



chapter Q-2, r. 7

Regulation respecting pits and quarries

Environment Quality Act

(chapter Q-2, ss. 20, 22, 23, 31, 46, 70, 87, 115.27 and 115.34)

DIVISION I

INTERPRETATION

1. Definitions: In this Regulation, unless the context indicates otherwise,

- (a) “aggregate material” means any matter of a mineral nature extracted from a pit or quarry;
- (b) “operating site” means the surface from which aggregate material is extracted, including any surface where crushing and screening processes are set up and where the aggregate material is loaded or deposited;
- (c) “importunate frequency band” means 1 octave or 2 contiguous octaves for which the level or levels obtained by octave band analysis using the methods prescribed in Schedules D and E, between 31.5 and 8,000 Hz, exceed the NR curve which envelops the spectrum of other frequency bands by at least 4 dB;
- (d) “impact noise” means any noise made by mechanical shocks of solid bodies or by impulses;
- (e) “information bearing noise” means any noise in which a melody or words may be distinguished;
- (f) “quarry” means any location from which consolidated deposits are extracted by open pit, for commercial or industrial purposes or to fulfill contractual obligations or to build highways, dikes or dams, except asbestos, apatite, barite, brucite, diamond, graphite, ilmenite, magnesite, phologopite, salt, silica, talc, wollastonite and metal mines, and except excavations and other work carried out with a view to establishing the road allowance and foundations of any structure or to enlarging a playground or parking lot;
- (g) “dB” means a non-dimensional unit used to express the logarithmic ratio between a measured value and a reference value which, when applied to noise, is established in accordance with section 3 of publication No. 179 (second edition, 1973) of the Central Office of the International Electrotechnical Commission;
- (h) “dBA” means the value of the overall sound pressure level measured on the A scale established in accordance with the standards and methods prescribed in publication No. 179 (second edition, 1973) of the Central Office of the International Electrotechnical Commission;
- (i) “application” means an application for a certificate of authorization for a pit or a quarry or for a crushing or screening process in a quarry under section 22 of the Act;
- (j) “dwelling” means any structure intended to lodge human beings and provided with a water supply and a waste water disposal system connected to the ground;
- (k) “Act” means the Environment Quality Act (chapter Q-2);
- (l) “suspended matter” means any substance in suspension in a liquid or on its surface which may be retained by a glass fibre filter equivalent to Reeve Angel No. 934AH paper;
- (m) “particulate matter” means any substance other than uncombined water that exists in a finely divided form

as a liquid or a solid in suspension in a gaseous medium;

(n) “new” means whose operation or utilization is begun after 17 August 1977;

(o) “emission period” means a period of emission during which the intensity of the sound produced exceeds, at the point of measurement, the sum of the standard prescribed in section 12 and the attenuation between the point of measurement and the evaluation point;

(p) “evaluation point” means a place where it is desirable to learn the intensity of the noise produced by a pit or quarry;

(q) “point of measurement” means a place where a microphone is placed to measure a noise;

(r) “stream” means a small natural watercourse flowing all year long;

(s) “pit” means any open air place from which unconsolidated mineral substances including sand or gravel are extracted from a natural deposit for commercial or industrial purposes or to fulfil contractual obligations or to build roads, dikes or dams, with the exception of excavations and other works carried out with a view to establishing the road allowance or the foundations of any structure or to enlarging a playground or parking lot;

(t) “Minister” means the Minister of Sustainable Development, Environment and Parks.

R.R.Q., 1981, c. Q-2, r. 2, s. 1; O.C. 85-2002, s. 1.

DIVISION II

CERTIFICATE OF AUTHORIZATION

2. Authorization: No person may undertake to operate a pit or quarry, use a crushing or screening process in a quarry or increase the production of such crushing or screening process without a certificate of authorization by the Minister, in accordance with section 22 of the Act.

Without restricting the generality of the foregoing, it is necessary, in particular, to obtain a certificate of authorization issued by the Minister in any case in which the pit or quarry is established or enlarged beyond the boundaries of an operating site already authorized by a certificate of authorization issued beforehand by the Minister, and in any case in which an existing pit or quarry is enlarged on a lot which did not belong, on 17 August 1977, to the owner of the land on which such pit or quarry is located.

