

Regulation to amend the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *b, c, d, e.1, h*
and *h.1*, ss. 46.1, 46.5, 46.6, 46.8 to 46.16, 115.27
and 115.34)

1. Section 54 of the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (Order in Council 1184-2012, *G.O.2*, 3486) is amended by inserting “the later of 1 January 2014 and”.

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

2838

Draft Regulation

Environment Quality Act
(chapter Q-2)

Clean Air — 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 Clean Air Regulation, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation contains various amendments to the Clean Air Regulation (chapter Q-2, r. 4.1) concerning in particular above-ground tanks, aluminum smelters, crematoriums and the use of fossil fuels in fuel burning equipment.

The draft Regulation also updates a few atmosphere quality standards and makes some technical amendments to make the comprehension or application of the Regulation easier.

The amendments made by the draft Regulation should have no significant impact on the enterprises concerned.

Further information may be obtained by contacting Michel Guay, Direction des politiques de la qualité de l’atmosphère, Ministère du Développement durable, de l’Environnement,

de la Faune et des Parcs; telephone: 418 521-3813, extension 4072; email: michel.guay@mddefp.gouv.qc.ca; fax: 418 646-0001.

Any person wishing to comment on the matter is requested to submit written comments within the 60-day period to France Delisle, Director, Direction des politiques de la qualité de l’atmosphère, Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 5^e étage, boîte 30, Québec (Québec) G1R 5V7; email: france.delisle@mddefp.gouv.qc.ca; fax: 418 646-0001.

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

Regulation to amend the Clean Air Regulation

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *a, b, c, d, e* and *h*,
s. 53, par. *d*, ss. 115.27, 115.34 and 124.0.1)

1. The Clean Air Regulation (chapter Q-2, r. 4.1) is amended in section 7 by inserting “emission” in the first paragraph before “standards”.

2. Section 8 is amended by striking out “combustion” in the definition of “feed rate” before “air”.

3. Section 9 is amended by replacing “Divisions I to XI” by “Divisions I to XII”.

4. Section 18 is amended by replacing the second paragraph by the following:

“Despite the foregoing, the provisions of this Chapter do not apply to the following compounds:

- (1) acetone;
- (2) methane;
- (3) ethane;
- (4) methyl acetate;
- (5) tert-Butyl acetate;
- (6) methyl formate;
- (7) 1,1,1-trichloroethane (methyl chloroform);
- (8) dichloromethane (methylene chloride);

- (9) parachlorobenzotrifluoride (PCBTF);
- (10) cyclic, branched or linear permethylsiloxanes;
- (11) cyclic, branched or linear perfluoroalkanes;
- (12) cyclic, branched or linear perfluoroethers having no unsaturation;
- (13) perfluorinated, cyclic, branched or linear tertiary amines having no unsaturation;
- (14) sulfurized perfluorocarbons having no unsaturation and whose sulfur atoms are linked to carbon and fluorine atoms exclusively;
- (15) trichlorofluoromethane (CFC-11);
- (16) dichlorodifluoromethane (CFC-12);
- (17) 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113);
- (18) 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114);
- (19) chloropentafluoroethane (CFC-115);
- (20) chlorodifluoromethane (HCFC-22);
- (21) chlorofluoromethane (HCFC-31);
- (22) 1,1,1-trifluoro-2,2-dichloroethane (HCFC-123);
- (23) 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a);
- (24) 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);
- (25) 1,1-dichloro-1-fluoroethane (HCFC-141b);
- (26) 1-chloro-1,1-difluoroethane (HCFC-142b);
- (27) 1-chloro-1-fluoroethane (HCFC-151a);
- (28) 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca);
- (29) 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb);
- (30) trifluoromethane (HFC-23);
- (31) difluoromethane (HFC-32);
- (32) pentafluoroethane (HFC-125);
- (33) 1,1,2,2-tetrafluoroethane (HFC-134);
- (34) 1,1,1,2-tetrafluoroethane (HFC-134a);
- (35) 1,1,1-trifluoroethane (HFC-143a);
- (36) 1,1-difluoroethane (HFC-152a);
- (37) ethyl fluoride (HFC-161);
- (38) 1,1,2,2,3-pentafluoropropane (HFC-245ca);
- (39) 1,1,2,3,3-pentafluoropropane (HFC-245ea);
- (40) 1,1,1,2,3-pentafluoropropane (HFC-245eb);
- (41) 1,1,1,3,3-pentafluoropropane (HFC-245fa);
- (42) 1,1,1,3,3,3-hexafluoropropane (HFC-236fa);
- (43) 1,1,1,2,3,3-hexafluoropropane (HFC-236ea);
- (44) 1,1,1,3,3-pentafluorobutane (HFC-365mfc);
- (45) 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee);
- (46) 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxybutane (C₄F₉OCH₃);
- (47) 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF₃)₂CF₂OCH₃);
- (48) 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C₄F₉OC₂H₅);
- (49) 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF₃)₂CF₂OC₂H₅);”.
- 5.** Section 28 is amended
- (1) by replacing “organic solvent-based paints or water-based paints” in the part preceding subparagraph 1 of the first paragraph by “paints”;
- (2) by replacing subparagraphs 1 and 2 of the first paragraph by the following:
- “(1) a gas exhaust stack that extends at least 5 m above the roof ridge of the building where the paint is applied; and
- (2) a particle collection system with a minimum efficiency of 90% where the application is made by gun or by spraying.”;

