4. Section 1 is also amended by replacing, in subclass IV INVESTOR:

(1) "**Maximum = 12**" in "Factor 1. Training" by "**Maximum = 14**";

(2) "12" in subparagraph *m* of criterion "1.1 Education Level" by "14";

(3) the division "SELECTION" by the following:

"SELECTION	APPLICABLE FACTORS	PASSING SCORE	MAXIMUM
Applicant with or without spouse or de facto spouse".	All	40 points	94 points

5. Despite the provisions of this Regulation, section 1 of the Regulation respecting the weighting applicable to the selection of foreign nationals, as it read before *(insert the date of coming into force of this Regulation)*, continues to apply to applications filed with the Minister before that date and for which the examination has begun.

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

3619

M.O., 2014

Order of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change dated 16 December 2014

MAKING the Regulation to amend the Regulation respecting the mandatory reporting of certain emissions of contaminants into the atmosphere

THE MINISTER OF SUSTAINABLE DEVELOPMENT, THE ENVIRONMENT AND THE FIGHT AGAINST CLIMATE CHANGE,

CONSIDERING section 2.2 of the Environment Quality Act (chapter Q-2), under which the Minister of Sustainable Development, the Environment and the Fight Against Climate Change may make regulations determining what information a person or a municipality is required to provide to the Minister regarding an enterprise, a facility or an establishment that the person or municipality operates;

CONSIDERING section 46.2 of the Act, which also empowers the Minister to determine, by regulation, the emitters required to report to the Minister greenhouse gas emissions, as well as the related information and documents that must be provided to the Minister;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 15 October 2014, in accordance with sections 10, 12 and 13 of the Regulations Act (chapter R-18.1), as well as the fifth paragraph of section 2.2 and the second paragraph of section 46.2 of the Environment Quality Act, of a draft Regulation to amend the Regulation respecting the mandatory reporting of certain emissions of contaminants into the atmosphere, with a notice that it could be made by the Minister of Sustainable Development, the Environment and the Fight Against Climate Change upon the expiry of 45 days following that publication;

CONSIDERING section 18 of the Regulations Act, which provides that a regulation may come into force between the date of its publication in the *Gazette officielle du Québec* and the fifteenth day following that date where the authority making it is of the opinion that the urgency of the situation requires it, and that the reason justifying such coming into force must be published with the regulation;

CONSIDERING that the Minister of Sustainable Development, the Environment and the Fight Against Climate Change is of the opinion that the urgency due to the following circumstances justifies the coming into force of the Regulation on 1 January 2015:

—fuel distributors must report their greenhouse gas emissions in accordance with the amendments made by the draft Regulation from 1 January 2015, since the information is required for the purposes of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1), which will apply to fuel distributors from that date.

CONSIDERING that it is expedient to make the Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the mandatory reporting of certain emissions of contaminants into the atmosphere, attached to this Order, is made.

Québec, 16 December 2014

DAVID HEURTEL,
Minister of Sustainable Development, the Environment and the Fight Against Climate Change

Regulation to amend the Regulation respecting the mandatory reporting of certain emissions of contaminants into the atmosphere

Environment Quality Act
(chapter Q-2, ss. 2.2, 46.2, 115.27 and 115.34)

1. The Regulation respecting the mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15) is amended by striking out the fourth paragraph of section 4.

2. Section 6.1 is amended by replacing the third paragraph by the following:

"Every person or municipality operating an enterprise that distributes more than 200 litres of fuels annually and is referred to in part QC.30.1 of protocol QC.30 in Schedule A.2 is to report to the Minister all greenhouse gas emissions attributable to their combustion or use.".

3. Section 6.2 is amended by inserting the following after subparagraph 2.2 of the first paragraph:

"(2.2.1)   in the case of a person or municipality operating an enterprise that exports electricity produced in Québec, the quantity of greenhouse gas emissions attributable to the production of that electricity, in metric tons CO_2 equivalent;".

