

Regulations and other Acts

Gouvernement du Québec

O.C. 450-2011, 4 May 2011

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

Pits and quarries — Amendment

Regulation to amend the Regulation respecting pits and quarries

WHEREAS, under section 23 and subparagraphs *c*, *e* and *f* of the first paragraph of section 31 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may, by regulation, prescribe standards, terms and conditions applicable to the restoration of pits and quarries;

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 to amend the Regulation respecting pits and quarries was published in Part 2 of the *Gazette officielle du Québec* of 20 May 2009 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;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Regulation to amend the Regulation respecting pits and quarries, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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 surface revegetation:

- i. earth, sand, gravel or stone;
- ii. residues of a mineral nature from aggregate material extraction;
- iii. sludge generated by sedimentation basins used in aggregate extraction or dimension stone processing processes, with a dryness equal to or greater 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 fertilizing waste substances 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 fertilizing waste substances for the revegetation of a quarry or pit, including the prior storage of such substances, is subject to obtaining an authorization from the Minister pursuant to section 22 of the Act.”

* 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, 2010, updated to 1 October 2010.

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

1438

Gouvernement du Québec

O.C. 451-2011, 4 May 2011

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

**Landfilling and incineration of residual materials
— Amendment**

**Charges payable for the disposal of residual
materials
— Amendment**

Regulation to amend the Regulation respecting the landfilling and incineration of residual materials and the Regulation respecting the charges payable for the disposal of residual materials

WHEREAS subparagraphs *a, b, c, d, e, f, g, h, h.1, h.2* and *m* of the first paragraph of section 31, section 64.1 and paragraphs 1 to 7 of section 70 of the Environment Quality Act (R.S.Q., c. Q-2) empower the Government to 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 to amend the Regulation respecting the landfilling and incineration of residual materials and the Regulation respecting the charges payable for the disposal of residual materials was published in Part 2 of the *Gazette officielle du Québec* of 20 May 2009 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;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Regulation to amend the Regulation respecting the landfilling and incineration of residual materials and the Regulation respecting the charges payable for the disposal of residual materials, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting the landfilling and
incineration of residual materials* and
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., subpars. *a, b, c, d, e, f, g, h, h.1, h.2* and *m*, s. 64.1 and s. 70, pars. 1 to 7)

1. The Regulation respecting the landfilling and incineration of residual materials is amended in section 4 by replacing paragraph 6 by the following:

“(6) pesticides within the meaning of the Pesticides Act (R.S.Q., c. P-9.3);”.

2. Section 6 is amended

(1) by adding “, except batches of branches, stumps or shrubs less than 60 m³ and soil excavated from land that has not been contaminated by human activity” at the end of the first paragraph;

(2) by replacing the second paragraph by the following:

“Despite the provisions of the first paragraph, the following may be disposed of in a landfill authorized for that purpose by the Minister under section 22 of the Environment Quality Act:

(1) fibrous waste from sawmills;

(2) fibrous waste of the same nature as fibrous waste from sawmills that originates from oriented strandboard manufacturing plants; and

(3) ash, soils or sludge from the establishments referred to in subparagraphs 1 and 2 and that contain such waste.”.

* The Regulation respecting the landfilling and incineration of residual materials, made by Order in Council 451-2005 dated 11 May 2005 (2005, *G.O.* 2, 1182), was last amended by the regulation made by Order in Council 82-2009 dated 11 February 2009 (2009, *G.O.* 2, 193). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

** 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), was amended by the regulation made by Order in Council 526-2010 dated 23 June 2010 (2010, *G.O.* 2, 1879).