

chapter Q-2, r. 32

Regulation respecting hazardous materials

Environment Quality Act
(chapter Q-2, ss. 31, 46, 70.19, 115.27, 115.34 and 124.1).

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CHAPTER I

SCOPE AND DEFINITIONS

1. For the purposes of the definition of the expression “hazardous material” in paragraph 21 of section 1 of the Environment Quality Act (chapter Q-2), section 3 of this Regulation defines the properties of hazardous materials and section 4 determines the materials and objects that are classed as hazardous materials.

O.C. 1310-97, s. 1.

2. The following do not constitute hazardous materials:

(1) contaminated soil except, for the purposes of the prohibition in section 94 of this Regulation, soil having more than 50 mg of PCB per kg of soil;

(2) material from the construction, dismantling or renovation of an immovable or infrastructure, except materials and objects that are classed as hazardous materials according to section 4 of this Regulation;

(3) scrap metal and other metal objects, except objects that are classed as hazardous materials according to section 4 of this Regulation;

(4) fabrics other than absorbent fabrics used during hazardous material recovery operations;

(5) biomedical waste governed by the Regulation respecting biomedical waste (chapter Q-2, r. 12);

(6) mill residual materials within the meaning of section 1 of the Regulation respecting pulp and paper mills (chapter Q-2, r. 27), as well as other residual materials referred to in section 117 of that Regulation;

(7) pesticides governed by the Pesticides Act (chapter P-9.3);

(8) spray formulations and rinsings resulting from the use of a pesticide;

(9) wastewater other than wastewater from pipeless rinsing baths from surface treatment operations;

(10) mine tailings and sludge from treatment of the effluent from a tailings storage yard where such sludge is deposited in the yard;

(11) materials from dredging operations;

(12) collected snow;

(13) radioactive materials which meet the requirements fixed in a permit issued by the Canadian Nuclear Safety Commission in respect of their deposit in a sanitary landfill site, an engineered landfill or an incineration site or in respect of their discharge into a sewer system;

(14) bituminous concrete, asphalt shingles, solid plastic, solid rubber and asbestos;

(15) sludge from a septic tank, from a drinking water treatment plant or from a sanitary or municipal wastewater purification works;

(16) residue from an underground access manhole, from a street catch basin or from a car-wash sump;

(17) manure and liquid manure;

(18) treated wood;

(19) shredded automobile hulks;

(20) smoke detectors; and

(21) ash and other residue from an incineration facility governed by Chapter III of the Regulation respecting the landfilling and incineration of residual materials, (chapter Q-2, r. 19) or from a biomedical waste incineration facility.

O.C. 1310-97, s. 2; O.C. 451-2005, s. 182; O.C. 808-2007, s. 144.

3. The properties of hazardous materials are defined as follows:

“**corrosive material**” means any material which, when tested in accordance with the methods prescribed in the Liste des méthodes d’analyses relatives à l’application des règlements découlant de la Loi sur la qualité de l’environnement published by the Ministère du Développement durable, de l’Environnement et des Parcs, has a pH of less than 2 or greater than 12.5 or corrodes SAE 1020 steel surfaces at a rate exceeding 6.25 mm per year at a temperature of 55 °C; (*matière corrosive*)

“**explosive material**” means

(1) any substance that is capable, by self-sustaining chemical reaction, of producing gas at such temperature, pressure or speed as to damage the surroundings; or

(2) any substance made for the purpose of producing a practical explosive or pyrotechnic effect, or any object made up of such a substance; (*matière explosive*)

“**flammable material**” means

(1) any liquid or any liquid containing solids in solution or suspension, other than an alcoholic beverage, whose flash point measured in accordance with the method prescribed in the Liste des méthodes d’analyses relatives à l’application des règlements découlant de la Loi sur la qualité de l’environnement published by the Ministère du Développement durable, de l’Environnement et des Parcs, is equal to or less than 61 °C;

(2) any solid that

(a) is readily ignitable and would burn vigorously or persistently;

(b) is liable to cause fire or contribute to fire through friction or from heat retained from manufacturing or processing; or

(c) is liable to undergo highly exothermic decomposition at ambient temperature or, where combustion occurs, to burn vigorously in air or in the absence of air;

(3) any substance that is liable to combust spontaneously under normal conditions of handling or use, or is liable to heat in contact with air to the point where it ignites; or

(4) any substance that, on contact with water, emits a hazardous quantity of flammable gas or that, on contact with water or water vapour, becomes spontaneously combustible or is liable to react vigorously; (*matière inflammable*)

“**gaseous material**” means any gas that is held in a container and

(1) is ignitable at an absolute pressure of 101.325 kPa at 20 °C when in a mixture of 13% or less by volume with air;

(2) has a flammability range of at least 12, the flammability range being the difference between the minimum and maximum volume percent of the gas in the air forming a flammable mixture; or

(3) by reason of corrosive effects on the tissues of the respiratory system, has an LC₅₀ value as defined in the Transportation of Dangerous Goods Regulations (SOR/2001-286) which is less than 5,000 mL/m³ at an absolute pressure of 101.325 kPa at 20 °C; (*matière gazeuse*)

“**leachable material**” means

(1) any liquid containing a contaminant in a concentration higher than the standard set forth in the following table; or

(2) any material that, when tested in accordance with the method prescribed in the Liste des méthodes d'analyses relatives à l'application des règlements découlant de la Loi sur la qualité de l'environnement published by the Ministère du Développement durable, de l'Environnement et des Parcs, produces a leachate containing a contaminant in a concentration higher than the standard set forth in the following table:

MAXIMUM CONCENTRATION OF A CONTAMINANT IN LIQUIDS OR IN LEACHATES FROM SOLID MATERIAL

Contaminant	Standard (mg/L) *
Arsenic	5.0
Barium	100
Boron	500
Cadmium	0.5
Total cyanides **	20
Chromium	5.0
Total fluoride	150
Mercury	0.1
Nitrates + nitrites	1 000
Nitrites	100
Lead	5.0
Selenium	1.0
Uranium	2.0

* Standards expressed in milligrams (mg) of contaminant per litre (L) of liquid or of leachate from solid material.

** Total cyanides standard applies only to liquids; (*matière lixiviable*)

“**oxidizing material**” means any material that, whether combustible or not, causes or contributes to the combustion of other materials by yielding oxygen or another oxidizing material, or contains an organic substance having the bivalent “-0-0-” oxygen structure; (*matière comburante*)

“**radioactive material**” means any material that spontaneously emits ionizing radiations and for which the result of the following equation, calculated for 1 kg of material, is greater than 1:

$$S = \frac{C_1}{A_1} + \frac{C_2}{A_2} + \frac{C_3}{A_3} + \dots + \frac{C_n}{A_n}$$

where “C₁, C₂, C₃, ... C_n” represents the specific activity of the radioactive material for each radioelement it contains, expressed in kilobecquerels per kilogram (kBq/kg); and

“A₁, A₂, A₃, ... A_n” is expressed in kBq/kg and represents the maximum activity listed in Schedule 1 for 1 kg of material for each corresponding radioelement.

Notwithstanding the foregoing, when the quantity of a radioactive source or material is less than 1 kg, the value “S” is calculated for the total mass of the source or material in question rather than for 1 kg of material. In that case, the value “ $C_1, C_2, \dots C_n$ ” represents the total activity of the radioactive material for each radioelement it contains, expressed in kBq, and the value “ $A_1, A_2, \dots A_n$ ”, listed in Schedule 1 represents the maximum activity of the material for each corresponding radioelement, expressed in kBq; (*matière radioactive*)

“**toxic material**” means

(1) any material that, when tested in accordance with the methods prescribed in the Liste des méthodes d’analyses relatives à l’application des règlements découlant de la Loi sur la qualité de l’environnement published by the Ministère du Développement durable, de l’Environnement et des Parcs, produces:

(a) more than 250 mg/kg of hydrogen cyanide (HCN); or

(b) more than 500 mg/kg of hydrogen sulphide (H₂S);

(2) any material that, when tested in accordance with the methods prescribed in the Liste des méthodes d’analyses relatives à l’application des règlements découlant de la Loi sur la qualité de l’environnement published by the Ministère du Développement durable, de l’Environnement et des Parcs, contains more than 5 µ/kg of polychlorinated dibenzofuran or polychlorinated dibenzo [*b, e*] [1,4] dioxin. The concentration is calculated according to the method of toxicity equivalency factors listed in Schedule 2;

(3) materials and substances referred to in sections 46 to 63 of the Controlled Products Regulations (SOR/88-66). For the purposes of those sections, sections 44 and 45 of that Regulation are applicable to determine the toxicity of materials and substances. (*matière toxique*)

O.C. 1310-97, s. 3.

4. In addition to a halocarbon that is considered to be a hazardous material under section 4 of the Regulation respecting halocarbons (chapter Q-2, r. 29), the following are classed as hazardous materials:

(1) any mineral or synthetic oil;

(2) any grease that is mineral oil or synthetic oil to which thickeners have been added;

(3) any empty vessel other than an aerosol container or gas cylinder that is contaminated by

(a) a toxic material;

(b) a deposit of more than 2.5 cm of oil, grease or other hazardous materials; or

(c) oil, grease or other hazardous materials whose quantity is greater than 3% of the volume of the vessel when its volume is less than 440 litres, or when the quantity is greater than 0.3% of the volume of the vessel when its volume is 440 litres or more;

(4) any gas cylinder or aerosol container holding oil, grease or other hazardous materials and whose internal pressure is greater than the normal atmospheric pressure (20 °C);

(5) any material or object containing only 3% or more of hazardous materials in oil or grease mass;

(6) any material and object that, when tested in accordance with the methods prescribed in the Liste des méthodes d’analyses relatives à l’application des règlements découlant de la Loi sur la qualité de l’environnement published by the Ministère du Développement durable, de l’Environnement et des Parcs, contain more than 1,500 mg/kg of total organic halogen;

(7) any material and object containing PCBs or contaminated by PCBs — polychlorinated biphenyls whose molecular formula is $C_{12}H_{10-n}Cl_n$, “n” being a whole number greater or equal to 2 but less than or equal to 10 — that are listed below:

- (a) any liquid containing more than 50 mg of PCBs per kg of liquid; or
 - (b) any solid containing more than 50 mg of PCBs per kg of solid; or
 - (c) any substance containing more than 50 mg of PCBs per kg of substance;
 - (d) any object — equipment, machinery, capacitor, transformer, manufactured object — containing a liquid, solid or substance mentioned above or that is contaminated by such a material;
 - (e) any object or exposed metal part whose surface is contaminated by more than 1 mg of PCBs per m²; and
- (8) any other material or object whose surface is contaminated by oil, grease or other hazardous material.

O.C. 1310-97, s. 4; O.C. 1091-2004, s. 69.

5. For the purposes of this Regulation,

“cargo tank” means any tank having one or more compartments that can be attached to a truck, trailer, semi-trailer or tank car; (*citerne*)

“hazardous materials disposal site” means any site for the final disposal of hazardous materials or any site for the incineration of hazardous materials at which the major objective is to reduce hazardous materials to ash or a gas; (*lieu d’élimination de matières dangereuses*)

“receptacle” means any packaging, metal box, drum or other container; (*contenant*)

“residual hazardous materials” means discarded, spent, used or outdated hazardous materials, as well as any other hazardous material mentioned in section 6; (*matière dangereuse résiduelle*)

“vessel” means any receptacle, cargo tank, tank or cargo container. (*réipient*)

O.C. 1310-97, s. 5.

6. The list of the following materials is established for the purposes of subparagraph 4 of the first paragraph of section 70.6 and paragraph 2 of section 70.9 of the Environment Quality Act (chapter Q-2), to the extent that the materials are hazardous within the meaning of paragraph 21 of section 1 of that Act:

- (1) any non-marketed manufactured product for which the manufacturer can indicate no use other than a use for energy generation purposes or no destination other than a hazardous waste disposal or treatment site;
- (2) any material and object from a sector of activity mentioned in Schedule 3, except manufactured products;
- (3) any material from an air scrubbing system or a wastewater system including a process water treatment system;
- (4) any material from the incineration of hazardous materials;
- (5) any material from the incineration of sludge from a wastewater or drinking water treatment plant;
- (6) any material and object from residual hazardous materials, except manufactured products; and
- (7) any fuel obtained from a mixture of residual hazardous materials.

“Manufactured product” means any material or object manufactured in accordance with a specific form or specifications within the framework of a production or processing activity, and whose use is wholly or partly determined by that form or those specifications.

O.C. 1310-97, s. 6.

7. Chapters III to VIII are not applicable to radioactive materials governed by the Nuclear Safety and Control Act (S.C. 1997, c. 9).

O.C. 1310-97, s. 7.

7.1. Only the following provisions apply to the halocarbons referred to below:

(1) section 9, with respect to all halocarbons referred to in the Regulation respecting halocarbons (chapter Q-2, r. 29); and

(2) sections 11 and 12, with respect to carbon tetrachloride or methyl chloroform and with respect to HCFCs having a boiling point greater than 20 °C at an absolute pressure of 101.325 kPa.

O.C. 1091-2004, s. 70.