4. Section 6.6 is amended

(1) by replacing the first paragraph and the part preceding subparagraph 1 of the second paragraph by the following:

"An emitter referred to in the first and second paragraphs of section 2 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1) must, not later than 1 June of each year, send to the Minister a report on the verification of its emissions report carried out by an organization accredited to ISO 14065, by a member of the International Accreditation Forum and in compliance with an ISO-17011 program, for the emitter's sector of activity.

The following emissions do not need to be verified:"; and

(2) by replacing "verification threshold provided for in the first paragraph" in the fourth paragraph by "emissions threshold determined in the first or second paragraph of section 2 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances".

5.   Section 6.8 is amended by inserting "carries on gas or oil exploration or production or distributes fuel," after "natural gas" in the second paragraph.

6.   Section 6.9 is amended by inserting the following after paragraph 7.3:

"(7.4) the total quantity of greenhouse gas emissions attributable to the acquisition by the emitter of electricity produced outside Québec for its own consumption or for sale in Québec, and the total quantity of greenhouse gas emissions attributable to the exportation of electricity, in metric tonnes CO_2 equivalent, calculated in accordance with protocol QC.17 of Schedule A.2;

(7.5) in cases where the verifier observes that a portion of the reported quantity of greenhouse gas emissions or reference units was not determined in accordance with this Regulation and that the error relating to those emissions or units is equal to or greater than the relative importance threshold calculated in accordance with the first paragraph of section 6.7, an estimate of the absolute uncertainty and relative uncertainty relating to those emissions or units, established as follows:

Absolute uncertainty = | Quantity found non-compliant − Quantity documented |

Relative uncertainty = (Absolute uncertainty ÷ Total quantity reported) x 100%

Where:

Quantity found non-compliant = Portion of the reported quantity of greenhouse gas emissions or reference units determined as non-compliant by the verifier;

Quantity documented = Portion of the quantity found to be non-compliant that is re-evaluated by the verifier using invoices, operating registers, measuring instruments or process data;

Total quantity reported = Total quantity of greenhouse gas emissions reported and referred to in paragraph 7, 7.3 or 7.4 or total quantity of reference units reported and referred to in paragraph 7.1;".

7.   Section 8 is amended by striking out paragraph 1.

8.   Section 9 is amended by replacing "section 6.1, the first or second paragraph of section 6.2 or section 6.4 or 6.5" by "or section 6.1, 6.2, 6.4 or 6.5".

9. Section 9.3 is amended by striking out "the third paragraph of section 6 or 6.2 or" in the part preceding subparagraph 1 of the first paragraph.

10. Section 9.4 is amended by replacing ", section 6.1, the first or second paragraph of section 6.2 or section 6.4 or 6.5" by "or section 6.1, 6.2, 6.4 or 6.5".

11. Schedule A.2 is amended

(1) in protocol QC.1,

(*a*) by inserting the following paragraph after the first paragraph of part QC.1.5.2:

"For the application of the formula provided for in subparagraph *b* of subparagraph 1 of the first paragraph, in the case of a solid fuel, the volumetric mass used to determine the variation in inventory must be measured in accordance with an analysis method published by an organization listed in QC.1.5.";

(*b*) by replacing "subparagraph 2 of the fifth paragraph of QC.1.3.4" in subparagraph 4 of the second paragraph of part QC.1.5.4 by "QC.1.3.5";

(*c*) in Table 1-1 in part QC.1.7,

(i) by replacing "31.18" in the "Tires" line in the "Solid fuels" list by "32.80";

(ii) by adding the following line after the "Biogas (methane portion)" line in the "Gaseous fuels" list:

"

Acetylene	54.8

";

(*d*) by adding the following line after the "Biogas (methane portion)" line in the "Gaseous fuels and biofuels" list in Table 1-3 in QC.1.7:

"

Acetylene	3.7193	67.87	N/A	N/A	N/A	N/A

";

(2) in protocol QC.3,

(*a*)   by striking out "again" in the part preceding subparagraph 1 of the second paragraph of QC.3.6.1;

