

© Éditeur officiel du Québec
This document is not the official version.

Latest version available
Including the Gazette officielle of 23 February 2008

c. Q-2, r.18.2

Regulation respecting the reduction of pollution from agricultural sources

Replaced, O.C. 695-2002, 2002 G.O. 2, 2643; eff. 2002-06-15; see c. Q-2, r. 11.1

DIVISION I SCOPE, OBJECT, DEFINITIONS

1. This Regulation applies

(1) to the raising of fur-bearing animals and the livestock included in the following divisions in the classification of animals:

- anatidae;
- bovidae;
- camelidae;
- cervidae;
- equidae;
- gallinaceae;
- leporidae;
- struthionidae;

- suidae; and

(2) to the facilities used in the raising of such livestock and to the storages for their waste.

Notwithstanding subparagraph 2 of the first paragraph, this Regulation does not apply to a storage in which the waste of the livestock referred to in subparagraph 1 of that paragraph and substances other than those listed in section 59 are stored. Notwithstanding the foregoing, such storage continues to be governed by the Environment Quality Act (R.S.Q., c. Q-2), including the authorizations thereunder.

O.C. 742-97, s. 1.

2. The object to this Regulation is to protect water and soil against pollution caused by certain agricultural activities and by the livestock facilities and storages referred to in subparagraph 2 of the first paragraph of section 1.

To that end, the Regulation prohibits the deposit or discharge into the environment of livestock waste originating from such livestock facilities and storages and regulates the spreading of such waste, of farm compost and of mineral fertilizers on parcels.

The Regulation prescribes standards for establishing and operating livestock facilities and storages and determines the methods for disposing of livestock waste originating from such facilities and storages.

The Regulation also has as its purpose to maintain the application of sections 22 to 24 of the Environment Quality Act in respect of certain construction projects and agricultural activities and to determine certain terms and conditions for applications for authorization prescribed by section 22 of that Act.

O.C. 742-97, s. 2.

3. In this Regulation,

«agricultural operation» means any agricultural operation referred to in the Regulation respecting the registration of agricultural operations and the reimbursement of real estate taxes and compensations, made by Order in Council 1692-91 dated 11 December 1991, including an agricultural operation the value of whose annual production is less than the thresholds of applicability mentioned in that Regulation; (« exploitation agricole »)

«bedded housing» means livestock production on solid manure where livestock referred to in subparagraph 1 of the first paragraph of section 1 is housed in free stables and where the livestock waste is accumulated in a livestock facility for at least 6 weeks by using absorbents in sufficient quantity to fully retain the liquid contained in the waste and the contaminated water added thereto; (« élevage sur litière »)

«farm compost» means the compost produced in an agricultural operation through the conversion of farm products and the materials mentioned in section 59; (« compost de ferme»)

«group of facilities» means a group of facilities belonging to the same agricultural operation and constituted by 2 or more livestock facilities or constituted by storages in proximity to such facilities, provided that each facility or storage is no more than 150 m distant from a neighbouring facility or storage; (« ensemble d'installations»)

«liquid manure management» means any method of removing livestock waste other than by solid manure management; (« gestion sur fumier liquide»)

«livestock facility» means the livestock building or yard where the livestock referred to in subparagraph 1 of the first paragraph of section 1 are raised; (« installation d'élevage»)

«livestock unit» means any reference unit established in Schedule I; (« unité animale»)

«livestock waste» means the urine and fecal matter produced by the livestock referred to in subparagraph 1 of the first paragraph of section 1, the manure, liquid manure and manure liquid derived therefrom and, where applicable, the water added to those substances whether or not it is contaminated by them; (« déjections animales»)

«manure management organization» means any organization which, pursuant to an agreement entered into with the Minister of the Environment, takes charge of livestock waste with a view to carrying out spreading in accordance with the prescriptions of this Regulation; (« organisme de gestion des fumiers»)

«mineral fertilizers» means fertilizers that are derived from igneous, sedimentary or salt rocks or obtained by means of industrial synthesis or processing; (« engrais minéraux»)

«normal high water mark» means the normal high water mark defined in the Politique de protection des rives, du littoral et des plaines inondables made by Order in Council 103-96 dated 24 January 1996; (« ligne naturelle des hautes eaux»)

«parcel» means a portion of land forming a single block, planted with the same crop and requiring the same fertilization, belonging to the same owner and constituting a lot or a part of a lot; (« parcelle»)

«solid manure management» means the method of removing from livestock buildings or storages livestock waste in a solid state, with the liquids having been absorbed by the solid matter through the use of bedding in sufficient quantity to reduce the water content in the waste to a value lower than 85 % upon removal from the building; (« gestion sur fumier solide»)

«spreading» means the application of substances to the soil by deposit or projection onto the soil surface, by injection or burial in the soil or by mixing with the surface layers of the soil; (« épandage »)

«sprinkler or liquid manure cannon» means mobile spreading equipment designed to project livestock waste a distance of more than 25 m or stationary spreading equipment capable of projecting livestock waste; (« gicleur ou canon à épandre»)

«storage» means a watertight construction that may be located inside or outside of a livestock building and is used to store livestock waste and other substances mentioned in section 59, as well as any storage or facility so constructed that none of those substances may enter the surface or subsurface water; (« ouvrage d'entreposage»)

«urbanization perimeter» means the anticipated boundary on 3 July 1997 of the future extension of the urban environment in a municipality, as determined by the development plan applicable in that municipality, as well as all new boundaries of that extension determined by means of amendment to or revision of that development plan made after 3 July 1997, with the exception of any part of that extension that would be included in an agricultural zone established in accordance with the Act to preserve agricultural land (R.S.Q., c. P-41.1); (« périmètre d'urbanisation»)

«yard» means an enclosure or part of an enclosure where livestock referred to in subparagraph 1 of the first paragraph of section 1 exceeds is kept, for purposes other than pasture. (cour d'exercice)

O.C. 742-97, s. 3; O.C. 247-99, s. 1; O.C. 1004-2000, s. 1.

DIVISION II GENERAL PROHIBITIONS RESPECTING LIVESTOCK WASTE

4. Except in cases where livestock waste is spread on a site provided for, during the period authorized, and under the conditions prescribed by Division III, it is prohibited to deposit or discharge such waste into water or soil or permit such waste to be so deposited or discharged.

O.C. 742-97, s. 4.

5. It is prohibited to deposit, receive or store livestock waste or allow the storage of such waste elsewhere than at a site authorized for that purpose under the Environment Quality Act or a site exempted from such authorization, provided that the waste is deposited in accordance with the provisions of Division IV.

O.C. 742-97, s. 5.

6. Any owner of land, as well as any person to whom the owner has transferred the custody, control or use of that land, who has knowledge of the discharge, deposit or storage of livestock waste on that land in contravention of sections 4 and 5, or who has knowledge of the spreading of livestock waste on his land in the event that there is no agro-environmental fertilization plan for that land as prescribed by section 14, shall take measures to terminate such discharge, deposit, storage or spreading and to immediately remove such substances from his land and, if necessary, restore it to its previous condition, or take measures to prevent the livestock waste from entering the surface or subsurface water.

O.C. 742-97, s. 6.

DIVISION III CONDITIONS AND LIMITS ON THE SPREADING OF FERTILIZING SUBSTANCES

§ 1. General

7. The spreading of livestock waste, farm compost or mineral fertilizers is prohibited in the following areas:

(1) a spring, an individual well or an individual surface water intake and the 30-m area surrounding them; and

(2) a surface or subsurface water intake serving 2 or more dwellings and the 30-m area surrounding them or a larger area determined by a municipal by-law made under the Act respecting land use planning and development (R.S.Q., c. A-19.1).

O.C. 742-97, s. 7.

8. The spreading of livestock waste is prohibited in the following areas:

(1) the bed of a river or lake identified in the Répertoire typonymique du Québec (1978) and the 30-m area on each side of or surrounding that riverbed or lakebed;

(2) the bed of a watercourse, an uncultivated and unregulated ditch or a regulated ditch or a lake and the 5-m space on each side of or surrounding the bed of that watercourse, ditch or lake; and

(3) a swamp having a minimum area of 10 000 square metres or a pond and the 5-metre area surrounding them.

In addition, livestock waste shall be spread in such manner that there is no runoff from that waste into the areas listed in the first paragraph.

For the purposes of determining the area on each side of or surrounding the bed of a watercourse, a ditch or a lake, the measurement shall be made starting from the normal high water mark. Where there is a slope, that space shall include a width of at least 1 m at the top of the slope.

O.C. 742-97, s. 8.

9. It is prohibited to spread livestock waste, farm compost or mineral fertilizers on frozen or snow-covered ground.

O.C. 742-97, s. 9.

10. It is also prohibited to spread livestock waste, farm compost or nitrate or phosphate-enriched mineral fertilizers during the period extending from 1 October to 31 March of the following year.

Notwithstanding the foregoing, the prohibition on spreading after 1 October may be fixed on a different date, provided that one of the following conditions is met:

- spreading is carried out on a parcel cultivated and fertilized according to an agro-environmental fertilization plan, and that plan fixes the alternate prohibition period; or

- spreading is carried out on a parcel cultivated and fertilized without an agro-environmental fertilization plan, but in accordance with preventive methods recognized and published by the Minister of the Environment and Wildlife.

O.C. 742-97, s. 10.

11. The spreading of mineral fertilizers on parcels of an agricultural operation is permitted only within the limits allowing for a balance between the anticipated requirements in nutrients of the crops grown on those parcels and the nutrients supplied from the soil and fertilizers from all sources.

The anticipated requirements in nutrients shall be determined on the basis of the specifications contained in the document entitled Fertilization Recommendations published by the Conseil des productions végétales du Québec inc. (AGDEX 540, 2nd edition, 1996).

O.C. 742-97, s. 11; O.C. 247-99, s. 2.

12. Revoked.

O.C. 742-97, s. 12; O.C. 247-99, s. 3.

13. The spreading of livestock waste using a sprinkler or liquid manure cannon is prohibited.

O.C. 742-97, s. 13.

§ 2. Provisions specific to certain agricultural operations

Agro-environmental fertilization plan

14. The spreading of livestock waste or farm compost is permitted only for the purposes of fertilizing the soil of a parcel in an agricultural operation. Furthermore, such spreading may be carried out only where an agro-environmental fertilization plan has been prepared for each parcel in that agricultural operation in accordance with the provisions of this Subdivision and provided that it is carried out in compliance with that plan.

The spreading of livestock waste and farm compost is nevertheless permitted for the purposes of fertilizing the soil of a parcel in an agricultural operation, even if there is no agro-environmental fertilization plan, where the following conditions are met:

- the livestock waste and farm compost originate exclusively from a livestock facility or group of facilities in that same agricultural operation, and the total number of animals in those facilities corresponds to less than 40 livestock units;

- the livestock waste is subject to solid manure management;

- the parcels on which the livestock waste and farm compost are to be spread are owned by the operator and are a part of the same agricultural operation as the livestock facility or group of facilities from which the livestock waste originates;

- the area of those parcels is sufficient for spreading all the livestock waste and all the farm compost originating from the agricultural operation, according to the ratios provided for in Schedule III; and

- the quantity of livestock waste spread does not exceed the maximum annual quantities prescribed in Schedule III.

O.C. 742-97, s. 14.

15. The spreading of mineral fertilizer is permitted only for the purposes of fertilizing the soil of a parcel in an agricultural operation. Where such spreading is intended to fertilize the soil of one or more parcels whose cumulative area is mentioned in the following table in respect of a crop also mentioned therein, such spreading may be carried out only where an agro-environmental fertilization plan has been prepared for each parcel in the agricultural operation in accordance with the provisions of this Subdivision and provided that the spreading is carried out in compliance with that plan.