CHAPTER II

GENERAL

8. No one may emit, deposit, discharge or release a hazardous material into the environment or into a sewage system, or allow the emission, deposit, discharge or release therein, unless the operation is made in accordance with the Environment Quality Act (chapter Q-2).

O.C. 1310-97, s. 8.

9. Every person who accidentally releases a hazardous material into the environment shall immediately

(1) stop the spill;

(2) inform the Minister of Sustainable Development, Environment and Parks; and

(3) recover the hazardous material and remove all contaminated material that is not cleaned or treated on site.

Subject to the provisions of section 13 of the Regulation respecting halocarbons (chapter Q-2, r. 29), the requirements of subparagraphs 2 and 3 of the first paragraph do not apply in the case of the release of a gaseous halocarbon.

O.C. 1310-97, s. 9; O.C. 1091-2004, s. 71.

10. The mixtures and dilutions of residual hazardous materials with other materials, whether hazardous or not, shall be allowed provided that the materials obtained from such mixtures or dilutions are hazardous materials, except mixtures made in accordance with the Environment Quality Act (chapter Q-2).

O.C. 1310-97, s. 10.

11. No person shall ship a residual hazardous material to any person who is not authorized by the Environment Quality Act (chapter Q-2) to receive such material.

Prior to shipping, a written contract shall be made up between the consignor and the consignee. The contract shall indicate the quantity of each category of materials shipped and identify the category described

according to the indications in Schedule 4. Copies of the contract shall be kept for 2 years at the shipping site and at the reception site.

The requirement to enter into a contract shall not be applicable when hazardous materials are shipped to a storage site that meets the conditions mentioned in subparagraph 4 of the first paragraph of section 118 of this Regulation.

O.C. 1310-97, s. 11.

12. Every person who ships residual hazardous materials to a hazardous materials disposal site shall entrust them to a carrier holding a permit referred to in section 117.

That requirement shall not be applicable where pharmaceutical and comestic products are shipped to an incineration site whose operator is authorized to incinerate such products.

O.C. 1310-97, s. 12.

13. A person who carries on an activity in a sector mentioned in Schedule 3 and a permit holder who carries on an activity referred to in section 70.9 of the Environment Quality Act (chapter Q-2) shall give a 30-day notice to the Minister of Sustainable Development, Environment and Parks in the case of a cessation of activities or the dismantling of any building in which there were hazardous materials.

Where there is cessation of the activities, the buildings and equipment shall be decontaminated or dismantled.

Where there is dismantling, the materials from the dismantling of buildings and, as the case may be, of equipment shall be decontaminated or shipped to an authorized site.

O.C. 1310-97, s. 13.

14. No person shall use oil, whether used or not, to settle dust, unless it is paraffinic oil approved by the Bureau de normalisation du Québec.

O.C. 1310-97, s. 14.

15. No liquid from electrical equipment shall be reused as new filling fluid or secondary fluid where the PCB concentration is greater than 50 mg/kg.

O.C. 1310-97, s. 15.

16. A transformer that can no longer be used shall be drained of its liquid.

O.C. 1310-97, s. 16.

17. The operator of an industrial wastewater or process water treatment system shall drain the basin of deposits of hazardous materials where such a system has not been in operation for at least 6 months.

He shall also take the necessary measures to prevent the hazardous materials accumulated in the basin from reducing the efficiency of the treatment system.

O.C. 1310-97, s. 17.

18. Analyses to identify the hazardous properties of a material or object and analyses required under this Regulation, except analyses to determine radioactivity, shall be carried out by a laboratory accredited by the Minister of Sustainable Development, Environment and Parks under section 118.6 of the Environment Quality Act (chapter Q-2), in accordance with the methods prescribed in the Liste des méthodes d'analyses

relatives à l'application des règlements découlant de la Loi sur la qualité de l'environnement published by the Ministère du Développement durable, de l'Environnement et des Parcs.

O.C. 1310-97, s. 18.

19. A person who submits results of analyses to the Minister of Sustainable Development, Environment and Parks shall submit at the same time a document by which he attests that the samples were taken in accordance with the formalities and good practice.

O.C. 1310-97, s. 19.

20. Any analysis report produced by a laboratory shall bear the signature of the professionals involved, and the results shall be approved by a chemist who is a member of the Ordre des chimistes du Québec.

O.C. 1310-97, s. 20.

21. The consignor and the consignee of residual hazardous materials shall keep, for 2 years, at the shipping site and at the reception site, a copy of the shipping document referred to in the Transport of Dangerous Substances Regulation (chapter C-24.2, r. 43), and present it upon request to the Minister of Sustainable Development, Environment and Parks.

O.C. 1310-97, s. 21.

22. The documents and information that must be submitted to the Minister of Sustainable Development, Environment and Parks may be submitted by telematic means or on a computer medium in accordance with the form of presentation provided by the Minister. Then, a written and signed statement shall be submitted to the Minister attesting to the accuracy of the documents and information.

O.C. 1310-97, s. 22.

23. Where this Regulation prescribes the entry of a quantity in a register, a result sheet, a report, a permit application or any other document, the quantity shall be expressed in kilograms.

O.C. 1310-97, s. 23.

CHAPTER III

THE USES OF RESIDUAL HAZARDOUS MATERIALS FOR ENERGY GENERATION PURPOSES

24. Subject to sections 26 and 27, residual hazardous materials may be used for energy generation purposes only in an industrial establishment and only if they meet the standards set forth for each parameter in Schedule 5.

O.C. 1310-97, s. 24.

25. No person shall use, for the manufacture of a fuel, a residual hazardous material that does not meet the standards set forth for each parameter in Schedule 5.

O.C. 1310-97, s. 25.

26. Used oil, other than cutting oil and oil emulsions, may be used for energy generation purposes provided that the fuel-burning equipment has at least 3 MW and that the standards set forth in Schedule 6 are met.

Notwithstanding the foregoing, a fuel-burning facility of less than 3 MW may be used in one of the following cases, provided that the standards listed in Schedule 6 are met.

(1) use of the same facility as the one for which its user has already obtained an authorization from the Minister of Sustainable Development, Environment and Parks;

(2) use of a facility in a territory that is not linked to the Québec highway system by a public highway within the meaning of the Highway Safety Code (chapter C-24.2).

O.C. 1310-97, s. 26.

27. Used insulating oil made of monocyclic or polycyclic unsaturated hydrocarbons may be used for energy generation purposes provided that fuel-burning facilities are more than 10 MW and that the standards set forth in Schedule 6 are met.

O.C. 1310-97, s. 27.

28. A person who uses used oil shall ensure that the feed tank and the connection between the tank and the burner are equipped with a sampling system.

Where a connection containing used oil joins up with a connection containing a fuel other than used oil, the connection containing used oil shall be equipped with a sampling system above the junction point.

O.C. 1310-97, s. 28.

29. Fuel-burning facilities using used oil, and their schedules, shall be kept in good working order.

O.C. 1310-97, s. 29.

CHAPTER IV

STORAGE OF RESIDUAL HAZARDOUS MATERIALS

DIVISION I

SCOPE

30. This Chapter prescribes storage standards applicable to residual hazardous materials that are stored by a person who produced or used them, or by a person who has taken possession thereof.

O.C. 1310-97, s. 30.

31. This Chapter does not apply

(1) to solid materials whose only property is that they are radioactive, whose leachate spontaneously emits ionizing radiations and for which the result of the following equation is less than 0.05:

$$S = \frac{C_1}{A_1} + \frac{C_2}{A_2} + \frac{C_3}{A_3} + \dots + \frac{C_n}{A_n}$$

where “C₁, C₂, C₃, ... C_n” represents the activity concentration of the leachate for each radioelement it contains, expressed in kBq/L; and

“A₁, A₂, A₃, ... A_n” represents the activity listed in Schedule 1 for each corresponding radioelement, expressed in kBq/L;

(2) to equipment containing PCBs or contaminated by PCBs, where such equipment has been out of service for less than 6 months;

(3) *(paragraph revoked)*;

(4) to spent or used materials that are still being used for the same purpose or a purpose similar to their initial use by a person who used them the first time while they were new;

(5) where the quantity of materials is less than 100 kg. However, this Chapter remains applicable to liquids, solids or substances containing PCBs where the quantity of PCBs contained in all the materials is greater than 1 kg.

O.C. 1310-97, s. 31; O.C. 677-2013, s. 1.

32. Sections 50 to 92 do not apply

(1) to materials which, according to the terms of a certificate of authorization issued under section 22 of the Environment Quality Act (chapter Q-2), will be reused in an industrial process on the site of production or use within 120 days following their production or use;

(2) to materials stored in a site other than that of their production or use where, according to the terms of a certificate of authorization issued under section 22 of the Environment Quality Act, the materials will be reused in an industrial process within 12 months of having been stored;

(3) to materials listed in paragraphs 3, 4 and 8 of section 4 of this Regulation which will be reused or treated for reuse or recycling purposes within 12 months following the date of their production or their last use or following the date on which the materials become unfit for their intended use;

(4) where the quantity of materials is less than 1,000 kg. However, sections 50 to 92 shall remain applicable to liquids, solids or substances containing PCBs where the quantity of PCBs contained in all the materials is greater than 1 kg.

Sections 72 to 76 do not apply to heap storage areas referred to in section 144 of this Regulation.

O.C. 1310-97, s. 32.

DIVISION 2

GENERAL STORAGE CONDITIONS

33. Every building used to store residual hazardous materials shall be built in such a way as to protect what is stored from any alteration caused by water, snow, frost or heat. The floor shall be impermeable, not liable to be attacked by the stored material and able to support that material. In addition, the layout of the storage area shall be such that leakage or spillage can be contained.

O.C. 1310-97, s. 33.

34. Every shelter under which residual hazardous materials are stored shall have at least 3 sides, a roof and a floor. The floor shall be impermeable, not liable to be attacked by the stored material and able to support that material. The floor shall rise on each side to form an impermeable basin able to hold the greater of the following volumes: 25% of the total capacity of all the receptacles stored therein and 125% of the capacity of the largest receptacle.

O.C. 1310-97, s. 34.

35. Every drain situated in a place where residual hazardous materials are stored shall be

(1) tightly blocked off at all times to prevent the discharge of materials; or

(2) connected to a system which, as the case may be, will ensure the discharge of materials into a system able to ensure their recovery. In the case of liquid materials, the system shall be able to hold the greater of the following volumes: 25% of the total capacity of all the stored vessels and 125% of the capacity of the largest vessel.

Notwithstanding the foregoing, this section shall not be applicable where vessels are placed in a basin able to hold the greater of the following volumes: 25% of the total capacity of all the vessels and 125% of the capacity of the largest vessel.

O.C. 1310-97, s. 35.

36. Every storage site, including a storage area, shall be laid out and maintained in such a way as to be accessible to emergency crews at all times.

O.C. 1310-97, s. 36.

37. Movable and immovable property designated for storage shall be kept in good condition, as shall works and equipment used in the protection of such property.

O.C. 1310-97, s. 37.

38. Water that has accumulated in a storage area shall be collected and evacuated into a treatment or discharge site, in accordance with the Environment Quality Act (chapter Q-2).

O.C. 1310-97, s. 38.

39. An operator shall inspect the storage facilities at least once every 3 months to ensure that they are in good condition and in good working order.

In addition, a person who carries on an activity in a sector listed in Schedule 3, a permit holder carrying on one of the activities referred to in paragraphs 1, 2 and 3 of section 70.9 of the Environment Quality Act (chapter Q-2) and a person who stores materials or objects containing PCBs or contaminated by PCBs shall keep a register of the inspection results, and that register shall remain at the storage site for 2 years from the last entry.

O.C. 1310-97, s. 39.

40. Residual hazardous materials shall be stored in vessels, except in the case of

- (1) contaminated empty vessels referred to in paragraph 3 of section 4;
- (2) gas cylinders referred to in paragraph 4 of section 4;
- (3) solid materials at 20 °C placed in bulk inside a building in an area laid out to receive such materials;
- (4) solid materials at 20 °C referred to in section 32 or other solid materials at 20 °C whose heap storage area complies with the standards prescribed by sections 72 to 76;
- (5) contaminated objects that, because of their size, cannot be placed in a receptacle or cargo container. In such a case, those objects shall be placed in a building, under a shelter or outside in an impermeable basin that is compatible with the deposited objects and that shall be covered with an impermeable canvas whose extremities are attached to the edges of the basin.

O.C. 1310-97, s. 40.

41. Residual hazardous materials shall be stored in such a way as to prevent any situation liable to provoke, because of their incompatibility, hazardous physical or chemical reactions. Accordingly, receptacles of incompatible materials shall be stored in separate storage areas or in separate cargo containers.

O.C. 1310-97, s. 41.

42. Materials and objects containing PCBs or contaminated by PCBs shall be grouped together and stored apart from other hazardous materials, unless the materials and objects are placed in cargo containers.

O.C. 1310-97, s. 42.

43. No person shall store a residual hazardous material in a vessel previously used to store an incompatible hazardous material if the vessel has not been washed out beforehand.

O.C. 1310-97, s. 43.

44. No residual hazardous material receptacle shall be stored outside a building unless it is stored in a cargo container or under a shelter or it is a contaminated empty receptacle or gas cylinder stored in an area laid out to contain leakage and spillage.