(*b*)   by adding "or a series of pots is started up" at the end of subparagraph 1 of the second paragraph of QC.3.6.1;

(*c*)   by adding the following paragraph after the second paragraph of QC.3.6.1:

"The slope or the overvoltage coefficient calculated following the performance tests conducted in the cases provided for in subparagraphs 2 and 3 of the second paragraph must be used beginning on

(1)   the date of the change; or

(2)   1 January immediately following the measurements.";

(3)   in protocol QC.7,

(*a*)   by inserting "of CO_2" after "the emissions" in subparagraph 1 of the fourth paragraph of part QC.7.2.;

(*b*)   by inserting "of CH_4" after "the emissions" in subparagraph 3 of the fourth paragraph of part QC.7.2.;

(4)   in protocol QC.9,

(*a*)   by inserting "5," after "2," in subparagraph 1 of the second paragraph of part QC.9.2;

(*b*)   by replacing "3 to 5" in subparagraph 3 of the second paragraph of part QC.9.2 by "3, 4";

(*c*)   by replacing equation 9-19 in the French text of paragraph 1 of part QC.9.3.7 by the following:

"**Équation 9-19**

$$CH_4 = Q \times DCO_{moy} \times B \times FCM \times 0{,}001$$

Où :

CH_4 = Émissions annuelles de CH_4 attribuables au traitement des eaux usées, en tonnes métriques;

Q = Quantité d'eaux usées traitées annuellement, en mètres cubes;

DCO_{moy} = Moyenne trimestrielle de la demande chimique en oxygène des eaux usées, en kilogrammes par mètre cube;

B = Capacité de génération de CH_4, soit 0,25 kg de CH_4 par kilogramme de demande chimique en oxygène;

FCM = Facteur de conversion en CH_4 indiqué au tableau 9-3, prévu à QC.9.6, selon le procédé;

0,001 = Facteur de conversion des kilogrammes en tonnes métriques;";

(*d*) by inserting the following line before the definition of the factor "N_2O" in Equation 9-26 in paragraph 3 of QC.9.3.10 of the French text:

"Où :";

(5) in the second paragraph of QC.10.2 in protocol QC.10,

(*a*) by replacing "subparagraphs 1 and" in subparagraph 1 by "subparagraph";

(*b*) by inserting "2, " after "subparagraphs" in subparagraph 2;

(*c*) by replacing "subparagraphs 2 and" in subparagraph 3 by "subparagraph";

(6) by replacing Table 17-1 in part QC.17.4 of protocol QC.17 by the following:

"**Table 17-1. Default greenhouse gas emission factors for Canadian provinces and certain North American markets, in metric tons CO_2 equivalent per megawatt-hour**

(QC.17.3.1(3), QC.17.3.2(1) and (2))

Canadian provinces and North American markets	Default emission factor (metric tons GHG per megawatt-hour)
Newfoundland and Labrador	0.020
Nova Scotia	0.706
New Brunswick	0.418
Québec	0.003
Ontario	0.096
Manitoba	0.003
Vermont	0.002
New England Independent System Operator (NE-ISO), including all or part of the following states: - Connecticut - Massachusetts - Maine - Rhode Island - Vermont - New Hampshire	0.288
New York Independent System Operator (NY-ISO)	0.263
Pennsylvania Jersey Maryland Interconnection Regional Transmission Organization (PJM-RTO), including all or part of the following states: - North Carolina - Delaware - Indiana - Illinois - Kentucky - Maryland - Michigan - New Jersey - Ohio - Pennsylvania - Tennessee - Virginia - West Virginia - District of Columbia	0.602

Midwest Independent Transmission System Operator (MISO-RTO), including all or part of the following states: - Arkansas - North Dakota - South Dakota - Minnesota - Iowa - Missouri - Wisconsin - Illinois - Michigan - Nebraska - Indiana - Montana - Kentucky - Texas - Louisiana - Mississippi	0.641
Southwest Power Pool (SPP), including all or part of the following states: - Kansas - Oklahoma - Nebraska - New Mexico - Texas - Louisiana - Missouri - Mississippi - Arkansas	0.625