Table

Crop grown	Cumulative area
Potatoes	5 ha or more
Market crops (except potatoes)	5 ha or more
Grain corn or silage corn	15 ha or more
All crops of all types except pastures and grasslands that are not sown in corn or grains intended for fodder	25 ha or more

O.C. 742-97, s. 15.

16. With the exception of the second paragraph of section 14 and the cases not covered by section 15, a person planning to fertilize a parcel that he cultivates shall have, before the

beginning of each annual growing season, an agro-environmental fertilization plan for each parcel in his agricultural operation and for each annual growing season.

That plan shall determine, for each parcel in the agricultural operation and each annual growing season, the crop grown and the spreading limits for fertilizing substances.

The plan may cover a single annual growing season or 2 or more successive growing seasons determined in the plan, but may not cover more than 5 annual growing seasons.

O.C. 742-97, s. 16.

17. The spreading limit of fertilizing substances determined by any agro-environmental fertilization plan is based, as provided in section 11, on a balance between the anticipated requirements in nutrients of the crops grown on parcels covered by the plan and the nutrients supplied by the soil and fertilizers from all sources. The nutrients supplied correspond to:

(1) the quantity of nutrients available in the soil estimated based on a soil analysis performed for less than 5 years. The sampling and analysis of the soil are carried out in the conditions and time prescribed in the Agro-environmental Fertilization Guide published by the Ministère de l'Environnement;

(2) nutrients supplied from livestock waste;

(3) nutrients supplied from mineral fertilizers and other sources of fertilizers; and

(4) other nutrients, in particular, those provided by plant residues and organic matter of the soil.

The anticipated requirements in nutrients of crops grown on parcels covered by an agro-environmental fertilization plan shall be determined on the basis of the specifications contained in the document entitled Fertilization Recommendations published by the Conseil des productions végétales du Québec inc. (AGDEX 540, 2nd edition, 1996).

O.C. 742-97, s. 17; O.C. 247-99, s. 4.

17.1. Notwithstanding the provisions of sections 17.2, 17.3 and 93.5 and of the obligation to minimize the risk of soil and water contamination provided for in the second paragraph of section 21, the spreading of livestock waste or farm compost on the parcels covered by an agro-environmental fertilization plan may be made, with regard to phosphorus, without taking into account the balance referred to in section 17, provided that the maximum annual quantity of

phosphorus from fertilizing substances spread on those parcels is not greater than the limits given in the following cases:

(1) in the case of an agricultural operation which does not have at its disposal the required area of cropland on which to spread the total amount of livestock waste produced by its livestock and whose livestock facilities are located entirely or partially within the limits of the drainage basins of the Assomption, Chaudière and Yamaska rivers, the maximum annual quantity of phosphorus may not exceed, for the period from 1 October 2004 to 30 September 2009, the limits established in Schedule IV for the first phase and, as of 1 October 2009, the limits established by that Schedule for the second phase;

(2) in the case of an agricultural operation which does not have at its disposal the required area of cropland on which to spread the total amount of livestock waste produced by its livestock operations and whose livestock facilities are all located outside the limits of the drainage basins of the Assomption, Chaudière and Yamaska rivers, the maximum annual quantity of phosphorus may not exceed, for the period from 1 October 2005 to 30 September 2010, the limits established in Schedule IV for the first phase and, as of 1 October 2010, the limits established by that Schedule for the second phase;

(3) in the case of an agricultural operation not referred to in subparagraphs 1 and 2 and which comprises one or more livestock facilities under liquid manure management or in which the total number of animals in all the livestock facilities corresponds to more than 75 livestock units, the maximum annual quantity of phosphorus may not exceed, for the period from 1 October 2006 to 30 September 2011, the limits established in Schedule IV for the first phase and, as of 1 October 2011, the limits established by that Schedule for the second phase;

(4) in the case of an agricultural operation not referred to in subparagraphs 1, 2 and 3 and which, considering the area of parcels to be fertilized with mineral fertilizers and the crops grown, must prepare in respect of those parcels an agro-environmental fertilization plan as prescribed by section 15, the maximum annual quantity of phosphorus may not exceed, for the period from 1 October 2007 to 30 September 2011, the limits established in Schedule IV for the first phase and, as of 1 October 2011, the limits established by that Schedule for the second phase; and

(5) in the case of an agricultural operation not referred to in subparagraphs 1, 2, 3 and 4 and in which the total number of animals in all the livestock facilities corresponds to 75 livestock units or less, the maximum annual quantity of phosphorus may not exceed, for the period from 1 October 2007 to 30 September 2011, the limits established in Schedule IV for the first phase and, as of 1 October 2011, the limits established by that Schedule for the second phase.

The required areas of cropland on which to spread livestock waste and to which subparagraphs 1 and 2 of the first paragraph refer are determined in accordance with the ratios fixed in Schedule III. In addition, only lands owned or leased by the agricultural operation and cultivated by it shall be considered for determining those areas.

O.C. 247-99, s. 5; O.C. 687-2001, s. 1.

17.2. In the case where the Minister authorizes, in respect of an agricultural operation referred to in subparagraphs 1, 2, 3, 4 or 5 of the first paragraph of section 17.1 under section 22 of the Environment Quality Act, the erection or the operation of a livestock facility, the changing of a building not used for breeding purposes into a livestock building, and where, within a radius of 150 m from the facility or building covered by the authorization, there is no other livestock facility and no storage that belong to the same agricultural operation, the limits established by Schedule IV in determining the maximum annual quantity of phosphorus are applicable to that agricultural operation on the following dates:

- from the date of issue of the ministerial authorization concerning the limits established for the first phase;

- for the limits established for the second phase, from the date on which the 5-year period expires following the issue of the authorization, or from the date prescribed in subparagraphs 1, 2, 3, 4 or 5 of the first paragraph of section 17.1 for the application of the limits to that agricultural operation, whichever occurs first.

O.C. 247-99, s. 5.

17.3. The quantity of phosphorus from fertilizers spread during an annual growing season on the parcels covered by an agro-environmental fertilization plan may exceed the annual maximum authorized by Schedule IV as long as the following conditions are complied with:

- (1) the total quantity of phosphorus from fertilizers spread on those parcels during that growing season and the previous growing season does not exceed the total maximum quantity authorized under Schedule IV for the 2 seasons;

- (2) the crops grown during the 2 seasons are different;

- (3) the agro-environmental fertilization plan gives the reasons for exceeding the maximum.

O.C. 247-99, s. 5.

18. The spreading limit of fertilizing substances determined by the agro-environmental fertilization plan shall be determined in accordance with environmentally sound farming practices and shall take into account the characteristics of the region in which the parcels are located, in particular,

- (a) the degrees of richness and balance of the soils, their condition, their physico-chemical and biological composition and their pedological and topographical characteristics;
- (b) climatic conditions, precipitation, irrigation and drainage; and
- (c) soil uses and farming practices, in particular, cropping systems.

O.C. 742-97, s. 18; O.C. 247-99, s. 6.

19. The spreading limit shall be expressed in cubic metres per hectare of livestock waste or farm compost that may be spread on the parcel mentioned in the agro-environmental fertilization plan. It shall also be expressed, for each type of fertilizer, in kilograms of nitrogen and phosphorus per hectare.

O.C. 742-97, s. 19.

20. The agro-environmental fertilization plan shall contain all the information required for its implementation, in particular,

- (1) the name of the agricultural operation, its mailing address, the names of its partners or shareholders and of the person in charge, the number of operation sites, their addresses and the principal address where the majority of the operations are conducted;
- (2) a description of the operation indicating, in particular, the type of livestock production, the type of management system, the number of animals and the crop management system;
- (3) the name of the operator cultivating each parcel and a statement indicating whether he is the owner or the lessee of the parcel and whether a spreading agreement has been entered into under sections 34 and 55 for that parcel;
- (4) the quantity, expressed in cubic metres and in kilograms of nitrogen and phosphorus, and the type of fertilizing substances originating exclusively from the agricultural operation and intended for spreading;
- (5) the quantity, expressed in cubic metres and in kilograms of nitrogen and phosphorus, and the type of livestock waste received for purposes of spreading and the name and address of the agricultural operation and, where applicable, of the storage from which it originates;

(6) the quantity, expressed in cubic metres and in kilograms of nitrogen and phosphorus, and the type of surplus livestock waste and the name and address of the agricultural operation and, where applicable, of the storage or treatment establishment to which it is to be sent;

(7) the quantity, expressed in cubic metres and in kilograms of nitrogen and phosphorus, and the type of livestock waste to be delivered to a manure management organization referred to in paragraph 2 of section 33 and the name of that organization;

(8) the area, in hectares, of each parcel to be fertilized, the type and the quantity limit for each fertilizer to be spread and the date, periods and conditions for spreading;

(9) the results of soil analyses of the parcels to be fertilized, in particular, their content in phosphorus, aluminium and organic matter and their percentage of phosphorus saturation, and the information required by the Agro-environmental Fertilization Guide published by the Ministère de l'Environnement in respect of the sampling carried out for the purposes of those analyses;

(10) the results of analyses of livestock waste and other fertilizers, in particular, their phosphorus and nitrogen content;

(11) for each parcel to be fertilized:

- the calculation, made for the period and according to the conditions prescribed in the guide referred to in subparagraph 9, of the anticipated evolution of the content and percentage of the soil's saturation in phosphorus;

- the list of measures selected to monitor the content and percentage of the soil's saturation in phosphorus as prescribed by the guide mentioned above;

(11.1) the evaluation, for the period and according to the conditions prescribed in the guide referred to in subparagraph 9:

- of the quantity of phosphorus that will come from fertilizing substances other than livestock waste and farm compost produced by the agricultural operation and other than mineral fertilizers and which, considering the crops and fertilization and the spreading limits prescribed under this Regulation, may be received by that operation;

- of the quantity of phosphorus that will come from livestock waste and farm compost produced by the agricultural operation and which, considering the crops and fertilization, will exceed the spreading limits prescribed under this Regulation;

(12) the date on which the plan was signed by one of the persons mentioned in section 21.

The agro-environmental fertilization plan shall be accompanied by a farm plan indicating

- the cadastral designation of the lots on which the parcels are located and the number assigned to each parcel;
- the area of each parcel, expressed in hectares, and the crop grown there and the fertilization practised there; and
- the location of the areas referred to in sections 7 and 8.

O.C. 742-97, s. 20; O.C. 247-99, s. 7.

21. The plan shall be prepared and signed by

- an agrologist who is a member of the Order des agronomes du Québec;
- a professional technologist who is a member of the Ordre des technologues professionnels du Québec, provided that he acts under the supervision of an agrologist; or
- the person who cultivates a parcel in his agricultural operation or by one of the partners or shareholders of that operation, provided that the signatory holds an attestation for a training course offered within the framework of a program of studies authorized by the Minister of Education.

The signatory shall attest that compliance with the plan will make it possible to maintain the fertility of the soil, in each parcel covered, during each annual growing season, while minimizing the risk of soil and water contamination.

O.C. 742-97, s. 21.

22. The plan may be amended in accordance with the provisions concerning the preparation and signing of such plan.

O.C. 742-97, s. 22.

23. A copy of the plan shall be kept by the person who cultivates a parcel mentioned in the plan, by the owner of that parcel and, where applicable, by the manure management organization.

Those persons and, where applicable, the organization shall keep a copy of the plan for 2 years after it ceases to have effect and shall provide it when so requested by the Minister of the Environment and Wildlife.

O.C. 742-97, s. 23.

Spreading registers

24. A person who cultivates a parcel on which the spreading of fertilizing substances is authorized under an agro-environmental fertilization plan shall keep a spreading register for each parcel in his agricultural operation and each annual growing season.

That person, as well as the owner of the parcel, shall have in their possession a copy of that document and shall keep it for a minimum period of 2 years from the date of the last entry therein. They shall provide it when so requested by the Minister of the Environment and Wildlife.

O.C. 742-97, s. 24.