O.C. 1310-97, s. 44.

45. Every vessel containing residual hazardous materials shall be closed, shall be impermeable where used outdoors, and shall be sturdy, in good condition and designed to retain its contents; it shall be made of material that cannot be altered by the material stored therein.

Notwithstanding the foregoing, in order to prevent any accident risk, receptacles may be equipped with a safety valve and cargo containers, tanks and cargo tanks may be equipped with vents.

O.C. 1310-97, s. 45.

46. Receptacles, cargo containers, tanks and cargo tanks containing bulk materials shall bear a tag, in a visible place, indicating the name of the hazardous materials that are stored therein. A tag placed on any receptacle shall bear the date on which storage began.

A sign indicating the name of the material that is stored therein shall be posted in proximity to an underground tank.

A building where bulk materials are stored shall have a sign at the entrance indicating the name of the materials.

O.C. 1310-97, s. 46.

DIVISION 3

CONDITIONS RESPECTING CERTAIN TYPES OF STORAGE

Cargo containers

47. All cargo containers shall be designed and made for safe transportation. In addition,

(1) in the case of a top-loading metal cargo container, it shall have continuously welded joints and an impermeable bottom;

(2) in the case of a side-loading cargo container used to store receptacles of liquid materials, it shall have an impermeable basin able to contain 25% of the total capacity of all the stored receptacles; and

(3) in the case of a top-loading, side-unloading cargo container used to store bulk materials, it shall be equipped with a leakproof side opening able to retain the materials.

O.C. 1310-97, s. 47.

48. Every cargo container shall be situated above ground level to facilitate inspection.

O.C. 1310-97, s. 48.

49. Every cargo container shall be kept closed by a safety device that prevents it from opening at times other than periods of loading and unloading, except a cargo container holding bulk materials, which shall be covered with an impermeable canvas fixed in a way as to prevent any infiltration.

O.C. 1310-97, s. 49.

Tanks

50. No person shall install under a building a tank for the storage of residual hazardous materials.

O.C. 1310-97, s. 50.

51. No person shall deposit explosive materials or flammable liquids into a plastic or fibreglass aboveground tank.

O.C. 1310-97, s. 51.

52. No person shall install a plastic or fibreglass aboveground tank in a place in which explosive materials, oxidizing materials or flammable liquids are stored.

O.C. 1310-97, s. 52.

53. Every tank shall be equipped with a safety device preventing the use of the pipes at times other than periods of filling or draining.

O.C. 1310-97, s. 53.

54. Aboveground tanks and pipes of every tank shall be protected against corrosion.

O.C. 1310-97, s. 54.

55. Every aboveground tank shall be protected by barriers at places liable to be struck by vehicles.

O.C. 1310-97, s. 55.

56. Every aboveground tank, except double-wall tanks equipped with an interstitial automatic leak detection system and tanks to which an impermeable basin able to contain 110% of the tank's capacity is integrated, shall be placed in an area having an impermeable basin able to contain 110% of the tank's capacity, or, where there are several tanks, 125% of the capacity of the largest tank. Only tanks containing compatible materials may be placed inside the same basin.

Notwithstanding the foregoing, this section does not apply to tanks that cannot contain more than 2,000 kg of materials.

O.C. 1310-97, s. 56.

57. Aboveground tanks able to contain more than 20,000 litres shall be equipped with an automatic continuous inventory device and a spill prevention device.

O.C. 1310-97, s. 57.

58. Underground tanks and piping shall have double walls and be equipped with an interstitial automatic leak detection system, an automatic continuous inventory device and a spill prevention device.

O.C. 1310-97, s. 58.

59. Each time a leak is suspected, the owner or operator shall pressure test the underground tank or piping, as the case may be.

O.C. 1310-97, s. 59.

60. Every underground tank installed shall meet one of the following standards:

(1) Standards Council of Canada Standard CAN/ULC-S603: Steel Underground Tanks for Flammable and Combustible Liquids;

(2) Standards Council of Canada Standard CAN4/ULC-S615: Reinforced Plastic Underground Tanks for Petroleum Products;

(3) Laboratories of Insurers of Canada ULC/ORD-C58.10: Jacketed Steel Underground Tanks for Flammable and Combustible Liquids.

The tanks that meet the standard referred to in subparagraph 1 and that are equipped with a corrosion protection system referred to in section 61 shall be equipped with accessible testing terminals.

O.C. 1310-97, s. 60.

61. Steel underground tanks, except those referred to in subparagraph 3 of the first paragraph of section 60, and steel underground piping, shall be protected against corrosion by one of the following systems:

(1) Standards Council of Canada Standard CAN/ULC-S603.1-92: Galvanic Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids; or

(2) PACE-87-1 of the Canadian Institute of Petroleum Products, where its induced current system constitutes an addition to an underground storage system.

O.C. 1310-97, s. 61.

62. The owner or operator of an underground tank or underground piping shall, every 2 years, have the working order of the corrosion protection system inspected:

(1) in accordance with Standards Council of Canada Standard CAN/ULC-S603.1-92: Galvanic Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids, in the case of a sacrificial anode system;

(2) in accordance with Report PACE-87-1 of the Canadian Institute of Petroleum Products, if it is an addition to an underground storage system in the case of an impressed current cathodic protection system.

Inspections shall be made at the time of installation of a tank or piping and 12 months thereafter.

The owner or operator shall keep the last working order certification of such a system, which shall contain the following information:

(1) the address of the site where the tank or piping is located;

(2) the identification of the tank;

(3) the date of inspection;

(4) test results; and

(5) the name and address of the person who issued the certification.

O.C. 1310-97, s. 62.

63. Steel underground tanks that are not protected against corrosion by one of the systems referred to in section 61 must be removed from the ground.

Despite the foregoing, an unprotected tank installed before 1 December 1997 need not be removed immediately from the ground if the assessment of the state of the tank is in zone 2, 3 or 4 of the graph of Schedule 7. In that case, the removal of the tank and the necessary interventions are to be made according to the methods provided for in subparagraphs 2 to 4 of paragraph 3 of that Schedule.

O.C. 1310-97, s. 63; O.C. 677-2013, s. 2.

64. All underground piping connected to an underground tank that is not protected against corrosion by one of the systems referred to in section 61 shall be removed from the ground at the time of the replacement of the underground tank or at the time of the addition of a cathodic protection system to the underground system, unless the piping is impermeable and has been protected against corrosion by any of the systems mentioned in section 61.

O.C. 1310-97, s. 64.

65. Where a leak occurs in underground piping that is not protected against corrosion, the piping shall be replaced.

O.C. 1310-97, s. 65.

66. Every underground tank installed shall be situated at least 1 m, measured horizontally, from any building, from any tank and from the storage area boundary and at least 75 cm, measured horizontally, from the inside wall of the excavation. Its installation shall prevent the loads carried by the foundations or supports of a building from being transmitted to the tank. In addition, from the footing down to the bed of the excavation, no earth shall be removed beyond a line delimited by a 45 ° slope.

O.C. 1310-97, s. 66.

67. Every underground tank shall be set on a layer at least 30 cm thick, composed of,

- (1) in the case of a steel tank, sifted or natural stoneless sand, compacted mechanically on site; or
- (2) in the case of a fibreglass tank, crushed stone or pea gravel.

The tank shall be covered with a layer of the same materials which shall not be more than 30 cm thick measured from the natural ground surface.

O.C. 1310-97, s. 67.

68. Every underground tank liable to be subjected to overhead vehicular traffic shall be sunk

(1) to a depth of at least 1 m below ground level, be covered with a layer not less than 90 cm thick of materials referred to in section 67 and a layer of bituminous concrete not less than 10 cm thick; or

(2) to a depth of at least 45 cm, be covered with a layer of at least 30 cm thick of materials referred to in section 67 and a slab of reinforced concrete not less than 15 cm thick. The slab of reinforced concrete shall extend at least 30 cm beyond the perimeter of the tank.

O.C. 1310-97, s. 68.

69. Every underground tank not to be subjected to overhead vehicular traffic shall be sunk

(1) to a depth of at least 60 cm below the natural ground surface and be covered with materials referred to in section 67; or

(2) to a depth of at least 40 cm, be covered with materials referred to in section 67 and be covered with a slab of reinforced concrete at least 10 cm thick.

O.C. 1310-97, s. 69.

70. The owner or operator must ensure that the work related to the installation of an underground tank is supervised by a qualified professional and that the qualified professional inspects the underground tank before and after it is set in place. In case of damage, the owner or operator must have the tank repaired according to the requirements of the manufacturer.

The owner or operator sends to the Minister, once the installation is completed, a report prepared by the professional referred to in the first paragraph attesting that the installation complies with the applicable standards or indicating that those standards have not been complied with.

O.C. 1310-97, s. 70; O.C. 677-2013, s. 3.

71. An underground tank may be abandoned on its site where removal would be impracticable for one of the following reasons:

(1) removal of the tank would compromise the soundness of the structure of the building or of an element which is indispensable in terms of the building's intended use; or

(2) the necessary machinery for the removal of the tank cannot materially access the location of the tank.

Every abandoned tank shall be decontaminated, then filled with an inert material.

O.C. 1310-97, s. 71.

Storage in heaps

72. Residual hazardous materials may be stored in heaps outside a building only if

(1) the materials are in a solid state at 20 °C;

(2) the materials are not flammable or explosive and do not contain any volatile toxic substances;

(3) the materials are stored in a site having a basin with a permeability coefficient of 1×10^{-6} cm/s able to withstand the effects of vehicular traffic. Unless the materials are covered with an impermeable membrane or are deposited in a site equipped with at least a roof and 3 sides, the basins shall be laid out in a way as to prevent the scattering of dust and to contain the monthly average quantity of precipitation received during the last 5 years in the region; and

(4) the storage site is surrounded by a dike that prevents materials that are stored therein from contaminating surface water.

O.C. 1310-97, s. 72.

73. The operator shall set up a network of wells monitoring the quality of underground water, where 1 shall be installed at the hydraulic upstream of the storage site and 2 others shall be installed downstream.

O.C. 1310-97, s. 73.

74. The operator shall submit to the Minister of Sustainable Development, Environment and Parks, once the layout is completed, a report prepared by a qualified and independent professional attesting the conformity of the installation, including the network of wells monitoring the quality of underground water, to the

standards applicable or indicating the cases where those standards are not respected and the correctional measures to implement.

O.C. 1310-97, s. 74.

75. The operator shall cause to have analyzed, each year during periods of high water and low water, the quality of the water of monitored wells for contaminants present in the stored material.

The results of those analyses shall be kept on the storage site for at least 5 years.

As soon as the operator notices that ground water has been contaminated, he shall so inform the Minister of Sustainable Development, Environment and Parks.

O.C. 1310-97, s. 75.

76. A sign indicating the name of the stored material shall be posted in proximity to a heap storage area.

O.C. 1310-97, s. 76.

Cargo tanks

77. Residual hazardous materials shall be stored in a cargo tank only if it is fit for use, it bears a placard in accordance with the Transport of Dangerous Substances Regulation (chapter C-24.2, r. 43) and, except for tank cars, it is registered.

O.C. 1310-97, s. 77.

78. During loading and unloading, every cargo tank shall be placed in an impermeable area resistant to the material.

Cargo tanks containing incompatible materials shall not be placed in the same loading zone or unloading zone.

The area shall be equipped with an impermeable basin able to hold at least 110% of the cargo tank's capacity or, where there are several cargo tanks, 125% of the capacity of the largest cargo tank, unless the area is equipped with a collection system able to collect leakage and spillage. The collection system shall be resistant to the materials that are stored therein and be able to hold 110% of the cargo tank's capacity or, where there are several cargo tanks, 125% of the capacity of the largest cargo tank.

The accumulated water in the loading or unloading area shall be conveyed to a treatment or discharge system, in accordance with the Environment Quality Act (chapter Q-2).

O.C. 1310-97, s. 78.

79. Every cargo tank shall be equipped with a safety device that prevents the use of pipes at times other than periods of filling or draining.

O.C. 1310-97, s. 79.

80. Any tank that is parked for more than 15 days shall meet the standards applicable to aboveground tanks.

O.C. 1310-97, s. 80.

DIVISION 4

PROTECTION OF STORAGE SITES

81. Sections 82 to 92 do not apply to

(1) the sites where only residual hazardous materials under paragraphs 3, 4 and 8 of section 4 and stored, except where such materials are under the possession of a permit holder carrying on an activity under section 70.9 of the Environment Quality Act (chapter Q-2); or

(2) the following sites, except where materials or objects containing PCBs or contaminated by PCBs are stored therein:

(a) a service station;

(b) a commercial automobile maintenance or repair shop having a storage capacity of less than 5,000 kg;

(c) a dry-cleaning establishment;

(d) a teaching establishment;

(e) a laboratory for analyses or research/development; or

(f) an institution to which the Act respecting health services and social services (chapter S-4.2) applies or within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5).

O.C. 1310-97, s. 81.

82. Storage sites of residual hazardous materials shall be laid out in a way as to prevent intrusions.

O.C. 1310-97, s. 82.

