

## Regulations and other Acts

Gouvernement du Québec

**O.C. 1228-2013, 27 November 2013**

Environment Quality Act  
(chapter Q2)

### Clean Air Regulation — Amendment

Regulation to amend the Clean Air Regulation

WHEREAS, under subparagraphs *a, b, c, d, e* and *h* of the first paragraph of section 31, paragraph *d* of section 53 and sections 115.27, 115.34 and 124.0.1 of the Environment Quality Act (chapter Q2), the Government may make regulations on the matters set forth therein;

WHEREAS the Government made the Clean Air Regulation (chapter Q-2, r. 4.1);

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 Clean Air Regulation was published in Part 2 of the *Gazette officielle du Québec* of 3 July 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 Clean Air Regulation, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

### 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” before “standards” in the first paragraph.

**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 10 is amended by replacing subparagraph 5 of the first paragraph by the following:

“(5) fertilizer production or mixing plants;”

**5.** 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 perfluoroalcanes;
- (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-nonafuoro-4-methoxybutane (C<sub>4</sub>F<sub>9</sub>OCH<sub>3</sub>);
- (47) 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane  
((CF<sub>3</sub>)<sub>2</sub>CFCF<sub>2</sub>OCH<sub>3</sub>);
- (48) 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafuorobutane (C<sub>4</sub>F<sub>9</sub>OC<sub>2</sub>H<sub>5</sub>);
- (49) 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF<sub>3</sub>)<sub>2</sub>CFCF<sub>2</sub>OC<sub>2</sub>H<sub>5</sub>);”.
- 6.** 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:
- “An establishment in which only paints containing less than 20% by weight of organic solvents are applied is not subject to the requirements provided for in subparagraph 1 of the first paragraph and in the second paragraph of this section.”.
- 7.** Section 34 is amended by replacing “subdivisions 6 to 8” in the table in the first paragraph by “subdivisions 6 and 7”.
- 8.** Section 52 is amended in paragraph 3
- (1) by striking out “natural” before “gas”;
- (2) by inserting “fossil “ before “fuel mixture”.

**9.** Section 61 is amended

(1) by replacing “wood, wood waste or pulp and paper mill residual materials” in the first paragraph by “wood or wood waste, wood or wood waste containing or saturated with formaldehyde-based glue or granules produced from lignocellulosic crops”;

(2) by replacing “wood, wood waste or pulp and paper mill residual materials as fuel” in subparagraph 2 of the second paragraph by “a fuel referred to in Division IV or V of this Chapter”;

(3) by striking out subparagraph 3 of the second paragraph;

(4) by adding the following paragraph:

“This section does not apply to fuel burning equipment using exclusively light fuel oil or fuel in a gaseous state at the feed point.”

**10.** The heading of Division III of Chapter VI of Title II is amended by inserting “LIQUID OR GASEOUS” before “FOSSIL”.

**11.** Section 65 is amended

(1) by striking out the word “natural” wherever it 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 less than 500 hours per year, the limit value that applies to nitrogen oxide emissions is 110 g/GJ for equipment with a rated heat capacity equal to or greater than 3 MW but less than or equal to 30 MW, and 125 g/GJ for equipment with a rated heat capacity greater than 30 MW.”;

(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 less 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.”.

**12.** Section 72 is amended

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

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

**13.** Section 75 is amended by replacing “37 µg/Rm<sup>3</sup>” in the fifth paragraph by “37 µg/m<sup>3</sup>”.

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

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

**16.** 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.”.

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

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

**19.** Section 129 is amended by replacing “of an existing crematorium or incinerator” in the second paragraph by “of an existing incinerator”.

**20.** Section 130 is amended by replacing “particle” by “contaminant”.

**21.** Section 135 is amended by replacing the table by the following:

“

	Emission limit values (kg/t of aluminum produced)		
	Total	Particles fluorides	Date of application
Annual	4.5	14	30 June 2011
	1.35	7	1 January 2017
Monthly	5	15	30 June 2011
	1.5	8	1 January 2017

”.

