

(2) by adding the following paragraph at the end:

“Despite the foregoing, cook stoves and camp stoves are deemed to comply with the standard referred to in subparagraph *a* of subparagraph 2 of the first paragraph of section 4 if they bear a mark mentioning that the appliance is not a certified wood-burning appliance.”

**7.** Section 6 is struck out.

**8.** Section 7 is amended by replacing “in section 5 or 6” by “in the first paragraph of section 5”.

**9.** Section 7.2 is replaced by the following:

“**7.2.** A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on every person who

(1) fails to comply with the prohibition provided for in section 3.1;

(2) manufactures, sells, offers for sale or distributes in Québec a wood-burning appliance that does not comply with section 4.”

**10.** Section 9 is amended by replacing “section 3” by “section 3.1 or 4”.

**11.** The following is inserted after section 9:

“**CHAPTER IV**  
**TRANSITIONAL AND FINAL**

**9.1.** Chapter II applies to every wood-burning appliance manufactured, sold, offered for sale or distributed in Québec as of 1 September 2009.

Despite the first paragraph, sections 4 and 5 of this Regulation apply to every cook stove manufactured, sold, offered for sale or distributed in Québec as of 8 August 2019.”

**12.** Section 10 is amended by striking out the second paragraph.

**13.** This Regulation comes into force on 8 August 2019.

104040

Gouvernement du Québec

**O.C. 796-2019, 8 July 2019**

Environment Quality Act  
(chapter Q-2)

**Contaminated soil storage and contaminated soil transfer stations**  
— **Amendment**

Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations

WHEREAS, under paragraph 5 of section 31.69 of the Environment Quality Act (chapter Q-2), the Government may make regulations to regulate, in all or part of the territory of Québec, the treatment, recovery, reclamation and elimination of contaminated soils not subject to the provisions of Division VII of Chapter IV of Title I of the Act and of any materials containing such soils;

WHEREAS, under subparagraph 5 of the first paragraph of section 53.30 of the Act, the Government may, by regulation, determine the conditions or prohibitions applicable to the use, sale, storage and processing of materials intended for or resulting from reclamation;

WHEREAS, under subparagraph 3 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prohibit, limit and control sources of contamination and the release into the environment of any class of contaminants for all or part of the territory of Québec;

WHEREAS, under subparagraph 4 of the first paragraph of section 95.1 of the Act, the Government may make regulations to determine, for any class of contaminants or of sources of contamination, a maximum quantity or concentration that may be released into the environment, for all or part of the territory of Québec;

WHEREAS, under subparagraph 7 of the first paragraph of section 95.1 of the Act, the Government may make regulations to define environmental protection and quality standards for all or part of the territory of Québec;

WHEREAS, under section 115.27 of the Act, the Government may, in a regulation made under the Act, specify in particular that a failure to comply with the regulation may give rise to a monetary administrative penalty and set forth the amounts;

WHEREAS, under the first paragraph of section 115.34 of the Act, despite sections 115.29 to 115.32 of the Act, the Government may in particular determine the regulatory provisions made under the Act whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government or the Minister;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations was published in Part 2 of the *Gazette officielle du Québec* of 24 April 2019 with a notice that it could be made by the Government on the expiry of 45 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 the Environment and the Fight Against Climate Change:

THAT the Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting contaminated soil storage and contaminated soil transfer stations

Environment Quality Act  
(chapter Q-2, s. 31.69, par. 5, s. 53.30, 1st par., subpar. 5, s. 95.1, 1st par., subpars. 3, 4 and 7, ss. 115.27 and 115.34)

**1.** The Regulation respecting contaminated soil storage and contaminated soil transfer stations (chapter Q-2, r. 46) is amended in section 1 by striking out “equal to or” in the third paragraph.

**2.** Section 4 is replaced by the following:

“4. The disposal of or permission to dispose of soils containing contaminants in a concentration equal to or less than the limit values in Schedule I, on or in soils having a contaminant concentration lower than the contaminant concentration in the soils disposed of is prohibited.

The disposal of or permission to dispose of such soils on or in land to be used for housing is also prohibited.

