

## Regulations and other Acts

Gouvernement du Québec

### O.C. 746-2014, 27 August 2014

Environment Quality Act  
(chapter Q-2)

#### Wood-burning appliances — Amendment

Regulation to amend the Regulation respecting wood-burning appliances

WHEREAS, under subparagraph *a* of the first paragraph of section 31 of the Environment Quality Act (chapter Q-2), the Government may make regulations to classify contaminants and sources of contamination;

WHEREAS, under subparagraph *c* of the first paragraph of section 31 of the Act, the Government may make regulations to prohibit, limit and control sources of contamination as well as the emission, deposit, issuance or discharge into the environment of any class of contaminants throughout all or part of the territory of Québec;

WHEREAS, under subparagraph *d* of the first paragraph of section 31 of the Act, the Government may make regulations to determine for any class of contaminants or sources of contamination a maximum permissible quantity or concentration of emission, deposit, issuance or discharge into the environment throughout all or part of the territory of Québec;

WHEREAS, under subparagraph *e* of the first paragraph of section 31 of the Act, 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* of the first paragraph of section 31 of the Act, the Government may make regulations to determine the methods for collecting, analysing and computing any emission, deposit, issuance or discharge of a contaminant;

WHEREAS, under subparagraph *i* of the first paragraph of section 31 of the Act, the Government may make regulations to establish standards for the installation and operation of any apparatus or equipment contemplated in section 27 of the Environment Quality 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 set forth the amount of the 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 wood-burning appliances (chapter Q-2, r. 1);

WHEREAS, under the second paragraph of section 10 of the Regulation, the Regulation applies to cook stoves as of 1 September 2014;

WHEREAS, under section 11 of the Regulations Act (chapter R-18.1), no proposed regulation may be made before the expiry of the period indicated particularly in the Act under which the proposed regulation may be made;

WHEREAS, under the first paragraph of section 124 of the Environment Quality Act, any draft regulation prepared under the Act may not be adopted before the expiry of 60 days following its publication in the *Gazette officielle du Québec*;

WHEREAS, under section 12 of the Regulations Act, a proposed regulation may be made without having been so published, particularly if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of such publication must be published with the regulation;

WHEREAS, under section 17 of that Act, a regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation or in the Act under which it is made;

WHEREAS, under the first paragraph of section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec*, particularly where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under the second paragraph of section 18 of that Act, the reason justifying such coming into force must be published with the regulation;

WHEREAS, in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication of the Regulation to amend the Regulation respecting wood-burning appliances and its coming into force on the date of its publication:

— a standard set out in section 4 of the Regulation respecting wood-burning appliances refers to compliance with standard 40 CFR 60, subpart AAA, Standards of Performance for New Residential Wood Heaters, published by the United States Environmental Protection Agency;

— the standard is currently being revised to exempt from its application certain cook stoves if a nameplate is installed on the appliances concerned;

— analysis of the proposed changes to the standard and the possibility of integrating them into the Regulation require that the regulatory provisions not apply to cook stoves for an additional 5-year period;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting wood-burning appliances;

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 wood-burning appliances, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

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## **Regulation to amend the Regulation respecting wood-burning appliances**

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

**1.** The Regulation respecting wood-burning appliances (chapter Q-2, r. 1) is amended in section 10 by replacing “1 September 2014” in the second paragraph by “1 September 2019”.

**2.** This Regulation comes into force on the date of its publication in the *Gazette Officielle du Québec*.

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