(3) by replacing the third paragraph by the following:

“The provisions of this section do not apply to the application of paints containing less than 20% of their weight in organic solvents.”.

6. Section 34 is amended by replacing “subdivisions 6 to 8” in the table in the first paragraph by “subdivisions 6 and 7”.

7. Section 52 is amended in paragraph 3:

(1) by striking out “natural” before “gas”;

(2) by inserting “fossil “ before “fuel mixture”.

8. Section 61 is amended by inserting “, wood or wood waste containing or saturated with formaldehyde-based glue, granules produced from lignocellulosic crops” in the first paragraph after “wood waste”.

9. Section 65 is amended

(1) by striking out “natural” wherever that word appears before “gas” in the tables in the first and second paragraphs;

(2) by inserting the following after the table in the first paragraph:

“In the case of fuel burning equipment referred to in the first paragraph that uses an auxiliary fossil fuel for fewer than 500 hours per year, the limit value that applies to nitrogen oxide emissions is 90 g/GJ.”;

(3) by adding the following after the table in the second paragraph:

“In the case of fuel burning equipment referred to in the third paragraph that uses an auxiliary fossil fuel for fewer than 500 hours per year, the limit value that applies to nitrogen oxide emissions is 175 g/GJ for equipment with a rated heat capacity equal to or greater than 15 MW but less than or equal to 70 MW, and 135 g/GJ for equipment with a rated heat capacity greater than 70 MW.”.

10. Section 72 is amended

(1) by inserting “or is supplied with liquid fossil fuel less than 500 hours per year” in the second paragraph after “gaseous fuel”;

(2) by inserting “, the opacity or the particle concentration” in the third paragraph after “concentration”.

11. Section 75 is amended by replacing “37 µg/m³R” in the fifth paragraph by “37 µg/m³”.

12. Section 89 is amended by replacing “second paragraph” in paragraph 1 by “third paragraph”.

13. Section 91 is amended by replacing “exceeds the concentration” in the second paragraph by “exceeds the limit value”.

14. Section 92 is amended by replacing the fourth paragraph by the following:

“In addition, subparagraph 2 of the second paragraph does not apply to

(1) clinker kilns;

(2) lime kilns;

(3) furnaces of bituminous concrete plants using used oils whose contaminant content complies with the standards provided for in Schedule 6 to the Regulation respecting hazardous materials (chapter Q-2, r. 32);

(4) furnaces with a destruction and removal efficiency prescribed by this Regulation that is equal to or greater than 99.9999%; or

(5) furnaces using carbon monoxide or hydrogen as fuel, alone or in combination with non combustible compounds.».

15. Section 95 is amended by replacing “83 and 84” in the fifth paragraph by “84 and 85”.

16. Section 116 is amended by replacing “the incinerator” in the second paragraph by “it”.

17. Section 129 is amended by replacing “within 1 year as of 30 June 2011 in the case of an existing crematorium or incinerator” in the second paragraph by “within 3 years as of 30 June 2011 in the case of an existing crematorium and within 1 year in the case of an existing incinerator”.

18. Section 130 is amended by replacing “particle” by “contaminant”.

19. Section 135 is amended by replacing the table by the following:

“

Emission limit values (kg/t of aluminum produced)			
	Total fluorides	Particles	Date of application
Annual	4	14	30 June 2011
	1.35	7	1 January 2017
Monthly	5	15	30 June 2011
	1.5	8	1 January 2017

”.

