

7. The following is inserted before section 19:

**“CHAPTER I.1
PENAL SANCTIONS”.**

8. Section 19 is replaced by the following:

“19. Every person who contravenes the second, third, fourth or seventh paragraph of section 9 or section 10 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.

19.1. Every person who contravenes section 5 or 5.1, the second or third paragraph of section 7, section 8, the first, fifth or sixth paragraph of section 9, section 11, 12 or 13, the second paragraph of section 14, section 15, 16, 17, 18 or 18.7 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.

19.2. Every person who

(1) tampers with or alters the proper functioning or reading of the measuring equipment or diverts water or otherwise affects the direction, flow rate or streamflow of water, so as to alter the evaluation required under this Regulation of the volume of withdrawals,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is 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.

19.3. 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 Chapter 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.”.

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

Gouvernement du Québec

O.C. 663-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Liquid effluents of petroleum refineries
— Amendment**

Regulation to amend the Regulation respecting the liquid effluents of petroleum refineries

WHEREAS, under subparagraphs *c*, *e*, *h* and *h.2* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to prohibit, limit or control sources of contamination, define standards for the protection and quality of the environment, determine the methods for collecting, analysing and computing any emission, deposit, issuance or discharge of a contaminant, and prescribe that any analyses must be carried out in a laboratory accredited by the Minister pursuant to section 118.6 of the Act;

WHEREAS, under section 115.27 of the Act, the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting the liquid effluents of petroleum refineries (chapter Q-2, r. 16);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the liquid effluents of petroleum refineries was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 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, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting the liquid effluents of petroleum refineries, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the liquid effluents of petroleum refineries

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. c, e, h, h.2, s. 46,
par. c, and ss. 115.27 and 115.34)

1. The Regulation respecting the liquid effluents of petroleum refineries (chapter Q-2, r. 16) is amended by striking out “, as stated in the declaration previously submitted to the Minister to that effect pursuant to section 16” in the second paragraph of section 15.

2. Section 16 is revoked.

3. Section 20 is amended by striking out the second paragraph.

4. Section 22 is replaced by the following:

“**22.** Refining capacity of an existing petroleum refinery: The daily refining capacity of an existing petroleum refinery is the capacity communicated to the Minister before 9 January 1978, corresponding to the highest average daily amount of crude oil actually refined during 7 consecutive days in the 2 years preceding 9 November 1977.”

5. The following is inserted after section 24:

“DIVISION V MONETARY ADMINISTRATIVE PENALTIES

25. 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 keep the data referred to in the second paragraph of section 15 in a register for a minimum period of 2 years;

(2) to respect the frequency or terms provided for in section 17 as to the sending of the results referred to in that section.

26. 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 to send to the Minister the results referred to in section 17.

27. 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 fails

(1) to comply with the sampling or preservation conditions of the samples provided for in section 18 or 19;

(2) to have the required analyses carried out under this Regulation by a laboratory accredited by the Minister in accordance with section 20;

(3) to change the declaration concerning the daily refining capacity of crude oil in the case provided for in section 24.

28. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to treat, in accordance with section 13, waste water originating from sanitary facilities referred to in that section;

(2) to take the measurements referred to in section 14 or 15, according to the prescribed conditions.

29. 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 deposits in the environment a liquid effluent or storm water that does not comply with the standards provided for in section 4, 6, 9 or 11.

DIVISION VI PENAL SANCTIONS

30. Every person who fails

(1) to keep the data referred to in the second paragraph of section 15 in a register for a minimum period of 2 years,

(2) to respect the frequency or terms provided for in section 17 as to the sending of the results referred to in that section,

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.

31. Every person who fails to send the results referred to in section 17 to the Minister 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.

32. Every person who contravenes section 18, 19, 20 or 24 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.

33. Every person who

(1) contravenes section 13 or 14 or fails to take the measurements provided for in section 15 according to the prescribed conditions,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

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.

34. Every person who contravenes section 4, 6, 9 or 11 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.

35. 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.”

6. 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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Gouvernement du Québec

O.C. 664-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Greenhouse gas emissions from motor vehicles
— Amendment**

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

WHEREAS, under section 115.27 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and determine the amount of such penalty;

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the regulatory provisions whose contravention constitutes an offence and renders the offender liable to a fine, a term of imprisonment, or both the fine and imprisonment;

WHEREAS the Government made the Regulation respecting greenhouse gas emissions from motor vehicles (chapter Q-2, r. 17);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting greenhouse gas emissions from motor vehicles was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2013 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, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting greenhouse gas emissions from motor vehicles, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Le greffier du Conseil exécutif

**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;