

## Regulation to amend the Regulation respecting the reuse of water containers with a capacity exceeding 8 litres

Environment Quality Act  
(chapter Q-2, s. 31, 1st par., subpar. e, and ss. 53.28, 115.27 and 115.34)

**1.** The Regulation respecting the reuse of water containers with a capacity exceeding 8 litres (chapter Q-2, r. 44) is amended by inserting the following after section 2:

“**2.1.** A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who markets water intended for human consumption in containers with a capacity exceeding 8 litres that do not satisfy any of the conditions in section 2.”

**2.** Section 3 is replaced by the following

“**3.** Every person marketing water intended for human consumption in containers with a capacity exceeding 8 litres that do not comply with any of the conditions in section 2 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.”

**3.** 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)

### Snow elimination sites — 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 snow elimination sites, appearing below, may be made by the Government 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 snow elimination sites 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.

The Regulation respecting snow elimination sites requires that operators of snow elimination sites established before 18 September 1997 file and have approved a depollution program to make the necessary changes to the sites so that they meet the new planning and operation criteria. The depollution programs had to be completed not later than 1 November 2002. In addition, the Regulation provides a framework for the discharging of snow into bodies of water and watercourses as a means of elimination, which is prohibited since 1 November 2000. As those dates have passed, it is proposed to revoke or amend the sections providing for or referring to those dates to adapt them to the current requirements.

Further information on the draft Regulation may be obtained by contacting Hélène Proteau, regional director, Direction régionale de l'analyse et de l'expertise de Montréal, Laval, Lanaudière et Laurentides, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, 5199, rue Sherbrooke Est, bureau 3860, Montréal (Québec) H1T 3X9; telephone: 514 873-3636, extension 244; fax: 514 873-5662; email: helene.proteau@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 Hélène Proteau at the above address.

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

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## Regulation to amend the Regulation respecting snow elimination sites

Environment Quality Act  
(chapter Q-2, s. 31, 1st par., subpars. *c*, *e* and *f*, and  
ss. 115.27 and 115.34)

**1.** The Regulation respecting snow elimination sites (chapter Q-2, r. 31) is amended by replacing section 1 by the following:

“**1.** Snow that is removed and transported for elimination purposes may be placed for final deposit only at an elimination site authorized by the Minister under section 22 of the Environment Quality Act (chapter Q-2).

No person may establish, enlarge, alter or operate an elimination site unless the person has first obtained a certificate of authorization in accordance with the first paragraph.”

**2.** Sections 2 and 3 are revoked.

**3.** The following is inserted before section 4:

“**3.1.** A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who

(1) deposits snow that has been removed and transported for elimination purposes at a site other than the snow elimination site authorized pursuant to the first paragraph of section 1;

(2) establishes, enlarges, alters or operates a snow elimination site without having first obtained an authorization from the Minister in accordance with the second paragraph of section 1.”

**4.** Section 4 is replaced by the following:

“**4.** Every person who fails to comply with section 1 or, 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.”

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

## Draft Regulation

Environment Quality Act  
(chapter Q-2)

### Solid waste — 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 solid waste, appearing below, may be made by the Government 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 solid waste 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.

The draft Regulation also proposes a number of amendments and revocations to update the Regulation. Although the Regulation respecting solid waste was replaced by the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19), it still applies to residual materials disposal sites and disposal areas closed before 19 January 2009. It is proposed that all the sections not concerning those landfilling sites or areas be revoked, since they no longer apply. In addition, the draft Regulation proposes amendments to adapt the wording of certain sections to the context in which they apply solely to closed landfill sites.

Further information on the draft Regulation may be obtained by contacting Hélène Proteau, regional director, Direction régionale de l'analyse et de l'expertise de Montréal, Laval, Lanaudière et Laurentides, Ministère du Développement durable, de l'Environnement,