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

**23.** 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” after “80 ppm” in subparagraph 3 of the first paragraph;

(3) by striking out the second paragraph.

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

**25.** 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 1,000 ppm.”.

**26.** Section 153 is amended by replacing the first and second paragraphs by the following:

“**153.** Subject to section 154, a primary or secondary wood or wood product processing facility manufacturing particle boards, chips, wafers, fibreboard or other wood products using, in particular, the processes of sawing, chipping, planing, trimming, levelling, edging, sanding, screening or 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/Rm<sup>3</sup> of dry gas at each emission point.

In addition, a facility manufacturing particle board, chips, wafers or fibreboard containing or saturated with formaldehyde-based glue must not emit formaldehyde into the atmosphere in a concentration in excess of 37 µg/m<sup>3</sup>, over a period of 15 consecutive minutes, in all of its installations including the dryer, using an air dispersion model in accordance with Schedule H.”.

**27.** The heading of subdivision 3 of Division V of Chapter IX of Title II is amended by striking out “and other wood or wood waste pyrolysis facilities”.

**28.** 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.

**29.** Section 156 is amended by replacing “wood or wood waste contains or is saturated with formaldehyde-based glue” in the second paragraph by “facility manufactures particle board, chips, wafers or fibreboard that contain or are saturated with formaldehyde-based glue”.

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

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

**32.** 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”.

**33.** The heading of subdivision 1 of Division XII of Chapter IX of Title II is amended by inserting “and other standards” after “standards”.

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

**35.** Section 190 is amended

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

(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%”.

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

**37.** 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.”.

**38.** 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, General requirements for the competence of testing and calibration laboratories, disseminated jointly by the International Organization for Standardization and the International Electrotechnical Commission.”.

**39.** The following is inserted after section 209:

“**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.”.

**40.** 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 0.012 0.01 1 year

Nickel 7440-02-0 6 0.25 1 hour”

by the following line:

“Nickel compound 7440-02-0 0.014 0.002 24 hours”;  
(measured in PM<sub>10</sub>)<sup>2</sup>

(4) by adding the following note at the end of the table:

<sup>2</sup> PM<sub>10</sub>: particles of less than 10 microns.”.

**41.** 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 compound 7440-02-0 0.014 0.002 24 hours”;  
(measured in  $PM_{10}$ )<sup>2</sup>

(8) by replacing the line

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

by the following line:

“Styrene monomer<sup>4</sup> 100-42-5 150 0 1 hour”;

(9) by replacing “Sulphur dioxide” in the “Nature of contaminants” column by “Sulphur dioxide<sup>3</sup>”;

(10) by inserting “<sup>5</sup>” after “Amyl acetate-n”, “Butyl acetate-n”, “Ethyl acetate” and “Isobutyl acetate” in the “Nature of contaminants” column;

(11) by replacing the note at the end of the table

“<sup>2</sup> The limit may be exceeded up to 0.5% of the time on an annual basis, without exceeding 1,310  $\mu\text{g}/\text{m}^3$ .”

by the following:

“<sup>2</sup>  $PM_{10}$ : particles of less than 10 microns.

<sup>3</sup> The limit may be exceeded up to 0.5% of the time on an annual basis, without exceeding 1,310  $\mu\text{g}/\text{m}^3$ .

<sup>4</sup> The limit may be exceeded up to 2% of the time on an annual basis, without exceeding 1,910  $\mu\text{g}/\text{m}^3$ .

<sup>5</sup> The limit may be exceeded up to 1% of the time on an annual basis.”.

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

3131

Gouvernement du Québec

**O.C. 1229-2013**, 27 November 2013

Environment Quality Act  
(chapter Q-2)

**Regulation**  
— **Amendment**

Regulation to amend the Regulation respecting the application of the Environment Quality Act

WHEREAS, under section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations on the matters set forth therein;

WHEREAS the Government made the Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3);

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 application of the Environment Quality Act was published in Part 2 of the *Gazette officielle du Québec* of 3 July 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;