83. Absorbent substances shall be kept near a storage site of liquid materials.

O.C. 1310-97, s. 83.

84. Every building storing materials liable to emit a flammable gas shall be equipped with an automatic device which will detect that gas, unless an alarm goes off automatically when the ventilation system shuts down.

O.C. 1310-97, s. 84.

85. Every permit holder carrying on an activity under section 70.9 of the Environment Quality Act (chapter Q-2) shall protect, by means of an intrusion detection system, every building storing more than 45,000 kg of one of the categories of materials listed in subparagraphs 1 to 5 or more than 45,000 kg of several categories listed in subparagraphs 1 to 6:

(1) explosive materials;

(2) gaseous materials;

(3) flammable materials;

(4) oxidizing materials;

(5) materials having more than 1,500 mg/kg of total organic halogen; and

(6) liquids containing PCBs.

Where the storage is outside a building, the permit holder shall protect the storage site with an intrusion detection system.

O.C. 1310-97, s. 85.

86. Every permit holder who stores, inside a building, more than 20,000 kg of one of the categories of materials listed in subparagraphs 1 to 5 of the first paragraph of section 85 or more than 20,000 kg of several categories of materials listed in subparagraphs 1 to 6 of that section shall protect the building with a fire detection system and with an automatic fire extinguishing system suited to the type of hazardous materials stored.

O.C. 1310-97, s. 86.

87. Every building storing more than 20,000 kg of materials or objects containing PCBs or contaminated by PCBs and that is equipped with a mechanical ventilation device shall be equipped with an emergency system that will stop the ventilation and close the air intake and air evacuation registers as soon as there is heat or smoke.

O.C. 1310-97, s. 87.

88. Every building storing more than 20,000 kg of materials or objects containing PCBs or contaminated by PCBs shall be protected by an intrusion detection system, a fire detection system and an automatic fire extinguishing system suited to the type of materials stored.

Where 20,000 kg or less of liquids containing PCBs are stored, the building shall be protected by a fire detection system and portable extinguishers suited to the type of materials stored.

Where more than 20,000 kg of liquids containing PCBs are stored outdoors, the storage site shall be protected by an intrusion detection system.

O.C. 1310-97, s. 88.

89. Except where a storage site is supervised, all fire detection and intrusion detection systems shall comprise alarm transmission equipment connected to an external alarm control post.

O.C. 1310-97, s. 89.

90. Fire detection systems and intrusion detection systems shall be installed by an alarm device installation contractor who holds a licence issued by the Régie du bâtiment du Québec, and shall be serviced at least once per year by the contractor.

Certificates of installation and maintenance shall be kept on the storage site.

O.C. 1310-97, s. 90.

91. Every fire detection system shall comprise a fire alarm.

O.C. 1310-97, s. 91.

92. Fire detection systems, fire alarms, automatic fire extinguishing systems as well as portable extinguishers shall be designed, installed and serviced in accordance with Part 6 of the National Fire Code of Canada.

O.C. 1310-97, s. 92.

CHAPTER V

FINAL DISPOSAL SITES

93. This Chapter does not apply to final disposal sites of radioactive materials referred to in paragraph 1 of section 31. The operator of such a site shall, however, hold the permit referred to in section 70.9 of the Environment Quality Act (chapter Q-2).

This Chapter also does not apply to the final disposal sites referred to in section 144 of this Regulation.

O.C. 1310-97, s. 93.

94. The following hazardous materials may not be placed in a final disposal site:

- (1) materials in a liquid state at 20 °C;
- (2) materials that, when tested in accordance with the method prescribed in the Liste des méthodes d'analyses relatives à l'application des règlements découlant de la Loi sur la qualité de l'environnement published by the Ministère du Développement durable, de l'Environnement et des Parcs, contain a free liquid;
- (3) flammable or explosive materials;
- (4) soil having more than 50 mg of PCBs per kg of soil;
- (5) materials physically or chemically incompatible with the materials that constitute the final disposal site;
- (6) materials that may, on contact with water, air or materials already in the site, form gases, mists or fumes at levels that could lead to harmful effects on the health of human beings or of other living species or damage to the environment or to property; and
- (7) materials and objects containing PCBs or contaminated by PCBs referred to in paragraph 7 of section 4.

O.C. 1310-97, s. 94.

95. Final disposal sites of hazardous materials may be laid out only

— on land where the soil on which the materials will be deposited is composed of a natural homogeneous layer having a hydraulic conductivity equal or less than 1×10^{-6} cm/s at least 6 m thick whose bed and walls are protected by an impermeable synthetic membrane;

— on land on which the thickness of the soil having a hydraulic conductivity equal or less than 10^{-6} cm/s is between 3 and 6 m, provided that the bed and walls of the area where the materials will be deposited have extra protection by the overplacement of 2 impermeable synthetic membranes, the installation of an impermeable synthetic membrane over a layer of clayish materials having a hydraulic conductivity equal or less than 1×10^{-7} cm/s at least 120 cm thick after compaction or by another waterproofing system whose components ensure at least equivalent efficiency.

O.C. 1310-97, s. 95.

96. Final disposal sites shall be equipped with a system able to collect all leachates and evacuate them to their treatment or disposal site. That system is placed over the impermeable membrane.

A second system for the collection or disposal of leachates, intended for detecting leakage, shall be placed between the 2 impermeable membranes or between the membrane and the impermeable layer of the soil, as the case may be.

O.C. 1310-97, s. 96.

97. Final disposal sites shall be equipped with a collection system of surface water able to prevent the water from being contaminated by the materials stored therein or from penetrating the areas where the materials are stored. Once collected, the water, which shall not be diluted, shall be evacuated to its treatment or discharge site.

O.C. 1310-97, s. 97.

98. The size, the choice and the placing of the materials shall ensure that the equipment and systems with which the final disposal site will be equipped will work correctly, even on a long term basis, considering the physical, chemical and biological processes that may take place in the final disposal sites during their development and operation and after the site is closed.

Equipment and systems shall be periodically maintained so as to keep them in good working order during operation and after their closure.

O.C. 1310-97, s. 98.

99. Every final disposal site shall be laid out in a way that prevents intrusions.

O.C. 1310-97, s. 99.

100. A sign made visible to the public shall be posted at the entrance of final disposal sites and it shall indicate that the site is a final disposal site of hazardous materials.

O.C. 1310-97, s. 100.

101. The final cover of a disposal site shall comprise

(1) an impermeable layer made by the overplacement of 2 impermeable synthetic membranes or by the combination of an impermeable membrane and a layer of clayish materials;

(2) a drainage layer composed of natural materials or of synthetic materials if the upper part of the impermeable layer is an impermeable synthetic membrane;

(3) a layer of soil whose characteristics are able to protect the impermeable layer; and

(4) a layer of soil fit for vegetation that shall be seeded in such a way that revegetation takes place within the shortest time possible. Notwithstanding the foregoing, the vegetation shall not be of species liable to damage the impermeable layer.

The final cover shall include slopes enabling the flow by gravity of runoff away from the disposal areas, while limiting soil erosion.

O.C. 1310-97, s. 101.

102. Holes, fissures and subsidence shall be filled until there is complete stabilization of the disposal areas.

O.C. 1310-97, s. 102.

103. Where the disposal operations are permanently terminated, the operator shall send immediately to the Minister of Sustainable Development, Environment and Parks a notice confirming the date of closure of the final disposal site.

Within 6 months from the date of closure of the final disposal site, the operator shall send to the Minister a closure report prepared by a qualified and independent professional attesting to

- (1) the working order, the efficiency and reliability of the equipment and systems with which the disposal site is equipped; and
- (2) the conformity of the disposal site with the requirements of this Regulation or of the permit.

Where applicable, the report shall specify any cases of non-compliance with the provisions of this Regulation or the permit and shall indicate the corrective measures to be taken.

O.C. 1310-97, s. 103.

CHAPTER VI

REGISTER AND ANNUAL MANAGEMENT REPORT REFERRED TO IN SECTIONS 70.6 AND 70.7 OF THE ENVIRONMENT QUALITY ACT

104. The requirement to keep a register in respect of the hazardous materials referred to hereafter for any person who has in his possession hazardous materials

- he has produced or used but has discarded,
- he has used and no longer uses for the same purpose or a purpose resembling its initial use,
- he has produced or has taken possession of with a view to utilization, but which are outdated, or
- he has produced or used and are mentioned in section 6 of this Regulation

shall apply to

(1) the persons who carry on an activity in a sector indicated in Schedule 3, in respect of each category of hazardous materials listed in Schedule 4, whose quantity exceeds 100 kg, where the quantity of those categories of more than 100 kg exceeds 1,000 kg;

(2) the persons who have in their possession materials and objects containing PCBs or contaminated by PCBs

(a) in respect of each category of those hazardous materials, listed in Schedule 4, whose quantity exceeds 100 kg; and

(b) in respect of each category of liquids, solids or substances containing PCBs where the quantity of PCBs contained in all those categories — other than those already entered in the register — exceeds 1 kg.

Notwithstanding the foregoing, the requirement to keep a register does not concern the following materials:

(1) hazardous materials that, according to the terms of a certificate of authorization issued under section 22 of the Environment Quality Act (chapter Q-2), are reused in an industrial process located on the site of their production or use within 120 days following their production or use;

(2) equipment containing PCBs or contaminated by PCBs where the equipment has not been used for at least 6 months; and

(3) hazardous materials referred to in paragraphs 3 to 5 and 8 of section 4 of this Regulation, where such materials are to be recycled or reused within 12 months following the date of their production or of their last use or following the date on which a material becomes unfit for its intended use.

O.C. 1310-97, s. 104.

105. The register shall be kept in each site of production or use where the quantities prescribed by section 104 are found.

O.C. 1310-97, s. 105.

106. The register shall contain the following information in respect of each category of hazardous materials:

(1) its identification determined according to the indications in Schedule 4;

(2) the quantity in storage on the last day of each quarter; and

(3) the quantity that was treated on the site of the production or use during a quarter to reduce the hazardous nature of the material.

O.C. 1310-97, s. 106.

107. The information shall be entered in the register not later than on the tenth day following the end of each quarter.

O.C. 1310-97, s. 107.

108. The information contained in the register shall be kept at the site of production or use for not less than 2 years from the end of each quarter.

O.C. 1310-97, s. 108.

109. The annual management report for each category of hazardous materials in respect of which a register has been kept during a calendar year shall be prepared by

(1) the person who has in his possession materials or objects containing PCBs or contaminated by PCBs; and

(2) the person who carries on an activity in a sector listed in Schedule 8, in respect of each category of materials whose quantity exceeds 1,000 kg or in respect of each category of materials where the quantity of the categories entered in the register exceeds 5,000 kg.

O.C. 1310-97, s. 109.

110. The annual management report shall contain the following information:

(1) the name and address of the person who drafted the report and the business number assigned to the person if the person is registered in the enterprise register; and

(2) in respect of each category of hazardous materials;

(a) its identification determined according to the indications in Schedule 4;

(b) the quantity in storage on the first day and last day of the year;

(c) the quantity produced or used during the year;

(d) the quantity that, during the year, has been treated or used for energy generation purposes on the site of production or use and identification of the management method determined according to the indications in Schedule 9;

(e) the quantity shipped, during the year, to each consignee with the name and address of that person; and

(f) the quantity received, during the year, from each consignor with the name and address of that person.

O.C. 1310-97, s. 110.

111. The annual management report shall be sent to the Minister of Sustainable Development, Environment and Parks not later than 1 April, for the previous calendar year.

O.C. 1310-97, s. 111.

CHAPTER VII

EXTENSION OF STORAGE PERIOD REFERRED TO IN SECTION 70.8 OF THE ENVIRONMENT QUALITY ACT

112. The provisions of section 70.8 of the Environment Quality Act (chapter Q-2) and those of this Chapter apply only in respect of a person who has in his possession a hazardous material for which a register must be kept pursuant to section 104 of this Regulation.

Notwithstanding the foregoing, in respect of materials and objects containing PCBs or contaminated by PCBs whose concentration is greater than 10,000 mg/kg, section 70.8 shall only apply as of 1 December 2000.

O.C. 1310-97, s. 112.

113. An application for authorization to extend the storage period for a hazardous material shall contain the following information in addition to the management plan:

(1) if the applicant is a natural person, his name, address and telephone number;

(2) in the case of a legal person, a partnership or an association, its name, the address of its head office, the quality of the person signing the application and a certified copy of the deed authorizing the filing of such an application;

(3) in the case of a municipality, a certified copy of the deed authorizing the application and the person signing it;

(4) the business number assigned to the applicant if the applicant is registered in the enterprise register; and

(5) in respect of each category of hazardous materials:

(a) its identification determined according to the indications in Schedule 4;

(b) the date on which the 12-month period provided for in section 70.8 of the Environment Quality Act (chapter Q-2) ends and the quantity that will be in storage on that date;

(c) the storage extension period applied for and an estimate of the quantity that will be in storage each year during that period; and

(d) the grounds for the application for the extension of the period.

O.C. 1310-97, s. 113.