For the purposes of this section, there is an increase in the production of a crushing and screening process only when the nominal capacity of one or the other processes is increased. Any projected increase in the production of a pit or quarry without an increase in the production of the crushing and screening process is not subject to sections 22, 23 and 24 of the Act.

In the case of a pit from which several persons may extract aggregate material, it is incumbent upon the owner of the pit to submit the application.

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

3. Content of application: Any person who applies for a certificate of authorization for a pit or quarry pursuant to section 2 must furnish the following information and documents:

(a) the name, address and telephone number of the applicant;

(b) the cadastral number of the lot or lots on which the pit or quarry is to be operated or, where applicable, the name of the township designated in the initial land survey;

(c) an overall plan, to scale, duly certified and signed, indicating:

- (i) the operating site, including the siting of the equipment, the loading, unloading and deposit areas for aggregate material, the storage areas for the overburden and topsoil, as well as the zoning of the land on which the pit or quarry is to be located;
- (ii) the neighbouring territory located less than 600 m from the operating site in the case of a quarry, or less than 150 m from the operating site in the case of a pit, according to the nature of the application, as well as the zoning of such territory;
- (iii) the name and the layout of public highways, existing or proposed access roads, watercourses or lakes, the site of wells and the site and nature of every structure, campground or recreational establishment located within the perimeter delimited in accordance with subparagraph ii;
- (iv) the date of preparation of the overall plan; and
- (v) the boundaries of the property for which the applicant holds operating rights;
- (d) a description of the equipment to be used and its nominal capacity as well as the plans and specifications of the crushing and screening equipment, including any device designed to abate or eliminate the emission, deposit, issuance or discharge of contaminants;
- (e) the surface area of the land to be stripped and worked as well as the average and maximum depths to be worked;
- (f) in the case of a quarry, a topographical plan of the operating site showing level contours at intervals of not more than 1.5 m;
- (g) a description of the mode and sequence of operation, the nature of the aggregate material to be extracted, the proposed utilization of the latter and the anticipated annual rate of production;
- (h) an evaluation of the quantity, expressed in kg/hour, of the particulate matter which will be emitted into the atmosphere by the dust collector system, where the use of such system is intended;
- (i) a description of the location and the method of eliminating dust recovered by the dust collector system, where applicable;
- (j) the projected dates for the beginning and end of the operation of such pit or quarry, where applicable;
- (k) a land reclamation plan in conformity with Division VII as well as its timetable of implementation;
- (l) a certificate from the municipality signed by the clerk or secretary-treasurer certifying that the project does not contravene any municipal by-law and, where applicable, a copy of every approval or permit required under a municipal by-law;
- (m) in the case of a pit, a guarantee of \$5,000 where the stripping is less than or equal to 1 ha and \$4,000 per ha or fraction thereof where the stripping is greater than 1 ha, that guarantee being in one of the following forms:
 - (i) cash or a certified cheque made out to the Minister of Finance;
 - (ii) bearer bonds, cashable at all times, issued or guaranteed by the Gouvernement du Québec, the Government of Canada or a municipality and whose market value is at least equal to the amount of the guarantee required;
 - (iii) a solidary deed in the form of security or of an insurance policy, with a waiver of the benefits of discussion and division, issued by a banking institution, a savings and credit union or an insurer holding a permit issued under Chapter I of Title IV of the Act respecting insurance (chapter A-32);
 - (iv) an irrevocable letter of credit issued by a banking institution or a savings and credit union;

(n) in the case provided for in section 14, a study of the impact which the operation of such pit or quarry would have on the environment with respect to water contamination, soil erosion, meeting or nesting places of migratory birds and spawning grounds of fish;

(o) in the case provided for in section 15, a hydrogeological study of the area where the pit or quarry is to be established;

(p) in the case provided for in section 12, an evaluation of the maximum level of noise emitted into the environment from the pit or quarry, as the case may be, accompanied by the topographical plan described in paragraph f.

R.R.Q., 1981, c. Q-2, r. 2, s. 3; O.C. 657-96, s. 1.

4. Special case: Where the application concerns only the crushing or screening process of a quarry, the applicant need only provide the information and documents prescribed in paragraphs a, b, c, d, g, h and i of section 3.

Paragraph p of section 3 may also apply to such application, as the case may be.