”;

(7)   in protocol QC.24,

(*a*)   by inserting “, determined in accordance with equation 24-12.1 or measured or weighed in accordance with QC.24.4.4” after “containers” in the definition of the factor “$M_{res,j}$” in Equation 24-11 in QC.24.3.3;

(*b*)   by inserting the following equations after Equation 24-12 in QC.24.3.3:

“**Equation 24-12.1**

$$M_{res,j} = \frac{M_j \times P_j \times V_j}{Z_j \times R \times T_j}$$

Where:

$M_{res,j}$ = Residual mass of gas *j*, in grams;

M_j = Molar mass of gas *j*, in grams per mole;

P_j = Absolute pressure of gas *j*, in pascals;

V_j = Volume of gas *j*, in cubic metres;

Z_j = Compressibility factor of gas *j*, calculated using equation 24-12.2;

R = Perfect gas constant of 8.314 joules per kelvin-mole;

T_j = Absolute temperature of gas *j*, in kelvins;

Equation 24-12.2

Where:
$$Z_i = 1 + B_j^{(0)} \times \frac{P_{rj}}{T_{rj}} + \omega_j \times B_j^{(1)} \times \frac{P_{rj}}{T_{rj}}$$

Z_j = Compressibility factor of gas *j*;

$B_j^{(0)}$ = First parameter of the virial coefficient of gas *j*, calculated using equation 24-12.5;

P_{rj} = Reduced pressure of gas *j*, calculated using equation 24-12.3, in pascals;

T_{rj} = Reduced temperature of gas *j*, calculated using equation 24-12.4, in kelvins;

ω_j = Acentric Pitzer factor of gas *j*;

$B_j^{(1)}$ = Second parameter of the virial coefficient of gas *j*, calculated using equation 24-12.6;

Equation 24-12.3

$$P_{rj} = \frac{P_j}{P_{cj}}$$

Where:

P_{rj} = Reduced pressure of gas *j*, in pascals;

P_j = Absolute pressure of gas *j*, in pascals;

P_{cj} = Critical pressure of gas *j*, in pascals;

Equation 24-12.4

$$T_{rj} = \frac{T_j}{T_{cj}}$$

Where:

T_{rj} = Reduced temperature of gas *j*, in kelvins;

T_j = Absolute temperature of gas *j*, in kelvins;

T_{cj} = Critical temperature of gas *j*, in kelvins;

Equation 24-12.5

$$B_j^{(0)} = 0.083 - \frac{0.422}{T_{rj}^{1.6}}$$

Where:

$B_j^{(0)}$ = First parameter of the virial coefficient of gas *j*;

T_{rj} = Reduced temperature of gas *j*, calculated using equation 24-12.4, in kelvins;

Equation 24-12.6

$$B_j^{(1)} = 0.139 - \frac{0.172}{T_{rj}^{4.2}}$$

Where:

$B_j^{(1)}$ = Second parameter of the virial coefficient of gas *j*;

T_{rj} = Reduced temperature of gas *j*, calculated using equation 24-12.4, in kelvins;";

(8)   by replacing the "Natural gas vehicle" line in Table 27-1 in part QC.27.7 of protocol QC.27 by the following:

"

Liquefied natural gas vehicle	1.178	N/A	N/A
Compressed natural gas vehicle	1.907×10^{-3}	N/A	N/A

".

(9)   by replacing "metric tons per hour" in the definition of the factor "EF" in Equation 29-19 in QC.29.3.10 of protocol QC.29 by "cubic metres per hour at standard conditions";

(10)   in protocol QC.30,

(*a*)   by replacing the part preceding subparagraph 1 of the second paragraph of QC.30.1 by the following:

"For the purposes of the emissions report referred to in the third paragraph of section 6.1 and this protocol, whoever is the first in Québec to perform one of the following activities for fuels it owns is considered an emitter who distributes fuels:".