25. The spreading register shall indicate

- (1) the name and address of the agricultural operation;
- (2) the date of each spreading;
- (3) the cadastral designation of the lot containing a fertilized parcel and the number corresponding to that indicated in the farm plan provided with the agro-environmental fertilization plan;
- (4) the crop grown on those parcels and the number of hectares occupied by that crop; and
- (5) the quantity of nitrogen and phosphorus, expressed in kilograms per hectare, the type of each fertilizer spread and, in the case of livestock waste, the type of waste, its origin and its quantity expressed in cubic metres per hectare.

O.C. 742-97, s. 25.

26. A person who cultivates a parcel on which the spreading of fertilizing substances is authorized under an agro-environmental fertilization plan shall, when so requested by the Minister of the Environment and Wildlife, provide a summary of the spreading register.

In addition to the name and address of the agricultural operation, that summary shall indicate, in particular, for each of the 4 crop groups (corn; grain; grasslands and pastures; other crops)

- the annual quantity, expressed in cubic metres, of manure, liquid manure and manure liquid, and their origin for each of the following 4 groups of livestock species: bovines; porcines; poultry; others;

- the annual quantity of mineral fertilizers, expressed in tons of nitrogen and phosphorus;

- the fertilized area, expressed in hectares, for each of the crop groups; and

- the total area, expressed in hectares, of the parcels covered by the agro-environmental fertilization plan where the soil contains a percentage of phosphorus saturation equal to or greater than 10 % and a content in phosphorus between 150 and 500 kilograms per hectare, a content in phosphorus greater than 500 kilograms per hectare, that percentage and content being established according to the specifications in Schedule IV.

O.C. 742-97, s. 26; O.C. 247-99, s. 8.

DIVISION IV LIVESTOCK FACILITIES AND LIVESTOCK WASTE STORAGES

§ 1. Establishment and alterations

Protected zones

27. For the purposes of this Regulation, the expression «protected zone» means the area within the following perimeters:

- (1) the bed of a watercourse or lake and the 15-m area on each side of or surrounding it, measured from the normal high water mark;

(2) a spring, an individual well or an individual surface water intake, and the 30-m area surrounding those water intakes;

(3) a water intake used to produce spring water or mineral water within the meaning of the Regulation respecting bottled water (R.R.Q., 1981, c. Q-2, r. 5) or to supply a municipal waterworks or a waterworks operated by the holder of a permit issued under section 32.1 of the Environment Quality Act, and the 300-m area surrounding that water intake;

(4) a swamp, a natural marsh or a pond, excluding any pond reserved solely for firefighting or for crop irrigation, and the 15-m area surrounding their perimeter; or

(5) the 20-year flood plain of a watercourse or lake.

O.C. 742-97, s. 27.

28. In the case of a yard and a storage serving that yard, the protected zone shall also extend to the areas constituted by one of the following perimeters:

(1) the bed of a river or lake identified in the Répertoire toponymique du Québec (1978) and the 100-m area on each side of or surrounding that riverbed or lakebed, measured from the normal high water mark;

(2) the bed of a regulated ditch, a watercourse or a lake and the space on each side of or surrounding the bed of that ditch, watercourse or lake equivalent to

- 30 m for a yard; and

- 75 m for a storage serving a yard; and

(3) a swamp having a minimum area of 10 000 square metres, a pond, a spring, an individual well or an individual surface water intake and the area surrounding their perimeter equivalent to

- 30 m for a yard; and

- 75 m for a storage serving a yard.

The 100-m space provided for in subparagraph 1 of the first paragraph shall be reduced to 75 m for a yard and for the storage serving that yard where the construction or operation of the yard began on or before 10 June 1981.

O.C. 742-97, s. 28.

29. In a protected zone, the following works are prohibited:

- (1) erecting or installing a livestock facility or a storage for livestock waste serving that facility;
- (2) altering a building for the purpose of raising the livestock referred to in subparagraph 1 of the first paragraph of section 1;
- (3) altering a livestock facility for the purpose of increasing the number of livestock units;
- (4) altering a livestock building for the purpose of replacing solid manure management by liquid manure management or yard management;
- (5) altering a livestock facility for the purpose of raising suidae therein in substitution for another species of livestock;
- (6) enlarging a livestock building; or
- (7) enlarging or otherwise altering a storage for livestock waste serving a livestock facility.

Notwithstanding the foregoing, the works provided for in subparagraphs 3, 6 and 7 of the first paragraph shall continue to be permitted within the 20-year floodplain of a watercourse or lake, provided that the following conditions are met:

- the work is carried out on livestock facilities the construction or operation of which began on or before 10 June 1981 or on storages serving those facilities;
- the total number of livestock units in a group of facilities, once the work is completed, does not exceed the maximum limit mentioned in Schedule V; and
- in a case where the work will result in an increase in the floor area of the livestock building or yard and is such as to indicate that there will be a substitution in the type of livestock production,

the type of livestock production to be substituted may be solely a type mentioned in Schedule V and placed after the type of production that is replaced.

O.C. 742-97, s. 29.

30. Subparagraphs 1 and 7 of the first paragraph of section 29 do not apply to a storage intended to serve a livestock building which, on 3 July 1997, is located entirely or partially in a protected zone.

In addition, subparagraphs 3 to 7 of the first paragraph of section 29, as well as section 31, do not apply to the works or activities mentioned therein and carried out in the 30 m space around an individual well, provided that the works or activities are carried out in respect of a livestock facility whose construction or operation has begun on or before 3 July 1997 and that the well belong to the owner of the livestock facility.

The second paragraph shall also apply to natural persons who are shareholders of a business corporation that owns a livestock facility.

O.C. 742-97, s. 30; O.C. 737-98, s. 1; O.C. 1004-2000, s. 2.

31. The following are prohibited in a livestock facility located entirely or partially in a protected zone:

- (1) increasing the number of livestock units beyond the maximum authorized under the Environment Quality Act;
- (2) replacing livestock where it results in an increase in the volume of waste;
- (3) replacing solid manure management by liquid manure management or yard management;
or
- (4) substituting suidae in place of another livestock species.

Notwithstanding the foregoing, the increases in the number of livestock units or the substitutions provided for in subparagraphs 1 and 2 of the first paragraph shall continue to be permitted within the 20-year floodplain of a watercourse or lake, provided that the following conditions are met:

- they are carried out in livestock facilities the construction or operation of which began on or before 10 June 1981; and

- the total number of livestock units in the livestock facility following the increase or substitution does not exceed the maximum limit mentioned in Schedule V.

O.C. 742-97, s. 31.

Limited activity zones

32. For the purposes of this Regulation, the expression “limited activity zone” means any municipality referred to in Schedule VI.1. It also means any municipality that is in one of the following situations after amalgamation with another municipality or after an increase in the number of animals on its territory:

(1) in the case of a municipality where at least 50 % of the territory is located outside the limits of the drainage basin of Rivière l'Assomption, Rivière Chaudière or Rivière Yamaska, the quantity of phosphorus produced in the manure of livestock on the territory of the municipality exceeds the quantity removed in the harvested part of the crops grown on that territory;

(2) in the case of other municipalities, the quantity of phosphorus produced in the manure of livestock on the territory of the municipality exceeds by 20 kg of P₂O₅ per hectare the quantity removed in the harvested part of the crops grown on that territory.

A municipality that would be in one of the situations referred to in subparagraph 1 or subparagraph 2 of the first paragraph is considered a limited activity zone if a project involving an increase in the number of animals on its territory were authorized.

O.C. 742-97, s. 32; O.C. 687-2001, s. 2.

32.1. The territory of a municipality that is a limited activity zone under the first paragraph of section 32 or that is considered as such for the purposes of the second paragraph of that section, shall continue to be a limited activity zone or to be considered as such even if the municipality ceases to exist after its amalgamation with another municipality.

O.C. 1389-2001, s. 2.

33. In a municipality covered by Schedule VI or Schedule VII or in a municipality where there is a lack or land areas for spreading the livestock waste produced therein taking into account the ratios fixed in Schedule III, where a certificate of authorization has been granted under the Environment Quality Act between 3 July 1997 and 14 June 2001 for a project for the purpose of

- undertaking the operation of a liquid manure livestock facility;
- enlarging such a facility;
- increasing the number of livestock units in a liquid manure livestock facility; or
- substituting liquid manure management for another type of management system,

all the liquid manure originating from the facilities or activities so authorized, as well as any other liquid manure originating from the agricultural operation to which the aforementioned certificate pertains and which is already operated by the person to whom the certificate was issued, shall be eliminated or treated by one of the following methods:

- (1) the liquid manure is spread on land owned by the person to whom the aforementioned certificate of authorization was issued;
- (2) the liquid manure is taken charge of by a manure management organization; or
- (3) the liquid manure undergoes a treatment authorized by the Minister under the Environment Quality Act.

O.C. 742-97, s. 33; O.C. 1004-2000, s. 3; O.C. 687-2001, s. 3.

33.1. As of 14 June 2001, the following is prohibited in a limited activity zone:

- (1) any new group of facilities;
- (2) any new livestock facility;
- (3) any increase in the number of livestock units in a livestock facility or in a group of facilities beyond the current number in accordance with the Environment Quality Act.

Where a new livestock facility is built less than 150 m from a livestock facility or a storage already established in accordance with the Act on 14 June 2001, the number of livestock units shall not exceed the current number in a group of facilities authorized on that date.

Notwithstanding the foregoing, the prohibitions under the first or second paragraph are lifted if the livestock waste from the group of facilities or the livestock waste from the livestock facility that is not included in a group of facilities undergoes a full treatment authorized by the Minister pursuant to the Act and if the treatment product is used elsewhere than in an agricultural operation located in a limited activity zone.

O.C. 687-2001, s. 4.

34. A manure management organization may take charge of livestock waste produced under liquid manure management or under solid manure management only after having entered into an agreement in writing with the operator of the livestock facility or the storage from which the waste originates.

Likewise, that organization may spread livestock waste on a parcel only if it has entered into an agreement in writing for that purpose with the person cultivating the parcel. Such agreement is nevertheless subject to the following conditions: a copy of the agro-environmental fertilization plan covering that parcel must have been given to the organization, and the person who cultivates the parcel in question must have given an undertaking to make his spreading registers accessible to the organization.

Each of the parties to the aforementioned agreements shall have a copy thereof in its possession and keep it for a minimum period of 2 years after their expiry date.

O.C. 742-97, s. 34.

35. A manure management organization shall have sufficient agreements and areas for spreading the livestock waste that it has taken charge of. It shall also ensure that the waste is spread in accordance with the provisions of Division III and that no one parcel is covered by more than one agreement at a single time.

That organization shall also ensure that the liquid manure that it has taken charge of and that originates from livestock facilities and from activities covered by a project mentioned in section 33 is actually spread outside the municipalities referred to in Schedule VI, or that its fertilizing equivalent in the form of nitrogen and phosphorus and made up of other animal waste is spread outside such municipalities.

O.C. 742-97, s. 35.

36. Where livestock waste is taken charge of by a manure management organization to be spread on a parcel covered by an agro-environmental fertilization plan, that organization shall, for each of the parcels to be so fertilized, add to the spreading register provided for in sections 24 and 25

an evaluation of the agronomic efficiency and a description of the verifications it has made with the persons bound by an agreement and the date of those verifications.

Finally, the obligations set forth in the second paragraph of section 24 and in section 26 also apply to a manure management organization *mutatis mutandis*.

O.C. 742-97, s. 36.

§ 2. Construction and layout

37. The ground on which a livestock facility is constructed or laid out shall be protected from any contact with the livestock waste produced therein by means of a waterlight floor or by any other appropriate measure.

The facility shall have the capacity to receive and to accumulate, without overflow, all of the livestock waste produced therein between each of the occasions on which the waste is removed.

O.C. 742-97, s. 37.

38. The storages of livestock producers shall have the capacity to receive and to accumulate, without overflow, in addition to the substances mentioned in section 59, the livestock waste produced in their livestock buildings for no fewer than 250 consecutive days.

