

## Regulation to amend the Regulation respecting hot mix asphalt plants

Environment Quality Act  
(chapter Q-2, s. 95.1, 1st. par., subpar. 4)

**1.** The Regulation respecting hot mix asphalt plants (chapter Q-2, r. 48) is amended in section 15

(1) by replacing paragraph *a* by the following:

“(a) 2 mg/L of petroleum hydrocarbons (C<sub>10</sub>-C<sub>50</sub>);”;

(2) by replacing “25” in paragraph *b* by “50”.

**2.** Section 16 is amended by replacing “5.5” by “6”.

**3.** This Regulation comes into force on 18 December 2023.

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Gouvernement du Québec

### O.C. 995-2023, 14 June 2023

Environment Quality Act  
(chapter Q-2)

Act respecting certain measures enabling  
the enforcement of environmental  
and dam safety legislation  
(chapter M-11.6)

#### Sand pits and quarries — Amendment

Regulation to amend the Regulation respecting sand  
pits and quarries

WHEREAS, under subparagraph 2 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, regulate the recovery and reclamation of residual materials in all or part of the territory of Québec, and the regulations may, in particular, prescribe or prohibit, in respect of one or more classes of residual materials mentioned in subparagraph 1 of the first paragraph of section 53.30 of the Act, any mode of recovery or reclamation;

WHEREAS, under subparagraph 2 of section 70 of the Act, the Government may make regulations to regulate the elimination of residual materials in all or part of the territory of Québec, and the regulations may, in particular, prescribe or prohibit, in respect of one or more classes of residual materials, any mode of elimination;

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 5 of the first paragraph of section 95.1 of the Act, the Government may make regulations to establish standards for the installation and use of any type of apparatus, device, equipment or process designed to control the release of contaminants into the environment;

WHEREAS, under subparagraph 28 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe, for specified activities or classes of activities, the measures to be implemented on their cessation, as well as monitoring and post-closure management measures;

WHEREAS, under the first paragraph of section 30 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6), the Government may, in a regulation made in particular under the Environment Quality Act, specify that failure to comply with a provision of the regulation may give rise to a monetary administrative penalty and that it may set out the conditions for applying the penalty and determine the amounts or the methods for calculating them, which amounts may vary in particular according to the extent to which the standards have been violated;

WHEREAS, under the first paragraph of section 45 of that Act, the Government may in particular determine the provisions of a regulation the Government has made, in particular under the Environment Quality 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;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting sand pits and quarries was published in Part 2 of the *Gazette officielle du Québec* of 22 February 2023 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, the Fight Against Climate Change, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting sand pits and quarries, attached to this Order in Council, be made.

YVES OUELLET  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting sand pits and quarries

Environment Quality Act  
(chapter Q-2, s. 53.30, 1st par., subpar. 2, s. 70, par. 2, and s. 95.1, 1st par., subpars. 3, 5 and 28)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation  
(chapter M-11.6, s. 30, 1st par., and s. 45, 1st par.)

**1.** The Regulation respecting sand pits and quarries (chapter Q-2, r. 7.1) is amended in section 21 by replacing “that is not located on lands in” in the portion before subparagraph 1 of the second paragraph by “and for which the surface mineral substance is not part of”.

**2.** Section 23 is amended

(1) by replacing the first paragraph by the following:

“The operator of a quarry or sand pit may store or eliminate particles or sludge or slurry in the quarry or sand pit only if they come,

(1) in the case of particles, from a catchment system used in the quarry or sand pit; and

(2) in the case of sludge or slurry, as the case may be,

(a) from sedimentation basins in the quarry or sand pit; or

(b) from cutting slurry generated by the dimension stone sector during a treatment of surface mineral substances.

Dust recovered from a dry dust collector system used by a hot mix asphalt plant may also be stored or eliminated in a quarry or a sand pit.”;

(2) by inserting “or second” after “the first” in the second paragraph.

