

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.

106332

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;

WHEREAS, under paragraph 5 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, determine the conditions or prohibitions applicable to the establishment, operation and closure of any residual materials elimination facility, in particular incinerators, landfills and treatment, storage and transfer facilities;

WHEREAS, under paragraph 8 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, determine the conditions or prohibitions applicable to the transportation of designated classes of residual materials;

WHEREAS, under subparagraph 5 of the first paragraph of section 95.1 of the Environment Quality 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 20 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the records, reports, documents and information to be kept and preserved by any person carrying on an activity governed by the Environment Quality Act or the regulations, prescribe the conditions governing their keeping, and determine their form and content and the conditions governing their preservation, in particular the period;

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 the regulation 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 the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation, 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 biomedical waste 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 biomedical waste, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting biomedical waste

Environment Quality Act
(chapter Q-2, s 70, pars. 2, 5 and 8, and s. 95.1, 1st par., subpars. 5 and 20)

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 biomedical waste (chapter Q-2, r. 12) is amended in section 1

(1) in paragraph 3

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

“(c) live or attenuated vaccine from a medical or veterinary biology laboratory and the material that has come into contact with such vaccines;”;

(b) in subparagraph *d*

i. by replacing “medical care” by “medical, dental or veterinary care”;

ii. by inserting “or veterinary” after “in a medical”;

(2) by adding the following after paragraph 4:

“(5) biomedical waste referred to in any of paragraphs 1 to 4 contaminated by cytotoxic agents or medications.”

2. Section 2 is amended

(1) by replacing “that is in the possession of its owner” in paragraph 1.1 by “that is disposed of by its owner or sent to a cemetery, a crematorium or an alkaline hydrolysis establishment”;

(2) in paragraph 2

(a) by inserting “6.4.2.9,” after “6.4.1.16.”;

(b) by replacing “or 9.3.1.14” by “, 9.3.1.14, 10.3.1.15 or 10.3.1.18”.

3. Section 5 is amended by inserting “and biomedical waste contaminated by cytotoxic agents or medications” after “biomedical waste”.

4. Section 6 is amended

(1) by inserting “, other than waste contaminated by cytotoxic agents or medications,” after “Non-anatomical biomedical waste” in the first paragraph;

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

“Treatment by disinfection shall reach a minimum level of efficiency of inactivation of *Geobacillus stearothermophilus* or *Bacillus atrophaeus* bacteria spores of 4 log 10 (or 99.99%) and a proven minimum efficiency rate of inactivation of mycobacteria of 6 log 10 (or 99.9999%).”

5. Section 12 is replaced by the following:

“**12.** The operator of a biomedical waste generation site, a facility that treats biomedical waste by disinfection or incineration or that stores biomedical waste that ships biomedical waste shall keep a document demonstrating the shipment of the biomedical waste to a facility that may legally receive it and including the following information:

- (1) the type of the biomedical waste shipped;
- (2) the quantity;
- (3) the information needed to identify the carrier and the recipient;
- (4) the date of shipping.”

6. Section 13 is amended in the first paragraph

(1) by inserting “off its generation site,” after “stores biomedical waste” in the portion before subparagraph 1;

(2) by adding “, if applicable” at the end of subparagraph 4.

7. Section 15 is amended by inserting “whose biomedical waste is treated on the premises” after “generation site” in the first paragraph.

8. Section 16 is amended

(1) by inserting “the documents or” after “prepare”;

(2) by replacing “3” by “5”;

(3) by adding “and send them to the Minister on request” at the end.

9. Section 22 is amended by adding “, except if they are preserved in preserving agents” at the end of the second paragraph.

10. Section 24 is amended

(1) by inserting “and biomedical waste contaminated by cytotoxic agents or medications” after “Anatomical biomedical waste” in the first paragraph;

(2) by inserting “, other than waste contaminated by cytotoxic agents or medications,” after “Non-anatomical biomedical waste” in the second paragraph.

11. Section 33 is amended by adding “, except if they are preserved in preserving agents” at the end.

12. Section 38 is revoked.

13. Section 39 is amended by replacing paragraph 1 by the following:

“(1) a refrigeration system capable of keeping the biomedical waste contained in the vehicle at less than 4 °C at all times, except the biomedical waste preserved in preserving agents, sharp medical objects and sharp household objects;”.

14. Section 40 is amended by inserting “biomedical waste preserved in preserving agents,” after “other than” in the third paragraph.

15. Section 64.1 is amended by striking out paragraph 3.

16. Section 64.2 is amended

(1) in paragraph 1

(a) by adding “to keep the document prescribed by section 12 or” at the beginning;

(b) by striking out “12.”;

(2) by replacing “report or register referred to in section 16” in paragraph 3 by “document, register or report referred to in section 16 or to send to the Minister at the Minister’s request”;

(3) by striking out paragraph 6.

17. Section 65 is amended by replacing “, paragraph 4 of section 36 or the second paragraph of section 38” by “or paragraph 4 of section 36”.

18. Section 66 is amended

(1) by replacing “17” by “16”;

(2) by striking out “or 38”.