The obligation set forth in the first paragraph is, however, not applicable in a case where an engineer who is a member of the *Ordre des ingénieurs du Québec* recommends and justifies a lesser capacity for such a storage, taking into account the provisions of Division III.

O.C. 742-97, s. 38.

39. The storage capacity prescribed in the first paragraph of section 38 is not applicable to storages existing on 3 July 1997, provided that the following conditions are met:

- the capacity of those storages must be at least 200 consecutive days;
- that capacity remains sufficient to comply with the provisions of Division III;
- neither those storages nor the facilities that they serve have been altered or enlarged after that date; and

- those storages serve no other facility after that date.

O.C. 742-97, s. 39.

40. Storages shall not be equipped with an overflow drain or a sump drain. They shall be laid out in such a way as to prevent any infiltration by runoff.

O.C. 742-97, s. 40.

41. Storages shall be equipped, for their entire outer perimeter, with a drain placed at the same level as or below the floor or bottom. The drain shall not be connected to the storage and its outlet shall be linked to an observation well having a minimum interior diameter of 40 cm and accessible for purposes of sampling. A permanent marker shall indicate the location of the drain outlet.

O.C. 742-97, s. 41.

42. Storages shall be watertight.

The floor or bottom of storages shall be placed above the highest level of the water table, whether in its natural state or artificially lowered by gravity.

O.C. 742-97, s. 42.

43. The livestock waste removal facilities with which the livestock facilities or storages are equipped shall be watertight and shall be maintained in a fully watertight condition.

O.C. 742-97, s. 43.

44. Section 41 and the first paragraph of section 42 do not apply

(1) to a storage storing only solid manure originating from a group of facilities of which the storage is a part and whose livestock population is less than 35 livestock units, provided that the following conditions are met:

(a) only solid manure management is practised in those facilities and, where the livestock population raised therein includes suidae, their number in livestock units does not exceed 5;

(b) no livestock facility or storage is located in a protected zone mentioned in sections 27 and 28 or within

- 75 m of a spring, an individual surface water intake or an individual well. However, this 75 m distance does not apply in the case of an individual well that belongs either to the owner of the livestock facility whose construction or operation has begun on or before 3 July 1997, or to the owner of the storage that does not serve an livestock facility that has been the subject, after 3 July 1997, of works mentioned in subparagraph 1 or 2 of the first paragraph of section 29. The provisions of this hyphen shall also apply to natural persons who are shareholders of a business corporation that owns a livestock facility or storage;

- 75 m of a swamp, a natural marsh or a pond, excluding any pond reserved solely for firefighting or for crop irrigation;

(c) no livestock facility or storage is located within

- 100 m of a lake;

- 100 m of a river;

- 75 m of a watercourse other than a river; or

- 30 m of a ditch draining more than 3 agricultural operations;

The minimum distances prescribed in the second and third hyphens above in respect of a livestock facility or a storage shall be reduced to 30 m from the watercourse or river if the construction or operation of the livestock facility began on or before 10 June 1981. The minimum distance prescribed in the third hyphen shall also be reduced to 30 m from the watercourse in respect of a livestock facility if that facility houses no fur-bearing animals;

(2) to a storage having the same characteristics as a storage mentioned in paragraph 1 but forming a part of a group of facilities housing a livestock population equivalent to at least 35 livestock units without exceeding 50 livestock units, provided that the conditions set forth in subparagraphs a and b of paragraph 1 are met and no livestock facility or storage is located within

- 150 m of a watercourse, a lake or a ditch draining more than three agricultural operations; or

- 150 m of a ditch bordering a public road and draining 3 agricultural operations or less in a case where the ground between the facility or storage and the ditch slopes towards the ditch, or 30 m of such a ditch in a case where the ground slopes away from the ditch;

(3) to a solid manure storage facility laid out in a cultivated field that receives only solid manure originating from a livestock facility or group of facilities, regardless of whether that livestock facility or group of facilities is located within the 20-year floodplain of a watercourse or lake and provided that it has the other characteristics and meets the other conditions mentioned in paragraph 1 or 2; or

(4) to a solid manure storage facility laid out in a cultivated field that receives only solid manure originating from bedded housing where no suidae are housed.

O.C. 742-97, s. 44; O.C. 737-98, s. 2; O.C. 1004-2000, s. 4.

45. The layout of a solid manure storage facility in a cultivated field is subject to the following conditions:

(1) the facility must comply with the minimum distances prescribed below:

(a) 300 m from a spring, a well or a water intake used either to produce spring water or mineral water within the meaning of the Regulation respecting bottled water or to supply a municipal waterworks or a waterworks operated by the holder of a permit issued under section 32.1 of the Environment Quality Act;

(b) 150 m from a lake, a watercourse, a natural marsh, a swamp or a pond; and

(c) 30 m from a ditch;

(2) the facility is secure from any infiltration by runoff;

(3) the ground on which the facility is laid out must have a slope of less than 5 %;

(4) the facility must not remain on the same site for 2 consecutive years; and

(5) the facility must not be located within the 20-year floodplain of a watercourse or lake.

O.C. 742-97, s. 45.

46. Where it originates from a livestock facility or group of facilities housing a livestock population equivalent to 35 livestock units or more, the manure stored in a storage referred to in paragraph 3 or 4 of section 44 shall be permanently covered with a watertight material, except when manure is being received or removed.

O.C. 742-97, s. 46.

47. A yard shall be laid out in such a way as to prevent any infiltration by runoff.

O.C. 742-97, s. 47.

48. Manure liquid and contaminated water originating from a yard shall be intercepted and channeled toward a storage constructed and laid out in accordance with sections 38 to 43.

O.C. 742-97, s. 48.

§ 3. Operation

General operating conditions

49. The raising of livestock in a livestock facility is prohibited unless the waste thereby produced is retained entirely within that facility until it is removed and spread in accordance with Division III, or stored in accordance with this Division and disposed of in accordance with one of the disposal methods provided for in section 53.

Livestock waste produced outside the authorized spreading periods shall be stored in a storage.

O.C. 742-97, s. 49.

50. It is prohibited to operate or to allow anyone to operate a livestock facility or a storage that does not comply with the standards provided for in this Division.

That prohibition does not apply to a livestock facility or a storage existing on 3 July 1997 and located in a protected zone determined by sections 27 and 28, provided that none of the works or changes mentioned in sections 29 and 31 are made. Such facility or storage nevertheless remains subject to the other layout and operation standards provided for in this Division.

O.C. 742-97, s. 50.

51. The operator of a livestock facility shall ship to a storage, and shall store or cause to be stored in accordance with sections 38 to 48 and 59 to 63, the livestock waste produced in that building that is not spread on cropland or shipped to a facility that treats or destroys such substances referred to in paragraph 3 of section 53 nor taken charge of by a manure management organization.

O.C. 742-97, s. 51.

52. Where livestock waste is transported to a storage located outside the agricultural operation, to a treatment establishment authorized under the Environment Quality Act or to parcels where it is to be spread, it shall be in a watertight container.

Where liquid manure or manure liquid is so transported, those substances shall be in a closed, watertight container.

O.C. 742-97, s. 52.

53. A storer of livestock waste shall dispose of the waste stored in his storages according to one or more of the following disposal methods:

(1) during the authorized spreading period, he shall spread it, cause it to be spread on parcels within the limits and according to the standards provided for in Division III and in this Division;

(2) where he is so authorized under the Environment Quality Act, unless exempted therefrom as provided for by paragraph 12 of section 2 of the Regulation respecting the application of the Environment Quality Act made by Order in Council 1529-93 dated 3 November 1993, he shall convert it into useful products at the site of his operation; or

(3) he shall ship the waste that is not disposed of in accordance with paragraph 1 or 2 to an establishment authorized under that Act to receive such waste for the purposes of converting it into useful products or destroying it.

O.C. 742-97, s. 53.

Spreading of livestock waste

54. Where the operator of a livestock facility or the operator of a storage does not dispose of the livestock waste produced and stored in his facilities or storages during an annual growing season according to one of the disposal methods provided for in paragraph 2 or 3 of section 53 and where his livestock waste is not taken charge of by a manure management organization, he shall have at his disposal, for each annual growing season, parcels corresponding to the total area required for the purposes of spreading the waste or surplus waste.

The calculation of the total area of parcels required to meet the conditions of the first paragraph shall be based on the data provided by the agro-environmental fertilization plans for the parcels at an operator's disposal for spreading livestock waste.

O.C. 742-97, s. 54.

55. Where a livestock facility or a storage is located within a municipality included in a limited activity zone, the parcels referred to in section 54 must be, for the spreading of liquid manure, the property of the operator of such facility or storage. For the spreading of solid manure, the operator may use other parcels on the condition that such use is recorded in a written agreement.

Where a livestock facility or a storage is located within a municipality that is not included in a limited activity zone, the parcels referred to in section 54 must be the property of the operator or, if they do not belong to him, he may use other parcels on the condition that such use is recorded in a written agreement.

In a municipality included in a limited activity zone, the operator or owner of parcels may enter into or renew an agreement for spreading liquid manure on those parcels only with a manure management organization or only if the liquid manure originates from the same municipality.

O.C. 742-97, s. 55; O.C. 737-98, s. 3; O.C. 687-2001, s. 5.

56. Spreading agreements shall have a minimum duration of 2 years.

They shall contain the following information:

- the names and addresses of the parties;

- the term for which the agreement is entered into;

- the name and address of the agricultural operation or storage from which the livestock waste originates or at which it is stored and the name and address of the agricultural operation where the livestock waste is to be spread;

- the cadastral designation of the lots on which the parcels intended for spreading are located and the number of each parcel mentioned on the farm plan, the area of each parcel and the crop grown there; and

- the quantity and the type of livestock waste covered by the agreement.

O.C. 742-97, s. 56.

57. Each party to a spreading agreement shall have in its possession a copy of that agreement and keep it for a minimum period of 2 years after its expiry date, and shall provide that copy when so requested by the Minister of the Environment and Wildlife.

O.C. 742-97, s. 57.

58. A person who cultivates a parcel or the owner of a parcel may not enter into more than one spreading agreement in respect of that parcel.

O.C. 742-97, s. 58.

Storage of livestock waste

59. Storages shall contain only the following substances:

- (1) livestock waste;
- (2) the following absorbent materials used for livestock bedding: cereal straw, hay, crop residues, peat, sawdust, wood shavings and bark;
- (3) water contaminated by the substances listed in paragraphs 1 and 2 originating from the areas in which livestock are housed;
- (4) liquid dairy wastes; and

(5) water from atmospheric precipitation.

O.C. 742-97, s. 59.

60. A person who operates a storage, except for a storage referred to in section 44, or who has custody or care of a storage shall take every measure to prevent or stop any overflow or leakage of the substances stored therein.

A person who stores manure in a storage or facility referred to in section 44 shall take every measure to prevent the manure, any portion of the manure or the water contaminated by those substances from being carried into or entering a lake, swamp, marsh, pond, watercourse, ditch, well, spring, water intake used to produce spring water or mineral water within the meaning of the Regulation respecting bottled water or used to supply a municipal waterworks or a waterworks operated by the holder of a permit issued under section 32.1 of the Environment Quality Act, or the water table.

O.C. 742-97, s. 60.

61. A storer of livestock waste may receive or store livestock waste produced in a livestock facility not operated by him only if the total quantity received or stored can be disposed of in accordance with the provisions of this Subdivision.

O.C. 742-97, s. 61.

62. A person who stores livestock waste in a storage shall remove that waste at least once a year and before there is an overflow of the substances contained therein.

O.C. 742-97, s. 62.

63. Where the operator of a livestock facility ships livestock waste to a storage, he shall enter in an agreement for that purpose with the operator of that storage.

Each party to the agreement shall have in its possession a copy of that agreement and keep it for a minimum period of 2 years after its expiry date.