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

5. Successive guarantee: Where the applicant foresees that the operating site will occupy an area of more than 5 ha, he may deposit a guarantee for every step of operation of 5 ha. The first two paragraphs of section 51 apply to each step individually.

R.R.Q., 1981, c. Q-2, r. 2, s. 5.

6. Duration of the guarantee: Where the applicant submits in support of his application a guarantee policy issued by an insurer duly authorized to carry on operations in Québec, in accordance with the Act respecting insurance (chapter A-32), it is incumbent upon the said applicant to take the required measures in order that such guarantee policy remain in force or be renewed for the entire duration of the operation of the pit which is the subject of his application.

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

7. Multiple pits: Where the applicant intends to establish more than 5 pits for the needs of a single civil engineering project or works, he may submit a single overall guarantee of \$50,000 for all the pits for which he submits an application. Such guarantee shall replace the one which is required in accordance with paragraph m of section 3.

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

8. (Revoked).

R.R.Q., 1981, c. Q-2, r. 2, s. 8; O.C. 658-2013, s. 1.

9. Validity: Every certificate of authorization issued by the Minister pursuant to section 22 of the Act to allow the working of a pit or quarry shall be valid only for the operating site described or mentioned in the said certificate of authorization. Any enlargement of the operating site beyond the limits already set out in a certificate of authorization must be the subject of another certificate of authorization as if it were a new pit or quarry.

The same applies in any case where a new operating site is established near an operating site which has already been the subject of a certificate of authorization.

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

DIVISION III SITING STANDARDS

10. Zoning: It is prohibited to establish a new pit or quarry, the operating site of which is located in a territory zoned by the municipal authorities for residential, commercial or mixed purposes (commercial-residential). It is also prohibited to establish a new quarry less than 600 m from such territory or to establish a new pit less than 150 m from such territory.

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

11. Minimum distances: The operating site of a new quarry must be located at a minimum distance of 600 m from any dwelling, unless the dwelling is owned by or rented to the owner or operator of the quarry. This section also applies to new pits, except that the minimum distance required is 150 m.

The distance standards established in this section apply, with the necessary modifications, between the operating site and any school or other educational institution, place of worship, campground or any institution to which the Act respecting health services and social services (chapter S-4.2) or within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5).

R.R.Q., 1981, c. Q-2, r. 2, s. 11.

12. Exceptions for noise: A new pit or quarry may nevertheless be established at a distance that is under the distances prescribed in sections 10 and 11 if the operator submits in support of his application an estimate of the maximum noise level that will be emitted into the environment by the operation of the new pit or quarry and if the noise measured at the boundary of the residential, commercial or mixed zone referred to in section 10 and at any structure or immovable referred to in section 11 does not exceed 40 dBA between 6:00 p.m. and 6:00 a.m. and 45 dBA between 6:00 a.m. and 6:00 p.m.

In a case where the Minister granted a certificate of authorization for a pit or quarry following an application supported by a noise level estimate in accordance with this section, the operator of the pit or quarry must, during the entire operation, comply with the noise standards established in the first paragraph.

R.R.Q., 1981, c. Q-2, r. 2, s. 12.

13. Method: For the purposes of section 12, noise is evaluated according to the method prescribed in Schedules D and E.

R.R.Q., 1981, c. Q-2, r. 2, s. 13.

14. Hydrous environment: The operating site of any new pit or quarry must be located at a minimum horizontal distance of 75 m from any stream, river, lake, sea, swamp or sandbank.

The operation of a pit or quarry in a stream, river, sea, lake, swamp or sandbank is prohibited.

However, this section shall not apply to a new pit if the operator submits an environmental impact study with his application and if the operation of the pit does not entail soil erosion and does not affect nesting or meeting places of migratory birds or spawning grounds of fish.

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

15. Water intake: Every new pit or quarry must be located at a minimum distance of 1 km from any well, water source or other water intake used to supply a municipal waterworks or a waterworks network operated by a person who holds the operating permit required by section 32.1 of the Act, unless the operator submits a hydrogeological study in support of his application and the operation of the new pit or quarry is not likely to affect the yield of the well which supplies such waterworks network.

R.R.Q., 1981, c. Q-2, r. 2, s. 15.

16. Ecological reserves: The operating site of a new pit or quarry must be located at a minimum distance of 100 m from the boundaries of any ecological reserve established under the Natural Heritage Conservation Act (chapter C-

61.01).

R.R.Q., 1981, c. Q-2, r. 2, s. 16.

17. Access roads: The private access roads to a new pit or quarry must be located at a minimum distance of 25 m from any structure or immovable referred to in section 11.

R.R.Q., 1981, c. Q-2, r. 2, s. 17.

18. Public thoroughfare: The operating site of a new pit or quarry must be located at a minimum distance of 70 m from any public thoroughfare. That distance is 35 m in the case of a new pit.

R.R.Q., 1981, c. Q-2, r. 2, s. 18.

19. Neighbouring property: The operating site of quarry may not be closer than 10 m from the property line of any piece of property owned by a party other than the operator of the lot in which the quarry is located. This section shall not have the effect of preventing an operator from continuing to use an operating site within that distance if such operating site was so located on 17 August 1977. In such case, however, it may not be expanded closer to the neighbouring lot.

R.R.Q., 1981, c. Q-2, r. 2, s. 19.

20. Replacement of or increase in production: In the case of replacement of or increase in production of a crushing or screening process in a quarry within the meaning of the third paragraph of section 2, such equipment must be located at the same place as before or at a greater distance from any residential, commercial or mixed zone referred to in section 10 or from any structure or immovable referred to in section 11, except in the case where the location of such equipment is beyond the siting distances prescribed in the said sections.

In the case of an applicant who, in the past, under section 12, already obtained a certificate of authorization for a quarry where the crushing or screening processes were located in accordance with the siting standards prescribed in sections 10 and 11, he shall further comply with the requirements of section 22 of the Act for an increase of production in the crushing and screening processes, unless the location of such equipment complies with the aforementioned siting standards.

R.R.Q., 1981, c. Q-2, r. 2, s. 20.

21. Extension: A pit or quarry may not be extended to a lot which is owned, on 17 August 1977, by any person other than the owner of the land on which such pit or quarry is located, if the effect of such extension is to put the operating side under the distances prescribed in sections 10 to 16 or if such pit or quarry is located in the territories enumerated in sections 10 and 57, unless the owner of the lot in which the extension is to take place on 17 August 1977 is a person allied to the owner of the land in which the pit or quarry is already located within the meaning of section 4 of the Act respecting bankruptcy and insolvency (R.S.C. 1985, c. B-3).

R.R.Q., 1981, c. Q-2, r. 2, s. 21.

DIVISION IV

WATER POLLUTION CONTROL

22. Concentration of contaminants: The water discharged into the environment through the operation of a pit or quarry or by a crushing or screening process must not contain a concentration of contaminants in excess of:

- (a) 15 mg/litre of oil, grease, tar of a mineral origin; or
- (b) 25 mg/litre of suspended matter.

R.R.Q., 1981, c. Q-2, r. 2, s. 22.

23. pH: The pH of water discharged into the environment through the operation of a pit or quarry or by a crushing or screening process must be between 5.5 and 9.5.

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

24. Methods of analysis: The water samples required to ensure the enforcement of sections 22 and 23 must be sent, for analysis, to a laboratory accredited by the Minister of Sustainable Development, Environment, Wildlife and Parks under section 118.6 of the Environment Quality Act (chapter Q-2).

R.R.Q., 1981, c. Q-2, r. 2, s. 24; O.C. 658-2013, s. 2.

DIVISION V AIR POLLUTION CONTROL

25. Emission standards: The crushers, dryers, screens, conveyors, elevators and bins installed in a quarry and any feeding or dumping point for aggregate material removed from a quarry must not be employed in an activity or constitute circumstances resulting in the emission into the atmosphere of dust visible more than 2 m from the source of emission.

Where the sources of emission referred to in the first paragraph are linked to a collecting system for particulate matter, that matter must not be emitted in concentrations greater than 50 mg/m³

This section also applies to crushers, dryers, screens, conveyors, elevators and bins installed in a pit and to any feeding or dumping point for aggregate material removed from a pit beginning on 1 November 1991.

R.R.Q., 1981, c. Q-2, r. 2, s. 25; O.C. 476-91, ss. 1 and 8.

26. (Revoked).

R.R.Q., 1981, c. Q-2, r. 2, s. 26; O.C. 476-91, s. 2.

27. (Revoked).

R.R.Q., 1981, c. Q-2, r. 2, s. 27; O.C. 476-91, s. 2.

28. Sampling method: The sampling method for particulate matter emission used for the purpose of applying the second paragraph of section 25 and section 32 is that published by Environment Canada, Standard Reference Methods for Source Testing: Measurement of Emissions of Particulates from Stationary Sources, numbered EPS-1-AP-74-1.

R.R.Q., 1981, c. Q-2, r. 2, s. 28; O.C. 476-91, ss. 3 and 8.

29. (Revoked).

R.R.Q., 1981, c. Q-2, r. 2, s. 29; O.C. 476-91, s. 4.

30. Obligation: Any equipment used or installed in a pit or quarry for the purpose of reducing or preventing the emission of contaminants into the environment shall at all times be in working condition and shall operate at optimum efficiency during the production hours of the plant, even if the equipment causes a reduction in the emission of contaminants that is within the standards prescribed in this Regulation.

R.R.Q., 1981, c. Q-2, r. 2, s. 30.

31. Secondary sources of contamination: Where the emissions of dust from access roads, parking areas, traffic zones or piles of aggregate material from a pit or quarry produce one or other of the effects enumerated in the second paragraph of section 20 of the Act, the operator must take the required measures to prevent such emissions in order to cause such effects to disappear.

R.R.Q., 1981, c. Q-2, r. 2, s. 31.

32. **Drilling:** Dust emission from drilling operations carried out in a quarry must be controlled by the installation of a dust collecting apparatus linked to a dust collector system allowing not more than 50 mg/m³ of particulate matter to be emitted into the atmosphere.

R.R.Q., 1981, c. Q-2, r. 2, s. 32; O.C. 476-91, s. 5.

33. **Recovered dust:** Dust recovered by dust collector systems must be handled and transported in such a way that there will be no loss of dust into the atmosphere visible more than 2 m from the sources of emission. Where such dust is not recycled, it must be stored, deposited or eliminated on the ground, provided the required measures are taken to prevent any issuance of dust into the atmosphere visible more than 2 m from the source of emission.

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

DIVISION VI SEISMIC WAVES

34. **Standards:** The operation of a quarry must not emit into the environment impulsive or discontinuous seismic waves whose ground speed, measured at less than 30 m from any structure or immovable referred to in section 11 or from any artesian well, is greater than 4 cm/second.

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

DIVISION VII LAND RESTORATION

35. **Object:** The purpose of land restoration is to reintegrate the pit or quarry into the environment after operations have ceased.

R.R.Q., 1981, c. Q-2, r. 2, s. 35.

36. **Obligation:** Land restoration is obligatory in the case of a new pit or quarry as well as in the case provided for in section 56.

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

37. **Possibilities:** Subject to the case provided for in section 47, the land restoration plan for a pit or quarry must comprise one or more of the following options:

- (a) the levelling and revegetation of the land (trees, bushes, lawns or garden);
- (b) backfill by one of the following materials, followed by surface revegetation:
 - (i) earth, sand, gravel or stone;
 - (ii) residues of a mineral nature from aggregate material extraction;
 - (iii) sludge generated by sedimentation basins used in aggregate extraction or dimension stone processing processes, with a dryness equal to or greater than 15% and that, when tested by a laboratory accredited by the Minister under section 118.6 of the Act, contains no free liquid; or
 - (iv) particles of a mineral nature recuperated by an air cleaning system and resulting from the crushing and screening of aggregate material and fragments of cement concrete or brick, with the exception of firebrick;
- (c) creation of an artificial body of water;

(d) recreation area or construction project.

R.R.Q., 1981, c. Q-2, r. 2, s. 37; O.C. 450-2011, s. 1.

38. Slope: In the case of a pit, the restoration plan must not allow the slope of the worked surface to be more than 30° from the horizontal unless the ground is to be stabilized in some way to prevent landslides and erosion.

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

39. Rock: Where a quarry is located on the side of a hill, mountain, cliff or slope, the final vertical cut must never exceed 10 m. The operator may make several superimposed vertical cuts of at least 10 m provided such cuts are separated by horizontal terraces at least 4 m in width.

Each horizontal terrace must be covered with vegetation in accordance with section 43.

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

40. Topsoil and overburden: If the topsoil and overburden are preserved during the operation of the pit or quarry, they must be stored separately.

The topsoil and overburden shall later be deposited on the levelled surface during restoration, to facilitate the growth of vegetation.

R.R.Q., 1981, c. Q-2, r. 2, s. 40.

41. Restoration in stages: Where the operator has chosen the restoration option provided for in paragraph a of section 37, the land restoration plan must be carried out concurrently with the advancement of the operation of the pit or quarry.

R.R.Q., 1981, c. Q-2, r. 2, s. 41.

42. Artificial bodies of water: Every project referred to in paragraph c of section 37 must be designed to prevent water stagnation.

Except for the part that serves to ease slopes according to section 38, such artificial body of water must be at least 2 m in depth at its shallowest point.

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

43. Where the restoration project includes revegetation of the land, the operator must cover the ground uniformly with topsoil or fertilizing waste substances and take the measures required so that the new vegetation will still be growing 2 years after completion of the restoration work.

In addition, the use of fertilizing waste substances for the revegetation of a quarry or pit, including the prior storage of such substances, is subject to obtaining an authorization from the Minister pursuant to section 22 of the Act.

R.R.Q., 1981, c. Q-2, r. 2, s. 43; O.C. 450-2011, s. 2.

44. Cleaning: On completion of the land restoration project, the surface of the pit or quarry must be free of all debris, rubbish, stumps, non-usable material, pieces of machinery or other such litter.

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

45. Time limits: Where the operator has chosen the land restoration option provided for in paragraph a of section 37, the restoration must be completed within a time limit of 1 year after the date when the operation of the pit or quarry has ceased.

Where the operator has chosen one of the other 3 restoration options listed in section 37, he must undertake such restoration within the time limit given in the first paragraph, in default of which the land must be restored in the manner indicated in paragraph a of section 37, within a further time limit of 1 year.

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

46. Alterations: The operator may, at any time, alter the restoration plan he has submitted in accordance with paragraph k of section 3. He must first forward the plan thus altered to the Minister for approval as if it were an original restoration plan. The altered plan must conform to this Division.

R.R.Q., 1981, c. Q-2, r. 2, s. 46.

47. Residual materials management : The operator of a pit or quarry may also restore the site by establishing a landfill in the pit or quarry in compliance with the Act and regulations made under the Act.

The application for authorization to establish such a landfill must be filed with the Minister or the Government, as the case may be, not less than 1 year before total or partial cessation of the operation of the pit or quarry. In addition, the landfilling must begin at the latest 1 year after the pit or quarry operations have ceased.

If granted, the authorization operates as an amendment to the restoration plan and sections 38, 39, 41 and 42 do not apply to the plan so amended or to the restoration.

R.R.Q., 1981, c. Q-2, r. 2, s. 47; O.C. 492-2000, s. 3; O.C. 451-2005, s. 170.

48. (Replaced).

R.R.Q., 1981, c. Q-2, r. 2, s. 48; O.C. 492-2000, s. 3; O.C. 451-2005, s. 170.

49. Use of the guarantee: The Minister may use the guarantee referred to in paragraph m of section 3 or in section 7 for the land restoration of a pit in all cases where the operator neglects or refuses to carry out his restoration plan in accordance with sections 41 and 45. The guarantee may also be used where the operator becomes bankrupt or, if the operator is a legal person, if it winds up its affairs.

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

50. Advance notice: Before using the guarantee, the Minister must give the operator 60 days advance notice. Upon expiry of that time limit, the Minister may use the guarantee for restoration of the pit unless the operator has, in the meantime, undertaken the implementation of the restoration plan.

Where the operator does not complete the restoration plan, the Minister may give another 60 days advance notice and use the guarantee in accordance with section 49.

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

51. Remittance of guarantee: Where the operator chooses the restoration method provided for in paragraph a or b of section 37, 75% of the guarantee shall be remitted to him after the Minister has ascertained that he has complied with the provisions of this Division, except as to that which concerns sections 43 and 53. The balance of the guarantee is remitted when the requirements of sections 43 and 53 have been met.

Where the operator chooses other restoration options, the guarantee shall be remitted to him in its entirety after the Minister has ascertained that the operator has complied with all the provisions of this Division, insofar as they apply to the restoration plan which has been carried out.

The guarantee shall not be remitted to the operator if it has been used by the Minister according to section 50. However, if the amount of the guarantee is greater than the cost of the restoration work carried out on the Minister's orders, the balance shall be remitted to the operator.

