

(2) to take samples of the gases referred to in section 134 in accordance with the methods prescribed by the first paragraph of that section,

also commits an offence and is liable to the same fines.

154. Every person who

(1) contravenes the first paragraph of section 6, section 13, 14, 15 or 16, the second paragraph of section 71, the first paragraph of section 86, section 87 or 88, the first paragraph of section 94, 95, 97 or 103, the second paragraph of section 104, the first paragraph of section 111, section 112, 113, 114 or 116, the first paragraph of section 139.1, the fourth paragraph of section 139.2, section 145 or the second, third or fifth paragraph of section 161,

(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.

154.1. Every person who contravenes any of paragraphs 1 or 3 to 12 of section 4, 8 or 47, the third paragraph of section 53, section 55, the first paragraph of section 102, the second paragraph of section 103, section 115, the first paragraph of section 123, section 137, the first paragraph of section 159 or the fourth paragraph of section 161 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.

154.2. Every person who contravenes paragraph 2 of section 4, the first or second paragraph of section 53, the second paragraph of section 54, section 57, the second paragraph of section 58, section 60, the second paragraph of section 62, the first paragraph of section 129 or section 130 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.

Every person who

(1) fails to take the measures prescribed by the first paragraph of section 48 to minimize the release of odours that cause odour nuisances beyond the limits of an engineered landfill,

(2) emits dust visible in the atmosphere more than 2 metres from the emission source, in contravention of the first paragraph of section 48,

also commits an offence and is liable to the same fines.

154.3. 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.”.

6. Section 168 is revoked.

7. 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. 667-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Used tire storage
— Amendment**

Regulation to amend the Regulation respecting used tire storage

WHEREAS, under section 53.30 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, regulate the recovery and reclamation of residual materials;

WHEREAS, under section 70 of the Act, the Government may make regulations to regulate the elimination of residual materials

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 used tire storage (chapter Q-2, r. 20);

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 used tire storage 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 used tire storage, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting used tire storage

Environment Quality Act
(chapter Q-2, ss. 53.30, 70, 115.27 and 115.34)

1. The Regulation respecting used tire storage (chapter Q-2, r. 20) is amended in section 1.1 by striking out the second paragraph.

2. The heading of Division I.1 is amended by striking out “permanent”.

3. Section 1.2 is replaced by the following:

“**1.2.** No person may store used tires, except in the case of used tire reclamation businesses that store such tires and that hold a certificate of authorization issued for that purpose under section 22 of the Act.”.

4. Section 1.3 is revoked.

5. Section 1.4 is replaced by the following:

“**1.4.** Every business that ceases its reclamation activities must clear its used tire storage site and restore the site to the conditions it was in before it was used for storing used tires.”.

6. The Regulation is amended by striking out “DIVISION I.2” and the heading “PROVISIONS SPECIFIC TO RECLAMATION BUSINESSES” before section 1.5.

7. Section 2 is amended

(1) by replacing “A person or a municipality” in the part preceding paragraph 1 by “A reclamation business”;

(2) by striking out “except for reclamation businesses for which only total capacity is required, the total number of stored tires and” in subparagraph *f* of paragraph 9.

8. Sections 3 to 5 are amended by replacing “A person or a municipality” by “A reclamation business”.

9. Section 13 is amended

(1) by replacing “A person or a municipality” in the first paragraph by “A reclamation business”;

(2) by replacing “17” in the third paragraph by “1.4”.

10. Section 16 is amended by replacing “17” by “1.4”.

11. Section 17 is amended

(1) by revoking the first paragraph;

(2) by replacing “A person or a municipality” in the second paragraph by “A reclamation business”.

12. Section 18 is amended

(1) by replacing “17” in the second paragraph by “1.4”;

(2) by replacing “the person or the municipality” in the third paragraph by “the reclamation business”.

13. Section 19 is revoked.

14. Sections 22 to 36 and 39 to 44 are revoked.

15. The following is inserted after section 44:

“DIVISION VIII.1

MONETARY ADMINISTRATIVE PENALTIES

44.1. 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 to keep, on the storage site, a copy of the fire prevention and emergency measures plan and its changes in accordance with section 4.

44.2. 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 submit to the Minister a fire prevention and emergency measures plan containing the information and documents prescribed by section 2;

(2) to forward in writing to any person referred to in section 3 the fire prevention plan required or any changes to the plan in accordance with that section;

(3) to notify in writing the Minister of any change to the information or documents referred to in section 5 within the period provided for in that section.

44.3. 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

(1) stores more tires than necessary for the person's operation for a period not exceeding 6 months, in contravention of section 1.5;

(2) fails to provide the Minister with or keep in force a guarantee in accordance with the conditions provided for in section 13;

(3) fails to forward a guarantee renewal or, where applicable, an equivalent guarantee within the period and on the conditions provided for in the third paragraph of section 18.

44.4. 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 fails to notify the Minister of the closing of a storage site on the conditions prescribed by the second paragraph of section 17.

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 the site 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 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*.

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Gouvernement du Québec

O.C. 668-2013, 19 June 2013

Environment Quality Act
(chapter Q-2)

**Waterworks and sewer services
—Amendment**

Regulation to amend the Regulation respecting waterworks and sewer services

WHEREAS, under paragraphs *o*, *o.1* and *o.2* of section 46 of the Environment Quality Act (chapter Q-2), the Government may make regulations to establish the duties, rights and obligations of users and of the operators of a waterworks or sewer system and establish classes of users and operators;

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 waterworks and sewer services (chapter Q-2, r. 21);

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 waterworks and sewer services 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 waterworks and sewer services, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting waterworks and sewer services**

Environment Quality Act
(chapter Q-2, s. 46, pars. *o*, *o.1* and *o.2*, and
ss. 115.27 and 115.34)

1. The Regulation respecting waterworks and sewer services (chapter Q-2, r. 21) is amended in section 3 by striking out “and comply with the construction standards prescribed by this Regulation”.

2. The first paragraph of section 24 is replaced by the following:

“**24.** Right to service: Every operator of a waterworks or sewer service must connect to the operator’s system, for domestic consumption, every immovable along or in the immediate vicinity of the system following the request of the owner or the person who occupies or has possession of the immovable.”

3. Section 28 is revoked.

4. Section 52 is amended by replacing “24 hours” by “30 days”.