O.C. 742-97, s. 63.

Authorized treatment of livestock waste

64. Where the operator of a livestock facility or a storage ships livestock waste to an establishment authorized under the Environment Quality Act, he shall enter into an agreement with the operator of that establishment.

Each party to the agreement shall have in its possession a copy of that agreement and keep it for a minimum period of 2 years after its expiry date.

O.C. 742-97, s. 64.

Control and surveillance measures

65. A person who operates a storage or an establishment authorized under the Environment Quality Act for the treatment of livestock waste shall record the following information in an annual operations register for each delivery of livestock waste:

- the origin of the waste, the name of the operator of the livestock facility or the storage, or the name of the manure management organization;
- the quantity expressed in cubic metres and the type of livestock waste received; and
- the date of the delivery.

O.C. 742-97, s. 65.

66. A person who operates a livestock facility or who stores livestock waste shall keep a register in respect of livestock waste shipped for spreading or for storage outside of his agricultural operation or shipped to an establishment referred to in paragraph 3 of section 53 or taken charge of by a manure management organization.

The register shall contain the following information for each shipment of livestock waste:

- (1) the shipping date, the quantity shipped expressed in cubic metres and the type of livestock waste;
- (2) the name and address of the livestock facility and the agricultural operation from which the waste originates;

(3) the destination and the name and address of the person to whom it is being shipped;

(4) if the waste is to be used for spreading, the cadastral designation of each parcel on which the livestock waste is to be spread and the corresponding number appearing on the farm plan, as well as the name and address of the agricultural operation receiving the livestock waste and the name and address of the operator cultivating the parcels in question; and

(5) in all other cases, the name and address of the storage, the establishment or the manure management organization referred to in the first paragraph to which the waste is shipped.

The manure management organization shall also keep the register mentioned in the first paragraph *mutatis mutandis*.

O.C. 742-97, s. 66.

67. The person or, where applicable, the manure management organizations required to record information in the registers provided for in sections 65 and 66 shall keep those documents for a minimum period of 2 years after the date of the last entry therein.

O.C. 742-97, s. 67.

68. The agreements provided for in this Subdivision and the registers shall be provided when so requested by the Minister of the Environment and Wildlife.

O.C. 742-97, s. 68.

69. The persons required to enter into agreements under the terms of this Subdivision shall notify the Minister of the Environment and Wildlife of any change affecting such an agreement within 180 days following the event causing the change.

O.C. 742-97, s. 69.

DIVISION V CERTIFICATE OF AUTHORIZATION

§ 1. General

70. Notwithstanding section 2 of the Regulation respecting the application of the Environment Quality Act, the following construction projects and activities are subject to authorization by the Minister:

- (1) the erection of a livestock building and the erection or laying-out of a storage or a yard;
- (2) the operation of the facilities mentioned in paragraph 1;
- (3) alterations to a livestock building in order to increase the capacity for housing livestock;
- (4) alterations to or enlargement of a yard;
- (5) enlargement of a livestock building;
- (6) alterations to or enlargement of a storage;
- (7) an increase in the number of livestock units beyond the maximum authorized under the Environment Quality Act or beyond the number of animals provided for in section 71;
- (8) the replacement of livestock in a livestock building or a yard by other livestock if it results in an increase in the volume of waste or an increase in the number of livestock units, or replacement by suidae; and
- (9) the replacement of solid manure management by liquid manure management in a livestock building or storage.

O.C. 742-97, s. 70.

71. The following projects are exempted from the application of sections 22 to 24 of the Environment Quality Act:

- (1) a reconstruction project without alteration to a livestock building;
- (2) a project to construct, lay out or alter a livestock facility or group of facilities or a project to operate a livestock operation in which the number of animals confined together from one or more of the groups mentioned in the table below is equal to or less than the number of animals indicated in that table with respect to those groups; and

Number of animals	Groups
10	Bovines on liquid manure management, or suidae
30	Bovines on solid manure management, or camelidae, cervidae, equidae, or struthionidae
50	Anatidae, caprines, gallinaceae, leporidae or ovines

(3) a project for a storage to exclusively serve a livestock facility that is exempted from the application of those sections by paragraph 2.

O.C. 742-97, s. 71.

72. Any application for the purpose of obtaining the authorization provided for in section 22 of the Environment Quality Act for a project to which this Regulation applies shall be accompanied by the following information and documents, in addition to the information and documents required by section 22 of that Act and by the Regulation respecting the application of the Environment Quality Act:

(1) a plan to an appropriate scale showing the location on each lot of each existing or proposed livestock facility or storage and indicating the distance separating each facility from a neighbouring facility;

(2) the types of livestock production currently practised or planned in the project;

(3) the number and weight at the beginning and at the end of the production period of the livestock of each species

(i) raised in an existing facility;

(ii) to be raised in a proposed facility; and

(iii) which will replace the livestock referred to in subparagraph i in the case of a change in the type of livestock production;

(4) the equipment for and the method of removing livestock waste from livestock housing areas in an existing or proposed livestock facility or storage;

(5) plans and maps, to the appropriate scale indicated, covering an area of 500 m surrounding the livestock facilities in question, and in the case of a map to the scale of 1:20 000, covering an area of 1 km surrounding the facilities, on which appear the cadastral divisions of the lots, the location of existing or proposed livestock facilities or storages, the protected zones and the distances between those facilities and each of those protected zones;

(6) descriptive plans and specifications of the proposed livestock facilities and storages, indicating the scale used;

(7) a calculation of the projected volume of livestock waste and of the quantity of phosphorus and nitrogen produced on an annual basis and depending on the livestock species, the number of animals and the peak weight attained by the livestock during the production period, as well as the feed and the absorbents used in managing their waste;

(8) a calculation of the capacity of storages determined primarily on the basis of the livestock waste management system used in the livestock facilities, the maximum projected volume of waste during the storage period, and the frequency of removal of substances stored in those facilities;

(9) a description of the layout and management of a yard; and

(10) the projected start-up and completion dates for the construction, layout, enlargement or alteration work on the proposed facilities.

O.C. 742-97, s. 72.

73. Where an applicant, on his own initiative or at the request of the Minister or the Environment and Wildlife, makes changes to his project before the certificate of authorization is issued, he shall provide to the Minister a new description of his project or a description of the changes he has made to be project submitted or to the destination of the livestock waste and, where applicable, provide a corrected plan of the facilities, a corrected calculation of the capacity of the storages and any new agreements.

O.C. 742-97, s. 73.

74. Where the information and documents required under section 72 have previously been provided to the Minister of the Environment and Wildlife in a previous application, they are not required to be transmitted again if the applicant attests that they are accurate, unless the Minister so requests.

O.C. 742-97, s. 74.

Specific terms and conditions for authorizations to operate

75. An application for authorization for a livestock operation project shall indicate whether the livestock waste to be produced in that operation is to be spread on parcels where spreading is authorized in the form of manure, liquid manure or manure liquid, or is to be entrusted to a manure management organization, or is intended for an establishment authorized under the Environment Quality Act to treat livestock waste for the purposes of destruction or conversion into useful products, or is to be shipped to a storage.

O.C. 742-97, s. 75.

76. An application for authorization for a livestock operation project shall indicate, where applicable, any storage located outside of the applicant's operation in which he will store or cause to be stored the livestock waste produced in his livestock operation, the total capacity of that storage, the name and address of the operator of that storage and the annual volume originating from his livestock operation that he will ship.

O.C. 742-97, s. 76.

77. Where the livestock waste is intended for spreading, the application for authorization shall also include

(1) a statement indicating that the applicant has at his disposal, for the purposes of spreading the livestock waste produced in his agricultural operation, the total area of parcels required for spreading that waste in accordance with the conditions provided for in Division III;

(2) a statement indicating that the agricultural operation covered by the application is the owner or the lessee of the cultivated areas to be used for spreading and a statement indicating whether it is bound by spreading agreements;

(3) the name of the municipality and the cadastral designation of the lots where the parcels on which the livestock waste is to be spread are located, the name and address of the operator

cultivating those parcels, their corresponding number appearing on the farm plan, their area and the crop grown there, as well as the quantity of animal waste to be shipped to the operator;

(4) the calculation of the spreading capacity at the applicant's disposal, which is determined on the basis of the data of all the agro-environmental fertilization plans submitted with the application, the area of the parcels at the applicant's disposal and projected crop rotation;

(5) a statement indicating the quantity of livestock waste originating from his agricultural operation that the applicant intends to entrust to a manure management organization;

(6) the list of measures selected to eliminate or reduce the surplus, or to dispose thereof, where the evaluation made under subparagraph 11.1 of the first paragraph of section 20 indicates a surplus in phosphorus.

That application shall be accompanied by a copy of each lease, spreading agreement, agreement with a manure management organization and agro-environmental fertilization plan for every parcel on the lots whose designation is mentioned in the application.

O.C. 742-97, s. 77; O.C. 247-99, s. 9.

78. Where a project mentioned in paragraphs 1 to 5 and 7 to 9 of section 70 involves liquid manure management and is located outside a limited activity zone, the spreading agreement accompanying it, if any, shall pertain to parcels located outside the limited activity zones mentioned in section 32.

O.C. 742-97, s. 78.

79. Where the livestock waste is intended for a treatment authorized under section 22 of the Environment Quality Act for the purpose of its destruction or conversion, the application for authorization shall indicate the name and address of every person who is responsible for carrying out such treatment and shall be accompanied by a copy of any agreement for that purpose.

O.C. 742-97, s. 79.

80. An application for authorization to receive and store in a storage livestock waste shipped by a livestock producer shall indicate, in addition to the capacity of the storage, the name and address of each producer and of each manure management organization that plans to ship waste to the storage, the nature, type, volume and quantity of nitrogen and phosphorus from that waste on an annual basis, the location of the livestock building from which the waste originates, and the maximum annual volume of waste authorized to be stored in the storage.

Sections 75 and 77 to 79 apply to that application mutatis mutandis, and it shall be accompanied by any related agreement.

O.C. 742-97, s. 80.

81. An agreement entered into between the operator of a livestock facility and another person for the spreading, treatment or storage of livestock waste for the purpose of obtaining authorization under sections 77, 79 and 80 shall have a minimum duration of 4 years, and no one area may be covered by more than one agreement at a single time.

The minimum duration of that agreement does not apply to an agreement entered into with a manure management organization.

O.C. 742-97, s. 81.

82. An application for authorization in any of the cases provided for in paragraph 9 of section 70 shall be accompanied by a report recommending and justifying such replacement.

That report shall be prepared and signed by

- an agrologist who is a member of the Ordre des agronomes du Québec;
- an engineer who is a member of the Ordre des ingénieurs du Québec; or
- a professional technologist who is a member of the Ordre des technologues professionnels du Québec, provided that he acts under the supervision of an agrologist.

O.C. 742-97, s. 82.

DIVISION VI PENALTIES

83. Any infraction against the provisions of section 5, the first paragraph of section 16, sections 23, 24 and 26, the third paragraph of section 34, sections 36, 56, 57, 63 to 70 and 73, and the first paragraph of section 92 renders the offender liable to a fine,

(1) in the case of a natural person, of 1 000 \$ to 15 000 \$ for a first offence and 4 000 \$ to 40 000 \$ for any subsequent offence; and

(2) in the case of a legal person, of 1 000 \$ to 90 000 \$ for a first offence and 4 000 \$ to 120 000 \$ for any subsequent offence.

O.C. 742-97, s. 83.

84. Any infraction against the provisions of sections 4, 6, 7 to 15, 29, 31, 33 and 33.1, the first and second paragraphs of section 34, sections 35, 37 to 43, 45 to 55, 58 to 62, 85 and 86, the second paragraph of section 92 and sections 92.1, 93, 93.3 and 93.5 renders the offender liable to a fine,

(1) in the case of a natural person, of 2 000 \$ to 20 000 \$ for a first offence and 5 000 \$ to 50 000 \$ for any subsequent offence; and

(2) in the case of a legal person, of 2 000 \$ to 150 000 \$ for a first offence and 5 000 \$ to 500 000 \$ for any subsequent offence.