The prohibition referred to in the first paragraph does not apply where soils are disposed of

(1) on or in the site of origin;

(2) on or in the site of the source contamination activity; or

(3) on or in sites other than those referred to in subparagraph 1 or 2 and that are used

(a) for the redevelopment and restoration of a quarry in accordance with the Regulation respecting quarries and sand pits (*insert the reference to the Compilation of Québec Laws and Regulations*);

(b) for reclamation purposes in connection with a project where the disposal is authorized by the Minister under subdivision 1 of Division II of Chapter IV of Title I of the Environment Quality Act (chapter Q-2).

The prohibition provided for in the second paragraph does not apply where soils are disposed of

(1) on or in the sites referred to in subparagraph 1 or 2 of the third paragraph; or

(2) on or in sites other than those referred to in subparagraph 1 of the third paragraph and that are used as backfill in connection with land rehabilitation work in accordance with the Environment Quality Act (chapter Q-2), and if their contaminant concentration is equal to or lower than the contaminant concentration in the host soils.

**4.1.** Where a disposal of soils is made in contravention of section 4, the owner, the lessee or any other person in charge of the site where soils were disposed of is required to take the necessary measures so that they are disposed of on or in a site covered

(1) by the third or fourth paragraph of that section, to the extent where the requirements provided for therein are complied with; or

(2) by an authorization, a declaration of compliance, an exemption or by the Environment Quality Act (chapter Q-2) or the regulations made thereunder.”

**3.** Section 6 is amended by inserting “carries out or” before “has soil excavation carried out” in the first paragraph.

**4.** Section 68.7 is amended

(1) by inserting “or permits the disposal of soils” in paragraph 1 after “section 4” and by adding “on or in land to be used for housing” at the end of that paragraph;

(2) by adding the following after paragraph 1:

“(1.1) does not take the measures referred to in section 4.1;”.

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

104041

Gouvernement du Québec

**O.C. 797-2019**, 8 July 2019

Environment Quality Act  
(chapter Q-2)

**Land Protection and Rehabilitation  
—Amendment**

Regulation to amend the Land Protection and Rehabilitation Regulation

WHEREAS, under the first paragraph of section 31.0.6 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, designate the activities referred to in section 22 or 30 of the Act that, subject to the conditions, restrictions and prohibitions determined in the regulation, are eligible for a declaration of compliance under subdivision 2 of Division II of Chapter IV of Title I of the Act;

WHEREAS, under the first paragraph of section 31.0.11 of the Act, the Government may, by regulation and subject to any conditions, restrictions and prohibitions specified in it, exempt certain activities referred to in section 22 from subdivision 1 of Division II of Chapter IV of Title I of the Act;

WHEREAS, under the first paragraph of section 31.51 of the Act, a notice of permanent cessation of an industrial or commercial activity of a category designated by regulation of the Government must be sent to the Minister within the time prescribed by government regulation;

WHEREAS, under the first paragraph of section 31.68.1 of the Act, the Government may, by regulation, designate the contaminated land rehabilitation measures that, subject to the conditions, restrictions and prohibitions specified in the regulation, are eligible for a declaration of compliance;

WHEREAS, under paragraph 2 of section 31.69 of the Act, the Government may make regulations to determine the categories of the industrial or commercial activities referred to in sections 31.51, 31.52 and 31.53 of the Act;

WHEREAS, under subparagraph 7 of the first paragraph of section 95.1 of the Act, the Government may make regulations to define environmental protection and quality standards for all or part of the territory of Québec;

WHEREAS, under subparagraph 21 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the documents and information that must be provided to the Minister by any person or municipality carrying on an activity governed by the Act or the regulations, and determine their form and content;

WHEREAS, under section 115.27 of the Act, the Government may, in a regulation made under the Act, specify in particular that a failure to comply with the regulation may give rise to a monetary administrative penalty and set forth the amounts;

WHEREAS, under the first paragraph of section 115.34 of the Act, despite sections 115.29 to 115.32 of the Act, the Government may in particular determine the regulatory provisions made under the Act whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government or the Minister;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Land Protection and Rehabilitation Regulation was published in Part 2 of the *Gazette officielle du Québec* of 24 April 2019 with a notice that it could be made by the Government on the expiry of 45 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 the Environment and the Fight Against Climate Change:

THAT the Regulation to amend the Land Protection and Rehabilitation Regulation, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

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