**3.** Section 42 is amended in subparagraph 3 of the first paragraph,

(1) by replacing “ou les” in the French text by “ou des” in subparagraph *a*;

(2) by replacing subparagraph *c* by the following:

“(c) the sludge or slurry referred to in the first paragraph of section 23, insofar as their dryness, measured by a laboratory accredited by the Minister under section 118.6 of the Act, is equal to or greater than 15% and the sludge or slurry contains no free liquid;”;

(3) by replacing “recuperated by a catchment system installed in the quarry or sand pit and intended to prevent particle emissions into the atmosphere” in subparagraph *d* by “referred to in section 23”;

(4) by inserting the following after subparagraph *e*:

“(f) in the case of a quarry only, category 1 concrete as established in section 26 of the Regulation respecting the reclamation of residual materials (chapter Q-2, r. 49) and characterized according to the conditions set out in sections 20 and 26 of that Regulation, insofar as it is used for the construction of an infrastructure, in particular as a draining layer or for a parking, traffic or storage area the design of which is covered in plans and specifications signed by an engineer.”.

**4.** Section 43 is amended by adding the following paragraph at the end:

“The time period provided for in the second paragraph for first obtaining an authorization or an amendment of an authorization does not apply to the operator who must obtain the authorization to bury invasive exotic plant species as part of backfilling using the soils referred to in subparagraphs *b* and *e* of subparagraph 3 of the first paragraph of section 42.”.

**5.** Section 44 is amended

(1) by replacing “of the land” and “the land” in subparagraph 1 of the first paragraph by “of the disturbed sand” and “the sand”, respectively;

(2) by replacing the third paragraph by the following:

“In addition, where an invasive exotic plant species is buried as part of backfilling using the soils referred to in subparagraphs *b* and *e* of subparagraph 3 of the first paragraph of section 42, the materials must be covered with at least 1 m of soil free of such species.

At all times, the storage or elimination in a sand pit of the materials referred to in section 23 or backfilling work in a sand pit carried out in accordance with section 42 must not give rise to the deposit of contaminants due to a human activity.”;

(3) by replacing “backfilling work in a quarry using the soils referred to in subparagraphs *b* and *e* of subparagraph 3 of the first paragraph of” in the fourth paragraph by “, the storage or elimination in a quarry of the materials referred to in section 23 and backfilling in a quarry carried out in accordance with”.

## **6. Section 46 is amended**

(1) by inserting the following paragraph after the first paragraph:

“For any backfilling in accordance with subparagraph *f* of subparagraph 3 of the first paragraph of section 42, the operator of a quarry must hold the attestation referred to in section 25.1 of the Regulation respecting the reclamation of residual materials (chapter Q-2, r. 49) provided by the supplier of the concrete.”;

(2) in the second paragraph

(*a*) by inserting “referred to in the first paragraph and the attestation referred to in the second paragraph” after “register”;

(*b*) by adding the following at the end: “They must be provided to the Minister at the Minister’s request within the time indicated by the Minister.”.

## **7. Section 48 is amended**

(1) in the first paragraph

(*a*) by inserting the following after subparagraph 20:

“(20.1) to provide a financial guarantee having a term of not less than 12 months, in contravention of the first paragraph of section 36;”;

(*b*) by inserting the following after subparagraph 21:

“(21.1) to provide a guarantee complying with the second, third and fourth paragraphs of section 36;”.

(*c*) by replacing subparagraph 30 by the following:

“(30) to enter in a register the information and documents referred to in the first paragraph of section 46;

(30.1) to hold the attestation referred to in the second paragraph of section 46;

(30.2) to keep the information and documents referred to in the third paragraph of section 46 for the period provided for therein or to provide them to the Minister in accordance with that paragraph;”.

(2) by replacing “particles or sludge that do not meet the conditions provided for in the first paragraph of” in the second paragraph by “materials that do not meet the conditions set out in”.

## **8. Section 53 is amended**

(1) by replacing “or 22, the first paragraph of section 23, section” by “, 22, 23 or”;

(2) by replacing “, 35 or 36, section” by “or 35, section 36,”.

## **9. Section 55 is amended by striking out paragraph 2.**

**10.** This Regulation comes into force on 18 December 2023.

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Gouvernement du Québec

## **O.C. 996-2023, 14 June 2023**

Environment Quality Act  
(chapter Q-2)

Act respecting certain measures enabling  
the enforcement of environmental  
and dam safety legislation  
(chapter M-11.6)

### **Biomedical waste —Amendment**

Regulation to amend the Regulation respecting  
biomedical waste

WHEREAS, under paragraph 2 of section 70 of the Environment Quality Act (chapter Q-2), the Government may make regulations to regulate the elimination of residual materials in all or part of the territory of Québec and the regulations may, in particular, prescribe or prohibit, in respect of one or more classes of residual materials, any mode of elimination;