O.C. 742-97, s. 84; O.C. 737-98, s. 4; O.C. 247-99, s. 10; O.C. 687-2001, s. 6.

DIVISION VII TRANSITIONAL AND FINAL

85. Until 1 October 1998, the spreading of livestock waste is prohibited within the area up to 300 m surrounding the urbanization perimeter of a municipality if spreading is carried out by means of a sprinkler or liquid manure cannon.

O.C. 742-97, s. 85.

86. Until 1 December 1998, the spreading of mineral fertilizers on a parcel classified as «rich» or «excessively rich» in phosphorus according to the criteria established in Schedule VIII is prohibited if the quantity of phosphorus contained in those fertilizers exceeds the phosphorus uptake that, according to the evaluation made under the second paragraph, will be removed in the harvested part of the plants grown on that parcel.

The quantity of phosphorus uptake that will be removed in the harvested part of the plants grown on a parcel shall be evaluated on the basis of the data mentioned in Schedule II and the average yields established by the Régie des assurances agricoles du Québec under Division V of the Crop Insurance Act.

In addition, until 1 December 1998, where the spreading of mineral fertilizers on a parcel classified as «rich» or «excessively rich» in phosphorus within the meaning of the first paragraph is carried out on a parcel subject to an agro-environmental fertilization plan, such spreading shall be carried out in compliance with the phosphorus reduction measures provided for in the plan.

O.C. 742-97, s. 86.

87. The classification of parcels and, where applicable, the basis for evaluation of the quantity of phosphorus mentioned in section 86 apply until 1 December 1998 to the provisions of subparagraph 11 of the first paragraph of section 20 and of the fourth hyphen of the second paragraph of section 26.

O.C. 742-97, s. 87.

88. Notwithstanding the provisions of the first paragraph of section 14, the spreading of livestock waste or farm compost may be carried out without an agro-environmental fertilization plan being prepared in the following cases and under the following conditions.

The exemption provided for in the first paragraph applies, until the dates mentioned in the following subparagraphs, to the spreading of livestock waste and the farm compost resulting therefrom originating from livestock facilities existing on 3 July 1997 and forming a part of an agricultural operation that meets the following criteria:

(1) until 1 October 1999 in respect of an agricultural operation which, from that date, does not have at its disposal the required area of cropland on which to spread the total amount of livestock waste produced by its livestock operations and whose livestock facilities are located entirely or partially within the limits of the drainage basins of rivière L'Assomption, rivière Chaudière and rivière Yamaska;

(2) until 1 October 2000 in respect of an agricultural operation which, from that date, does not have at its disposal the required area of cropland on which to spread the total amount of livestock waste produced by its livestock operations and whose livestock facilities are all located outside the limits of the drainage basins of rivière L'Assomption, rivière Chaudière and rivière Yamaska;

(3) until 1 October 2001 in respect of an agricultural operation not covered by the provisions of subparagraphs 1 and 2 of the second paragraph and which, from that date, comprises one or more livestock facilities under liquid manure management or in which the total number of animals in all the livestock facilities corresponds to more than 75 livestock units; and

(4) until 1 October 2003 in respect of an agricultural operation not covered by the provisions of subparagraphs 1 to 3 of the second paragraph or by the provisions of section 92 and in which the total number of animals in all the livestock facilities corresponds, from that date, to 75 livestock units or less.

The required area of cropland referred to in subparagraphs 1 and 2 of the second paragraph shall be determined in accordance with the ratios fixed in Schedule III. In addition, only lands owned or leased by the agricultural operation and cultivated by it shall be considered for determining those areas.

The exemption regarding spreading provided for in the first paragraph also applies to the new owner of a livestock facility existing on 3 July 1997 and forming a part of an agricultural operation meeting the criteria listed in subparagraphs 1 to 4 of the second paragraph, until one of the dates mentioned in those subparagraphs.

O.C. 742-97, s. 88; O.C. 739-98, s. 5; O.C. 247-99, s. 11.

89. The exemption provided for in the first paragraph of section 88 also applies to the spreading of livestock waste or the farm compost resulting therefrom that will originate from the following livestock facilities:

- those for which a certificate of authorization was issued before 3 July 1997, but for which the project has not yet been commenced at that date; and

- those for which an application for authorization was submitted before 3 July 1997, but for which the certificate of authorization has not yet been issued at that date.

The cases in which and the conditions under which the exemption applies, listed in the second and third paragraphs of section 88, apply *mutatis mutandis*.

O.C. 742-97, s. 89.

90. Notwithstanding the provisions of section 15, the spreading of mineral fertilizers may be carried out without an agro-environmental fertilization plan being prepared, until the earlier of the following dates:

- (1) one of the dates mentioned in subparagraphs 1 to 3 of the second paragraph of section 88, if the agricultural operation where mineral fertilizers are spread is already covered by the provisions of one of those subparagraphs; or

(2) 1 October 2002 in all other cases.

The exemption provided for in the first paragraph also applies to the new owner of a livestock facility existing on 3 July 1997, until one of the dates mentioned in the first paragraph.

O.C. 742-97, s. 90; O.C. 247-99, s. 12.

91. Any exemption granted to an agricultural operation under section 88, 89 or 90 shall cease to be applicable where the Minister authorizes in respect of that operation, under section 22 of the Environment Quality Act and after 7 April 1999, a project listed in section 70 that contains an increase in the number of livestock units greater than 50, or an alteration in the type of livestock or manure management.

O.C. 742-97, s. 91; O.C. 737-98, s. 6; O.C. 247-99, s. 13.

91.1. Where an application for authorization for a project listed in section 70 pertains to an agricultural operation that, according to section 91, may continue to benefit from the exemption referred to in sections 88, 89 or 90, the certificate of authorization shall be issued, where applicable, on the basis of the land areas required in accordance with the ratios provided for in Schedule III.

In addition, the spreading of livestock waste shall be carried out, during the exemption period, without exceeding the maximum annual quantities provided for in that Schedule.

O.C. 737-98, s. 6; O.C. 247-99, s. 14.

91.2. Replaced.

O.C. 737-98, s. 6; O.C. 247-99, s. 14.

92. Any person who cultivates a parcel on which livestock waste, farm compost or mineral fertilizers are spread without an agro-environmental fertilization plan being prepared under an exemption provided for in sections 88 to 90 shall nevertheless keep, as of 1 August 1997, a spreading register complying with the provisions of sections 24 and 25 and continuing so long as that exemption lasts.

In addition, the maximum annual quantity of nitrogen from livestock waste or farm compost spread on that parcel shall not exceed the limits determined in accordance with the specifications prescribed in the document entitled Fertilization Recommendations published by the Conseil des productions végétales du Québec inc. (AGDEX 540, 2nd edition, 1996).

O.C. 742-97, s. 92; O.C. 247-99, s. 15.

92.1. An operator of a livestock facility or a storage located in a territory not served by a manure management organization may, notwithstanding the first paragraph of section 55, spread liquid manure on parcels not owned by him and located in such a territory if, in respect of those parcels, there is a spreading agreement to which he is a party, entered into or renewed before on 31 March 2002.

In addition, where the spreading agreement is entered into after 17 June 1998, it shall, in order to be valid for the purposes of the first paragraph, be filed with the municipality where the parcels concerned are located, for public consultation purposes.

Also, the operator or owner of parcels located in a territory not served by a manure management organization may, notwithstanding the third paragraph of section 55, enter into or renew an agreement for spreading on those parcels liquid manure that originates from a municipality other than that where the parcels are located, provided that the municipality of origin of the manure is included in such a territory and in a limited activity zone, that the spreading agreement is entered into or renewed before on 31 March 2002 and that the agreement meets the conditions prescribed in the second paragraph of this section.

Sections 56 to 58, 68 and 69 apply to the spreading agreements referred to in this section and entered into or renewed after 17 June 1998.

This section applies subject to the provisions of section 33.

O.C. 737-98, s. 7; Erratum, 1998 G.O. 2, 3471; O.C. 687-2001, s. 7.

93. Any person who stores in a storage solid manure originating from a livestock operation referred to in section 47 of the Regulation respecting the prevention of water pollution in livestock operations (R.R.Q., 1981, c. Q-2, r. 18) shall take every measure to prevent the manure or any portion of the manure therein from being carried into a lake, watercourse, ditch, marsh, swamp, pond, spring, individual well or surface or subsurface water intake, and to prevent those substance from entering the water table.

Such measures shall also be taken by any person who stores, in a storage other than storages covered by the provisions of sections 44 to 46 existing on 3 July 1997, solid manure from

(1) a livestock operation the manure from which may be piled in a cultivated field in accordance with section 35 of the Regulation respecting the prevention of water pollution in livestock operations; or

(2) a livestock operation the manure from which is not required to be stored on a watertight surface that retains manure liquid in accordance with section 25 of that Regulation.

O.C. 742-97, s. 93.

93.1. Until 31 March 2003, any storage not referred to in section 44 storing only solid manure originating from beef cattle where livestock is housed in free stables and where the livestock waste is accumulated in a livestock facility by using absorbents in sufficient quantity to retain the liquid contained in the waste and the contaminated water added thereto shall be exempted from the application of the provisions of section 41 and of the first paragraph of section 42, provided however that the layout and operation of that storage, besides complying with the other provisions of this Regulation, comply with the prescriptions of the Agro-environmentally Sound Beef Cattle Manure Management Practices Guide published by the Fédération des producteurs de bovins du Québec (Envirodoq EN981494).

In addition, any manure storage facility laid out in a cultivated field that receives only solid manure originating from beef cattle is exempt, until 31 March 2003, from the obligation to be permanently covered with a watertight material as prescribed by section 46, provided however that the storage of manure, besides complying with the other provisions of this Regulation, be carried out also in the conditions and during the periods prescribed in the guide mentioned above.

O.C. 247-99, s. 16.

93.1.1. Until 31 March 2003, solid manure from bedded housing of suidae may be stored in a cultivated field provided that the layout and the operation of the storage facility be carried out in accordance with the provisions of this Regulation and the requirements prescribed in the document dated July 1999 entitled Environmental criteria for pig farming with solid manure management published by the Ministère de l'Environnement (Envirodoq EEN990507).

The provisions of section 41 and of the first paragraph of section 42 do not apply to the storage facility.

O.C. 1004-2000, s. 5.

93.1.2. Any manure storage facility laid out in a cultivated field that receives only solid manure originating from livestock other than beef cattle or suidae is exempt, until 31 March 2002, from the obligation to be permanently covered with a watertight material as prescribed under section 46.

O.C. 1004-2000, s. 5; O.C. 687-2001, s. 8.

93.2. Manure liquid and contaminated water originating from a yard in which only beef cattle is raised do not need to be intercepted and channelled, until 31 March 2003, as prescribed by section 48, toward a storage that complies with the provisions of section 41 and of the first paragraph of section 42, where the following conditions are met:

- (1) in the case of a yard where the concentration of the livestock exceeds 5 kilograms of live weight per square metre, the yard shall not be used more than 90 days per year;
- (2) the number of beef cattle comprised by the livestock facility or all the facilities including that yard does not exceed the ceilings fixed in the guide referred to in section 93.1;
- (3) besides complying with the other provisions of this Regulation, the layout and operation of that yard are carried out in accordance with the prescriptions of the aforementioned guide.

In addition, any yard that complies with the conditions mentioned in the first paragraph is exempt, until 31 March 2003, from the application of the provisions of subparagraph 2 of the first paragraph of section 28 regarding the extension of the protected zone in the case of a regulated ditch and a watercourse other than a river.

O.C. 247-99, s. 16.