(*b*)   by inserting the following after subparagraph 1 of the second paragraph of part QC.30.1:

"(1.1) the sale or trade in Québec, for consumption, trade or sale in Québec, of fuel from outside Québec, other than natural gas distributed by a natural gas distributor within the meaning of section 2 of the Act respecting the Régie de l'énergie (chapter R-6.01);";

(*c*)   in part QC.30.1,

(i)   by replacing "the acquisition outside Québec" in subparagraph 2 of the second paragraph by "the importing into Québec";

(ii)   by striking out ", contained in one or more containers totalling over 200 litres, except the fuel contained in the fuel tank installed as standard equipment to supply a vehicle's engine" in subparagraph 2 of the second paragraph;

(*d*)   by adding the following paragraph at the end of QC.30.1:

"Subparagraphs 1.1 and 2 of the second paragraph do not apply to fuels contained in the fuel tank installed as standard equipment to supply a vehicle's engine.";

(*e*)   by inserting "and documents" after "information" in the part of the first paragraph of QC.30.2 preceding subparagraph 1;

(*f*)   by adding ", by type of fuel" at the end of subparagraph 3 of the first paragraph of QC.30.2;

(*g*)   by inserting the following after subparagraph 3 of the first paragraph of QC.30.2:

"(3.1) the name and contact information of the establishments of each person to whom the emitter distributed fuel outside Québec, and the total annual quantity distributed to each establishment, by type of fuel;

(3.2)   in the cases referred to in subparagraphs 3 and 3.1 and in the case where an emitter is able to show that the quantity of fuel distributed by the emitter in Québec was ultimately redistributed to the establishment of an emitter referred to in the first paragraph of section 2 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances or to a person outside Québec, an attestation signed by the person who actually received the fuel from the emitter who confirms the total quantity received during the year, for each type of fuel;";

(*h*)   in the second paragraph of QC.30.2,

(i)   by striking out "subparagraph 2 of"

(ii)   by replacing "kilolitres at standard conditions" by "kilolitres";

(*i*)   by striking out, in equation 30-1, "at standard conditions" in the second line under the definition of the factor "Q_i" and ", at standard conditions" in the second line under the definition of the factor "EF_i", and by replacing, in equation 30-2, "kilolitres at standard conditions" in the definitions of the factors "Q_i" ,"Q_iT" and "Q_iG" by "kilolitres";

(*j*)   by replacing "Quantity" in the definition of the factor "Q_i" in equation 30-1 of QC.30.3 by "Annual quantity";

(*k*)   by replacing "Total annual" in the definition of the factor "Q_i" in equation 30-2 of QC.30.3 by "Annual";

(*l*)   by replacing the second paragraph of part QC.30.4 by the following:

"The emitter who operates an enterprise that distributes fuels must measure the quantity of the fuels at the following points, according to the type of activity performed:

(1)   for the activity referred to in subparagraph 1 of the second paragraph of QC.30.1, at the primary distribution point;

(2)   for activities referred to in subparagraphs 1.1 and 2 of the second paragraph of QC.30.1, at the point of receipt of the fuels in Québec, or, if such measurement cannot be made, the emitter must obtain the quantities from the supplier;

(3)   for the activity referred to in subparagraph 3 of the second paragraph of QC.30.1, at the point of delivery.";

(*m*)   in Table 30-1 in QC.30.6,

(i)   by replacing "2.790" in the "Diesels" line by "3.007";

(ii)   by replacing "1.890" in the "Liquefied natural gas" line by "1.178";

(11)   in protocol QC.34,

(*a*)   by replacing "1 and 2" in subparagraph 1 of the third paragraph of part QC.34.2 by "1 to 4";

(*b*)   by replacing "3" in subparagraph 2 of the third paragraph of part QC.34.2 by "5".

12.   For the 2014 annual emissions report, an emitter may use the calculation methods as amended by this Regulation.

13.   This Regulation comes into force on 1 January 2015.

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