

4. The following is inserted after section 87.26:

“87.26.1. General condition applicable to effluent discharge: No effluent discharge may take place in the inner protection zone delimited for a category 1 or category 2 surface water withdrawal in accordance with section 70 of the Water Withdrawal and Protection Regulation, unless the discharge is done in a watercourse whose width is greater than 30 metres in low-water periods and an attestation by a professional within the meaning of the Professional Code (chapter C-26) indicates that the discharge will not affect the water withdrawal site.”

5. Section 89.4 is amended by replacing “or 87.18” in paragraph 1 by “, 87.18 or 87.26.1”.

6. This Regulation comes into force on 2 March 2015.

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Gouvernement du Québec

O.C. 699-2014, 16 July 2014

Environment Quality Act
(chapter Q-2)

Quality of drinking water — Amendment

Regulation to amend the Regulation respecting the quality of drinking water

WHEREAS, under subparagraph *e* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to define standards for the protection and quality of the environment or any of its parts throughout all or part of the territory of Québec;

WHEREAS, under subparagraph *h.1* of the first paragraph of section 31, the Government may make regulations to prescribe methods for collecting, preserving and analyzing samples of water, air, soil and residual materials;

WHEREAS, under subparagraph *h.2* of the first paragraph of section 31, the Government may make regulations to indicate the statements of analysis results to be prepared and transmitted to the Minister;

WHEREAS, under section 45.2 of the Environment Quality Act, the Government may by regulation prescribe the frequency and other requirements regarding the taking and forwarding of the samples;

WHEREAS, under paragraph *b* of section 46 of the Act, the Government may make regulations to define physical, chemical and biological water quality standards according to its different uses for all or part of the territory of Québec;

WHEREAS, under paragraph *c* of section 46, the Government may make regulations to determine, for every class of contaminant or source of contamination, the maximum quantity or concentration the discharge of which is allowed into water either for all the territory or for a region, constant or intermittent watercourse, lake, pond, marsh, swamp, bog or underground body of water;

WHEREAS, under paragraph *d* of section 46, the Government may make regulations to determine the standards of quality for any source of water supply and the standards of operation for any waterworks, sewer or water treatment service;

WHEREAS, under paragraph *o* of section 46, the Government may make regulations to establish the duties, rights and obligations of users and of the operator relating to the running and operation of a waterworks or sewer system referred to in section 32.1 or 32.2 and prohibit any act detrimental to the running and operation thereof;

WHEREAS, under paragraph *o.1* of section 46, the Government may make regulations to establish the duties, rights and obligations of the users and operators of a waterworks and sewer system operated by a municipality where required for the protection of public health;

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

WHEREAS, under section 115.34 of the Act, the Government may, by regulation, determine the provisions of the regulation 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 quality of drinking water (chapter Q-2, r. 40);

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 Water Withdrawal and Protection Regulation was published in Part 2 of the *Gazette officielle du Québec* of 28 December 2011 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS the draft Regulation contained amendments to the Regulation respecting the quality of drinking water;

WHEREAS, in accordance with sections 10 and 12 of the Regulations Act, a draft Regulation to amend the Regulation respecting the quality of drinking water was published in Part 2 of the *Gazette officielle du Québec* of 29 May 2013 with a notice that it could be made by the Government on the expiry of 30 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the quality of drinking water with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change:

THAT the Regulation to amend the Regulation respecting the quality of drinking water, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the quality of drinking water

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpars. *e*, *h.1* and *h.2*, s. 45.2, s. 46, pars. *b*, *c*, *d*, *o* and *o.1* and s. 115.34)

1. The Regulation respecting the quality of drinking water (chapter Q-2, r. 40) is amended in section 22.0.1 by striking out the second paragraph.

2. The following is inserted after section 22.0.1:

“**22.0.2.** The person in charge of a municipal distribution system serving more than 500 persons and at least one residence with water that originates in whole or in part from surface water must, for the purposes of controlling the total phosphorus, take or cause to be taken at least one sample of raw surface water during the period from May to October, with at least a 2-week interval between each sampling.

That person must also install a device to continuously measure the turbidity of raw water and take turbidity measurements and keep a record for that purpose. The provisions provided for in the fourth paragraph of section 22 apply, by making the necessary modifications to the provisions for taking measurements in the record.

If the water of more than one surface water withdrawal site gets mixed in the treatment facility, the obligations in the first and second paragraphs of this section apply to each of the withdrawal sites.

22.0.3. Sections 22.0.1 and 22.0.2 do not apply to territories north of the 55th parallel.

22.0.4. The person in charge of a municipal distribution system serving more than 500 persons and at least 1 residence with water that originates in whole or in part from surface water must keep a record containing observations about events likely to cause a water shortage, an obstruction or breakage of the withdrawal site or a failure in the screening system, the coagulation system, the sedimentation system, the filtration system, the disinfection system or the treatment system as a whole.

The observations referred to in the first paragraph include the following events:

- (1) natural or man-made events;
- (2) the proliferation of algae, cyanobacteria and aquatic plants;
- (3) suspected or measured increases in ammonia nitrogen.

The observations recorded must make it possible to locate the problem, to situate it in time and to assess its effect on the operation of the withdrawal site or treatment facility.

If the water of more than one surface water withdrawal site gets mixed in the treatment facility, a separate record must be kept for each withdrawal site.

The person in charge must sign the record when entering observations, preserve it for a minimum period of 15 years from the date of the last entry and keep it available to the Minister.”.

3. Section 31 is amended by inserting “the first paragraph of section 22.0.2, sections” in the first paragraph after “22.0.1.”.