114. The management plan submitted with an application for extension of the storage period shall contain the following information:

(1) characterization of the hazardous material in question, including

(a) a sampling schedule;

(b) the name and address of the laboratory accredited by the Minister of Sustainable Development, Environment and Parks that did the analysis;

(c) the properties referred to in section 3 and the results of the chemical analyses;

(d) in the case of a hazardous material referred to in section 4, the results of the chemical analyses and the characteristics of the material; and

(e) the grounds for which a chemical analysis or test has not been done in respect of the hazardous material;

(2) the cadastral designation of the lots on which the hazardous material is stored and a plan of the storage sites with an indication of the zoning of the land in question;

(3) a description of the storage method currently used, including equipment, systems and infrastructures as well as a description of the measures taken or envisaged to ensure security at the storage site against intrusions or accidents;

(4) the characterization of soil and underground water situated on the periphery of the storage site and the decontamination or alleviation measures that have been taken or that are envisaged;

(5) a description of the research projects and experiments that have been carried out or envisaged in respect of removal of the hazardous material from the storage site; and

(6) a document indicating the various steps for carrying out the management plan, as well as the means that will be taken to inform the Minister of the current status of the plan.

O.C. 1310-97, s. 114.

CHAPTER VIII

ACTIVITIES REFERRED TO IN SECTION 70.9 OF THE ENVIRONMENT QUALITY ACT

DIVISION I

SCOPE

115. The expression “site for the elimination of hazardous materials” in paragraph 1 of section 70.9 of the Environment Quality Act (chapter Q-2) has the same meaning as the expression “hazardous materials disposal site” in section 5 of this Regulation.

O.C. 1310-97, s. 115.

116. The purpose of the standards prescribed in this Regulation is not to restrain the power of the Minister of Sustainable Development, Environment and Parks, referred to in section 70.12 of the Environment Quality Act (chapter Q-2), to determine other conditions, restrictions or prohibitions he considers necessary to ensure

that the completion of the project he is authorizing will not present unacceptable risks for health or the environment.

O.C. 1310-97, s. 116.

117. Any person who transports hazardous materials to a hazardous material disposal site shall hold a permit.

O.C. 1310-97, s. 117.

118. The requirement to hold a permit for carrying on activities referred to in paragraphs 1 to 4 of section 70.9 of the Environment Quality Act (chapter Q-2) is not applicable in respect of the following activities:

(1) the incineration of pharmaceutical and cosmetic products by a holder of a certificate of authorization issued under the Environment Quality Act;

(2) the operation, for commercial purposes, of a treatment process for recycling or reusing residual hazardous materials referred to in paragraphs 3, 4 and 8 of section 4 of this Regulation;

(3) the operation, for commercial purposes, of a treatment process that consists in grinding, sifting or sorting solid residual hazardous materials other than material and objects containing PCBs or contaminated by PCBs, where the following conditions are met:

(a) the quantity of materials stored is less than 100,000 kg;

(b) the materials are to be treated within 90 days after being received; and

(c) the hazardous materials thus treated are not earmarked for disposal or for use in energy generation; or

(4) the storage of residual hazardous materials, where the following conditions are met:

(a) the quantity stored is less than 40,000 kg;

(b) the materials are not materials from a step in the manufacturing processes or purification processes of air emissions, effluents and residues located in a place at which an activity in a sector listed in Schedule 3 is carried on, and they are not materials from the maintenance of those processes; and

(c) the hazardous materials are not materials or objects containing PCBs or contaminated by PCBs.

Notwithstanding the foregoing, where the quantity in storage is between 1,000 kg and 40,000 kg, the person storing the materials shall send a notice to the Minister of Sustainable Development, Environment and Parks as soon as possible.

The notice shall contain the following information:

(1) the name and address of the person storing the hazardous materials;

(2) the identification for each category of hazardous materials, determined according to the indications in Schedule 4; and

(3) an estimate of the maximum capacity of hazardous materials that can be stored.

O.C. 1310-97, s. 118; O.C. 492-2000, s. 8.

DIVISION 2

APPLICATION FOR PERMITS

119. Every application for a permit, other than the one concerning the transportation of hazardous materials to a disposal site, shall include the following information and documents:

- (1) if the applicant is a natural person, his name, address and telephone number;
- (2) in the case of a legal person, a partnership or an association, its name, the address of its head office, the quality of the person signing the application and a certified copy of the deed authorizing the filing of such an application;
- (3) in the case of a municipality, a certified copy of the deed authorizing the application and the person signing it;
- (4) the business number assigned to the applicant if the applicant is registered in the enterprise register;
- (5) except in the case of an application respecting the operation of mobile facilities, the cadastral designation of the lots on which the project will be carried on and a plan of the sites on which the proposed activity will take place, with an indication of the zoning of the land in question;
- (6) a copy of every document confirming the applicant's rights in respect of the lots specified by the application, as well as a copy of the location certificate;
- (7) the identification of the categories of hazardous materials determined according to the indications in Schedule 4 in respect of which the activity will be carried on and the quantities involved;
- (8) a description of the technical aspects of the project, including a list of the equipment and systems, the various steps of the process, management of the hazardous materials produced and information concerning the nominal capacity of the project;
- (9) a description of the nature and volume of the contaminants that may be emitted, discharged, released or deposited into the environment, as well as their points of emission, discharge, release or deposit;
- (10) in the case of the operation of a final disposal site, a program for monitoring, supervising and following the quality of surface and underground water, leachates and biogases as well as a maintenance program for the equipment and systems with which the site will be equipped; those programs will apply during the operation, on closure and thereafter;
- (11) a guarantee that complies with the requirements of sections 120 to 123, in an amount determined in Schedule 10, except in the case of an application for a permit to use used oil for energy generation purposes, where the nominal capacity is less than 1 ton or 1 kl per hour; and
- (12) a certificate from the bailiff or the secretary-treasurer of the local municipality or, in the case of an unorganized territory, of the regional county municipality, attesting that the completion of the project does not contravene any municipal by-law.

The application for a permit respecting the transportation of hazardous materials to a disposal site shall, in addition to those referred to in subparagraphs 1 to 4 of the first paragraph, contain the following information and documents:

- (1) a copy of the permit issued by the Commission des transports du Québec authorizing the applicant to provide such a transportation service;
- (2) the number and type of vehicles used;

(3) the address and place where the vehicles will be home-based;

(4) the categories of hazardous materials, whose identification is determined according to the indications in Schedule 4, which the applicant intends to transport;

(5) a guarantee of \$100,000 that complies with the requirements prescribed by sections 120 to 123.

O.C. 1310-97, s. 119.

120. The required guarantee is intended to ensure, during the carrying on of the activity and during the cessation, the carrying out of the obligations to which the operator is held pursuant to the Environment Quality Act (chapter Q-2), the regulations, an order or a permit. In the case of failure of the operator, the guarantee shall be used for the payment of the expenses incurred by the Minister of Sustainable Development, Environment and Parks under sections 113, 114, 115 and 115.1 of that Act.

O.C. 1310-97, s. 120.

121. The guarantee shall be provided by the applicant or by a third party on that person's behalf and shall be provided

(1) in cash, by bank money order or by certified cheque made out to the Minister of Finance;

(2) by bonds issued or guaranteed by Québec, Canada or a Canadian province, the United States of America or one of its member States, the International Bank for Reconstruction and Development, a municipality or a school board in Canada or a fabrique in Québec;

(3) by a security or a guarantee policy, with a stipulation of solidarity and renunciation of the benefits of discussion and division, issued by a legal person authorized to give guarantees under the Bank Act (S.C. 1991, c. 46), the Trust Companies and Savings Companies Act (chapter S-29.02), the Insurers Act (chapter A-32.1) or the Act respecting financial services cooperatives (chapter C-67.3);

(4) by an irrevocable letter of credit issued by a banking institution or by a financial services cooperative.

O.C. 1310-97, s. 121; O.C. 488-2017, s. 22.

122. The sums of money, orders, cheques or bonds provided by guarantee are deposited with the Bureau général de dépôts pour le Québec for the duration of the carrying on of the activity and until the expiry of the 12-month period following the cessation of the activity, namely the expiry, the revocation or the transfer of the operator's permit, whichever occurs first.

O.C. 1310-97, s. 122; O.C. 488-2017, s. 23.

123. A guarantee provided in the form of security, a guarantee policy or a letter of credit shall have a term of not less than 12 months. Not less than 15 days before the expiry of the guarantee, its holder shall send his renewed guarantee to the Minister of Sustainable Development, Environment and Parks, or any other guarantee meeting the requirements prescribed by sections 120 and 121.

The guarantee shall also contain a clause setting at not less than 12 months after its expiry, or as the case may be after its revocation, rescission or cancellation, the time period for filing a claim based on failure on the part of the operator to perform his obligations.

A clause of revocation, rescission or cancellation of a guarantee may take effect only if prior notice of at least 15 days is sent by registered mail to the Minister. If, at the time of the taking of effect of such a clause, another guarantee that complies with the requirements prescribed in this Regulation has not been provided to the Minister, the holder may not pursue his activity until he has remedied the situation.

O.C. 1310-97, s. 123; I.N. 2016-01-01 (NCCP).

124. A permit is issued on the condition that the applicant has civil liability insurance in an amount determined in Schedule 11, except in the case of a permit to use used oil for energy generation, where the nominal capacity is less than 1 ton or 1 kl per hour.

The applicant of a transportation permit shall have a civil liability insurance of \$1,000,000.

The permit holder shall keep his liability insurance contract in force for the duration of the permit validity period.

This section does not apply to the Government or to its departments and bodies.

O.C. 1310-97, s. 124.

125. The civil liability insurance policy shall

(1) specifically cover the permit holder's liability for damage to the environment attributable to sudden or accidental events related to his activities; and

(2) include a provision obliging the insurer to notify the Minister within 10 working days following the revocation, rescission or cancellation of the contract or following an amendment that reduces the coverage thereof.

If, at the time of the taking of effect of the rescission, cancellation of or amendment to an insurance policy, a new policy that complies with the requirements prescribed in this Regulation has not been contracted, the holder may not pursue his activity until he has remedied the situation.

O.C. 1310-97, s. 125.

126. *(Revoked).*

O.C. 1310-97, s. 126; O.C. 441-2008, s. 13.

127. Every application for renewal of a permit shall be submitted to the Minister between the 120th day and the 60th day preceding its date of expiry.

O.C. 1310-97, s. 127.

128. Every application for amendment to a permit shall contain the following information:

(1) a statement of the amendments applied for, and the grounds for the application; and

(2) the foreseeable consequences of the amendments applied for, in terms of contaminants that may be emitted, discharged, released or deposited into the environment, and in terms of the points of emission, discharge, release or deposit of contaminants into the environment.

O.C. 1310-97, s. 128.

129. Where an application for a permit, for an amendment or for renewal is submitted, any information or document already filed with the Minister need not be filed a second time if the applicant attests that it is still accurate.

O.C. 1310-97, s. 129.

DIVISION 3

REGISTER AND ANNUAL REPORT KEPT OR DRAWN UP BY A PERMIT HOLDER

130. Every permit holder carrying on an activity referred to in section 70.9 of the Environment Quality Act (chapter Q-2), except the transportation of hazardous materials, shall keep a register that contains the information prescribed hereafter, in respect of the residual hazardous materials he has produced or used in the course of his activity, has taken possession of or that have been consigned to him for the purposes of his activity, as well as in respect of the mixtures he has produced.

O.C. 1310-97, s. 130.

131. Where the activity is carried on by means of stationary facilities, the register shall contain the following information:

— in respect of each category of hazardous materials:

- (1) its identification determined according to the indications in Schedule 4;
- (2) the quantity in storage on the last day of each quarter where such quantity is greater than 100 kg;
- (3) the quantity that has been disposed of, treated or used for energy generation purposes on the operation site during a quarter and identification of the management method determined according to the indications in Schedule 9;
- (4) the quantity that has been produced during a quarter and identification of the management method determined according to the indications in Schedule 9.

— in respect of each category of a mixture of hazardous materials:

- (1) its identification determined according to the indications in Schedule 4;
- (2) the quantity in storage on the last day of each quarter where such quantity is greater than 100 kg;
- (3) the quantity that has been disposed of, treated or used for energy generation purposes on the operation site during a quarter and identification of the management method determined according to the indications in Schedule 9.

The information required by this section shall also be indicated in the register in respect of each category of liquids, solids or substances containing PCBs where the quantity of PCBs contained in all those categories — other than the categories already entered in the register — exceeds 1 kg.

The above information shall be entered in the register not later than on the tenth day following the end of each quarter.

O.C. 1310-97, s. 131.

132. Where the activity is carried on by means of mobile treatment or incineration facilities, the register shall contain the following information in respect of each site at which the permit holder carries on his activity and in respect of each category of hazardous materials:

- (1) identification of the hazardous material disposed of or treated, determined according to the indications in Schedule 4;
- (2) the name and address of the owner or operator of the site at which the authorized activity is carried on;

(3) the quantity that has been disposed of or treated; and

(4) the quantity of which the permit holder has taken possession and identification of the management method, determined according to the indications in Schedule 9.

The above information shall be entered in the register not later than on the tenth day following the termination of the activity at each site.

O.C. 1310-97, s. 132.

133. The register shall be kept at the site of the activity or, in the case of mobile facilities, at the head office of the permit holder, for a period of 2 years from the date of the last entry.

O.C. 1310-97, s. 133.

134. The permit holder shall draw up an annual report, containing the following information, on the hazardous materials mentioned in section 130 that he has received, produced or that have been consigned to him during a calendar year and for which a register has been kept.

O.C. 1310-97, s. 134.

135. Where stationary facilities are operated, the annual report shall contain the following information:

— in respect of each category of hazardous materials:

(1) identification determined according to the indications in Schedule 4;

(2) the quantity he has received from each consignor with the name and address of that person;

(3) the quantity in storage on the first day and last day of the year;

(4) the quantity that has been produced or used in the course of his activities;

(5) the quantity that has been disposed of, treated or used for energy generation purposes on the operation site and identification of the management method determined according to the indications in Schedule 9; and

(6) the quantity shipped to each consignee with the name and address of that person.

— in respect of each category of a mixture of hazardous materials:

(1) identification of the mixture determined according to the indications in Schedule 4;

(2) identification of each category of hazardous materials composing the mixture:

— for materials from Québec, the identification determined according to the indications in Schedule 4;

— for materials from another Canadian province, identification is determined according to Column III of List II of Schedule II to the Transportation of Dangerous Goods Regulations (SOR/85-77);

— for materials from outside Canada, the identification is determined according to Column II of Parts I, II, III or IV of Schedule 3 to the Export and Import of Hazardous Waste Regulations (SOR/92-637);

(3) the quantity of each category of hazardous materials composing the mixture he has received from each consignor and the name and address of the latter;

(4) the quantity of the obtained mixture;

(5) the quantity of the mixture in storage on the first and last day of the year;

(6) the quantity of the mixture that has been disposed of, treated or used for energy generation purposes and identification of the management method determined according to the indications in Schedule 9; and

(7) the quantity of the mixture that has been shipped to each consignee and the name and address of the latter.

O.C. 1310-97, s. 135.

136. Where the activity is carried on by means of mobile treatment or incineration facilities, the annual report shall contain the following information, in respect of each category of hazardous materials:

(1) the identification determined according to the indications in Schedule 4;

(2) the quantity that has been disposed of or treated and identification of the treatment or disposal method determined according to the indications in Schedule 9; and

(3) the quantity of materials that the holder has produced in the course of his activity and identification of the management method, determined according to the indications in Schedule 9.

In addition, the holder shall list in his annual report the sites where he has carried on his activity and their addresses.

O.C. 1310-97, s. 136.

137. In the case of the transportation of hazardous materials to a disposal site, the annual report shall contain the following information, in respect of each category of hazardous materials:

(1) the identification determined according to the indications in Schedule 4 and the identification determined according to columns I and III of List II of Schedule II to the Transportation of Dangerous Goods Regulations; and

(2) the quantity that the carrier has received from each consignor, with the name and address of the latter as well as the name and address of the consignee.

O.C. 1310-97, s. 137.

138. The annual report shall be sent to the Minister not later than 1 April, for the previous calendar year.

O.C. 1310-97, s. 138.

CHAPTER VIII.1

MONETARY ADMINISTRATIVE PENALTIES

O.C. 677-2013, s. 4.

138.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to keep a copy of the shipping document referred to in section 21, during the period and on the conditions provided for in that section, or to present it to the Minister upon request in accordance with that section;

(2) to submit to the Minister the statement prescribed by section 22 in accordance with that section;

(3) to keep on the storage site, in accordance with the third paragraph of section 62, the last working order certification of a system referred to in that section which contains the required information;

(4) to keep on the storage site the results of the analyses referred to in the second paragraph of section 75 for the period provided for in that section;

(5) to keep on the storage site the certificates of installation or maintenance referred to in the second paragraph of section 90;

(6) to comply with the conditions relating to the keeping of a register or a report referred to in any of sections 105 to 107, 110, 131, 132 or 135 to 137, in particular to indicate therein the required information or, where applicable, to comply with the period provided for to do so.

O.C. 677-2013, s. 4.

138.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to enter into a written contract that contains the information prescribed by the second paragraph of section 11, prior to shipping a residual hazardous material, or to keep copies of the contract in accordance with that section;

(2) to keep the register referred to in the second paragraph of section 39 or to keep it at the storage sites for the period provided for in that section;

(3) to affix a tag on a receptacle, cargo container, tank or cargo tank in accordance with the first paragraph of section 46;

(4) to post a sign in accordance with the requirements of the second or third paragraph of section 46, section 76 or 100;

(5) to submit to the Minister the report referred to in the second paragraph of section 70 or section 74 in accordance with those sections;

(6) to have a closure report that complies with the requirements of the second or third paragraph of section 103 prepared or to send that closure report to the Minister in accordance with what is provided for in that section;

(7) to keep the information contained in the register referred to in section 108 in accordance with that section;

(8) to send to the Minister a report referred to in section 111 or 138 according to the frequency and schedule provided for therein;

(9) to send to the Minister, in the case referred to in the second paragraph of section 118 and as soon as possible, a notice containing the information prescribed by the third paragraph of that section;

(10) to keep the register provided for in section 130 or to keep it in accordance with section 133;

(11) to draw up the annual report provided for in section 134 in accordance with that section.

O.C. 677-2013, s. 4.

138.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to drain a transformer referred to in section 16 or to drain a basin referred to in section 17 according to the conditions provided for therein;

(2) to have the analyses referred to in section 18 carried out by a laboratory accredited by the Minister in accordance with that section;

- (3) to ensure that a tank or connection referred to in section 28 is equipped with a sampling system in accordance with that section;
- (4) to comply with the building, layout or maintenance conditions of a building, shelter, drain or site prescribed by any of sections 33 to 36;
- (5) to collect or to evacuate the water referred to in section 38 in accordance with that section;
- (6) to inspect, according to the prescribed frequency, the good condition and good working order of the storage facilities in accordance with the first paragraph of section 39;
- (7) to store residual hazardous materials in accordance with the requirements of section 40;
- (8) to comply with a condition prescribed by the first paragraph of section 45 in respect of a vessel containing residual hazardous materials;
- (9) to comply with a condition prescribed by any of sections 47 to 49 in respect of a cargo container;
- (10) to comply with a condition or standard prescribed by any of sections 53 to 55, 57, 58, 60, 61 or 66 to 69 in respect of a tank;
- (11) to place a tank referred to in section 56 in an area having an impermeable basin that complies with the requirements of the first paragraph of that section;
- (12) to have the working order of the corrosion protection system inspected in accordance with the requirements of the first or second paragraph of section 62;
- (13) to have a qualified professional supervise the work related to the installation of an underground tank, to have the tank inspected by a professional or, in case of damage, to have the tank repaired in accordance with the first paragraph of section 70;
- (14) to place a cargo tank in an impermeable area, in the cases referred to in the first paragraph of section 78, or to comply with the conditions prescribed by that section or prescribed by the third paragraph of that section in respect of that area;
- (15) to convey the accumulated water in a loading or unloading area in accordance with the fourth paragraph of section 78;
- (16) to equip a cargo tank with a safety device that complies with the requirements of section 79;
- (17) to comply with the layout conditions provided for in section 82 or 83 as to the storage site of materials referred to therein;
- (18) to protect a building or storage site by means of an intrusion detection system in the cases and according to the conditions provided for in section 85;
- (19) to comply, in respect of the systems referred to in the first paragraph of section 90 or section 92, with the design, installation or maintenance conditions provided for therein;
- (20) to lay out a final disposal site in a way that prevents intrusions in accordance with section 99;
- (21) to fill holes, fissures and subsidence in accordance with section 102;
- (22) to send to the Minister, before the expiry of a guarantee provided in one of the forms prescribed by the first paragraph of section 123 and within the time provided for in that section, the renewal of that guarantee or any other guarantee that complies with the requirements of that section;

(23) to keep in force a liability insurance contract that complies with the requirements of the third paragraph of section 124.

The penalty provided for in the first paragraph may also be imposed on any person who

(1) stores residual hazardous materials in a cargo tank that does not comply with the conditions prescribed by section 77;

(2) pursues an activity when the person has not provided or renewed the guarantee or the civil liability insurance policy provided for in section 123 or in the second paragraph of section 125.

O.C. 677-2013, s. 4.

138.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to keep in good working order and in good condition the facilities, movable and immovable property, works and equipment referred to in section 29 or 37;

(2) to comply with the conditions prescribed by any of sections 41 to 44 as to the storage of the materials, objects or receptacles referred to therein;

(3) to pressure test an underground tank or piping when a leak is suspected in accordance with section 59;

(4) to remove from the ground an underground tank or piping referred to in section 63 or 64 according to the conditions prescribed therein;

(5) to replace the piping referred to in section 65;

(6) to set up a network of wells monitoring the quality of underground water in accordance with section 73;

(7) to cause to have analyzed the quality of the water of monitored wells, in accordance with the first paragraph of section 75, according to the frequency provided for in that section;

(8) to equip and protect any building or site referred to in section 84 or in any of sections 86 to 88 with the prescribed detection, extinguishing or emergency systems and devices, in the cases and on the conditions provided for therein;

(9) to ensure that all fire detection and intrusion detection systems comprise alarm transmission equipment in accordance with section 89;

(10) to ensure that every fire detection system comprises a fire alarm in accordance with section 91;

(11) to comply with the conditions relating to a final disposal site of hazardous materials prescribed by any of sections 95 to 97, in particular as to the various systems with which it is equipped and, where applicable, collected water;

(12) to ensure that the equipment and systems with which the final disposal site is equipped comply with the conditions prescribed by the first paragraph of section 98 or to maintain them periodically in accordance with the second paragraph of that section;

(13) to comply with the conditions prescribed by section 101 as to the final cover of a disposal site.

The penalty provided for in the first paragraph may also be imposed on any person who

(1) violates the prohibitions provided for in any of sections 50 to 52 in respect of a tank;

(2) places, inside the same basin, tanks containing incompatible materials in contravention of the first paragraph of section 56;

(3) places, in the same loading or unloading zone, cargo tanks containing incompatible materials in contravention of the second paragraph of section 78.

O.C. 677-2013, s. 4.

138.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who

(1) fails to inform the Minister, within the time prescribed, in the case of

(a) accidental release of a hazardous material into the environment in accordance with subparagraph 2 of the first paragraph of section 9;

(b) a cessation of activities or the dismantling of any building in which there were hazardous materials in accordance with the first paragraph of section 13;

(c) contamination of ground water in accordance with the third paragraph of section 75;

(d) permanent termination of disposal operations in accordance with the first paragraph of section 103;

(2) fails, in the case of a cessation of activities, to decontaminate or dismantle the buildings and equipment referred to in the first paragraph of section 13 or, as the case may be, to decontaminate or ship to an authorized site materials from the dismantling in contravention of the second or third paragraph of that section;

(3) uses for energy generation purposes a residual hazardous material or used oil referred to in any of sections 24, 26 or 27 without complying with the conditions prescribed therein;

(4) uses a residual hazardous material for the manufacture of a fuel without complying with the conditions prescribed by section 25;

(5) abandons on its site an underground tank in contravention of the first paragraph of section 71;

(6) transports hazardous materials to a hazardous material disposal site without holding a permit in contravention of section 117.

O.C. 677-2013, s. 4.

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

(1) ships a residual hazardous material to any person who is not authorized to receive such material in contravention of the first paragraph of section 11;

(2) entrusts hazardous materials to a carrier who does not hold the permit referred to in section 117 in contravention of the first paragraph of section 12;

(3) contravenes the prohibition provided for in section 15 as to reusing liquid from electrical equipment;

(4) stores residual hazardous materials in heaps outside a building without complying with the conditions prescribed by paragraph 3 or 4 of section 72.

O.C. 677-2013, s. 4.

138.7. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who

(1) emits, deposits, discharges, releases or allows the emission, deposit, discharge or release of a hazardous material into the environment or into a sewage system in contravention of the requirements of section 8;

(2) fails to take any of the measures prescribed by subparagraph 1 or 3 of the first paragraph of section 9 in the case of accidental release of a hazardous material into the environment;

(3) mixes or dilutes residual hazardous materials with other materials without complying with the condition prescribed by section 10;

(4) uses oil not approved to settle dust in contravention of section 14;

(5) fails to decontaminate or to fill with an inert material an abandoned underground tank in contravention of the second paragraph of section 71;

(6) stores, in heaps outside a building, residual hazardous materials that do not comply with the conditions prescribed by paragraph 1 or 2 of section 72;

(7) places in a final disposal site hazardous materials referred to in section 94;

(8) fails to equip a final disposal site with a collection system that complies with the requirements of section 97 or to treat the collected water in accordance with the requirements of that section.

O.C. 677-2013, s. 4.

CHAPTER IX

PENAL SANCTIONS

O.C. 1310-97, c. IX; O.C. 677-2013, s. 5.

139. Every person who contravenes section 21 or 22, the third paragraph of section 62, the second paragraph of section 75 or 90, any of sections 105 to 107, section 110, 131 or 132 or any of sections 135 to 137 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

O.C. 1310-97, s. 139; O.C. 677-2013, s. 6.

