prescribed in the first paragraph, additional charges of \$9.50.”.

2. Section 4 is amended by inserting “prescribed in the first paragraph of section 3” in the first paragraph after “charges”.

3. Section 5 is amended

(1) by replacing “30 July, 30 October and 30 January” in the first paragraph by “31 July, 31 October and 31 January”;

(2) by replacing “a document must be sent on those dates to the Minister of Sustainable Development, Environment and Parks in which the following information is provided” in the introductory sentence of the second paragraph by “the following information must be sent on those dates to the Minister of Sustainable Development, Environment and Parks on the form provided by the Minister”.

4. Section 9 is amended by inserting “, on the form provided by the Minister for that purpose,” after “Parks”.

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

9532

Draft Regulation

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

Organic matter reclamation facility — Financial guarantees

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 (R.S.Q., c. Q-2), that the Regulation respecting financial guarantees payable for the operation of an organic matter reclamation facility, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The purpose of the draft Regulation is to make the operation of an organic matter reclamation facility conditional on the setting up of a financial guarantee, by the operator or by a third person on behalf of the operator, intended to ensure the performance of the obligations imposed on the operator under the Environment Quality Act or any regulation, order or authorization made under the Act. The reclamation facilities covered are those where sorting, transfer, storage or treatment operations are carried out on organic matters for the purpose of their reclamation.

The proposed Regulation applies to both existing and new reclamation facilities. However, the draft Regulation provides that certain facilities are exempt from the obligation to provide the financial guarantee, such as reclamation facilities not subject to the obligation to obtain a certificate of authorization under section 22 of the Environment Quality Act.

The draft Regulation will help better regulate the organic matter reclamation industry in Québec. It will give the Minister of Sustainable Development, Environment and Parks adequate financial means should the Minister be required to intervene to solve environmental problems linked to the activities of a reclamation facility, even while it is in operation.

Further information may be obtained by contacting Mario Bérubé, service head for residual matters, Direction des politiques en milieu terrestre, Ministère du Développement durable, de l'Environnement et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 9^e étage, boîte 71, Québec (Québec) G1R 5V7; telephone: 418 521-3950, extension 4970; fax: 418 644-3386; e-mail: mario.berube3@mddep.gouv.qc.ca

* The Regulation respecting the charges payable for the disposal of residual materials, made by Order in Council 340-2006 dated 26 April 2006 (2006, G.O. 2, 1481), has not been amended since it was made.