19. Section 66.4 is amended by replacing “to 7” by “, 6”.

20. Schedule I is replaced by the following:**“SCHEDULE I**
(Section 15)ANNUAL REPORT OF THE BIOMEDICAL WASTE GENERATOR WHO TREATS BIOMEDICAL
WASTE ON THE GENERATION SITE**SCHEDULE I**Annual report of the biomedical waste generator who treats biomedical waste on
the generation siteSection 15 of the *Regulation respecting biomedical waste*Reference year

GENERATOR	
Name of the establishment	
Address	
City or town	Postal code

PERSON IN CHARGE		
Name	Given name	
Title		
Email address	Telephone number	Extension
Signature	Date	

TREATMENT EQUIPMENT ON SITE	
<input type="checkbox"/> Incineration treatment equipment	Treatment capacity _____ kg/h
<input type="checkbox"/> Disinfection treatment equipment	Treatment capacity _____ kg/h

CATEGORY 1- HUMAN ANATOMICAL WASTE		
Total quantity generated		kg
Total quantity incinerated on site		kg
Total quantity shipped out	Name and address of carrier	Name and address of recipient
kg		
kg		

CATEGORY 2- ANIMAL ANATOMICAL WASTE		
Total quantity generated		kg
Total quantity incinerated on site		kg
Total quantity shipped out	Name and address of carrier	Name and address of recipient
kg		
kg		

CATEGORY 3- BIOMEDICAL WASTE CONTAMINATED BY CYTOTOXIC AGENTS OR MEDICATIONS		
Total quantity generated		kg
Total quantity incinerated on site		kg
Total quantity shipped out	Name and address of carrier	Name and address of recipient
kg		
kg		

CATEGORY 4- NON-ANATOMICAL WASTE		
Total quantity generated		kg
Total quantity incinerated on site		kg
Total quantity disinfected on site		kg
Total quantity shipped out	Name and address of carrier	Name and address of recipient
kg		
kg		

21. Schedule II is replaced by the following:

“SCHEDULE II
(Section 15)

ANNUAL REPORT OF THE OPERATOR OF A FACILITY THAT TREATS BIOMEDICAL WASTE OFF ITS GENERATION SITE, A FACILITY THAT STORES BIOMEDICAL WASTE OFF ITS GENERATION SITE OR OF A SYSTEM THAT TRANSPORTS BIOMEDICAL WASTE

SCHEDULE II

Annual report of the operator of a facility that treats biomedical waste off its generation site, a facility that stores biomedical waste off its generation site or of a system that transports biomedical waste

Section 15 of the Regulation respecting biomedical waste

REFERENCE YEAR :

ACTIVITIES

Transport Storage Treatment by disinfection Treatment by incineration

OPERATOR

Name

Address

City or town

Postal code

PERSON IN CHARGE

Surname

Given name

Title

Email address

Telephone number

Extension

Signature


Date

INFORMATION ON QUANTITIES RECEIVED AND SHIPPED OUT			
Name and address of generator	Total quantity	Name and address of carrier <input type="checkbox"/> Same as above or:	Name and address of recipient <input type="checkbox"/> Same as above or:
	_____kg		
	_____kg		
	_____kg		
	_____kg		
	_____kg		
	_____kg		
	_____kg		
	_____kg		
	_____kg		
	_____kg		

22. Schedule III is replaced by the following:

“SCHEDULE III
(Schedule 23)

IDENTIFICATION LABEL FOR A GENERATOR OF BIOMEDICAL WASTE

	<h2 style="margin: 0;">BIOMEDICAL WASTE</h2>
<p><u>CATEGORY OF WASTE</u></p>	
<p>1- <input type="checkbox"/> HUMAN ANATOMICAL WASTE</p> <p>2- <input type="checkbox"/> ANIMAL ANATOMICAL WASTE</p> <p>3- <input type="checkbox"/> CONTAMINATED BY CYTOTOXIC AGENTS OR MEDICATIONS</p> <p>4- <input type="checkbox"/> NON-ANATOMICAL WASTE</p> <p style="padding-left: 20px;"><input type="checkbox"/> SHARP OR BREAKABLE OBJECTS</p>	
<p><u>GENERATOR</u></p>	
<p>NAME OF ESTABLISHMENT OR FIRM NAME:</p> <p>_____</p> <p>_____</p>	
<p>ADDRESS:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>NAME OF PERSON IN CHARGE: _____</p>	
<p>TELEPHONE NUMBER OF PERSON IN CHARGE: _____</p>	

”

23. Schedule IV is revoked.

24. This Regulation comes into force on 18 December 2023.

106333

Gouvernement du Québec

O.C. 997-20230, 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)

Operation of industrial establishments — Amendment

Regulation to amend the Regulation respecting the
operation of industrial establishments

WHEREAS, under the first paragraph of section 31.10 of the Environment Quality Act (chapter Q-2), the operation of an industrial establishment belonging to any of the classes determined by government regulation is subject to the authorization of the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks under subparagraph 1 of the first paragraph of section 22 of the Act;

WHEREAS, under paragraph 2 of section 31.29 of the Act, the Government may make regulations to set the annual duties payable by holders of authorizations to operate an industrial establishment, which may vary according to one or more of the factors provided for in that section;

WHEREAS, under paragraph 3 of section 31.29 of the Act, the Government may make regulations to determine the periods during which annual duties must be paid, and the terms of payment;

WHEREAS, under subparagraph 20 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the records, reports, documents and information to be kept and preserved by any person carrying on an activity governed by the Environment Quality Act or the regulations, prescribe the conditions governing their keeping, and determine their form and content and the conditions governing their preservation, in particular the period;

WHEREAS, under subparagraph 21 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the reports, documents and information that must be provided to the Minister by any person carrying on an activity governed by the Environment Quality Act or the regulations, and determine the terms and conditions governing their sending;

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 the regulation 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 the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation, 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 the operation of industrial establishments 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 to amend the Regulation respecting the operation of industrial establishments 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 the operation of industrial establishments, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif