



chapter Q-2, r. 13

Regulation respecting solid waste

Environment Quality Act

(chapter Q-2, ss. 20, 31, 46, 53, 53.30, 55, 61, 66, 70, 71, 72, 74, 87, 88, 109.1, 124.1; 1999, c. 75, ss. 13, 14 and 29)

Replaced, O.C. 451-2005, 2005 G.O. 2, 1182; eff. 06-01-19; see chapter Q-2, r. 6.02

This Regulation is replaced, but continues to apply as provided in sections 156 to 168 of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19)

O.C. 492-2000, s. 5; O.C. 451-2005, s. 156.

DIVISION I INTERPRETATION

1. Definitions: In this Regulation, unless the context indicates otherwise, the following words and expressions mean:

(a) «operation area»: that part of an elimination site where the actual disposal, treatment and storage operations are carried out, including areas provided for the parking and unloading of vehicles and other mobile equipment;

(b) revoked;

(c) «composting»: treatment of solid waste by means of biochemical decomposition;

(d) «county»: any county municipality designated in the Territorial Division Act (chapter D-11), including the areas occupied by the town and city municipalities located therein;

(e) «solid waste»: any residual material that is solid at 20°C and is a result of industrial, commercial or agricultural activity, rubbish, biomedical waste within the meaning of section 1 of the Regulation respecting biomedical waste (chapter Q-2, r. 12) that has been treated by disinfection, solid waste incineration residues or biomedical waste incineration residues, household garbage, debris, rubble or other waste that is solid at 20°C with the exception of:

(1) motor vehicle wrecks, earth and sand impregnated with hydrocarbons, products resulting from the treatment of contaminated soils by a stabilization, fixation and solidification process, pesticides, biomedical waste, manure, mining residues, radioactive waste, sludge, solid residues from pulp and paper plants and sawmills, and hazardous materials within the meaning of paragraph 21 of section 1 of the Environment Quality Act;

(2) waste that is not aforementioned hazardous materials, and is the result of industrial processing in the sectors of tanning, petroleum refining, metallurgy, mineral chemistry, organic chemistry, or treatment and coating of surfaces, and in which the concentration of contaminants in phenol compounds, cadmium, chromium, copper, nickel, zinc, lead, mercury, oil or grease in the leachate of the waste is higher than the standards prescribed by section 30; the leachate is obtained and analyzed in conformity with the methods and under the conditions prescribed in section 30.4;

(f) «dump»: any elimination site where waste was deposited on the ground in the open air up to 10 May 1978

and that does not conform to the standards prescribed in Divisions IV, IX and X;

- (g) «leachate»: liquid that percolates through a layer of solid waste;
- (h) «experimental»: which is part of an experiment carried out by an organization or laboratory engaged in scientific or technical research;
- (i) «operator»: any person or municipality that operates a site for the storage or elimination of solid waste;
- (j) «dwelling»: any building designed to lodge human beings and equipped with a water supply or waste water removal system connected to the ground;
- (k) «incineration»: treatment of solid waste by controlled burning in a structure designed for the purpose;
- (l) «elimination site»: site for treatment or final disposal of solid waste;
- (m) «Act»: Environment Quality Act (chapter Q-2);
- (n) «dry materials»: means non-fermentable, shredded residues free of hazardous materials mentioned in paragraph e, cut wood, debris and rubble, fragments of concrete, masonry and asphalt;
- (o) revoked;
- (p) «transfer station»: site where solid waste is stored and, in some cases, also reduced in volume; and where solid waste is transferred from the truck which made the pickup to another conveyance which carries it to the elimination site;
- (q) «recovery»: method of treating solid waste by recovering waste material, through collection, sorting, storing or conditioning, for the purposes of valorization;
- (r) «bulky»: in excess of 1 metre in length or of 25 kilogrammes in weight;
- (s) «Deputy Minister»: the Deputy Minister of the Environment and Wildlife.

This section applies particularly to immovables comprised in a reserved area or in an agricultural zone established under the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1).

R.R.Q., 1981, c. Q-2, r. 14, s. 1; O.C. 1003-85, ss. 1 and 5; S.Q., 1988, c. 49, s. 54; O.C. 585-92, s. 1; S.Q., 1994, c. 17, s. 77; O.C. 1310-97, s. 153; O.C. 1036-98, s. 1; O.C. 492-2000, s. 5; O.C. 843-2001, s. 68.

1.1. Excluded recovery and composting facilities: The following shall not be considered as solid waste elimination or storage sites within the meaning of this Regulation:

- (1) any recovery system or facility which receives either non-compostable material only or compostable material separately from non-compostable material;
- (2) any composting system or facility which receives either compostable material only or compostable material separately from non-compostable material.

For the purposes of this section, paper, cardboard and wood are deemed to be non-compostable material, except when used to make compost.

O.C. 1036-98, s. 2.

2. Population: In this Regulation, the population of a municipality is the figure registered at the last census recognized as valid by an Order of the Government and published in the Gazette officielle du Québec in conformity

with section 29 of the Act respecting municipal territorial organization (chapter O-9) and the provisions of the charters of all towns and city municipalities.

R.R.Q., 1981, c. Q-2, r. 14, s. 2; S.Q., 1988, c. 19, s. 274.

DIVISION II CERTIFICATES

3. Application for a certificate: Subject to cases provided for in sections 6, 7 and 7.1, any municipality or person wishing to obtain a certificate for the setting up or the modification of a site for the disposal or storage of solid waste must apply in writing and include, in addition to those required under other provisions of the Act or its regulations, the following information and documents:

- (a) his name, address and telephone number;
- (b) if the applicant is a corporation or a cooperative, a resolution of its board of directors authorizing the submission of the application;
- (c) a copy of any document, deed, contract, agreement or notice of expropriation giving the applicant property rights or rights to use the land where he intends to establish a solid waste storage or elimination site;
- (d) a general report on the proposed solid waste storage or elimination project, including information on the region to be served, its population and the nature and quantity of solid waste expected to be stored or eliminated;
- (e) an overall plan of the area, drawn using a map or an aerial photograph, and indicating:
 - (i) the limits of the lots concerned in the application for the certificate, the lot numbers, the range and official cadastral designation to which they belong;
 - (ii) the present use and the zoning of all land within a radius of 2 kilometres of the projected location of the storage or elimination site;
 - (iii) the layout of public thoroughfares, access roads, watercourses, lakes, swamps and flood plains as well as the location of wooded areas, dwellings and all other structures situated within the radius mentioned in subparagraph ii;
 - (iv) the present drainage pattern and general topography of the land within the radius mentioned in subparagraph ii;
- (f) a technical report prepared by an engineer, within the meaning of the Engineers Act (chapter I-9), giving the information and technical documents prescribed in sections 4 and 5 that apply to the certificate application in question;
- (g) a report describing the type of administration and operation of the solid waste elimination or storage site, particularly with respect to the persons who will be assigned the responsibility for its daily operation;
- (h) in the case of an application for a certificate made by a person, the guarantee prescribed by section 17.

Where a recovery system contemplated in Division VI is established on the land of another solid waste elimination or storage site, the certificate must be applied for by the owners of the said solid waste elimination or storage site.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 3; O.C. 195-82, s. 1; O.C. 1075-84, s. 1; O.C. 1036-98, s. 3; O.C. 492-2000, s. 5.

4. Technical report for sanitary landfill: All applications for certificates made in accordance with section 3 for the

purpose of establishing or modifying a solid waste elimination site must be accompanied by a technical report that includes the following information and documents:

- (a) a siting map showing the location and precise dimensions of the proposed sanitary landfill site, all wells within a radius of one kilometre of the site and the geological observation points utilized for purposes of subparagraph i of paragraph c;
- (b) a geological map showing the main outcrops of rock and principal surface deposit areas within the radius mentioned in paragraph a;
- (c) a piezometric map of the phreatic water level of the land of the proposed sanitary landfill site and a computation of the migration time of leachates through the soil to their point of resurgence or of the time they take to cover a distance of 300 metres established on the basis of:
 - (i) a geological survey carried out from at least 3 appropriate points of observation, going down to solid rock or to an impermeable layer of unconsolidated deposits, and including a description of the various layers of unconsolidated deposits, the proportion of clay, silt, sand, gravel and boulders in each layer and a particle size analysis of a sample of the most highly permeable layer; and
 - (ii) the elevation of the land and the phreatic water level at the observation points utilized for purposes of subparagraph i;
- (d) a technical report of the risk of contamination of underground and surface water in the region of the proposed sanitary landfill site;
- (e) plans and specifications of the proposed sanitary landfill site, including:
 - (i) a topographical survey of the land showing contour lines at intervals of no more than 1 metre;
 - (ii) a record of the real and personal servitudes that encumber the land as well as surface and underground equipment found there;
 - (iii) a diagram illustrating the planned use of the land, on a scale of between 1/1 000 and 1/1 500, showing natural screens, areas set aside for digging trenches or for removing cover material, areas where trees will be cut down, the site set aside for buildings to be used by the employees and for storing equipment; motor vehicle traffic areas, areas for storing cover material, storage of recovered objects and the location of scales, fences, gates, monitoring wells and any gas detection or burning equipment required or provided for, where applicable;
 - (iv) longitudinal and transversal sections of the land, showing its initial and final contours as well as the plans for its development as operations progress;
 - (v) a sample section of the land to illustrate the layering of compacted, covered solid waste;
 - (vi) a layout and profile of the drainage system;
 - (vii) plans and specifications of equipment and methods to be used to collect and treat leachate, if applicable;
 - (viii) plans and specifications for any equipment or methods to prevent or control migration in the soil or emission into the atmosphere of gases produced by the decomposition of the solid waste that will be buried, in the event equipment or methods are envisaged; and
 - (ix) specifications of the proposed operations, allotment of personnel and measures to be taken to ensure maintenance and repair of machinery, or its replacement in the event of breakdown lasting more than 48 hours.

R.R.Q., 1981, c. Q-2, r. 14, s. 4.

5. Technical report for other sites for the elimination or storage of solid waste: All applications for certificates

submitted, in accordance with section 3, for the establishment or modification of an elimination site governed by Divisions V to IX must be accompanied by a technical report including the information and documents cited below:

- (a) a siting map showing the exact location of the site for the elimination or storage of solid waste;
- (b) the plans and specifications of all immovable equipment that will be used to store or treat the solid waste, including any apparatus or method to limit, control, contain or prevent the deposit, issuance, emission or discharge of contaminants into the environment; all storage and all loading and unloading docks;
- (c) specifications for the project, describing the operations, allotment of personnel and measures to be taken to ensure maintenance and repair of machinery or its replacement in the event of breakdown lasting more than 48 hours;
- (d) in the case of a solid waste treatment site, mention of the site for final deposit of treatment residues and of the solid wastes that are not accepted thereat;
- (e) in the case of a compost plant contemplated in Division VII, the document required by paragraph b of section 4, a technical report on the risk of contamination of underground and surface water layers, a diagram of the proposed land use and the layout and profile of the drainage system;
- (f) in the case of a dry materials disposal site, the objectives and a justification for the fill plan, the final development plan and the proposed use of the reclaimed land.

R.R.Q., 1981, c. Q-2, r. 14, s. 5; O.C. 1036-98, s. 4.

6. Modification: In the case of an application for a certificate for the modification of a site for the elimination or storage of solid waste, for which a certificate has previously been issued, it will not be necessary to resubmit the information and documents described in sections 3 to 5 provided these are identical to those submitted to obtain the previously issued certificate. The applicant, therefore, need only indicate that there has been no change.

R.R.Q., 1981, c. Q-2, r. 14, s. 6.

7. In-trench disposal site: All applications for a certificate for the establishment of an in-trench disposal site, governed by Division X, must be submitted on the form shown in Schedule A. For such applications, only the information required on the form must be provided.

R.R.Q., 1981, c. Q-2, r. 14, s. 7.

7.1. The North: Any application for a certificate for the purpose of setting up a waste disposal site in the North referred to in Division X.1, must be submitted in the form of Schedule C.

O.C. 1075-84, s. 2.

8. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 8; O.C. 195-82, s. 2; O.C. 492-2000, s. 5.

9. Operation: All elimination sites must be operated according to the plans and specifications submitted with the application for a certificate.

R.R.Q., 1981, c. Q-2, r. 14, s. 9.

10. Elimination methods permitted: The only solid waste elimination or storage sites which may be established shall be those governed by Divisions IV to XI or those mentioned in the third paragraph of section 127 or in section 133.

R.R.Q., 1981, c. Q-2, r. 14, s. 10.

DIVISION III
GUARANTEE

O.C. 492-2000, s. 5.

11. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 11; O.C. 492-2000, s. 5.

12. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 12; S.Q., 1988, c. 49, s. 54; S.Q., 1994, c. 17, s. 77; O.C. 492-2000, s. 5.

13. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 13; S.Q., 1988, c. 49, s. 54; O.C. 492-2000, s. 5.

14. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 14; S.Q., 1988, c. 49, s. 54; O.C. 492-2000, s. 5.

15. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 15; O.C. 195-82, s. 3; O.C. 1036-98, s. 5; O.C. 492-2000, s. 5.

16. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 16; O.C. 492-2000, s. 5.

17. Guarantee: The operation of an elimination or storage site by a person is subject to the setting up of a guarantee in the amount determined by the following table, to be paid either by certified cheque, by bearer bonds of the Gouvernement du Québec, the Government of Canada or a Québec municipality or any other negotiable bond guaranteed by the Gouvernement du Québec or by an irrevocable security or letter of credit issued by an insurer duly authorized to do business in Québec under the Act respecting insurance (chapter A-32), by a bank, a savings bank, a credit and savings union or by a trust company.

category of site for the elimination or storage of solid waste	amount of guarantee
sanitary landfill for fewer than 20 000 inhabitants	\$25 000
sanitary landfill for 20 000 to 80 000 inhabitants	\$50 000
sanitary landfill for more than 80 000 inhabitants	\$100 000
incinerator, pyrolysis plant, compost plant, transfer station, or recovery system	1% of building costs, minimum \$25 000 and maximum \$1 000 000
dry materials disposal site	\$25 000

“This section also applies to solid waste incinerators that accept biomedical waste.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 17; O.C. 195-82, s. 4; O.C. 585-92, s. 2; O.C. 1036-98, s. 6; O.C. 492-2000, s. 5.

18. Guarantee policy: Any person who furnishes a guarantee policy must renew it and ensure that it remain in force during the entire period of operation and during a 60-day period after the final termination of the operation. Every person contemplated by this section must transmit to the Minister proof of every renewal of a guarantee policy.

Every guarantee policy must include a provision in virtue of which the insurer must advise the Minister in the case of the cancellation of the policy.

R.R.Q., 1981, c. Q-2, r. 14, s. 18; S.Q., 1988, c. 49, s. 54; O.C. 492-2000, s. 5.

19. Utilization of the guarantee: The Minister of the Environment and Wildlife may use the guarantee contemplated in section 17 to carry out such work at the operator's expense in all cases prescribed in sections 81, 82, 84, 113, 114 and 115 of the Act.

Where the guarantee is utilized while the permit is valid, the operator must, within 15 days, replace the guarantee utilized.

R.R.Q., 1981, c. Q-2, r. 14, s. 19; S.Q., 1988, c. 49, s. 54; S.Q., 1994, c. 17, s. 77; O.C. 492-2000, s. 5.

20. Advance notice: Before making use of the guarantee, the Minister must give 30 days advance notice to the operator. At the end of that period the Minister may use the guarantee as described in section 19, unless the operator has, in the meantime, carried out the work for which the Minister intended to use the guarantee.

R.R.Q., 1981, c. Q-2, r. 14, s. 20; S.Q., 1988, c. 49, s. 54; O.C. 492-2000, s. 5.

21. Return of the guarantee: The guarantee shall be returned to the operator after the final termination of the operation, unless it has been used by the Minister as prescribed in sections 19 and 20.

R.R.Q., 1981, c. Q-2, r. 14, s. 21; S.Q., 1988, c. 49, s. 54; O.C. 492-2000, s. 5.

22. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 22; O.C. 492-2000, s. 5.

DIVISION IV SANITARY LANDFILL

23. Zoning and flood plains: The establishment of a sanitary landfill site on a flood plain is prohibited, as it is on all land designated by a municipal government as residential, commercial or mixed (residential and commercial), or within 150 metres of any such land.

R.R.Q., 1981, c. Q-2, r. 14, s. 23.

24. Airports: The establishment of a sanitary landfill site is prohibited within 3 kilometres of an airport.

R.R.Q., 1981, c. Q-2, r. 14, s. 24.

25. Public thoroughfares: The establishment of a sanitary landfill site is prohibited within 152,40 metres of all roads maintained by the Minister of Transport and within 50 metres of all other public thoroughfares.

R.R.Q., 1981, c. Q-2, r. 14, s. 25.

26. Distance from certain sites: The operating area of a sanitary landfill site must be situated more than 150 metres from any municipal park, golf course, alpine ski trail, recreation area, public beach, ecological reserve established under the Act respecting ecological reserves (chapter R-26.1), park within the meaning of the Parks Act (chapter P-

9), park within the meaning of the National Parks Act (Revised statutes of Canada, 1985, chapter N-14), ocean, river, stream, pond, swamp or sandbank.

R.R.Q., 1981, c. Q-2, r. 14, s. 26; S.Q., 1993, c. 32, s. 22.

27. Distance from certain immovables: The operating area of a sanitary landfill site must be situated more than 200 metres from any dwelling, educational institution, religious edifice, food products processing establishment, camping ground, restaurant or hotel holding a permit issued under the Hotels Act (chapter H-3), holiday camp and institution within the meaning of the Act respecting health services and social services (chapter S-5).

R.R.Q., 1981, c. Q-2, r. 14, s. 27; S.Q., 1992, c. 21, s. 375.

The Hotels Act (chapter H-3) is replaced by the Tourist Establishments Act (chapter E-15.1) S.Q., 1987, c. 12, s. 43.

28. Lakes: The operating area of a sanitary landfill site must be situated at least 300 metres from any lake.

R.R.Q., 1981, c. Q-2, r. 14, s. 28.

29. Hydrogeological conditions: The sanitary landfill of solid wastes must be carried out at a site where the hydrogeological conditions are such that the leachate infiltrates the soil and has a migration time of more than 5 years before it travels 300 metres or before it reaches a well or spring used as a source of potable water and situated at a distance of less than 300 metres, unless the leachate resurfaces within the given limits. In the latter case, it must have traveled in the soil more than 2 years at an average speed of less than 150 metres a year.

Where the hydrogeological conditions described in the first paragraph are not present, the sanitary landfilling may be carried out provided that measures are taken to prevent infiltration of the soil by all leachates. However, it is prohibited to develop a site with a view to carrying out sanitary landfilling if accidental infiltration would risk compromising the water quality of an aquifer utilized as a potable water supply.

Where the hydrogeological conditions of a sanitary landfill site are such that the water originating from that site surface or resurface before 2 years, a system permitting the complete containment and the treatment of such water must be installed in accordance with the requirements of section 30.

R.R.Q., 1981, c. Q-2, r. 14, s. 29.

30. Leachate: The operator of a sanitary landfill site must not discharge into the hydrographic surface network or into a storm sewer network any leachate containing contaminants above the standards prescribed as follows:

- (a) phenolic compounds: 0,02 milligram per litre;
- (b) total cyanides (expressed as HCN): 0,1 milligram per litre;
- (c) total sulfides (expressed as H₂S): 2 milligrams per litre;
- (d) cadmium (Cd): 0,1 milligram per litre;
- (e) chrome (Cr): 0,5 milligram per litre;
- (f) copper (Cu): 1 milligram per litre;
- (g) nickel (Ni): 1 milligram per litre;
- (h) zinc (Zn): 1 milligram per litre;
- (i) lead (Pb): 0,1 milligram per litre;

- (j) mercury (Hg): 0,001 milligram per litre;
- (k) iron (Fe): 17 milligrams per litre;
- (l) chlorides (expressed as Cl): 1 500 milligrams per litre;
- (m) sulfates (expressed as SO₄): 1 500 milligrams per litre;
- (n) greases and oils: 15 milligrams per litre;
- (o) total coliform bacteria: 2 400 per 100 millilitres;
- (p) fecal coliform bacteria: 200 per 100 millilitres;
- (q) 5-day biochemical oxygen demand (5-day BOD): 40 milligrams per litre;
- (r) chemical oxygen demand: 100 milligrams per litre;
- (s) odours: must not produce any of the effects enumerated in the second paragraph in fine of section 20 of the Act.

The standards prescribed in subparagraphs q and r of the first paragraph do not apply where leachate is treated in a treatment station referred to in sections 31 and 31.1.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 30; O.C. 195-82, s. 5.

30.1. Dilution: Leachate must not be diluted before being discharged into the hydrographic surface network or into a storm sewer network.

O.C. 195-82, s. 5.

30.2. Continued treatment: If treatment is required for the standards prescribed in section 30 to be complied with, such treatment must continue to function after the sanitary landfill site is abandoned until the discharges comply with the above standards without requiring treatment.

O.C. 195-82, s. 5.

30.3. Sampling methods: Leachate sampling for the purposes of verifying compliance with the standards prescribed in section 30 must be carried out in accordance with the terms and conditions described in the Guide d'échantillonnage à des fins d'analyses environnementales published by the Ministère de l'Environnement et de la Faune.

O.C. 195-82, s. 5; O.C. 1036-98, s. 7.

30.4. Analysis methods: Analysis of leachate samples must be carried out by a laboratory accredited by the Minister under section 118.6 of the Act and in accordance with the methods described in the Liste des méthodes d'analyses relatives à l'application des règlements découlant de la Loi sur la qualité de l'environnement published by the Ministère de l'Environnement et de la Faune.

O.C. 195-82, s. 5; O.C. 1036-98, s. 7.

30.5. Filtration prohibited: Leachate samples must not be filtered in any way, either at the time they are collected or in preparation for analysis.

O.C. 1036-98, s. 7.

31. Water treatment stations: Every leachate treatment station must be situated more than 50 metres from any public road, recreation area, municipal park, golf course, alpine ski trail, public beach, ecological reserve created pursuant to the Act respecting ecological reserves (chapter R-26.1), park within the meaning of the Parks Act (chapter P-9) or park within the meaning of the National Parks Act (Revised Statutes of Canada, 1985, chapter N-14).

Any pond or outside oxydation basin aerated automatically and any surface spraying field must be situated more than 200 metres from any dwelling, educational institution, religious edifice, food products processing establishment, camping ground, restaurant or hotel holding a permit issued under the Hotels Act (chapter H-3), holiday camp and institution within the meaning of the Act respecting health services and social services (chapter S-5). In the case of other ponds and outside oxydation basins, the distance is increased to 500 metres.

R.R.Q., 1981, c. Q-2, r. 14, s. 31; S.Q., 1992, c. 21, s. 375; S.Q., 1993, c. 32, s. 22.

The Hotels Act (chapter H-3) is replaced by the Tourist Establissements Act (chapter E-15.1) S.Q., 1987, c. 12, s. 43.

31.1. Stabilization or oxidation ponds: Any outside stabilization or oxidation pond used to treat leachate from a sanitary landfill site must:

- (a) have sides and a bottom made of leakproof material or of material through which the migration time of water is less than 10^{-5} centimetres per second;
- (b) where the sides form an embankment above ground level, the upper part of the embankment must be no less than 3 metres wide;
- (c) have sides and embankments with a grade of 3 in 1;
- (d) be designed and operates so that no less than one metre is left at all times between the water level of the pond and the edge of the sides;
- (e) have a horizontal bottom free of any vegetation;
- (f) have rounded corners;
- (g) have an entrance and an exit placed opposite each other along the longitudinal axis of the pond;
- (h) have an outlet with a concrete foundation that, for a stabilization pond, must be designed to allow for a certain variation in the water level of the pond;
- (i) be designed and operated to maintain, for an oxidation pond, a maximum depth of 4 metres of water and, for a stabilization pond, to maintain a depth of 1 metre between 1 May and 1 November and of 2 metres between 1 November and 1 May;
- (j) be designed and operated to ensure the removal of 85 % of the 5-day biochemical oxygen demand of leachate;
- (k) for an oxidation pond, be equipped with an emergency pressure charger;
- (l) for a distance of less than 10 metres, be surrounded by a permanent steel wire fence no less than 2 metres high with spacing no more than 8 centimetres wide; and
- (m) have an access road that may be used year-round.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

O.C. 195-82, s. 6.

32. Concealment: Landfill operations must be hidden behind a fence as described in section 33, a screen of evergreens, an embankment, topographical accident or other natural screen so that they cannot be seen by anyone on a public thoroughfare or from any public building or park.

R.R.Q., 1981, c. Q-2, r. 14, s. 32.

33. Concealing fence: Where a fence is built around the whole or a part of a sanitary landfill site to comply with section 32, it must be at least 2,50 metres in height, be vertical and:

(a) be solid and built of painted or stained wood, brick, stone or painted panels made of fiberglass or aluminum; or

(b) be made of painted or stained, vertical or horizontal, wooden planks at least 15 centimetres wide and having a space between them of not more than 2,5 centimetres.

R.R.Q., 1981, c. Q-2, r. 14, s. 33.

34. Embankments: If an embankment is built around a sanitary landfill site to comply with section 32, and if such embankment is itself visible from a public thoroughfare, it must be covered with vegetation. The person responsible for the landfill site must take the necessary measures to ensure that the vegetation grows as in the environmental milieu.

R.R.Q., 1981, c. Q-2, r. 14, s. 34.

35. Control of blowing and scattered waste: The operator of a sanitary landfill site must take the necessary measures to reduce the blowing away or scattering of waste to a minimum, both within the site and in the surrounding area.

R.R.Q., 1981, c. Q-2, r. 14, s. 35; O.C. 1036-98, s. 8.

36. Access: The access roads and traffic areas of the sanitary landfill site must be useable the year round by trucks of 10 metric tons.

R.R.Q., 1981, c. Q-2, r. 14, s. 36.

37. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 37; O.C. 1036-98, s. 9.

38. Drainage: Every sanitary landfill site must have a drainage system to prevent the infiltration of surface water into the solid waste deposited at the sanitary landfill site.

R.R.Q., 1981, c. Q-2, r. 14, s. 38.

39. Buffer zone: Every sanitary landfill site must have a buffer zone at least 10 metres wide between the limits of the solid waste landfill area and all neighbouring land occupied by a person other than the operator of the sanitary landfill site.

Where such buffer zone is a wooded area, the existing trees must be preserved in order to maintain the natural forest setting.

R.R.Q., 1981, c. Q-2, r. 14, s. 39.

40. Posting of a sign: Every sanitary landfill site must be clearly identified as such by means of a sign at the

entrance indicating that it is a sanitary landfill site and giving the name and address of the owner and the hours the sanitary landfill site is open.

R.R.Q., 1981, c. Q-2, r. 14, s. 40; O.C. 492-2000, s. 5.

41. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 41; O.C. 1036-98, s. 9.

42. Daily operations: Solid waste dumped on a sanitary landfill site must be mechanically compacted in uniform layers not exceeding 2 metres and the surface of each compacted layer must be covered with at least 20 centimetres of a cover material as described in section 48 as the layer of compacted solid waste progresses.

The solid waste must be evenly compacted and covered with 20 centimetres of the same cover material after each day of operation where landfill operations are interrupted for a period longer than 8 hours and at least once daily in the case of continuous landfilling. Any operation interrupted for 8 hours or less is considered to be a continuous landfill operation.

R.R.Q., 1981, c. Q-2, r. 14, s. 42.

43. Progressive redevelopment: Sanitary landfill operations must be carried out by site section in such a manner as to permit the progressive reclamation of the site. The sequence of operations within a site section must be such that solid waste is never left more than 6 months with only the daily cover.

Therefore, a new layer of solid waste must be superimposed thereon or a new cover at least 20 centimetres thick must be applied. As soon as the level provided for in the development plan has been reached in a site sector, the operator of the sanitary landfill site must then apply the final cover in the manner provided in section 45.

R.R.Q., 1981, c. Q-2, r. 14, s. 43.

44. Ground solid waste: Where the solid waste deposited at a sanitary landfill site has previously been mechanically ground into pieces, of which 90 % have a diameter less than 10 centimetres, no regular covering operation is required.

R.R.Q., 1981, c. Q-2, r. 14, s. 44.

45. Final cover and revegetation: The final cover material for a sanitary landfill site must consist of earth and be at least 60 centimetres thick. However, if the thickness of each layer of solid waste is 6 metres or more, the final cover material must consist of at least 120 centimetres of earth. The landfill area must always be levelled following a minimum slope of 2 % and not exceeding 30 %.

All holes, cave-ins and faults must be filled in or repaired until the ground has stabilized. The operator of the sanitary landfill site must seed the soil and take all measures required in order that vegetation is still growing 2 years after the final cover.

R.R.Q., 1981, c. Q-2, r. 14, s. 45.

46. Necessary equipment: The operator of a sanitary landfill site must have the mobile equipment necessary to landscape the site, to spread, compact and cover the solid waste, to load and carry the cover material described in section 48 and to excavate trenches where required.

The operator of a sanitary landfill site must have replacement equipment or make a permanent arrangement to obtain it at any time in case of malfunction, in order to comply with this Regulation at all times.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 46; O.C. 195-82, s. 7.

47. Mechanical compactor: Where the sanitary landfill site serves 50 000 persons or more, the material must be compacted using a mechanical compactor designed specifically for such purpose.

R.R.Q., 1981, c. Q-2, r. 14, s. 47.

48. Cover material: The cover material required by section 42 must consist of earth containing less than 30 % of clay or consist of sand, clinker, slag or gravel with a mean particle diameter of less than 1 centimetre.

Solid waste incineration residue containing less than 5 % (of mass) of unincinerated matter, the metal scrap of which has been extracted, may also be used as cover material.

Automobile fluff may also be used as cover material, provided that leachate from the site at which it is to be stored is caught and treated in a manner complying with the standards prescribed in section 30.

The cover material governed by this section must not contain any substance likely to be blown into the air.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 48; O.C. 195-82, s. 8; O.C. 1036-98, s. 10.

49. Reserve: The person responsible for a sanitary landfill site must have a reserve of cover material that is useable and accessible at all times, in order to carry out in any season the covering required by this Regulation.

R.R.Q., 1981, c. Q-2, r. 14, s. 49.

50. Raising of land level: Except within the territory of the Communauté urbaine de Montréal, the raising of the land level of a sanitary landfill site by layers of solid waste must not raise the level by more than 4 metres relative to the surrounding profile.

R.R.Q., 1981, c. Q-2, r. 14, s. 50.

51. Supervision: The operator of a sanitary landfill site must continuously supervise the nature of the waste being brought to the site and of the landfill operations during regular operating hours.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 51; O.C. 195-82, s. 9.

52. No admission: Outside regular operating hours or in the absence of compacting and covering attendants, a barrier or other obstacle must be placed at a distance of less than 20 metres from the public thoroughfare to prevent motor vehicles from entering the premises.

R.R.Q., 1981, c. Q-2, r. 14, s. 52.

53. Hours of operation: When access is prohibited in accordance with section 52, no solid waste may be deposited at a sanitary landfill site except in an airtight container placed at the entrance of the sanitary landfill site for that purpose.

R.R.Q., 1981, c. Q-2, r. 14, s. 53; O.C. 1036-98, s. 11.

54. Acceptable waste: The operator of a sanitary landfill site may accept only solid waste, non-hazardous residues

that are solid at 20°C from pulp and paper plants and sawmills, non-hazardous sludge capable of being shovelled.

The operator of a sanitary landfill site may accept fluff from the shredding of motor vehicle wrecks, provided that the leachates of the place where they will be deposited are collected and treated in order to comply with the standards prescribed in section 30.

R.R.Q., 1981, c. Q-2, r. 14, s. 54; O.C. 1003-85, ss. 2 and 5; O.C. 585-92, s. 3; O.C. 1458-93, s. 1; O.C. 843-2001, s. 69.

55. Prohibition: No person may deposit, or allow to be deposited, any waste prohibited under section 54 at a sanitary landfill site. The presence of any such waste in the ground is prohibited within the meaning of section 20 of the Act.

R.R.Q., 1981, c. Q-2, r. 14, s. 55.

56. Used tires: Notwithstanding the other provisions of this Regulation, the operator of a sanitary landfill site may not accept used tires within the meaning of the Regulation respecting used tire storage (chapter Q-2, r. 20).

R.R.Q., 1981, c. Q-2, r. 14, s. 56; O.C. 918-2000, s. 30.

57. Burning: The burning of waste or permitting such burning is prohibited on sanitary landfill sites.

The presence in the environment of smoke from any such fire is prohibited within the meaning of the second paragraph of section 20 of the Act.

R.R.Q., 1981, c. Q-2, r. 14, s. 57.

57.1. Register: The operator of a sanitary landfill site must keep a register of his operations entering, for each truck that dumps waste:

- (a) the name of the carrier who owns the truck;
- (b) the nature of the waste dumped by the truck; and
- (c) the origin of the waste.

He must keep the register for at least 2 years.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

O.C. 195-82, s. 10.

58. Clean-up of site: The access roads, the apparatuses set up to limit the blowing away or scattering of waste and the surroundings of every sanitary landfill site must be cleaned up at the end of each day's operations, leaving no solid waste material.

R.R.Q., 1981, c. Q-2, r. 14, s. 58; O.C. 1036-98, s. 12.

59. Pest control: The operator of a sanitary landfill site must use poison whenever necessary to control rats and vermin for as long as he operates the landfill site. He must use poison for a further 3 months after the permanent closing of the sanitary landfill site.

R.R.Q., 1981, c. Q-2, r. 14, s. 59.

60. Seasonal exception: During any period of the year where the population served by a sanitary landfill site falls

below 2 000 persons, the said sanitary landfill site may be operated in accordance with the standards provided in sections 97 and 100 instead of sections 42 and 43, provided the said sections 97 and 100 are rigorously respected.

R.R.Q., 1981, c. Q-2, r. 14, s. 60.

DIVISION V INCINERATION

61. Application of this Division: This Division is applicable only to incinerators having a capacity greater than one metric ton per hour.

R.R.Q., 1981, c. Q-2, r. 14, s. 61.

62. Zoning: Every incinerator must be located in a zone classified as industrial by the competent municipal government and be at least 150 metres from the limits of such zone.

R.R.Q., 1981, c. Q-2, r. 14, s. 62.

63. Receiving waste: Every incinerator must be provided with a pit or a waste receiving area located inside a building and kept under negative pressure.

A waste pit is obligatory for incinerators with a capacity of more than 50 metric tons per day.

All receiving areas for waste must be cleaned up at the end of each day's operations.

R.R.Q., 1981, c. Q-2, r. 14, s. 63; O.C. 585-92, s. 4.

63.1. Where an incinerator receives biomedical waste, such waste may not be deposited in the pit prescribed in section 63.

The incinerator must be provided with a biomedical waste receiving area and feed system that are separate from those provided for solid waste.

O.C. 585-92, s. 5.

64. Pyrometer: The combustion chamber of every incinerator must be equipped with a continuously recording pyrometer. The information thus recorded must be kept for a year by the operator of the incinerator.

R.R.Q., 1981, c. Q-2, r. 14, s. 64.

65. Complementary disposal site: Solid waste incineration residues must be disposed of at a sanitary landfill site governed by Division IV. The same applies to solid waste which is not accepted at the incinerator.

Before being disposed of in that manner, incineration residues must be extinguished and have cooled.

R.R.Q., 1981, c. Q-2, r. 14, s. 65.

66. Emission of contaminants into the atmosphere: Every incinerator must meet the standards for emission of contaminants into the atmosphere prescribed in the Regulation respecting the quality of the atmosphere (chapter Q-2, r. 38).

R.R.Q., 1981, c. Q-2, r. 14, s. 66.

67. Waste water: Sections 30 and 31 apply mutatis mutandis to process water used in an incinerator to cool the ashes or lessen the discharge of contaminants into the atmosphere; they also apply to any water coming from a pit or waste receiving area.

R.R.Q., 1981, c. Q-2, r. 14, s. 67.

68. Other requirements: The requirements prescribed under sections 26, 27, 28, 40, 51, 54 and 56 apply *mutatis mutandis* to incinerators.

The operator of an incinerator may also receive biomedical waste within the meaning of section 1 of the Regulation respecting biomedical waste and pharmaceutical and cosmetic products that are not toxic within the meaning of section 3 of the Regulation respecting hazardous materials.

The operator may not accept biomedical and such products waste generated outside Québec.

R.R.Q., 1981, c. Q-2, r. 14, s. 68; O.C. 585-92, s. 6; O.C. 1310-97, s. 154; O.C. 918-2000, s. 31.

DIVISION VI RECOVERY OF MIXED WASTE

R.R.Q., 1981, c. Q-2, r. 14, div. VI; O.C. 1036-98, s. 13.

68.1. Application: The provisions of this Division apply only to solid waste recovery systems that receive non-compostable material mixed with compostable material.

For the purposes of this section, paper, cardboard and wood are deemed to be non-compostable material, except when used to make compost.

O.C. 1036-98, s. 14.

69. Siting standards: Every system for the recovery of materials and products contained in solid waste must be established in accordance with section 62 or with the siting standards provided in sections 23, 25, 26, 27 and 28 unless the said system is established on the land of another solid waste elimination or storage site. In these latter cases, the siting standards for the original solid waste elimination or storage site apply to the recovery system.

R.R.Q., 1981, c. Q-2, r. 14, s. 69.

70. Buildings: Discharging, sorting, processing and recovery operations must be carried out inside buildings unless the recovery system is established on a sanitary landfill site.

R.R.Q., 1981, c. Q-2, r. 14, s. 70.

71. Operations: Recovery operations on another solid waste elimination or storage site must be carried out in accordance with an operation sequence which integrates with the operation of the solid waste elimination or storage site without affecting its operation.

R.R.Q., 1981, c. Q-2, r. 14, s. 71.

72. Recovery at a sanitary landfill site: At a sanitary landfill site, recovery must be carried out in an area separate from the landfill area. At the end of each day of operation, the recovered materials and products must be transported to the storage area contemplated in section 73 and non-recovered solid waste and the residue from the recovery operation must be buried in the manner provided in Division IV.

R.R.Q., 1981, c. Q-2, r. 14, s. 72.

73. Storage: The recovered materials and products must be stored by category in a building or in the open within fenced-in storage areas if they are deposited at a solid waste elimination or storage site or on a contiguous surface. They must be placed in piles or in containers.

The standards provided in sections 32 to 34 apply *mutatis mutandis* to storage sites for recovered materials and products that are established on a solid waste elimination or storage site or that are contiguous thereto. In the latter

case, the standards relating to such elimination site also apply to the said storage areas.

R.R.Q., 1981, c. Q-2, r. 14, s. 73.

74. Manual recovery: Manual recovery of household garbage is only permitted if such recovery constitutes an integral part of a mechanized recovery system.

R.R.Q., 1981, c. Q-2, r. 14, s. 74.

75. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 75; O.C. 1036-98, s. 15.

76. Sites permitted: Recovery may only be carried out at a solid waste elimination or storage site, with the exception of a dry materials disposal site, an in-trench deposit site or a dump.

R.R.Q., 1981, c. Q-2, r. 14, s. 76.

77. Waste water: Process water, water from the solid waste pit and water resulting from the washing of the floors of a building governed by section 70 are subject mutatis mutandis to the requirements set down in sections 30 and 31.

R.R.Q., 1981, c. Q-2, r. 14, s. 77.

78. Residues: Residues from a recovery system must be eliminated the same day at an elimination site in conformity with this Regulation and subject to the limitation provided in Division XIV, or stored in a container.

R.R.Q., 1981, c. Q-2, r. 14, s. 78.

79. Burning: It is prohibited to burn or to tolerate the burning of any material whatsoever on land where a recovery system is situated. The second paragraph of section 57 applies mutatis mutandis.

R.R.Q., 1981, c. Q-2, r. 14, s. 79.

DIVISION VII COMPOSTING OF MIXED WASTE

R.R.Q., 1981, c. Q-2, r. 14, div. VII; O.C. 1036-98, s. 16.

79.1. Application: The provisions of this Division apply only to solid waste compost plants that receive compostable material mixed with non-compostable material.

For the purposes of this section, paper, cardboard and wood are deemed to be non-compostable material, except when used to make compost.

O.C. 1036-98, s. 17.

80. Siting standards: Any solid waste compost plant must be established in accordance with the siting standards provided in sections 23, 26, 27 and 28; however the distance referred to in section 27 is extended to 300 metres.

R.R.Q., 1981, c. Q-2, r. 14, s. 80.

81. Other standards: Sections 40, 54, 57, 65 and 77 apply mutatis mutandis to compost plants.

R.R.Q., 1981, c. Q-2, r. 14, s. 81.

82. Acceptable waste: In addition to the provisions of section 54, the operator of a compost plant may also receive non-hazardous mud that is not capable of being shovelled.

This section applies particularly to immoveables comprised in a reserved area or in an agricultural zone established under the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1).

R.R.Q., 1981, c. Q-2, r. 14, s. 82; O.C. 1003-85, ss. 3 and 5.

DIVISION VIII
PYROLYSIS

83. Siting standards: Every pyrolysis plant must be established in accordance with the siting standards provided in sections 26, 27, 28 and 62.

R.R.Q., 1981, c. Q-2, r. 14, s. 83.

84. Other standards: Sections 40, 54, 65 , 66 and 67 apply mutatis mutandis to pyrolysis plants.

R.R.Q., 1981, c. Q-2, r. 14, s. 84.

DIVISION IX
DRY MATERIALS DISPOSAL SITE

85. Environmental reclamation: Dry materials may be deposited on the ground in the open air only under a filling project of an excavation quarry or sand pit with a mean depth equal to or greater than 3 metres.

R.R.Q., 1981, c. Q-2, r. 14, s. 85.

86. Acceptable waste: The operator of a dry materials disposal site governed by this Division may only receive dry materials and excavation materials, except used tires within the meaning of the Regulation respecting used tire storage (chapter Q-2, r. 20).

No person may deposit or allow to be deposited at a dry materials disposal site any waste whose presence is not permitted under the first paragraph. The presence of any such waste in the ground of a dry materials disposal site is prohibited within the meaning of section 20 of the Act.

R.R.Q., 1981, c. Q-2, r. 14, s. 86; O.C. 918-2000, s. 32.

87. Operations: After being deposited, dry materials must be levelled and covered completely with a layer of granular material contemplated in the first paragraph of section 48 at least once a month during the months of operation.

R.R.Q., 1981, c. Q-2, r. 14, s. 87.

88. Other operating standards: Sections 32, 33, 34 and 40 of the fourth paragraph of section 48 apply mutatis mutandis at all times to dry materials disposal sites.

R.R.Q., 1981, c. Q-2, r. 14, s. 88; O.C. 1036-98, s. 18.

89. Final profile: At the end of the filling project, the final profile of a dry materials disposal site, including the final covering layer, must not be higher than the profile of the surrounding land.

R.R.Q., 1981, c. Q-2, r. 14, s. 89.

90. Final cover: As soon as the filling of a dry materials disposal site is completed to a depth of 60 centimetres or 120 centimetres below the profile of the surrounding land, in accordance with the cases contemplated in section 45, the operator of a dry materials disposal site must then apply the final cover in the manner contemplated in section 45.

R.R.Q., 1981, c. Q-2, r. 14, s. 90.

91. Burning: The burning of material or permitting such burning is prohibited on a dry materials disposal site. The second paragraph of section 57 applies *mutatis mutandis*.

R.R.Q., 1981, c. Q-2, r. 14, s. 91.

92. Closing down or suspension of activities: When a dry materials disposal site is closed down, or remains unused during 12 consecutive months, it must be covered in the manner indicated in sections 89 and 90.

R.R.Q., 1981, c. Q-2, r. 14, s. 92.

DIVISION X

IN-TRENCH DISPOSAL SITE FOR SOLID WASTE

93. Limited practice: An in-trench disposal site for solid waste may only be established to receive the solid waste of populations inhabiting the following territories:

- (1) the territory situated north of the 55th parallel, except Category I and II lands for the Cree of Great Whale River ;
- (2) Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent, the municipalities of Blanc Sablon, Bonne-Espérance, Gros-Mécatina and Saint-Augustin, and every other municipality constituted under the Act respecting the municipal reorganization of the territory of Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent (1988, c. 55 ; 1993, c. 65 ; 1996, c. 2) ;
- (3) every part of territory that is not organized into a local municipality and that is situated more than 100 km by a year-round road from a sanitary landfill site that is not reserved exclusively for an industrial, commercial or other establishment ;
- (4) the James Bay territory, as described in section 133 of the Environment Quality Act, excluding the municipalities of Chibougamau and Chapais ;
- (5) all territory inaccessible by a year-round road, including every island that is not connected to the mainland by a bridge or a boat service operational year-round ;
- (6) the regional county municipalities of Minganie and Caniapiscau ;
- (7) the part of the territory of Ville de la Tuque situated west of the 73rd meridian.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 93; O.C. 195-82, s. 11; O.C. 1615-91, s. 1; O.C. 492-2000, s. 5; O.C. 1048-2004, s. 1.

94. Maximum population: An in-trench disposal site for solid waste may not serve more than 2 000 persons except in the municipalities of James Bay, Lebel-sur-Quévillon, Matagami, Fermont and Havre-Saint-Pierre.

The limit prescribed in the first paragraph also does not apply to in-trench disposal sites that were established prior to 17 November 2004 in the municipalities of Îles-de-la-Madeleine, Senneterre, Témiscaming and Ville-Marie and that are still in operation on that date.

R.R.Q., 1981, c. Q-2, r. 14, s. 94; O.C. 1048-2004, s. 2.

95. Siting standards: Every in-trench disposal site for solid waste must be placed at a distance of at least:

- (a) 150 metres from any ocean, river, stream, pond, swamp, sandbank or ecological reserve established under the Act respecting ecological reserves (chapter R-26.1);
- (b) 300 metres from any lake;
- (c) 152,40 metres from any road kept by the Ministère des Transports and 100 metres from any other highway;
- (d) 500 metres from any dwelling, educational institution, building for worship, food processing plant, and from any well or spring supplying water for human consumption.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 95; O.C. 195-82, s. 12; S.Q., 1993, c. 32, s. 22.

96. Land management: Every in-trench disposal site established in a forest must be surrounded:

- (a) by a zone cleared to the level of inorganic earth, the width of which must be equivalent to 1/100 of the perimeter of the in-trench disposal site and not less than 15 metres in any case; and
- (b) by a non-inflammable barrier or an embankment with a minimum height of 2,50 metres located on the inside perimeter of the cleared zone.

R.R.Q., 1981, c. Q-2, r. 14, s. 96.

97. Trench excavation: Solid waste eliminated in the manner contemplated in this Division must be deposited in a trench excavated for that purpose. All excavated material which will be required subsequently to cover the solid waste deposited in the said trench must be deposited around such trench.

R.R.Q., 1981, c. Q-2, r. 14, s. 97.

98. Phreatic water level: The bottom of the trench contemplated in section 97 must be at a minimum distance of 30 centimetres above the highest phreatic water level.

R.R.Q., 1981, c. Q-2, r. 14, s. 98.

99. Acceptable waste: The operator of an in-trench disposal site may only receive solid waste, except used tires within the meaning of the Regulation respecting used tire storage (chapter Q-2, r. 20).

R.R.Q., 1981, c. Q-2, r. 14, s. 99; O.C. 918-2000, s. 33.

100. Recovery: Solid waste disposed of in the manner governed by this Division must be covered with a minimum of 15 centimetres of excavated material as contemplated in section 97 at least once a week during the months of June, July, August and September.

When the height of solid waste reaches the initial ground level, the trench must be closed over and the earth levelled.

R.R.Q., 1981, c. Q-2, r. 14, s. 100.

DIVISION X.I
WASTE DISPOSAL SITE IN THE NORTH

O.C. 1075-84, s. 3.

100.1. Method of disposal:

Solid waste from the territory described in section 168 of the Act, from the territories of the municipalities of Blanc-Sablon, Bonne-Espérance, the North Shore of the Gulf of St. Lawrence, and from the municipalities to be constituted under the Act respecting the municipal reorganization of the territory of the municipality of the North Shore of the Gulf of St. Lawrence (S.Q., 1988, c. 55), must be disposed of according to the methods prescribed in Divisions IV to X or in a waste disposal site in the North.

O.C. 1075-84, s. 3; O.C. 1615-91, s. 2.

100.2. Siting: A waste disposal site in the North must be placed at least:

- (a) 100 metres from a lake or watercourse;
- (b) 300 metres from a dwelling, school, place of worship, cemetery or hospital;
- (c) 500 metres from a well or spring supplying water for human consumption.

O.C. 1075-84, s. 3.

100.3. Fence and gate: A waste disposal site in the North must be surrounded by a fence and gate to prevent access to the site. They must be at least 2,5 metres high, angle inward at the top, and be made of square mesh wire with spacing not exceeding 10 centimetres. The gate must remain closed at all times except for the passage of vehicles or employees.

O.C. 1075-84, s. 3.

100.4. Preparation: Before any solid waste is deposited in a waste disposal site in the North, unconsolidated materials must be removed to a depth of one metre, to the permafrost line or to 30 centimetres above the underground water level, whichever is encountered first. Such excavated material must be deposited on the periphery of the site and will be used subsequently to cover the waste.

O.C. 1075-84, s. 3.

100.5. Burning of waste: In a waste disposal site in the North, solid waste must be burned at least once a month. It must also be burned before final burial.

O.C. 1075-84, s. 3.

100.6. Final burial: At the closure or the discontinuation of operation of a waste disposal site in the North, residual solid waste must be covered to a depth of at least 30 centimetres by unconsolidated material.

O.C. 1075-84, s. 3.

100.7. Acceptable waste: The operator of a waste disposal site in the North may accept only solid waste and urine and excrement collected in containers.

O.C. 1075-84, s. 3.

DIVISION XI

MIXED WASTE TRANSFER STATIONS

R.R.Q., 1981, c. Q-2, r. 14, div. XI; O.C. 1036-98, s. 19.

101. Application: The provisions of this Division apply only to transfer stations that receive at least 5 metric tons per day of solid waste containing compostable material mixed with non-compostable material.

For the purposes of this section, paper, cardboard and wood are deemed to be non-compostable material, except when used to make compost.

R.R.Q., 1981, c. Q-2, r. 14, s. 101; O.C. 1036-98, s. 20.

102. Building: Solid waste deposit and storage operations at a transfer station must be performed inside a building.

R.R.Q., 1981, c. Q-2, r. 14, s. 102.

103. Other standards: The standards prescribed in sections 26, 27, 28, 40, 57 and 62 apply *mutatis mutandis* to transfer stations.

R.R.Q., 1981, c. Q-2, r. 14, s. 103.

DIVISION XII COLLECTION AND TRANSPORTATION OF SOLID WASTE

104. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 104; O.C. 2238-85, s. 1.

105. Bulky solid waste: Every household garbage collection service established by a municipality must include collection of bulky solid waste at least twice a year, in the spring and the fall.

Bulky solid waste must be piled in an orderly manner or tied in packages to avoid scattering and to facilitate collection.

R.R.Q., 1981, c. Q-2, r. 14, s. 105.

106. Containers: Solid waste to be collected must be placed in one of the following containers:

- (a) a closed waterproof garbage can, made of metal or plastic, equipped with handles and a cover and having a maximum capacity of 100 litres if collection is carried out manually;
- (b) a non-returnable plastic bag, having a minimum thickness of 0,040 millimetres (1,57 mil); or
- (c) any other non-returnable container from which no solid waste may escape.

R.R.Q., 1981, c. Q-2, r. 14, s. 106.

107. Maximum weight: The maximum weight of any container filled with solid waste for collection by a solid waste collection service must not exceed 25 kilogrammes in all cases where the collection of solid waste is carried out manually.

R.R.Q., 1981, c. Q-2, r. 14, s. 107.

108. Deposit for collection: Household garbage to be collected by a household garbage collection service must be deposited at the side of a public thoroughfare not more than 12 hours before the time prescribed for collection. The empty containers must be withdrawn not more than 12 hours after the collection of solid waste.

R.R.Q., 1981, c. Q-2, r. 14, s. 108.

109. Cinders and slag: Every person served by a solid waste collection service and wishing to have cinders and slag removed must ensure that the latter are extinguished and are cold prior to placing them for collection.

R.R.Q., 1981, c. Q-2, r. 14, s. 109.

110. Vehicle: The bucket of every truck used for a solid waste collection service must be sealed and must not let solid waste fall on the ground. Such truck must be used exclusively for transporting solid waste, earth, aggregates or snow.

The name or firm name of the owner, and also the address, must be inscribed on the truck.

R.R.Q., 1981, c. Q-2, r. 14, s. 110.

110.1. Exception: This Division does not apply to the collection or transport of pre-sorted household garbage.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

O.C. 195-82, s. 13.

DIVISION XIII
APPORTIONMENT OF COSTS AMONG THE MUNICIPALITIES

R.R.Q., 1981, Div. XIII; O.C. 492-2000, s. 5.

111. Apportionment of costs: When the Minister issues an order pursuant to section 61 of the Act, he may, failing agreement between the municipalities in question, apportion the costs of a residual materials elimination facility according to the following criteria, minus any government subsidy:

- (a) initial investments: all initial investment costs, including the purchase of furnishings and property, the construction of access roads, fences, barriers and buildings, as well as engineering costs and the working capital required for the first year of operation shall be apportioned pro rata to the population served in each municipality;
- (b) operating and maintenance costs: all operating and maintenance costs exclusive of amortization costs shall be apportioned according to the quantities measured during one complete month by a weigh scale installed temporarily for that purpose. The rental and installation costs of the scale are considered as operating costs for the purposes of the said apportionment.

R.R.Q., 1981, c. Q-2, r. 14, s. 111; S.Q., 1988, c. 49, s. 54; O.C. 492-2000, s. 5.

DIVISION XIV
LIMITATION OF THE NUMBER OF ELIMINATION SITES

112. Maximum number: The maximum permissible number of elimination sites referred to in Division IV for each of the territories described in the following table is determined as being one per population bracket indicated for each territory, provided that the minimum distance standards prescribed in each case between each elimination site are respected:

TABLE

Territory	Minimum distance between 2 elimination sites (in kilometres by roads useable by motor vehicle the year round)	Population
All of Vaudreuil and Soulanges counties	15	75 000 persons
Terrebonne county	10	75 000 persons
All of Argenteuil and Deux-Montagnes counties	20	30 000 persons

Regulation respecting solid waste		
Laprairie county	10	100 000 persons
All of Saint-Jean and Iberville counties	15	50 000 persons
Maskinongé county	nil	35 000 persons
Verchères county All of L'Assomption and	15	100 000 persons
Montcalm counties All of Joliette and	15	40 000 persons
Berthier counties	20	35 000 persons
All of Richelieu and Yamaska counties	15	50 000 persons
All of Shefford, Brome, Missisquoi, Saint-Hyacinthe, Bagot and Rouville counties	20	40 000 persons
All of the four counties of Napierville, Châteauguay, Beauharnois and Huntington	15	50 000 persons
Lévis county	20	50 000 persons
Arthabaska county	25	50 000 persons
Portneuf county	20	25 000 persons
Lotbinière county	25	20 000 persons
All of Sherbrooke, Compton and Stanstead couties	20	50 000 persons
All of Champlain and Saint-Maurice counties to the northern limits of the municipalities of Boucher, Saint-Rock-de-Mékinac and Saint-Jean-des-Piles	15	60 000 persons
Chicoutimi county	25	75 000 persons
Lac-Saint-Jean-Est county	20	25 000 persons
Matane county	30	40 000 persons
Gaspé-Est county	25	15 000 persons
Gaspé-Ouest county	30	15 000 persons
All of Montmorency counties No. 1 and No. 2	20	50 000 persons
île Jésus	10	200 000 persons
Communauté régionale de l'Outaouais	15	50 000 persons
Rimouski county	25	40 000 persons

Bonaventure county	30	15 000 persons
Montréal Urban Community	nil	300 000 persons

“The minimum distance prescribed in the above table applies only between 2 elimination sites situated within the same territory mentioned in the said table. Each population bracket indicated is entitled to an elimination site, even if the total population of a bracket is not reached.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 112; O.C. 195-82, s. 14; O.C. 2238-85, ss. 2 and 3; O.C. 1621-87, s. 1.

113. Other territories: Outside the territories governed by the table of section 112, except in the case of the territory of the Communauté urbaine de Québec, the minimum distance between 2 elimination sites referred in Division IV is 20 kilometres.

R.R.Q., 1981, c. Q-2, r. 14, s. 113; O.C. 1621-87, s. 2.

114. Exceptions: The limitations provided in sections 112 and 113 shall not apply to dry materials disposal sites contemplated in Division IX, to in-trench deposit sites contemplated in Division X, to elimination sites used exclusively by one industrial establishment, to dumps, to solid waste treatment sites where recovery of materials and products is practised by means of a selective collection from solid waste producers, nor to elimination sites contemplated in the third paragraph of section 127 nor to recovery systems contemplated in Division VI and established on the land of another solid waste elimination or storage site.

R.R.Q., 1981, c. Q-2, r. 14, s. 114; O.C. 1036-98, s. 21.

115. Acceptance of solid waste:

With the exception of the cases contemplated in section 114, section 115.1 or in the fourth paragraph of section 131, the operator of an elimination site is required to accept only solid waste that is brought to the site from the territory of the regional county municipality or of the urban or regional community in which the site is located.

Notwithstanding the foregoing, the abovementioned operator shall not accept solid waste brought to the site but generated outside Québec.

R.R.Q., 1981, c. Q-2, r. 14, s. 115; O.C. 1863-88, s. 1; O.C. 1615-91, s. 3; O.C. 859-98, s. 1; O.C. 1048-2004, s. 3.

115.1. Acceptance of solid waste : The operator of a sanitary landfill site is required to accept solid waste from any territory that is not organized into a local municipality and from any municipality with a population of less than 2 000 inhabitants, in the case where no other sanitary landfill site is situated closer to the municipality by a year-round road.

O.C. 1048-2004, s. 4.

116. Complementary elimination sites: For the purposes of this Division, an elimination site shall include any complementary site for receiving exclusively processing residues and solid waste not accepted in a principal elimination site.

R.R.Q., 1981, c. Q-2, r. 14, s. 116.

117. Obligation to operate: Where a certificate for an elimination site prevents, under section 112 or 113, the issuance of a certificate for another elimination site within the same territory, the holder of the certificate must undertake the operation of the elimination site within 6 months from the date of issuance of the said certificate. The

holder of such certificate may not, for any reason whatsoever, interrupt the operation thereof during more than 3 consecutive months.

R.R.Q., 1981, c. Q-2, r. 14, s. 117; O.C. 492-2000, s. 5.

118. Administrative application: For the administrative application of this Division, the number of elimination sites within a given territory shall be computed on the date on which the certificate application is made to the Minister.

Where the start-up of the operation of an elimination site has been omitted or neglected or where the operation of an elimination site is interrupted contrary to section 117, the Minister may issue a certificate for another elimination site within the same territory after having cancelled, because of non-operation, the first certificate under the Act.

R.R.Q., 1981, c. Q-2, r. 14, s. 118; S.Q., 1988, c. 49, s. 54; O.C. 492-2000, s. 5.

DIVISION XV

Revoked.

R.R.Q., 1981, Div. XV; O.C. 492-2000, s. 5.

119. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 119; O.C. 492-2000, s. 5.

120. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 120; O.C. 492-2000, s. 5.

121. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 121; O.C. 492-2000, s. 5.

122. Revoked.

R.R.Q., 1981, c. Q-2, r. 14, s. 122; O.C. 492-2000, s. 5.

DIVISION XVI
TRANSITIONAL PROVISIONS

123. Transitional period: Every person or municipality that owned a dump on 10 May 1978 must, within the period indicated in the following table, close it down in the manner prescribed in section 126 or tranform it into an elimination site in accordance with Divisions IV, IX, or X:

Administrative region in which the dump is located	Time granted
Lower St. Lawrence/Gaspésie	1 December 1978
Montréal	1 December 1978
Québec	1 December 1979
Trois-Rivières	1 December 1979
Outaouais Region	1 December 1980
Estrie	1 December 1980
Saguenay/Lac-Saint-Jean	1 December 1981
North Shore	1 December 1981

“The above-mentioned administrative regions are those established by the Décret sur la division administrative du Québec (chapter D-11, r. 1).

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 123; O.C. 195-82, s. 15.

124. Exception: The period prescribed in section 123 does not apply to dumps located less than 30 kilometres by roads that may be driven on the year round from an elimination site in accordance with Divisions IV, V, VII, VIII or XI, nor to dumps which do not comply with the standards prescribed in section 125. In each of these cases, the operator is required to close down the dump immediately in the manner prescribed in section 126, unless he elects to transform it immediately into an elimination site in accordance with Divisions IV, IX or X.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 124; O.C. 195-82, s. 16.

125. Operating standards for dumps: A dump which it is not necessary to close down pursuant to section 123 or 124 must be operated in accordance with the following standards:

- (a) the dump must be placed at a minimum distance of 500 metres from any dwelling and from any well used as a water supply and at a minimum distance of 150 metres from any watercourse, lake or pond;
- (b) solid waste must be covered over at least once a week during the months of June, July, August and September by a layer of a minimum thickness of 30 centimetres of a cover material described in the first paragraph of section 48;
- (c) the third paragraph of section 48 and sections 59 and 96 apply mutatis mutandis to dumps governed by this section.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 125; O.C. 195-82, s. 17.

126. Closing down of dumps: A dump or other open-air solid waste deposit site must be closed down as follows:

- (a) access to the dump must be prohibited in a permanent fashion by a barrier, fence or ditch of at least 60 centimetres depth or any other obstacle of at least 50 centimetres in height;
- (b) a notice must indicate that it is prohibited to deposit waste upon pain of a fine;
- (c) scattered solid waste, notably wind-blown paper, must be collected or recovered in the manner prescribed in paragraph d;
- (d) rats and vermin must first be exterminated by poison;
- (e) solid waste must be compacted and covered over with a layer of at least 60 centimetres of earth and the

ground must then be levelled; and

(f) extermination of rats and vermin must be continued for at least 3 months following the step prescribed in subparagraph e.

A person who closes down a dump or any other open-air waste disposal site must, within 30 days following the first extermination referred to in subparagraph d of the first paragraph, send to the Minister a bill certifying that the extermination was actually undertaken.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 126; O.C. 195-82, s. 18; S.Q., 1988, c. 49, s. 54.

DIVISION XVII FINAL PROVISIONS

127. Exceptions: Sections 55 to 58 of the Act shall not apply to the collection or the transport of solid waste nor to movables and immovables reserved for such purposes.

Sections 55 to 58 of the Act do not apply to incinerators with a capacity equal to or less than one metric ton per hour, to transfer stations designed to receive less than 5 metric tons of solid waste per day, to solid waste recovery by an industrial producer where the latter himself recovers solid waste on the site of the business and to any related storage on the premises of that business, to recovery or composting systems or facilities contemplated in section 1.1, to experimental residual materials elimination or reclamation facilities established in a laboratory, to containers of all sizes designed to hold solid waste, to industrial establishments that reuse solid waste other than used tires governed by the Regulation respecting used tire storage (chapter Q-2, r. 20) as a primary material to manufacture a product and to any related storage on the premises of that establishment, to sites for the storage of material, other than used tires that has been presorted for recycling, to sites for the storage of industrial solid waste on the premises of an industrial establishment for less than 6 months, to the cases provided in section 132.1, or to waste trenches established pursuant to section 7 of the Regulation respecting sanitary conditions in industrial or other camps (chapter Q-2, r. 11).

Sections 55 to 58 of the Act shall not apply to dumps.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 127; O.C. 195-82, s. 19; O.C. 1075-84, s. 4; O.C. 30-92, s. 1; O.C. 1036-98, s. 22; O.C. 492-2000, s. 5.

128. Cut wood and portions of trees and shrubs: Divisions I to XV of this Regulation and sections 55 to 66 of the Act shall not apply to sites for the final deposit, processing or storage of cut wood or portions of trees and shrubs separately from all other waste.

R.R.Q., 1981, c. Q-2, r. 14, s. 128; O.C. 492-2000, s. 5.

129. Abrogated.

R.R.Q., 1981, c. Q-2, r. 14, s. 129; O.C. 195-82, s. 20; O.C. 1003-85, s. 4.

130. Compost: Sections 55 to 66 of the Act do not apply to places where only compost is buried in conformity with the provisions of section 72 of the Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22).

R.R.Q., 1981, c. Q-2, r. 14, s. 130; O.C. 492-2000, s. 5.

131. Carcasses and parts of animals: Meat unfit for human consumption may be eliminated only in accordance with the elimination procedures prescribed by the Regulation respecting food (chapter P-29, r. 1).

Sections 55 to 66 of the Act do not apply to the elimination of meat unfit for human consumption, where such elimination is carried out in compliance with the provisions of the Regulation respecting food and in facilities not governed by this Regulation.

Sheep or goat meat unfit for human consumption which, under the Regulation respecting food, may be sent to an elimination site may, if it consist of carcasses or parts of animals covered by a disposal order issued under section 3.4, 11.1 or 11.2 of the Animal Health Protection Act (chapter P-42) or under section 114 of the Regulation respecting the health of animals (C.R.C. c. 296; SOR/91-525 5 September 1991 (1991) No. 20 Can. Gaz. II, p. 3084), be admitted into a sanitary landfill site referred to in Division IV only if the latter meets either of the following conditions:

(1) it is a sanitary landfill site whose establishment or enlargement was authorized by order made under section 31.5 of the Act; or

(2) although an order has not been issued for that site, its waterproofness is similar to a site mentioned in subparagraph 1 and it has a system for collecting and treating leachates.

The operator of a sanitary landfill site that meets the conditions prescribed by subparagraph 1 or 2 of the third paragraph must accept meat unfit for human consumption mentioned in the said paragraph where it comes from the territory of the administrative region where the sanitary landfill site is located.

For the purposes of this section,

«meat unfit for human consumption» means the products mentioned in section 7.1.1 of the Regulation respecting food;

«administrative region» means any region established by Order in Council 2000-97 dated 22 December 1987, amended by Orders in Council 1399-88 dated 14 September 1988, 1389-89 dated 23 August 1989 and 965-97 dated 30 July 1997.

R.R.Q., 1981, c. Q-2, r. 14, s. 131; O.C. 195-82, s. 20; O.C. 859-98, s. 2; O.C. 492-2000, s. 5.

132. Existing elimination sites: Except insofar as siting standards are concerned, Divisions I, III, IV, V, VI, IX, X and XV to XVII shall apply to elimination sites already established before 10 May 1978.

R.R.Q., 1981, c. Q-2, r. 14, s. 132.

132.1. Outfitters: Waste from a hunting, fishing or trapping outfitter that is not served by an organized system of household garbage removal must be placed in a trench dug more than 100 metres from the outfitter or from any watercourse.

Waste placed in such a ditch must be covered with lime every day of its use from June to September inclusively.

When the waste placed reaches the surrounding ground level or where the trench is abandoned, the trench must be covered with earth or sand and the land must be levelled. The waste must be covered with earth or sand where the use of a trench is interrupted at the end of a season.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

O.C. 195-82, s. 21.

133. Special cases: The deposit of solid waste in the places listed below shall constitute exceptional cases to section 66 of the Act:

- (a) a dump operated in accordance with sections 123 to 125;
- (b) an incinerator, having a capacity greater than one metric ton per hour, established prior to 10 May 1978;
- (c) a location mentioned in the third paragraph of section 127;
- (d) an elimination site governed by section 128 or 131;
- (e) an elimination site for which a certificate of authorization has been issued by the Minister in accordance with section 22 of the Act.

R.R.Q., 1981, c. Q-2, r. 14, s. 133; S.Q., 1988, c. 49, s. 54.

134. Clean land: A person entrusted with the upkeep of land must take the required measures to ensure that the land is free of waste at all times, except to the extent permitted by this Regulation.

In the case of a public road, the obligations provided in the first paragraph devolve upon the person responsible for its upkeep under a general law or special Act.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, s. 134; O.C. 195-82, s. 22.

135. Water: No one may deposit solid waste in water. The presence of solid waste in surface water is prohibited within the meaning of the second paragraph of section 20 of the Act.

Furthermore, no one may tolerate the presence of solid waste in a body of surface water in his charge or care.

R.R.Q., 1981, c. Q-2, r. 14, s. 135.

136. Contract between a municipality and an entrepreneur: With the exception of the cases contemplated in section 137, every contract between a municipality and a person for the collection or elimination of solid waste which is concluded, renewed or amended must:

- (a) include a clause identifying the elimination site(s) where the solid waste will be deposited;
- (b) include a clause separately identifying the solid waste elimination costs and the solid waste collection and transportation costs, in the case where the contract covers all such services;
- (c) be accompanied by a copy of the valid certificate issued by the Minister for the elimination site at which the solid waste will be deposited.

Every certificate of authorization for an elimination site issued by the Minister under section 22 of the Act shall be deemed valid for the purposes of subparagraph c of the first paragraph. It is not necessary to provide a certificate of authorization issued by the Minister in the case where waste is deposited in an incinerator contemplated in paragraph b of section 133 or at an elimination site contemplated in the third paragraph of section 127. In such cases however, the nature and the location of the elimination site at which the solid waste will be deposited must be precisely indicated.

This section shall apply to all solid waste collection or elimination contracts entered into by a municipality and a person and the schedule provided in section 123 shall apply in all respects thereto.

R.R.Q., 1981, c. Q-2, r. 14, s. 136; S.Q., 1988, c. 49, s. 54; O.C. 492-2000, s. 5.

137. Contracts for a sanitary landfill site or a dry materials disposal site: Every concluded, renewed or amended contract between a municipality and a person, under which the latter undertakes to operate a sanitary landfill site or dry materials disposal site belonging to a municipality, must also include clauses indicating that person will ensure the compliance with sections 17 to 21, 35, 42, 43, 45 to 47 and 51 to 59 in the case of a sanitary landfill site and sections 17 to 21, 86, 87 and 91 in the case of a dry materials disposal site and that the municipality will ensure the compliance with the other provisions of this Regulation.

R.R.Q., 1981, c. Q-2, r. 14, s. 137; O.C. 1036-98, s. 23; O.C. 492-2000, s. 5.

138. Fines: Any natural person who contravenes section 123, 124 or 126 is liable to a minimum fine of 300 \$ and a maximum fine of 1 000 \$ for a first offence and to a minimum fine of 500 \$ and a maximum fine of 3 000 \$ for any subsequent offence.

Any legal person which contravenes section 123, 124 or 126 is liable to a minimum fine of 500 \$ and a maximum fine of 2 000 \$ for a first offence and to a minimum fine of 800 \$ and a maximum fine of 5 000 \$ for any subsequent offence.

Any natural person who contravenes the first paragraph of section 134 is liable to a minimum fine of 100 \$ and a maximum fine of 500 \$ for a first offence and to a maximum fine of 1 000 \$ for any subsequent offence.

Any legal person which contravenes the first paragraph of section 134 is liable to a minimum fine of 200 \$ and a maximum fine of 1 000 \$ for a first offence and to a minimum fine of 400 \$ and a maximum fine of 3 000 \$ for any subsequent offence.

Any natural person who contravenes section 115 is liable to a minimum fine of 1 000 \$ and a maximum fine of 10 000 \$ for a first offence and to a minimum fine of 2 000 \$ and a maximum fine of 25 000 \$ for any subsequent offence.

Any legal person which contravenes section 115 is liable to a minimum fine of 5 000 \$ and a maximum fine of 30 000 \$ for a first offence and to a minimum fine of 10 000 \$ and a maximum fine of 50 000 \$ for any subsequent offence.

This section applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

O.C. 195-82, s. 23; O.C. 1863-88, s. 2; O.C. 918-2000, s. 34.

SCHEDULE A

(a. 7)

MINISTÈRE DE L'ENVIRONNEMENT

APPLICATION FORM FOR OBTAINING A CERTIFICATE FOR AN IN-TRENCH SOLID WASTE DISPOSAL SITE

I - APPLICANT IDENTIFICATION

- (1) Nome of applicant: _____
- (2) Address: _____
- (3) Telephone: _____

(4) Name and address of the person who will operate the establishment: _____

(5) Resolution of the board of directors _____

(to be provided should the applicant be a corporation)

(6) Is there a household garbage collection service in the municipality?

Yes ☐ No ☐

If there is one, what is the population served by that service?

In winter _____ In summer _____

II - CHARACTERISTICS OF AN ELIMINATION SITE

(1) Siting:

(attach a sketch) lots _____ range _____
township _____ municipal county _____
municipality (if applicable) _____

(2) Land dimensions: _____

(3) Type of grounds: swamp ☐ quarry ☐ ravin ☐
plain ☐ hillside ☐
other ☐ (specify)

(4) Utilization of the surrounding soil:

follow land ☐ agricultural land ☐ woodland ☐
park or reserve ☐ residential zone ☐ pasture ☐
forest operation ☐ industrial activity ☐
other ☐ (specify)

(5) Give the distance between the in-trench solid waste disposal site and the following places:

- the sea: _____
- the Saint Lawrence River: _____
- the nearest river: _____
- the nearest brook: _____
- the nearest pond: _____

- the nearest swamp: _____
- the nearest strand: _____
- the nearest ecological sanctuary: _____
- the nearest lake: _____
- the nearest dwelling: _____
- the nearest teaching institution: _____
- the nearest building for worship: _____
- a food processing plant: _____
- the nearest well or sprint used for human consumption: _____

III - NATURE OF THE SOIL

Dig a hole to a depth of 2.5 m at the centre of the proposed site and provide the following information:

- (1) Depth of water (phreatic water level): _____
- (2) Observation date: _____
- (3) Composition of the soil: _____

humus	<input type="checkbox"/> depth: _____
gravel	<input type="checkbox"/> depth: _____
sand	<input type="checkbox"/> depth: _____
clay (loam)	<input type="checkbox"/> depth: _____
depth or rock (if application) _____	

IV – EXPLOITATION

(1) What equipment do you have for the digging of the required trench, once or twice a year; or who will do the digging for you?

(type of machinery)

(please specify whether municipal or private enterprise equipment)

Note: It is suggested that the trench be dug to a depth of 2 m and that it measure approximately 6 m × 30 m.

(2) If what manner will you ensure the maintenance of the disposal site and the covering of solid waste during the summer?

(available equipment)

(person responsible)

I, _____ the undersigned, declare that I have read the standards and conditions enumerated below respecting solid waste sites. I further declare that the information given above is true and complete.

(date) (signature of the applicant or his authorized representative)

This Schedule applies particularly to a reserved area or in an agricultural zone established in accordance with the Act to preserve agricultural land (chapter P-41.1) (chapter Q-2, s. 124.1)

R.R.Q., 1981, c. Q-2, r. 14, Sch. A; O.C. 195-82, s. 24.

SCHEDULE B

Revoked.

R.R.Q., 1981, c. Q-2, r. 14, Sch. B; O.C. 1036-98, s. 24.

SCHEDULE C

(s. 7.1)

MINISTÈRE DE L'ENVIRONNEMENT

APPLICATION FOR A CERTIFICATE FOR A WASTE DISPOSAL SITE IN THE NORTH

(I) Applicant

- (1) Name of applicant: _____
- (2) Address: _____
- (3) Telephone: _____
- (4) Name and address of operator: _____

A Resolution of the board of directors must be appended if the applicant is a corporation:

(II) Description of the disposal site

- (1) Siting: _____

(attach a sketch)

(2) Land dimensions: _____

(3) Type of ground:

- ☐ swamp
- ☐ quarry
- ☐ plain
- ☐ hillside
- ☐ ravine
- ☐ other (specify)

(4) Topography and use of the surrounding soil: _____

(5) Distance to the nearest:

- watercourse or lake: _____;

(name)

- wells: _____

- dwelling: _____

- school: _____

- place of worship: _____

- cemetery: _____

- hospital: _____

- public thoroughfare: _____

(III) Type of soil

A description of the different types of soil on the proposed site down to the level of underground water or the permafrost line must be provided _____

(IV) Operation

What equipment will you use to remove unconsolidated materials, to lay out the excavated material on the periphery of the site and subsequently over the waste?

I, _____ the undersigned declare that the information given above is true and complete.

(date)

(signature of the applicant or of
his authorized representative)

O.C. 1075-84, s. 5.

REFERENCES

R.R.Q., 1981, c. Q-2, r. 14
O.C. 195-82, 1982 G.O. 2, 616; Suppl 1071
O.C. 1075-84, 1984 G.O. 2, 1784
O.C. 1003-85, 1985 G.O. 2, 2041
O.C. 2238-85, 1985 G.O. 2, 4080
O.C. 1621-87, 1987 G.O. 2, 3835
O.C. 1863-88, 1988 G.O. 2, 4165
O.C. 1615-91, 1991 G.O. 2, 4731
O.C. 30-92, 1992 G.O. 2, 492
O.C. 585-92, 1992 G.O. 2, 2519
O.C. 1458-93, 1993 G.O. 2, 5745
O.C. 1310-97, 1997 G.O. 2, 5199
O.C. 859-98, 1998 G.O. 2, 2639
O.C. 1036-98, 1998 G.O. 2, 3695
O.C. 492-2000, 2000 G.O. 2, 2090
O.C. 918-2000, 2000 G.O. 2, 4182
O.C. 843-2001, 2001 G.O. 2, 3518
O.C. 1048-2004, 2004 G.O. 2, 3137