93.2.1. Manure liquid and contaminated water originating from a yard where livestock other than beef cattle or suidae is raised and where the concentration of livestock does not exceed 5 kilograms of live weight per square metre do not need to be intercepted and channelled, until 31 March 2002, as provided for in section 48, toward a storage that complies with the provisions of section 41 and of the first paragraph of section 42

O.C. 1004-2000, s. 6; O.C. 687-2001, s. 9.

93.3. Any person who stores manure in a storage or in a storage facility referred to in section 93.1, 93.1.1 or 93.1.2 shall take every measure to prevent the manure or any portion of the manure or contaminated water by those substances from being carried into a lake, watercourse, ditch, marsh, swamp, pond, spring, individual well, surface or underground water intake, or from entering the water table.

Such measures shall also be taken by any person operating a yard referred to in section 93.2 or 93.2.1.

O.C. 247-99, s. 16; O.C. 1004-2000, s. 7.

93.4. The application for authorization related to a storage or a livestock facility referred to in section 93.1.2 or the application for authorization related to a yard referred to in section 93.2.1 shall be accompanied by a report prescribing the layouts to be made and the management conditions to be complied with in order to prevent water contamination in accordance with the provisions of section 93.

The report shall be established on the basis of the results of scientific research attested by the person who signs it. In the absence of such results, the report shall describe the method used to monitor the quality of the water. Monitoring reports shall be sent to the Minister of the Environment every 3 months.

The report shall be prepared and signed by

- an agrologist who is a member of the Ordre des agronomes du Québec;
- an engineer who is a member of the Ordre des ingénieurs du Québec; or
- a professional technologist who is a member of the Ordre des technologues professionnels du Québec, provided that he acts under the supervision of an agrologist.

O.C. 687-2001, s. 10.

93.5. Notwithstanding the first paragraph of section 33.1, an operation existing on 14 June 2001 is authorized to increase the number of livestock units of a group of facilities beyond the current number in accordance with the Act if the following conditions are met:

- (1) manures from the agricultural operation that cannot be spread on lands belonging to that operation, in accordance with phase 2 of the phosphate-enriched fertilization standard established in Schedule IV, shall undergo a full treatment authorized by the Minister pursuant to the Act;
- (2) the treatment product shall be used elsewhere than in an agricultural operation located in a limited activity zone.

O.C. 687-2001, s. 10.

94. This Regulation replaces the Regulation respecting the prevention of water pollution in livestock operations, except to the extent that the latter Regulation continues to apply as provided for in section 93.

O.C. 742-97, s. 94.

95. The provisions of this Regulation also apply to immovables in reserved areas and agricultural zones established in accordance with the Act to preserve agricultural land (R.S.Q., c. P-41.1).

O.C. 742-97, s. 95.

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

- the third hyphen of the first paragraph of section 21, which will come into force on 1 October 1997;
- sections 10, 13 and 46, which will come into force on 1 October 1998;
- sections 11 and 12, which will come into force on 1 December 1998; and
- section 41 and the first paragraph of section 42, which will come into force, in respect of a storage referred to in section 93, on 1 January 2000.

O.C. 742-97, s. 96.

SCHEDULE I

(s. 3)

CALCULATION OF LIVESTOCK UNITS

For the purposes of this Regulation, the following types of livestock are, in the numbers indicated, equivalent to 1 livestock unit:

1 cow

1 bull

1 horse

2 calves 225 to 500 kilograms each

5 calves under 225 kilograms each

5 breeding pigs 20 to 100 kilograms each

25 piglets under 20 kilograms each

4 sows, plus piglets not weaned within the year

125 hens or roosters

250 broiler chickens

250 growing pullets

1 500 quails

300 pheasants

100 broiler turkeys 5 to 5.5 kilograms each

75 broiler turkeys 8.5 to 10 kilograms each

50 broiler turkeys 13 kilograms each

100 female minks (males and kits are not counted)

40 vixens (males and kits are not counted)

4 sheep, plus new-crop lambs

6 nanny goats, plus new-crop kids

40 does (rabbits) (males and nestlings are not counted)

Where a weight is indicated in this Schedule, it refers to an animal's anticipated weight at the end of the production period.

For any other livestock species, a weight of 500 kilograms is equivalent to 1 livestock unit.

O.C. 742-97, Sch. I.

SCHEDULE II

Revoked.

O.C. 742-97, Sch. II; O.C. 247-99, s. 17.

SCHEDULE III

(ss. 14, 32, 88, 91.1, 91.2 and 92)

NITROGEN FROM LIVESTOCK WASTE SPREAD

MAXIMUM ANNUAL QUANTITY 1

Equivalence in			
Nitrogen from			
livestock waste			
spread maximum			
Crop	annual quantity	Hectares per	Livestock units
	(kg nitrogen/ha)	livestock unit	per hectare
		(ha/L.U.)	(L.U./ha)

Corn,	170	0.24	4.13
fallow			
(during			
the first			

year only)

Potatoes, cabbage, tomatoes	135	0.29	3.37
Straw- berries	125	0.32	3.13
Grasslands, pasture, rough grazing	110	0.36	2.75
Sugar beet	100	0.40	2.50
Barley	80	0.50	2.00
Rye	73	0.54	1.82
Cigar and pipe tobacco	65	0.61	1.65
Oats, wheat, mixed grains, colza	60	0.66	1.50
Apple trees	55	0.73	1.38
Beans (forage)	50	0.8	1.25
Cigarette tobacco	30	1.33	0.75
Buckwheat	22	1.81	0.55
Soybeans, flax, peas (forage)	20	2.00	0.50
Fallow (second year and following)	0	-	-

Other crops	110	0.36	2.75
-------------	-----	------	------

1 Note: Schedule III determines the maximum quantity of a contaminant within the meaning of paragraph d of section 31 of the Environment Quality Act that may be deposited into the environment, but in no way constitutes a recommendation concerning agricultural fertilization.

O.C. 742-97, Sch. III; O.C. 737-98, s. 8.

SCHEDULE IV

(ss. 17.1, 17.2 and 17.3)

MAXIMUM ANNUAL QUANTITY OF PHOSPHORUS

The maximum annual quantity of total phosphorus from fertilizing substances spread on the parcels covered by an agro-environmental fertilization plan corresponds to the quantity obtained by adding to or subtracting from, as the case may be, the uptake in the harvested part of plants grown on those parcels, the quantities represented by the positive or negative values indicated in the table below:

Phases	Percentage of the soil's phosphorus 1	Quantity of phosphorus to be added to or subtracted from the uptake in the harvested part of the crops 2		
		(kgP ₂ O ₃ /ha)		
		Content of soil in phosphorus 3 (kg P/ha)		
		151 to 250	251 to 500	501 and more
Phase 1	less than 10 %	+20	0	
	10 to 20 %	+40	+20	0
	more than 20 %	+40	0	0
Phase 2	10 % and less	+40	+20	-20
	more than 10 %	+20	0	-20

1 The percentage of the soil's saturation in phosphorus is obtained by multiplying by 100 the ratio between the content of the soil and its phosphorus-binding capacity determined by its content in reactive aluminium according to the MEHLICH III method described in the Agro-environmental Fertilization Guide published by the Ministère de l'Environnement.

2 The quantity of phosphorus uptake in the harvested part of crops shall be evaluated on the basis of the data mentioned in the Agro-environmental Fertilization Guide published by the Ministère de l'Environnement and the average yields per agricultural operation established by the Régie des assurances agricoles du Québec (RAAQ) under Division V of the Crop Insurance Act (R.S.Q., c. A-30). Without yields per agricultural operation established by the RAAQ, those yields must be established by using the method described in the aforementioned guide.

3 The content of the soil in phosphorus is measured in the first 20 cm of soil in the case of soil where the content in organic matter exceeds 30 %, and in the first 16,9 cm of soil in other cases, according to the MEHLICH III method described in the Agro-environmental Fertilization Guide published by the Ministère de l'Environnement.

O.C. 742-97, Sch. IV; O.C. 247-99, s. 18.

SCHEDULE V

(ss. 29 and 31)

MAXIMUM LIMITS ON LIVESTOCK UNITS

Type of livestock	Maximum limit on livestock units
1. Raising suidae on liquid manure	200
2. Raising suidae on solid manure	200
3. Raising gallinaceae or anatidae on liquid manure or turkeys in a building	480
4. Raising bovidae or equidae on liquid manure in a building or yard for more than 8 months	250

5. Raising gallinaceae or anatidae in a yard	200
6. Raising fur-bearing animals	20
7. Raising leporidae	25
8. Raising bovidae or equidae on solid manure all year long in a building or on pasture at least during the months of June, July, August and September and in a building on yard on liquid manure for the rest of the year	500
9. Raising gallinaceae or anatidae on solid manure in a building, excluding turkeys	800
10. Raising bovidae or equidae on pasture at least during the months of June, July, August and September and in a building on solid manure for the rest of the year	500

For the purposes of this Schedule, the total number of animals, including those expected to be added under an application for a certificate of authorization and included in a group of facilities, must be calculated by taking into account only the livestock facilities or storages belonging to a single owner or sharing a single manure management system.

O.C. 742-97, Sch. V.

SCHEDULE VI

(s. 35)

LIST OF THE MUNICIPALITIES BY REGIONAL COUNTY MUNICIPALITY

Municipalité régionale de comté de D'Autray

Saint-Didace (parish)

Saint-Norbert (parish)

Saint-Gabriel-de-Brandon (parish)

Saint-Gabriel (town)

Saint-Charles-de-Mandeville

Sainte-Élizabeth (parish)

Saint-Cléophas (parish)

Municipalité régionale de comté de Joliette

Saint-Paul (undesignated)

Saint-Ambroise-de-Kildare (parish)

Notre-Dame-des-Prairies

Saint-Charles-Borromée

Sainte-Mélanie

Municipalité régionale de comté de l'Assomption

L'Épiphanie (parish)

Municipalité régionale de comté de La Rivière-du-Nord

Sainte-Sophie

Prévost

Municipalité régionale de comté de Matawinie

Saint-Damien (parish)

Saint-Félix-de-Valois (parish)

Saint-Félix-de-Valois (village)

Saint-Jean-de-Matha

Sainte-Béatrix (undesignated)

Sainte-Émélie-de-l'Énergie (parish)

Municipalité régionale de comté de Montcalm

Saint-Esprit (parish)

Saint-Roch-de-l'Achigan (parish)

Saint-Roch-Ouest

Saint-Lin

Municipalité régionale de comté d'Acton

Acton-Vale (town)

Béthanie

Roxton (township)

Roxton-Falls (village)

Saint-Éphrem-d'Upton (parish)

Saint-André-d'Acton (parish)

Sainte-Christine (parish)

Saint-Théodore-d'Acton (parish)

Saint-Nazaire-d'Acton (parish)

Upton (village)

Municipalité régionale de comté de Drummond

Kingsey (township)

Lefebvre

Wickham

Saint-Nicéphore

Saint-Charles-de-Drummond

Saint-Germain-de-Grantham

Saint-Edmond-de-Grantham (parish)

Saint-Eugène

Municipalité régionale de comté de La Haute-Yamaska

Granby (township)

Granby (town)

Saint-Alphonse (parish)

Shefford (township)

Warden (village)

Waterloo (town)

Sainte-Cécile-de-Milton (township)

Roxton-Pond (parish)

Roxton-Pond (village)

Saint-Joachim-de-Shefford (parish)

Municipalité régionale de comté des Maskoutains

Saint-Pie (parish)

Saint-Dominique

Saint-Simon (parish)

Saint-Hugues

Saint-Louis (parish)

La Présentation (parish)

Saint-Hyacinthe (town)

Saint-Hyacinthe-le-Confesseur (parish)

Notre-Dame-de-Saint-Hyacinthe (parish)

Saint-Jude (parish)

Saint-Valérien-de-Milton (township)

Saint-Liboire

Sainte-Hélène-de-Bagot

Municipalité régionale de comté de Rouville

Rougemont (village)

Saint-Ange-Gardien (parish)

L'Ange-Gardien (village)

Saint-Paul-d'Abbotsford (parish)

Saint-Michel-de-Rougemont (parish)

Saint-Mathias-sur-Richelieu

Saint-Jean-Baptiste (parish)

Municipalité régionale de comté de La Vallée-du-Richelieu

Saint-Mathieu-de-Beloeil

Beloeil (town)

McMasterville (village)

Municipalité régionale de comté de Lotbinière

Saint-Gilles (parish)

Saint-Narcisse-de-Beaurivage (parish)

Saint-Patrice-de-Beaurivage

Saint-Sylvestre (parish)

Saint-Sylvestre (village)

Municipalité régionale de comté des Chutes-de-la-Chaudière

Saint-Lambert-de-Lauzon (parish)

Municipalité régionale de comté de Desjardins

Saint-Henri

Municipalité régionale de comté de Robert-Cliche

Saint-Séverin (parish)

Saint-Jules (parish)

Municipalité régionale de comté Bellechasse

Saint-Anselme (parish)

Saint-Anselme (village)

Honfleur

Saint-Gervais

Saint-Raphaël

Sainte-Claire

Armagh

Saint-Malachie (parish)

Saint-Nazaire-de-Dorchester (parish)

Municipalité régionale de comté de La Nouvelle-Beauce

Saint-Isidore

Saint-Bernard

Sainte-Hénédine (parish)

Saint-Elzéar

Sainte-Marie (town)

Sainte-Marguerite (parish)

Saints-Anges (parish)

Scott

O.C. 742-97, Sch. VI; O.C. 687-2001, s. 11.