4. Section 34 is amended by replacing “and fourth” in the first paragraph by “, fourth, fifth and sixth”.

5. The fifth paragraph of section 35 is replaced by the following:

“Where an analysis result shows that a water sample contains more than 5 mg/l of nitrates + nitrites (expressed as N), the laboratory must send the result, as soon as

possible and during business hours, to the Minister and to the person in charge of the distribution system or tank truck concerned.

The fifth paragraph also applies where an analysis result shows that a water sample fails to comply with a standard of quality set out in Schedule 1. The laboratory must also send that result to the public health director of the region concerned.”.

6. The following is inserted after section 36:

“**36.0.1.** The person in charge of the distribution system or the tank truck concerned must notify, as soon as possible and during business hours, the person in charge of the water withdrawal facility of the receipt of an analysis result from the laboratory when a result shows that the water contains more than 5 mg/l of nitrates + nitrites (expressed as N) at least twice over a 2-year period.

This section does not apply to a person in charge of a distribution system or tank truck serving a tourist establishment exclusively.”.

7. Section 44.6 is amended by inserting the following after paragraph 4:

“(4.1) to keep a record containing the information prescribed by section 22.0.4;”

8. Section 44.7 is amended

(1) by replacing paragraph 4 by the following:

“(4) to enter each day in a record the information prescribed by the fourth paragraph of section 22 or the second paragraph of section 22.0.2, to sign the record or to keep it for a minimum of 5 years or to make it available to the Minister;”;

(2) by inserting the following after paragraph 5:

“(5.1) to keep or to make available to the Minister the record provided for in section 22.0.4 for a minimum period of 15 years;”;

(3) by inserting the following after paragraph 8:

“(8.1) to send to the person in charge of the water withdrawal facility the analysis result provided for in the first paragraph of section 36.0.1 within the periods and on the conditions for sending provided for therein;”.

9. Section 44.9 is amended

(1) by inserting the following after paragraph 18:

“(18.1) to install a device to continuously measure the turbidity of water provided for in the second paragraph of section 22.0.2;”;

(2) by inserting in paragraph 19 “or the first paragraph of section 22.0.2” in paragraph 19 after “of section 22.0.1”.

10. Section 44.11 is amended by replacing “third or fifth paragraph of that section” in paragraph 2 by “third, fifth or sixth paragraph of that section”.

11. Section 45 is amended by inserting the following after paragraph 2:

“(2.1) to keep a record containing the information prescribed by section 22.0.4;”.

12. Section 46 is amended

(1) by replacing subparagraph 4 of the second paragraph by the following:

“(4) to enter each day in a record the information prescribed by the fourth paragraph of section 22 or the second paragraph of section 22.0.2, to sign or keep it for a minimum period of 5 years or to make it available to the Minister;

(4.1) to keep or to make available to the Minister the record provided for in section 22.0.4 for a minimum period of 15 years;”;

(2) by inserting the following after subparagraph 5 of the second paragraph:

“(5.1) to send to the person in charge of the water withdrawal facility the analysis result provided for in the first paragraph of section 36.0.1 within the periods and on the conditions for sending provided for therein;”.

13. Section 47.1 is amended by striking out “section 22.0.1,” in the part preceding paragraph 1.

14. Section 48 is amended

(1) by inserting “, 22.0.0” after “22.0.1” in the part preceding paragraph 1;

(2) by inserting the following after paragraph 7:

“(7.1) to install a device to continuously measure the turbidity of water provided for in the second paragraph of section 22.0.2”.

15. Section 49.1 is amended by replacing “third or fifth paragraph of section 35” in paragraph 2 by “third, fifth or sixth paragraph of section 35”.

16. Schedule 4 is amended by inserting the following line, in Title II and after the line applicable to the “pH” parameter in the table entitled “Preservation standards of inorganic substances”:

Phosphorus	AS	P	28 days
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Transitional and final

17. Despite section 22.0.2, as introduced by section 2 of this Regulation, the person in charge of a municipal distribution system serving more than 500 persons and at least 1 residence with water that originates in whole or in part from surface water has 6 months from the coming into force of this Regulation to comply with the obligations in that section.

18. This Regulation comes into force on 14 August 2014.

3442

Gouvernement du Québec

O.C. 700-2014, 16 July 2014

Mining Act
(chapter M-13.1)

**Petroleum, natural gas and underground reservoirs
— Amendment**

Regulation to amend the Regulation respecting petroleum, natural gas and underground reservoirs

WHEREAS, under paragraph 5 of section 306 of the Mining Act (chapter M-13.1), the Government may, by regulation, prescribe the conditions of exercise of a licence or mining right;

WHEREAS the Government made the Regulation respecting petroleum, natural gas and underground reservoirs (chapter M-13.1, r. 1);

WHEREAS, in accordance with sections 10 and 12 of the Regulations Act (chapter R-18.1), a draft Water Withdrawal and Protection Regulation was published in Part 2 of the *Gazette officielle du Québec* of 29 May 2013 with a notice that it could be made by the Government on the expiry of 30 days following that publication;

WHEREAS the draft Regulation contained amendments to the Regulation respecting petroleum, natural gas and underground reservoirs;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting petroleum, natural gas and underground reservoirs without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change and the Minister of Energy and Natural Resources:

THAT the Regulation to amend the Regulation respecting petroleum, natural gas and underground reservoirs, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting petroleum, natural gas
and underground reservoirs**

Mining Act
(chapter M-13.1, s. 306, par. 5)

1. The Regulation respecting petroleum, natural gas and underground reservoirs (chapter M-13.1, r. 1) is amended in section 22 by revoking paragraphs 6 and 6.1.

2. This Regulation comes into force on 14 August 2014.

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