

44.5. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who stores used tires without meeting the conditions provided for in section 1.2.

44.6. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who fails

(1) to clear a storage site or restore it to the conditions it was in before it was used for storing used tires in accordance with section 1.4;

(2) to take, without delay, any of the measures to fight fire prescribed by section 5.1.”.

16. The heading of Division IX, before section 45, is amended by replacing “PENALTIES” by “PENAL SANCTIONS”.

17. Sections 45 to 47 are replaced by the following:

“**45.** Every person who contravenes section 4 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.

46. Every person who contravenes section 2, 3 or 5 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.

47. Every person who contravenes section 1.5 or 13 or the third paragraph of section 18 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.

47.1. Every person who

(1) contravenes the second paragraph of section 17,

(2) 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.

47.2. Every person who contravenes section 1.2 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 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 \$24,000 to \$3,000,000.

47.3. Every person who contravenes section 1.4 or 5.1 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000

47.4. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”.

18. Section 48 is revoked.

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

2554

Draft Regulation

Environment Quality Act
(chapter Q-2)

Waste water disposal systems for isolated dwellings — 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 waste water disposal systems for isolated dwellings, 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 waste water disposal systems for isolated dwellings 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. It provides for 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 fines. No monetary administrative penalties are provided for since certain municipalities have the responsibility for the application of the current Regulation and those municipalities have not been designated to impose any in accordance with section 115.28 of the Environment Quality Act.

Lastly, a technical amendment is proposed for one section.

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.

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*Minister of Sustainable Development,
Environment, Wildlife and Parks*

Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings

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

1. The Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22) is amended by revoking the second paragraph of section 3.

2. The heading of Division XVI is replaced by "PENAL SANCTIONS AND MISCELLANEOUS".

3. Section 89 is replaced by the following:

"**89.** Every person who contravenes section 1.3, 3.3, 3.4, 5, 7.1, 8 or 9, section 11.3, 13, 14, 15, 16, 16.5 or 17, any of subparagraphs *a* to *h.1* of the first paragraph of section 21, section 22 or 24, any of paragraphs *a* to *c* of section 25.1, section 25.2 or 26, paragraph *a* or *c* of the first

paragraph of section 27, section 30, any of paragraphs *a* to *c* of section 31.1, section 32 or 33, any of paragraphs *a* to *e* or subparagraph *g* of the first paragraph of section 34, section 36 or 36.1, any of paragraphs *a* to *h* of the first paragraph of section 37, section 38 or 39.1, any of paragraphs *b* to *f* of section 39.2, section 40, any of subparagraphs *a* to *j* of the first paragraph of section 41, section 44, 46 or 47, paragraphs *a*, *a.1* or *b* to *h* of section 48, section 49, 51, 52, 53, or 55, the first paragraph of section 56, section 57, 59 or 60, paragraphs *a* or *b* of the first paragraph of section 61, section 63, 66, 67, 70, 71, 73, 74, 87.11, 87.17 or 87.19, the first paragraph of section 87.22, section 87.23, the second paragraph of section 87.24, section 87.25, 87.25.1 or 87.26, the second paragraph of section 87.30.1 or section 87.32 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.

Every person who fails to install a prefabricated septic tank in accordance with paragraphs *m* and *o* of section 10 in accordance with section 11 also commits an offence and is liable to the fines provided for in the first paragraph.

89.1. Every person who contravenes section 3.2, 7, 7.2, 10, 11.2, 12 or 16.4, paragraph *a.2* of section 48, section 65 or 87.10, the first paragraph of section 87.16, the first paragraph of section 87.30.1 or section 87.31 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.

89.2. Every person who contravenes the first or second paragraph of section 4, the first paragraph of section 87.14.1 or the second paragraph of section 87.27 or 87.28 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.

89.3. Every person who contravenes section 3.1, 6 or 11, the second paragraph of section 11.1, section 16.2, subparagraph *i* of the first paragraph of section 21, paragraph *d* of section 25.1, subparagraph *b* of the first paragraph of section 27, paragraph *d* of section 31.1, subparagraph *f* of the first paragraph or the second paragraph of section 34, subparagraph *i* of the first paragraph of section 37, paragraph *a* of section 39.2, subparagraph *k* of the first paragraph of section 41, the second paragraph of section 56, subparagraph *c* of the first paragraph of section 61, section 87.8, 87.14, the second paragraph of section 87.16, the second or third paragraph of section 87.22, the third or fourth paragraph of section 87.24 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

Every person who fails to ensure that

(1) a prefabricated septic tank complies with the BNQ standard prescribed by section 11,

(2) the systems referred to in section 11.1, 16.2, 87.8 or 87.14 comply with the NQ standards prescribed therein,

also commits an offence and is liable to the fines provided for in the first paragraph.

89.4. Every person who

(1) contravenes section 11.4, 16.6, 87.12 or 87.18, the first paragraph of section 87.27 or 87.28, section 87.29 or 87.30,

(2) 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.

89.5. Every person who contravenes the first paragraph of section 3 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

89.6. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Division or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.”

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

2556

Draft Regulation

Environment Quality Act
(chapter Q-2)

Water quality in swimming pools and other artificial pools — 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 water quality in swimming pools and other artificial pools, 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 water quality in swimming pools and other artificial pools 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 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