SCHEDULE VI.1

(s. 32)

LIST OF MUNICIPALITIES BY REGIONAL COUNTY MUNICIPALITY

[Q-2R18.2#01 DÉBUT]

MRC Municipality

Acton

Acton Vale (V)

Béthanie (M)

Roxton (CT)

Roxton Falls (VL)

Saint-Nazaire-d'Acton (P)

Saint-Théodore-d'Acton (P)

Sainte-Christine (P)

Upton (M)

Beauce-Sartigan

Aubert-Gallion (M)

La Guadeloupe (VL)

Saint-Benoît-Labre (M)

Saint-Éphrem-de-Beauce (M)

Saint-Georges-Est (P)

Saint-Honoré-de-Shenley (M)

Saint-Martin (P)

Saint-Philibert (M)

Saint-René (P)

Saint-Simon-les-Mines (M)

Bellechasse

Honfleur (M)

Saint-Anselme (M)

Saint-Charles-de-Bellechasse (M)

Saint-Gervais (M)

Saint-Lazare-de-Bellechasse (M)

Saint-Léon-de-Standon (P)

Saint-Malachie (P)

Saint-Nazaire-de-Dorchester (P)

Saint-Raphaël (M)
Sainte-Claire (M)

Brome-Missisquoi

Brigham (M)
Brome (VL)
Farnham (V)
Lac-Brome (V)

Charlevoix

Les Éboulements (M)
Saint-Hilarion (P)
Saint-Urbain (P)

Charlevoix-Est

La Malbaie (V)
Saint-Aimé-des-Lacs (M)
Saint-Irénée (P)

Communauté urbaine de Québec

Québec (V)
Saint-Émile (V)
Val-Bélair (V)

D'Autray

Saint-Didace (P)
Saint-Gabriel-de-Brandon (P)

Desjardins

Saint-Henri (M)

Drummond

Saint-Edmond-de-Grantham (P)
Saint-Eugène (M)
Saint-Germain-de-Grantham (M)
Saint-Nicéphore (V)
Wickham (M)

Francheville

Pointe-du-Lac (M)
Saint-Étienne-des-Grès (P)
Trois-Rivières (V)

Joliette

Crabtree (M)
Saint-Ambroise-de-Kildare (P)
Sainte-Mélanie (M)
Saint-Paul (M)
Saint-Pierre (VL)

La Haute-Yamaska

Bromont (V)
Granby (CT)
Granby (V)
Roxton Pond (M)
Saint-Alphonse (P)
Sainte-Cécile-de-Milton (CT)
Saint-Joachim-de-Shefford (P)
Shefford (CT)
Warden (VL)

La Jacques-Cartier

Saint-Gabriel-de-Valcartier (M)
Shannon (M)

L'Amiante

Adstock (M)
Robertsonville (VL)
Sacré-Coeur-de-Jésus (P)
Sainte-Clotilde-de-Beauce (M)
Saint-Pierre-de-Broughton (M)

La Nouvelle-Beauce

Frampton (M)
Saint-Bernard (M)
Saint-Elzéar (M)

Saint-Isidore (M)
Sainte-Hénédine (P)
Sainte-Marguerite (P)
Sainte-Marie (V)
Saints-Anges (P)
Scott (M)
Vallée-Jonction (M)

La Rivière-du-Nord

Bellefeuille (V)
Prévost (V)
Saint-Hippolyte (P)
Sainte-Sophie (M)

L'Assomption

L'Épiphanie (P)

La Vallée-du-Richelieu

Saint-Jean-Baptiste (P)

Le Bas-Richelieu

Massueville (VL)

Le Centre-de-la-Mauricie

Saint-Boniface-de-
Shawinigan (VL)
Saint-Élie (P)

Le Granit

Lac-Drolet (M)
Nantes (M)
Saint-Augustin-de-Woburn (P)
Sainte-Cécile-de-Whitton (M)
Val-Racine (P)

Le Haut-Richelieu

Mont-Saint-Grégoire (M)

Sainte-Brigide-d'Iberville (M)

L'Érable

Laurierville (M)

Lyster (M)

Les Chutes-de-la-Chaudière

Saint-Étienne-de-Lauzon (M)

Saint-Lambert-de-Lauzon (P)

Les Etchemins

Saint-Benjamin (M)

Sainte-Germaine-du-Lac-Etchemin (P)

Les Maskoutains

La Présentation (P)

Saint-Barnabé-Sud (M)

Saint-Bernard-de-

Michaudville (M)

Saint-Dominique (M)

Saint-Hugues (M)

Saint-Hyacinthe (V)

Saint-Hyacinthe-le-

Confesseur (P)

Saint-Jude (M)

Saint-Liboire (M)

Saint-Louis (P)

Saint-Pie (P)

Saint-Pie (V)

Saint-Simon (P)

Saint-Valérien-de-Milton (CT)

Sainte-Hélène-de-Bagot (M)

Sainte-Rosalie (P)

Le Val-Saint-François

Bonsecours (M)

Maricourt (M)

Sainte-Anne-de-la-Rochelle (M)

Valcourt (CT)

Lotbinière

Dosquet (M)
Saint-Agapit (M)
Saint-Apollinaire (M)
Saint-Flavien (M)
Saint-Gilles (P)
Saint-Narcisse-de-Beaurivage (P)
Saint-Patrice-de-Beaurivage (M)
Saint-Sylvestre (M)

Maskinongé

Louiseville (V)
Saint-Paulin (M)
Sainte-Angèle-de-Prémont (M)
Yamachiche (M)

Matawinie

Saint-Alphonse-Rodriguez (M)
Saint-Damien (P)
Saint-Félix-de-Valois (M)
Saint-Jean-de-Matha (M)
Sainte-Béatrix (M)

Memphrémagog

Stukely-Sud (VL)

Montcalm

Saint-Alexis (P)
Saint-Calixte (M)
Saint-Esprit (M)
Saint-Liguori (P)
Saint-Lin-Laurentides (V)
Saint-Roch-de-l'Achigan (P)
Saint-Roch-Ouest (M)
Sainte-Julienne (M)
Sainte-Marie-Salomé (P)

Montmagny

Saint-François-de-la-Rivière-du-Sud (M)

Robert-Cliche

Beauceville (V)
Saint-Frédéric (P)
Saint-Joseph-de-Beauce (V)
Saint-Joseph-des-Érables (M)
Saint-Jules (P)
Saint-Odilon-de-Cranbourne (P)
Saint-Séverin (P)
Saint-Victor (M)
Tring-Jonction (VL)

Rouville

Ange-Gardien (M)
Saint-Césaire (V)
Saint-Paul-d'Abbotsford (P) ».
[Q-2R18.2#01 FIN]

O.C. 687-2001, s. 12.

SCHEDULE VII

(s. 32, 55 4th par. and 91.2)

LIST OF THE MUNICIPALITIES

Charlemagne (town)

Chertsey

Crabtree

Entrelacs

Joliette (town)

L'Assomption (town)

Laurentides (town)

Le Gardeur (town)

L'Épiphanie (town)

New-Glasgow (village)

Notre-Dame-de-la-Merci

Notre-Dame-de-Lourdes (parish), MRC de Joliette

Rawdon (township)

Rawdon (village)

Repentigny (town)

Sainte-Julienne (parish)

Sainte-Marceline-de-Kildare

Sainte-Marie-Salomée (parish)

Saint-Alexis (parish)

Saint-Alexis (village)

Saint-Alphonse-Rodriguez

Saint-Antoine-de-Lavaltrie (parish)

Saint-Calixte (undesignated)

Saint-Côme (parish)

Saint-Donat

Saint-Gérard-Magella (parish), MRC de l'Assomption

Saint-Hippolyte (parish)

Saint-Jacques (parish)

Saint-Jacques (village)

Saint-Liguori (parish)

Saint-Pierre (village)

Saint-Zénon (parish)

O.C. 742-97, Sch. VII; O.C. 737-98, s. 9.

SCHEDULE VIII

(ss. 86 and 91.2)

CLASSIFICATION OF PARCELS AS «RICH» OR «EXCESSIVELY RICH» BASED ON THE ANTICIPATED CROP AND THE SOIL'S PHOSPHORUS CONTENT 1

Anticipated crop
. Oats, barley, wheat . Garlic, onions, leeks
. Colza or canola . Asparagus
. Forage kale . Sweet peppers or bell

peppers

. Faba beans . Beets

. Broad beans . Radishes

. Grain corn . Carrots,
parsnips

. Silage corn . Celery

. Sweet corn . Cabbage,
broccoli

. Japanese millet . Cucumbers,
gherkins

. Sudan grass . Pumpkins

. Grasslands,
pasture . Melons, squash

. Buckwheat . Spinach

. Soybeans . Lettuce

. Field-cultivated . Field beans
leafy trees and
shrubs

. Field-cultivated . Green beans
conifers or wax beans

. Lettuce

. Green peas,
field peas

. Potatoes

. Rhubarb

. Rutabagas,
turnips

. Cigar and pipe
tobacco

. Cigarette
tobacco

	. Tomatoes			
	. Strawberries, raspberries			
	. Other crops, excluding market- garden and fruit crops		. Other market- garden and fruit crops	
Phosphorus content of the soil (kg P/ha) ²	151 to 250 or more	251	301 to 400 or more	401
Classification of the parcel	«Rich» rich»	«Exces- sively rich»	«Rich» rich»	«Exces- sively rich»

1 Classification derived from «Grilles de référence en fertilisation» (Agdex 540, 2nd edition), published in 1996 by the Conseil des productions végétales du Québec inc., except for «Other crops».

2 The phosphorus content of the soil is calculated in the first 20 cm of soil in cases where the soil's organic matter content exceeds 30 % and in the first 16,9 cm of soil in all other cases, according to the MEHLICH III method described in Schedule IV.

O.C. 742-97, Sch. VIII; O.C. 737-98, s. 10.

O.C. 742-97, 1997 G.O. 2, 2607
O.C. 737-98, 1998 G.O. 2, 2208 and 3471
O.C. 247-99, 1999 G.O. 2, 415
O.C. 1004-2000, 2000 G.O. 2, 4481
O.C. 687-2001, 2001 G.O. 2, 2713
O.C. 1389-2001, 2001 G.O. 2, 6145