

Draft Regulation

Environment Quality Act
(chapter Q-2)

Filing of information on certain drilling and fracturing work on gas or petroleum wells — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and sections 2.2 and 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation respecting the filing of information on certain drilling and fracturing work on gas or petroleum wells, appearing below, may be made by the Minister of Sustainable Development, Environment, Wildlife and Parks on the expiry of 60 days following this publication.

The main purpose of the draft Regulation, in accordance with section 61 of the Act to amend the Environment Quality Act in order to reinforce compliance (2011, chapter 20), is to harmonize the penal provisions of the Regulation respecting the filing of information on certain drilling and fracturing work on gas or petroleum wells with those enacted by the Act and determine the provisions of the Regulation that may give rise to a monetary administrative penalty if they are not complied with.

The draft Regulation proposes to amend the penal provisions provided for in the current Regulation and add monetary administrative penalties. It also provides amounts for the monetary administrative penalties and the penalties applicable in the event of contravention of provisions of the Regulation so that they are in keeping with those referred to in the Environment Quality Act, taking into account the objective seriousness of non-compliance and its potential consequences on human health or the environment. Consequently, the draft Regulation proposes a significant increase in all the maximum fines, an adjustment of all the minimum fines and, for certain offences considered to be more serious, terms of imprisonment.

Further information on the draft Regulation may be obtained by contacting Pierre Paquin, regional director, Direction régionale de l'analyse et de l'expertise de l'Estrie et de la Montérégie, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, 201, Place Charles-Le Moyne, 2^e étage, Longueuil (Québec) J4K 2T5; telephone: 450 928-7607, extension 225; fax: 450 928-7755; email: pierre.paquin@mddefp.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Pierre Paquin at the above address.

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

Regulation to amend the Regulation respecting the filing of information on certain drilling and fracturing work on gas or petroleum wells

Environment Quality Act
(chapter Q-2, ss. 2.2, 115.27 and 115.34)

1. The Regulation respecting the filing of information on certain drilling and fracturing work on gas or petroleum wells (chapter Q-2, r. 47.1) is amended by inserting the following after section 9:

“**9.1.** A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to respect the frequency or the date of filing of the information provided for in section 5 or 14;

(2) to keep the information, the calculations, assessments, measurements and other data for the period provided for in section 8 or 9.

9.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to file the information, statement or certificate required by section 4 or 7;

(2) to obtain the prescribed information from the person to whom the holder entrusts work referred to in section 9 in accordance with that section;

(3) to make the prescribed information available to the holder of a certificate of authorization in accordance with section 9;

(4) to file the information based on the best data and best information in accordance with section 6.”

2. Section 10 is replaced by the following:

“**10.** Every person who contravenes section 5, 8 or 14, or fails to obtain or keep the prescribed information in accordance with section 9 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

10.1. Every person who

(1) contravenes section 4 or 7,

(2) fails to obtain the prescribed information from the person to whom the holder entrusts work referred to in section 9 in accordance with that section,

(3) fails to make the prescribed information available to the holder of a certificate of authorization in accordance with section 9,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

10.2. Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is incomplete, false or misleading, commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.”

3. Section 11 is revoked.

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

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Draft Regulation

Environment Quality Act
(chapter Q-2)

Greenhouse gas emissions from motor vehicles — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation respecting greenhouse gas emissions from motor vehicles, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The purpose of the draft Regulation, in accordance with section 61 of the Act to amend the Environment Quality Act in order to reinforce compliance (2011, chapter 20), is to harmonize the penal provisions of the Regulation respecting greenhouse gas emissions from motor vehicles with those enacted by the Act and determine the provisions of the Regulation that may give rise to a monetary administrative penalty if they are not complied with.

The draft Regulation proposes to amend the penal provisions provided for in the current Regulation and add monetary administrative penalties. It also provides amounts for the monetary administrative penalties and the penalties applicable in the event of contravention of provisions of the Regulation so that they are in keeping with those referred to in the Environment Quality Act, taking

into account the objective seriousness of non-compliance and its potential consequences on human health or the environment. Consequently, the draft Regulation proposes a significant increase in all the maximum fines, an adjustment of all the minimum fines and, for certain offences considered to be more serious, terms of imprisonment.

Further information on the draft Regulation may be obtained by contacting Pierre Paquin, regional director, Direction régionale de l'analyse et de l'expertise de l'Estrie et de la Montérégie, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, 201, Place Charles-Le Moyne, 2^e étage, Longueuil (Québec) J4K 2T5; telephone: 450 928-7607, extension 225; fax: 450 928-7755; email: pierre.paquin@mddefp.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Pierre Paquin at the above address.

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

Regulation to amend the Regulation respecting greenhouse gas emissions from motor vehicles

Environment Quality Act
(chapter Q-2, ss. 53, 115.27 and 115.34)

1. The Regulation respecting greenhouse gas emissions from motor vehicles (chapter Q-2, r. 17) is amended by inserting the following after section 22:

“CHAPTER III.1 MONETARY ADMINISTRATIVE PENALTIES

22.1. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to send to the Minister and to the beneficiary of the trading of credits allocated by the Minister a written notice containing the information prescribed by the first paragraph of section 14;

(2) to file with the Minister, not later than 31 August of each year, an annual report containing the information and data prescribed by the first paragraph of section 21 or to have the information certified and signed by an independent third person in accordance with the second paragraph of that section;

(3) to comply with the conditions of form or transmission of the report provided for in the third paragraph of section 21;