R.R.Q., 1981, c. Q-2, r. 2, s. 51.

52. Continuation of operation: The operator of a pit who has submitted a guarantee according to paragraph m of section 3 or according to section 7 may not continue operation if the guarantee policy he has given the Minister ceases to be in force or if the Minister uses the guarantee according to section 50. The operator may recommence operation as soon as he submits a new guarantee that is in force to the Minister.

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

DIVISION VIII FINAL PROVISIONS

53. Aesthetics: Where the land on which a new quarry is located is covered with trees, the operator must preserve intact a strip of trees 50 m in width between the operating site and the road allowance of any public thoroughfare. This paragraph applies, with the necessary modifications, to a new pit, except that the standard in that case is 35 m.

In the case of a new quarry, the operator must plant trees over a width of 35 m between the operation area and the road allowance of any public thoroughfare, at a rate of 1,200 trees per ha, if the strip of land is not already wooded in conformity with that standard of density and if the operation area is situated less than 100 m from such public thoroughfare. These trees must be capable of growing to a height of 6 m. The requirements respecting growth of vegetation stipulated in section 43 apply, with the necessary modifications, to such trees.

R.R.Q., 1981, c. Q-2, r. 2, s. 53.

54. Operating hours: It is prohibited to dynamite between 7:00 p.m. and 7:00 a.m. in a quarry situated less than 600 m from a structure or immovable referred to in section 11, even if such quarry is already in operation on 17 August 1977.

R.R.Q., 1981, c. Q-2, r. 2, s. 54.

55. Crushing and screening processes: Sections 1, 2, 4, 8, 10 to 13, 17, 18, 20, 22 to 25, 28, 30, 31 and 33 apply, with the necessary modifications, to crushing and screening processes established outside a pit or quarry.

This section does not apply, however, to crushing and screening processes used in a concrete mixing plant or a cement plant.

R.R.Q., 1981, c. Q-2, r. 2, s. 55; O.C. 476-91, ss. 6 and 8.

56. Land protection: Every person who enlarges a pit or quarry already in existence on 17 August 1977 by digging into an unexcavated land surface and who is not required to submit an application to the Minister according to section 2, must nevertheless restore the land thus dug according to sections 35 to 48.

R.R.Q., 1981, c. Q-2, r. 2, s. 56.

57. Prohibition: It is prohibited to undertake the operation of a pit or quarry in any of the following territories, as described in Schedule C:

- (a) Mont Saint-Bruno;
- (b) Mont Saint-Hilaire;
- (c) Mont Rougemont;
- (d) Mont-Saint-Grégoire;
- (e) Mont Yamaska;

- (f) Mont Brome;
- (g) Mont Shefford;
- (h) the region known as the “côte de Beaupré”.

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

58. Exceptions: Extraction from a natural deposit of unconsolidated mineral substances for the building, rebuilding or maintenance of logging or mining roads and the extraction of consolidated or unconsolidated mineral substances on land to be flooded because of a hydraulic or hydroelectric project are works and activities exempted from the application of sections 22, 23 and 24 of the Act.

Divisions II, III and VII and sections 53, 54 and 56 of this Regulation do not apply to works and activities referred to in this section. Such works and activities are however, subject to sections 41 and 57 and to Divisions IV, V and VI of this Regulation.

R.R.Q., 1981, c. Q-2, r. 2, s. 58.

DIVISION IX MONETARY ADMINISTRATIVE PENALTIES

O.C. 658-2013, s. 3.

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

- (1) to take the required measures so that the guarantee policy remains in force or is renewed in the case and on the conditions provided for in section 6;
- (2) to comply with the standards for the location of equipment in the case of replacement of or increase in production of a crushing or screening process as prescribed by the first paragraph of section 20;
- (3) to send to an accredited laboratory a water sample for analysis as prescribed by section 24;
- (4) to comply with the methods of measurement prescribed by section 28;
- (5) to take the required measures to prevent dust emissions in the cases and on the conditions provided for in section 31;
- (6) to install a dust collecting apparatus linked to a dust collector system as prescribed by section 32;
- (7) to restore land in the cases provided for in section 36;
- (8) to provide, in the restoration plan of a pit, a laying out of the land in operation meeting the conditions prescribed by section 38 or to stabilize the ground in accordance with that section;
- (9) to comply with the standards relating to vertical cuts prescribed by the first paragraph of section 39 or to cover with vegetation the horizontal terraces as required by the second paragraph of that section;
- (10) to store topsoil or overburden in accordance with the first paragraph of section 40 or to deposit the topsoil or overburden on leveled surface during restoration in accordance with the second paragraph of that section;
- (11) to carry out the land restoration plan in accordance with section 41;
- (12) to meet the conditions of revegetation of the land as prescribed by the first paragraph of section 43;