20. Section 136 is amended by replacing “over 4 consecutive weeks” in paragraph 1 by “monthly”.

21. Section 137 is amended

(1) by replacing “over 2 consecutive months” in subparagraph 2 of the first paragraph by “that may not be exceeded for more than 2 consecutive months”;

(2) by inserting “that may not be exceeded more than once a year” in subparagraph 3 of the first paragraph after “80 ppm”;

(3) by striking out the second paragraph.

22. Section 141 is amended by replacing “every 4 weeks” in the fourth paragraph by “monthly”.

23. Section 148 is amended by adding the following paragraph:

“In addition, if a cupola is used, it must not emit into the atmosphere carbon monoxide in a concentration greater than 1000 ppm.”.

24. Section 153 is amended

(1) by replacing the first paragraph by the following:

“Subject to section 154, a primary or secondary wood or wood product processing facility or particle board or fibreboard manufacturing facility using, in particular, the processes of sawing, chipping, planing, trimming, levelling, edging, sanding, screening and pressing must not emit particles into the atmosphere in excess of 2.5 kg per hour for all processes combined, unless the particle concentration is less than 50 mg/Rm³ of dry gas at each emission point.”;

(2) by replacing “37 µg/m³R “ in the second paragraph by “37 µg/m³”.

25. The heading of Subdivision 2 of Division V of Chapter IX is amended by inserting “and formaldehyde” after “Particle”.

26. Section 154 is amended

(1) by inserting the following after the first paragraph:

“In addition, a bark, chip, wafer, particle or wood fibre dryer containing or saturated with formaldehyde-based glue must not emit formaldehyde into the atmosphere in a concentration in excess of 37 µg/m³, over a period of 15 consecutive minutes, using an air dispersion model in accordance with Schedule H.”;

(2) by inserting “and must comply with the standard respecting formaldehyde prescribed in the second paragraph” in the second paragraph after “Schedule C”.

27. Section 155 is amended

(1) by striking out “or other wood or wood waste pyrolysis facility” in the first paragraph;

(2) by striking out “or facility” in the second paragraph.

28. Section 174 is amended by replacing “4 January 2012” in the second paragraph by “4 January 2013”.

29. Section 180 is amended by replacing “solar or electronic grade silicon” in subparagraph 2 of the first paragraph by “silicon purer than metallurgical grade”.

30. Section 183 is amended by replacing “one or more furnaces used to produce a ferro-alloy” in the first paragraph by “a ferro-alloy production process”.

31. The heading of Subdivision 1 of Division XII of Chapter IX is amended by inserting “and other standards” after “standards”.

32. Section 187 is amended by replacing “ton of 100% acid produced” by “ton of sulphuric acid calculated at 100%”.

33. Section 190 is amended

(1) by inserting “calculated at 100%” in the first paragraph of paragraph 1 after “ton of sulphuric acid”, wherever that expression appears;

(2) by replacing “20 kg/t, calculated as” in the second paragraph of paragraph 1 by “20 kg per ton of sulphuric acid, calculated at 100%, on the basis of”;

(3) by replacing “ton of acid calculated at 100%” and “ton of acid calculated to 100%” in paragraph 2 by “ton of sulphuric acid calculated at 100%”.

34. Section 192 is amended by replacing “heavy oil” in subparagraph 1 of the third paragraph by “heavy fuel oil”.

35. Section 198 is amended by replacing the fifth and sixth paragraphs by the following:

“With regard to the application of the provisions of Title IV, the sampling and analysis of a contaminant referred to in section 196 must be carried out using a generally accepted method.”.

36. Section 201 is amended by adding the following paragraph:

“If there is no accredited laboratory for the analysis of a substance referred to in this Regulation, the samples taken pursuant to this Regulation must, for analysis purposes and despite the first paragraph, be sent to a laboratory that meets standard ISO/IEC 17025 entitled “General requirements for the competence of testing and calibration laboratories” broadcast jointly by the International Organization for Standardization and the International Electrotechnical Commission.”.

37. The Regulation is amended by inserting the following section:

“**209.1.** Existing above-ground tanks in the territory of Municipalité de Gros-Mécatina (La Tabatière sector) and in the territory of Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent (la Romaine sector) are not covered by section 45 of this Regulation.”.