140. Every person who contravenes the second paragraph of section 11 or 39, section 46, the second paragraph of section 70, section 74, 76 or 100, paragraph 1 or 2 of section 103, section 108 or 111, the second or third paragraph of section 118, or section 130, 133, 134 or 138 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

O.C. 1310-97, s. 140; O.C. 677-2013, s. 6.

141. Every person who

(1) contravenes any of sections 16 to 18, section 28, any of sections 33 to 36, section 38, the first paragraph of section 39, section 40, the first paragraph of section 45, any of sections 47 to 49 or 53 to 55, section 57, 58, 60 or 61, the first or second paragraph of section 62, any of sections 66 to 69, the first paragraph of section 70, section 77, the first, third or fourth paragraph of section 78, section 79, 82, 83 or 85, the first paragraph of section 90, section 92, 99 or 102, the first or third paragraph of section 123, the third paragraph of section 124 or the second paragraph of section 125,

(2) fails to place a tank referred to in section 56 in an area having an impermeable basin that complies with the requirements of the first paragraph of that section,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

O.C. 1310-97, s. 141; O.C. 677-2013, s. 6.

142. Every person who

(1) contravenes section 29 or 37, any of sections 41 to 44 or 50 to 52, section 59, any of sections 63 to 65, section 73, the first paragraph of section 75, the second paragraph of section 78, section 84, any of sections 86 to 88, or section 89, 91, or any of sections 95 to 98, or section 101,

(2) places, inside the same basin, tanks containing incompatible materials in contravention of the first paragraph of section 56,

commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

O.C. 1310-97, s. 142; O.C. 677-2013, s. 6.

143. Every person who

(1) contravenes subparagraph 2 of the first paragraph of section 9, section 13, any of sections 24 to 27, the first paragraph of section 71, the third paragraph of section 75, the first paragraph of section 103 or section 117,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

O.C. 1310-97, s. 143; O.C. 677-2013, s. 6.

143.1. Every person who contravenes the first paragraph of section 11 or 12, section 15 or paragraph 3 or 4 of section 72 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

O.C. 677-2013, s. 6.

143.2. Every person who contravenes subparagraph 3 of the first paragraph of section 9, section 10, the second paragraph of section 71, paragraph 1 or 2 of section 72 or section 94 or 97 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

O.C. 677-2013, s. 6.

143.3. Every person who contravenes section 8, subparagraph 1 of the first paragraph of section 9 or section 14 commits an offence and is liable, in the case of a natural person, to a fine of \$12,500 to \$1,000,000

or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$37,500 to \$6,000,000.

O.C. 677-2013, s. 6.

143.4. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.

O.C. 677-2013, s. 6.

CHAPTER X

AMENDING AND TRANSITIONAL

144. *(Obsolete).*

O.C. 1310-97, s. 144.

145. *(Obsolete).*

O.C. 1310-97, s. 145.

146. *(Obsolete).*

O.C. 1310-97, s. 146.

147. *(Obsolete).*

O.C. 1310-97, s. 147.

148. In respect of tanks already installed on 1 December 1997:

(1) section 57 is applicable to aboveground tanks that can contain more than 20,000 litres, from 1 June 1998;

(2) section 58 is applicable from 1 December 2000 to double-wall underground tanks. In respect of single-wall underground tanks, section 58 is applicable in the same period only where an automatic continuous inventory device and a spill prevention device are mandatory; and

(3) sections 60, 66, 67, 68 and 69 are not applicable as long as the tanks remain installed at the same place.

The owners and operators of existing underground tanks shall provide to the Minister of Sustainable Development, Environment and Parks, not later than 1 February 1998, a statement with the following information:

- (1) the address of the site where each tank is located;
- (2) the materials composing the tank;
- (3) the volume of the tank;
- (4) if it is a single-wall or double-wall tank;

(5) if the tank is equipped with a corrosion protection system, an automatic continuous inventory device, a spill prevention device and, in the case of a double-wall tank, an interstitial automatic leak detection system between the walls; and

(6) the age of the tank.

O.C. 1310-97, s. 148.

149. *(Amendment integrated into c. Q-2, r. 1.001, s. 2).*

O.C. 1310-97, s. 149.

150. *(Amendment integrated into c. Q-2, r. 1.001, s. 4).*

O.C. 1310-97, s. 150.

151. *(Amendment integrated into c. Q-2, r. 3.001, s. 36).*

O.C. 1310-97, s. 151.

152. *(Omitted).*

O.C. 1310-97, s. 152.

153. *(Amendment integrated into c. Q-2, r. 3.2, s. 1).*

O.C. 1310-97, s. 153.

154. *(Amendment integrated into c. Q-2, r. 3.2, s. 68).*

O.C. 1310-97, s. 154.

155. *(Amendment integrated into c. Q-2, r. 9, s. 2).*

O.C. 1310-97, s. 155.

156. *(Amendment integrated into c. Q-2, r. 20, ss. 67.1, 68.1 to 68.7).*

O.C. 1310-97, s. 156.

157. *(Amendment integrated into c. Q-2, r. 20, ss. 67.1, 68.1 to 68.7).*

O.C. 1310-97, s. 157.

158. *(Amendment integrated into c. Q-2, r. 23.1, s. 3).*

O.C. 1310-97, s. 158.

159. The provisions of this Regulation also apply to the immovables in a reserved area or an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

O.C. 1310-97, s. 159.

160. *(Omitted).*

O.C. 1310-97, s. 160.

SCHEDULE 1

(ss. 3 and 31)

MAXIMUM SPECIFIC ACTIVITY OR DENSITY ACTIVITY FOR MATERIALS CONTAINING A SINGLE RADIOELEMENT

Single radioisotopes	Specific activity or activity concentration (kBq/kg or kBq/L)
Actinium 227	4
Antimony 124	400
Silver 110	400
Arsenic 74	400
Barium 140	400
Beryllium 7	4 000
Bismuth 207	400
Bismuth 210	40
Bromine 82	400
Cadmium 109	400
Calcium 45	400
Calcium 47	400
Carbon 14	4 000
Cerium 144	40
Cesium 134	400
Cesium 137	400
Chlorine 36	400
Chromium 51	4 000
Cobalt 57	400
Cobalt 58	400
Cobalt 60	400
Copper 64	4 000
Tin 113	400
Iron 55	4 000
Iron 59	400
Hydrogen 3	40 000
Indium 114 m	400
Iodine 123	4 000
Iodine 125	40
Iodine 131	40
Iodine 132	400
Iridium 192	400
Krypton 85	4 000
Lanthanum 140	400
Manganese 54	400
Manganese 56	400
Mercury 197	4 000
Mercury 203	400
Molybdenum 99	400
Nickel 63	400

ENVIRONMENT QUALITY — HAZARDOUS MATERIALS

Gold 198	400
Phosphorus 32	400
Lead 210	4
Polonium 210	4
Potassium 40	400
Potassium 42	400
Promethium 147	400
Radium 226	4
Rubidium 86	400
Scandium 46	400
Selenium 75	400
Sodium 22	400
Sodium 24	400
Sulphur 35	400
Strontium 85	400
Strontium 89	400
Strontium 90	4
Technetium 99	400
Technetium 99 m	4 000
Thallium 204	400
Xenon 133	4 000
Xenon 135	4 000
Yttrium 87	400
Yttrium 90	400
Zinc 65	400
Except where otherwise indicated above, elements whose atomic number is greater than 89	4
All other radioisotopes not listed above	40

* The activity of a radioactive source corresponds to the number of nuclear disintegrations that it undergoes per second and is expressed in kBq. One kBq equals 1,000 disintegrations per second.

O.C. 1310-97, Sch. 1.

SCHEDULE 2

(s. 3)

INTERNATIONAL TOXICITY EQUIVALENCY FACTORS FOR POLYCHLORINATED
DIBENZOFURANS AND POLYCHLORINATED DIBENZO[*b, e*] [1,4] DIOXINS

Congener	Toxicity equivalence factor
2,3,7,8-TCDD	1.000
1,2,3,7,8-PeCDD	0.500
1,2,3,4,7,8-HxCDD	0.100
1,2,3,6,7,8-HxCDD	0.100
1,2,3,7,8,9-HxCDD	0.100
1,2,3,4,6,7,8-HpCDD	0.010
OCDD	0.001
2,3,7,8-TCDF	0.100
2,3,4,7,8-PeCDF	0.500
1,2,3,7,8-PeCDF	0.050
1,2,3,4,7,8-HxCDF	0.100
1,2,3,7,8,9-HxCDF	0.100
1,2,3,6,7,8-HxCDF	0.100
2,3,4,6,7,8-HxCDF	0.100
1,2,3,4,6,7,8-HpCDF	0.010
1,2,3,4,7,8,9-HpCDF	0.010
OCDF	0.001

O.C. 1310-97, Sch. 2.

SCHEDULE 3

(ss. 6, 13, 39, 104 and 108)

SECTORS OF ACTIVITY

Economic activity	Industrial code
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Mines (excluding Peat Bogs)	Large group 06 excluding 0622
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Petroleum and Natural Gas Extraction	0711
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Service Industries Incidental to Petroleum and Natural Gas	0911 and 0919
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Service Industries Incidental to Mining	0921 and 0929
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Rubber Products Industry	Large group 15
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Plastic Products Industry	Large group 16
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Tanneries	1711
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Primary Textile Industries	Group 18
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Natural Fibres Processing and Felt Products Industry	1911
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Contract Textile Dyeing and Finishing Industry	1992
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Sawmill Products and Shingle Industries	2511 and 2512
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Veneer and Plywood Industries	2521 and 2522
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Wood Industries (Wood	2591 and 2593
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ENVIRONMENT QUALITY — HAZARDOUS MATERIALS

Preservation and
Reconstituted Boards
Subsector only)

Pulp and Paper Industries 2711 to 2714
and 2719

Asphalt Roofing Industries 2721

Printing, Publishing and
Allied Industries Large group 28

Primary Metal Industries Large group 29

Fabricated Metal Products
Industries (except Machinery
and Transportation Equipment
Industries) Large group 30

Machinery Industries
(except Electrical
Machinery) Large group 31

Transportation Equipment
Industries Large group 32

Electrical and Electronic
Products Industries Large group 33

Non-Metallic Mineral
Products Industries Large group 35

Petroleum and Coal Products
Industries Large group 36

Chemical Industries Large group 37

Jewellery and Precious Metal
Industries 3921 and 3922

Transport (except Limousine
Service to Airports and
Stations, Taxicab Industry
and Other Transport Large group 45
excluding 4575,
4581 and 4589

ENVIRONMENT QUALITY — HAZARDOUS MATERIALS

Industries)

Electricity Production and Distribution Industry	4911
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Gas Distribution	4921
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Telegraph and Telephone Services	4821 and 4822
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The economic activities listed above are those defined in the document *Classification des activités économiques du Québec*, published in 1990 by the Bureau de la Statistique du Québec.

O.C. 1310-97, Sch. 3.

SCHEDULE 4

(ss. 11, 104, 106, 110, 113, 118, 119, 131, 132, 135, 136 and 137)

CATEGORIES AND IDENTIFICATION OF HAZARDOUS MATERIALS

Section 1

CATEGORIES OF HAZARDOUS MATERIALS

Code	Category
Mineral oils and grease	
A01	Used oil whose PCB concentration is ≤ 3 mg/kg
A02	Used oil whose PCB concentration is > 3 mg/kg and ≤ 50 mg/kg
A03	Oily water / emulsions
A04	Used grease
Organic solids and sludge	
B01	Residues from the distillation, refining or pyrolysis of halogenated organic compounds
B02	Residues from the distillation, refining or pyrolysis of non-halogenated organic compounds
B03	Bottom sludge or bottom sediment sludge from hydrocarbons
B04	Residues from petroleum products and hydrocarbons
B05	Organic solids or sludge generated in the treatment of process water or wastewater

ENVIRONMENT QUALITY — HAZARDOUS MATERIALS

B06 Bottom sediment sludge from the wood preserving industry, and reject products

B07 Sludge and residues from the preparation of pharmaceuticals, and reject products

B08 Sludge and solid residues from the production of pesticides, and reject products (> 200 kg or 200 L)

B09 Sludge and residues from the formulation and use of ink, paint, colouring agents, lacquers and varnishes

B10 Sludge from coking operations

B11 Sludge and residues from the formulation and use of residues, latex plasticizers, glues, adhesives and polymers

B12 Sludge and residues from decarbonization and descaling operations

B13 Other organic sludge and solids not otherwise specified (specify)

Organic solvents

C01 Halogenated organic solvents (total organic halogen > 0.15%)

C02 Non-halogenated organic solvents (total organic halogen ≤ 0.15%)

C03 CFCs used as solvent or cleaner

Organic solutions

D01 Antifreeze, brake and hydraulic fluids

D02 Other organic solutions (specify)

ENVIRONMENT QUALITY — HAZARDOUS MATERIALS

Inorganic solids and sludge

E01 Sludge from surface treatment and plating not otherwise specified

E02 Spent catalysts

E03 Sludge and residues containing metals

E04 Metallic dust

E05 Metallic salts, whether from tempering or not

E06 Non-metallic salts, whether from tempering or not

E07 Spent anodes and cathodes

E08 Ash

E09 Cinders, scum, dross and cakes from primary metal production

E10 Slag

E11 Foundry sand

E12 Filters and filtering mediums

E13 Solids, dust or sludge generated by air scrubbing systems

E14 Inorganic solids or sludge generated by process water or wastewater purification systems

E15 Discarded lead batteries

ENVIRONMENT QUALITY — HAZARDOUS MATERIALS

E16 Batteries and other accumulators

E17 Sludge and residues from the production,
formulation and use of inorganic pigments

E18 Calcium fluoride sludge

E19 Used blast sand

E20 Gypsum from industrial processes

E21 Activated glass (cathode-ray and other tubes)

E22 Sludge and solids not otherwise specified
(specify)

Inorganic aqueous solutions

F01 Spent solutions from surface treatment and
plating not otherwise specified

F02 Solutions and brines containing cyanides,
sulphides or nitrides

F03 Other inorganic aqueous solutions and brines
(specify)

Acidic hazardous materials (pH < 2)

G01 Organic acidic liquids or sludge

G02 Inorganic acidic liquids or sludge

G03 Other acidic materials (specify)

Caustic hazardous materials (pH > 12.5)

H01 Inorganic alkaline liquids or sludge

ENVIRONMENT QUALITY — HAZARDOUS MATERIALS

H02 Organic alkaline liquids or sludge

H03 Other alkaline materials (specify)

**Hazardous materials containing PCBs or
contaminated by PCBs**

J01 Liquids containing PCBs in a concentration
of between 50 mg/kg and 10,000 mg/kg (1%)

J02 Liquids containing PCBs in a concentration
greater than or equal to 10,000 mg/kg (1%)

J03 Solids containing PCBs in a concentration
between 50 mg/kg and 10,000 mg/kg (1%)

J04 Solids containing PCBs in a concentration
greater than or equal to 10,000 mg/kg (1%)

J05 Substances containing PCBs in a concentration
between 50 mg/kg and 10,000 mg/kg (1%)

J06 Substances containing PCBs in a concentration
greater than or equal to 10,000 mg/kg (1%)

J07 Equipment containing PCBs

J08 Equipment contaminated by PCBs

J09 Exposed metal part contaminated by PCBs

Hazardous materials from a laboratory

K01 Industrial or commercial R & D laboratory

K02 Laboratory in an educational institution

K03 Other sources (specify)

Contaminated hazardous materials

L01 Contaminated equipment

L02 Contaminated receptacles

L03 Other contaminated materials

Other hazardous materials

M01 Reject pharmaceutical preparations,
medications and cosmetics

M02 Leather tannery sludge and residues

M03 Explosive materials not otherwise specified

M04 Radioactive materials not otherwise
specified

M05 Sludge from the scouring and decontamination
of tanks and receptacles not otherwise
specified

M06 Reject ion-exchange resins

M07 Other materials not otherwise specified
(specify)

**Mixtures (categories reserved for permit
holders referred to in section 70.9 of the
Environment Quality Act (chapter Q-2))**

N01 Acid mixture

N02 Acid mixture to reduce

ENVIRONMENT QUALITY — HAZARDOUS MATERIALS

N03 Neutral mixture

N04 Alkaline mixture

N05 Alkaline/neutral mixture to reduce

N06 Mixture to oxidize

N07 Oxidizing mixture

N08 Low energy fuel

N09 Low energy fuel, halogenated

N10 High energy fuel

N11 High energy fuel, halogenated

N12 Organic solvent mixture

N13 Organic solution mixture

N14 Organic sludge and solids mixture

N15 Inorganic sludge and solids mixture

N16 Organic and inorganic sludge and solids mixture

**Other materials composing a mixture
(categories reserved for permit holders
referred to in section 70.9 of the
Environment Quality Act)**

O01 Contaminated soil

O02 Non-hazardous materials

SECTION 2

IDENTIFICATION OF HAZARDOUS MATERIALS

The identification of hazardous materials is determined by the code of its category, indicated in section 1 of this Schedule, accompanied by the numbers of its class and division, as assigned under the Transport of Dangerous Substances Regulation (chapter C-24.2, r. 43) (where a hazardous material is not referred to in that Regulation, the code 0.0 shall be used), as well as by the code indicating its physical state as determined according to the following table:

Code	Physical state
L	Liquid
S	Solid
P	Semi-solid (sludge)
G	Gaseous

O.C. 1310-97, Sch. 4.

SCHEDULE 5

(ss. 24 and 25)

STANDARDS FOR THE USE, IN ENERGY GENERATION, OF RESIDUAL HAZARDOUS MATERIALS OTHER THAN USED OIL OR OF FUEL PREPARED FROM A MIXTURE OF RESIDUAL HAZARDOUS MATERIALS

Standards		
Parameters	For each hazardous material prior to mixing	For each hazardous material used as is or for fuel obtained from a mixture of residual hazardous materials
Minimum calorific value*	14,000 kJ/kg	18,500 kJ/kg
Maximum water content**	20%	20%
Maximum sulphur content***	2%	2%

* Calorific value is expressed in kJ/kg of hazardous material.

** Maximum water content is expressed in percentage mass/mass (%).

*** Maximum sulphur content is expressed in percentage mass/mass (%).

O.C. 1310-97, Sch. 5.

SCHEDULE 6

(ss. 26 and 27)

STANDARDS FOR USE OF USED OIL IN ENERGY GENERATION

Parameters	Fuel equipment whose capacity is greater than 10 MW	Other fuel equipment
Maximum concentration allowed (mg/kg) *		
Arsenic	5	5
Cadmium	2	2
Chromium	10	10
Lead	100	50
Total halogens	1 500	1 000
Polychlorinated biphenyls	50	3
Minimum value allowed		
Flash point	38 °C	38 °C
Calorific value**	18,500 kJ/kg	18,500 kJ/kg
Total content allowed		
Water***	20%	20%
Sulphur****	1.5%	1.5%

* Maximum concentration allowed is expressed in mg of contaminant per kg of used oil.

** Minimum calorific value is expressed in kJ/kg of used oil.

*** Maximum water content is expressed in percentage volume/volume (%).

**** Maximum sulphur content is expressed in percentage mass/mass (%).

O.C. 1310-97, Sch. 6.

SCHEDULE 7

(s. 63)

EVALUATION OF UNPROTECTED STEEL TANK CONDITION

(1) The soil aggressiveness value (SAV) is determined according to the CIPP-82.3 method of the Canadian Institute of Petroleum Products.

(2) The tank/soil index (T/S) is determined by multiplying the soil aggressiveness value by the age of the tank. $T/S = (SAV \times AGE)$.

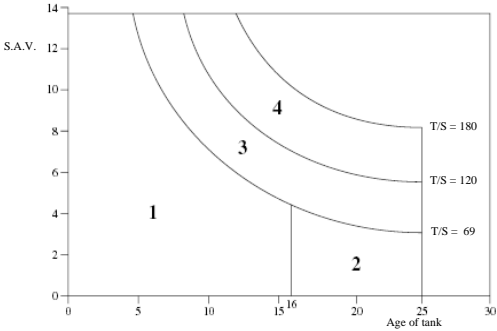
(3) On the basis of the zones indicated in the following graph, the requirements with regard to the tank are as follows (see graph):

(1) may be protected;

(2) may be protected but must be removed from the ground before the expiry of 25 years;

(3) may be protected but must be removed from the ground before the expiry of 25 years. The impermeability shall be inspected every 5 years; and

(4) may be protected but must be removed from the ground before the expiry of a T/S of 180 or the age of 25. The impermeability shall be inspected every year.



O.C. 1310-97, Sch. 7.

SCHEDULE 8*(s. 109)***SECTORS OF ACTIVITY SUBJECT TO THE REQUIREMENT TO PRODUCE AN ANNUAL MANAGEMENT REPORT**

Economic activities	Industrial code	Minimum number of employees per establishment
Metal Mines	Group 061	-
Leather Tanneries	1711	-
Wood Preservation Industry	2591	50
Reconstituted Boards Industry	2593	-
Pulp and Paper Industry	2711 to 2714 and 2719	-
Primary Metal Industry	Large group 29	-
Steel Plate Products Industry	3011	20
Metal Doors and Windows Industry	3031	20
Other Metallic Ornament and Architecture Products Industries	3039	20
Metal Coating Products Industry	3041	20

ENVIRONMENT QUALITY — HAZARDOUS MATERIALS

Metal Vessels and Closing Devices Industry	3042	20
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Wires and Wire Cable Industry	3052	20
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Other Wire Products Industries	3059	20
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Hardware Supplies, Tooling Items and Cutlery (excluding profiling metal dies, molds and cutting outfits)	Group 306 excluding 3062	20
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Machine shops	3081	20
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Metal Valve Industries	3092	20
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Other Metal Products Industries	3099	20
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Transportation Equipment Industry	Large group 32	50
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Electrical and Electronic Products Industries	Large group 33	50
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Petroleum and Coal Products Industry	Large group 36	-
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Chemical Industries	Large group 37	50
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Electricity Production and	4911	-
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Distribution
Industry

The economic activities listed above are those defined in the document Classification des activités économiques du Québec, published in 1990 by the Bureau de la statistique du Québec.

Where no number of employees is given, the group in question comprises all the establishments in the corresponding sector of activity, irrespective of the number of employees.

O.C. 1310-97, Sch. 8.

SCHEDULE 9

(ss. 110, 131, 135 and 136)

MANAGEMENT METHODS FOR HAZARDOUS MATERIALS

Code	Management method
Disposal	
D01	Discharging other than by methods described under Code D05
D05	Final disposal
D10	Incineration
D16	Testing of new hazardous materials disposal technology
Treatment for reducing the hazardous nature of materials	
D08	Biological treatment to transform hazardous materials into non-hazardous materials
D09	Physical or chemical treatment such as evaporation, drying, calcination, neutralization and precipitation to transform
Storage	
E01	Storage with producer (reserved for operators of mobile treatment or disposal facilities)
Energy generation purposes	

ENVIRONMENT QUALITY — HAZARDOUS MATERIALS

R01 Use as fuel

**Treatment for reuse or recycling
purposes**

R02 Recovery or regeneration of
substances used as solvents

R03 Recovery of organic substances not
used as solvents

R04 Recovery of metals or metal
compounds

R05 Recovery of inorganic materials
other than metals and metal
compounds

R06 Regeneration of acids and bases

R09 Re-refining or reuse of used oil

R14 Other recovery or regeneration of a
substance, or other use or reuse of
hazardous materials

R15 Testing of new hazardous materials
recycling technology

O.C. 1310-97, Sch. 9.

SCHEDULE 10

(s. 119)

GUARANTEE REQUIRED FOR THE ISSUE OF A PERMIT REFERRED TO IN SECTION 70.9 OF THE ENVIRONMENT QUALITY ACT

Guarantee	Total storage capacity		Nominal capacity for the activity ⁽¹⁾	Total capacity of final disposal site
	kilograms	(litres)	Tons or kilolitres per hour	Cubic metres
\$ 50,000	<150,000	<100,000	<0.5	<100,000
100,000	≥150,000 and <750,000	≥100,000 and <500,000	≥0.5 and <1	≥100,000 and <200,000
150,000	≥750,000 and <2,250,000	≥500,000 and <1,500,000	≥1 and <2	≥200,000 and <300,000
200,000	≥2,250,000	≥1,500,000	≥2	≥300,000

The amount payable is the highest amount according to the total or nominal capacity for the activities covered by the permit application.

(1) The nominal capacity for the activity corresponds to the nominal capacity for treatment, energy generation or disposal.

O.C. 1310-97, Sch. 10.

SCHEDULE 11

(s. 124)

CIVIL LIABILITY INSURANCE

MINIMUM LIMIT FOR ENVIRONMENTAL DAMAGE

Liability Insurance	Total storage capacity		Nominal capacity for the activity⁽¹⁾	Total capacity of final disposal site
	\$	kilograms	Litres	Tons or kilolitres per hour
1,000,000	<750,000	<500,000	<1	<200,000
2,000,000	≥750,000 and <2,250,000	≥500,000 and <1,500,000	≥1 and <2	≥200,000 and <300,000
3,000,000	≥2,250,000	≥1,500,000	≥2	≥300,000

The amount payable is the highest amount according to the total or nominal capacity for the activities covered by the permit application.

(1) The nominal capacity for the activity corresponds to the nominal capacity for treatment, energy generation or disposal.

O.C. 1310-97, Sch. 11.

UPDATES

- O.C. 1310-97, 1997 G.O. 2, 5199
- O.C. 492-2000, 2000 G.O. 2, 2090
- O.C. 1091-2004, 2004 G.O. 2, 3275
- O.C. 451-2005, 2005 G.O. 2, 1182
- O.C. 808-2007, 2007 G.O. 2, 2581
- O.C. 441-2008, 2008 G.O. 2, 1331
- S.Q. 2010, c. 40, s. 92
- O.C. 677-2013, 2013 G.O. 2, 1796
- O.C. 488-2017, 2017 G.O. 2, 1429
- S.Q. 2018, c. 23, s. 811