38. Schedule G is amended

(1) by replacing the line

“Chromium 7440-47-3 0.004 0.0037 1 year”

by the following lines:

“Chromium 16065-83-1 0.1 0.01 1 year
(trivalent chromium compounds)

Chromium 18540-29-9 0.004 0.002 1 year”;
(hexavalent chromium compounds)

(2) by replacing the line

“Mercury 7439-97-6 0.15 0.01 1 year”

by the following line

“Mercury 7439-97-6 0.005 0.002 1 year”;

(3) by replacing the lines

“Nickel 7440-02-0 6 0.25 1 hour

Nickel 7440-02-0 0.012 0.01 1 year”

by the following line:

“Nickel 7440-02-0 0.014 0.002 24 hours”.

39. Schedule H is amended by inserting “154,” after “153” in the list of sections preceding the Title of that Schedule.

40. Schedule K is amended

(1) by replacing the line

“3B-Chloropropene 107-05-1 0.05 0 1 year”

by the following line:

“3-Chloropropene 107-05-1 0.05 0 1 year”;

(2) by replacing the line

“Chromium 7440-47-3 0.004 0.0037 1 year”

by the following lines

“Chromium 16065-83-1 0.1 0.01 1 year
(trivalent chromium compounds)

Chromium 18540-29-9 0.004 0.002 1 year”;
(hexavalent chromium compounds)

(3) by replacing the line

“Dichloromethane 75-09-2 2 1 1 year”

by the following line

“Dichloromethane 75-09-2 3.6 1 1 year”;

(4) by replacing the line

“Hexachloroethane 67-72-1 0.15 0 1 year”

by the following line:

“Hexachloroethane 67-72-1 0.03 0 1 year”;

(5) by replacing the lines

“Hydrogen chloride	7647-01-1	1,150	0	4 minutes
Hydrogen chloride	7647-01-1	20	0	1 year”

by the following lines

“Hydrogen chloride	7647-01-0	1,150	0	4 minutes”
Hydrogen chloride	7647-01-0	20	0	1 year”;

(6) by replacing the line

“Mercury	7439-97-6	0.15	0.01	1 year”
----------	-----------	------	------	---------

by the following line:

“Mercury	7439-97-6	0.005	0.002	1 year”;
----------	-----------	-------	-------	----------

(7) by replacing the lines

“Nickel compound	7440-02-0	6	0.25	1 hour
Nickel compound	7440-02-0	0.012	0.01	1 year”

by the following line

“Nickel	7440-02-0	0.014	0.002	24 hours”;
---------	-----------	-------	-------	------------

(8) by replacing the line

“Styrene monomer	100-42-5	150	0	1 hour”
------------------	----------	-----	---	---------

by the following line

“Styrene monomer ³	100-42-5	150	0	1 hour”;
-------------------------------	----------	-----	---	----------

(9) by inserting, in the “Nature of contaminants” column, the exponent 4 after “Amyl acetate-n”, “Butyl acetate-n”, “Ethyl acetate” and “Isobutyl acetate”;

(10) by inserting the following notes at the end of the table:

³ The limit may be exceeded up to 1% of the time on an annual basis, without exceeding 1910 µg/m³.

⁴ The limit may be exceeded up to 1% of the time on an annual basis.”.

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

2834

Draft Regulation

Environment Quality Act
(chapter Q-2)

Landfilling and incineration of residual materials — 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 the landfilling and incineration of residual materials, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation amends the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19) to make a consequential amendment to harmonize with the Clean Air Regulation (chapter Q-2, r. 4.1).

Further information may be obtained by contacting Michel Guay, Direction des politiques de la qualité de l’atmosphère, Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs; telephone: 418 521-3813, extension 4072; email: michel.guay@mddefp.gouv.qc.ca; fax: 418 646-0001.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to France Delisle, Director, Direction des politiques de la qualité de l’atmosphère, Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 5^e étage, boîte 30, Québec (Québec) G1R 5V7; email: france.delisle@mddefp.gouv.qc.ca; fax: 418 646-0001.

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

Regulation to amend the Regulation respecting the landfilling and incineration of residual materials

Environment Quality Act
(chapter Q-2, s. 31)

1. The Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19) is amended by replacing “Regulation respecting the quality of the atmosphere (chapter Q-2, r. 38)” in the first paragraph of section 122 by “Clean Air Regulation (chapter Q-2, r. 4.1)”.