(13) to carry out the restoration in the manner prescribed and within the time limits provided for in section 45;

(14) to cease the operation of a pit where the guarantee policy ceases to be in force or is used by the Minister as prescribed by section 52;

(15) to comply with the standards relating to the preservation or tree planting prescribed by section 53;

(16) to restore the land dug in the cases and on the conditions provided for in section 56.

O.C. 658-2013, s. 3.

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

(1) uses or installs equipment referred to in section 30 that is not in working condition or who uses, during production hours, such equipment that is not operating at optimum efficiency, in contravention of section 30;

(2) fails to comply with the prohibition to dynamite on the conditions and during the periods provided for in section 54.

O.C. 658-2013, s. 3.

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

(1) to obtain a certificate of authorization in the cases and on the conditions provided for in section 2;

(2) to comply with the standards for the minimum distance between the operating site of a new pit or quarry and any territory zoned for residential, commercial or mixed purposes as provided for in section 10;

(3) to comply with the standards for the minimum distance between an operating site of a new pit or quarry and any dwelling, school or other educational institution, place of worship, campground or health and social services institution as provided for in section 11;

(4) to comply with the standards for the minimum distance between the operating site of a new pit or quarry and any stream, river, sea, lake, swamp or sandbank as provided for in the first paragraph of section 14;

(5) to obtain the authorization required by the third paragraph of section 14 to operate a new pit in any of the locations referred to in the first or second paragraph of that section in accordance with the third paragraph;

(6) to comply with the standards for the minimum distance between a new pit or quarry and any well, water source or other water intake used to supply a waterworks network as provided for in section 15;

(7) to submit a new application for a certificate of authorization in the cases and on the conditions provided for in the second paragraph of section 20;

(8) to comply with the conditions for the extension of a pit or quarry prescribed by section 21;

(9) to obtain a certificate of authorization for the use of fertilizing waste substances for the revegetation of a quarry or pit as prescribed by the second paragraph of section 43;

(10) to clear the surface of the pit or quarry from all debris referred to in section 44 on completion of the land restoration work in accordance with that section;

(11) to implement an altered restoration plan without having first forwarded the plan to the Minister for approval in accordance with section 46.

O.C. 658-2013, s. 3.

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

- (1) the standard for the minimum distance between the operating site of a pit or quarry and the boundaries of any ecological reserve as provided for in section 16;
- (2) the standard for the minimum distance between private access roads to a new pit or quarry and any structure or immovable as provided for in section 17;
- (3) the standard for the minimum distance between the operating site of a quarry and any public thoroughfare as provided for in section 18;
- (4) the standard for the minimum distance between the operating site of a quarry and the property line of any piece of property owned by a party other than the operator of the lot in which the quarry is located as provided for in section 19.

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

- (1) establishes a new pit or quarry, the operating site of which is located in a territory zoned for residential, commercial or mixed purposes, in contravention of section 10;
- (2) operates a pit or quarry in a location referred to in the second paragraph of section 14, in contravention of section 14;
- (3) undertakes the operation of a pit or quarry in any of the territories referred to in section 57, in contravention of section 57.

O.C. 658-2013, s. 3.

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

- (1) the noise standards during the entire operation of a pit or quarry as prescribed by the second paragraph of section 12;
- (2) the standard for the emission into the atmosphere of dust relating to crushers, dryers, screens, conveyors, elevators and bins installed in a quarry and any feeding or dumping point for aggregate material as prescribed by the first paragraph of section 25;
- (3) the standard for the concentration of particulate matter relating to the sources of emission linked to a collecting system as prescribed by the second paragraph of section 25;
- (4) the standard for the emission of particulate matter relating to the dust collecting apparatus linked to a dust collector system as prescribed by section 32;
- (5) the emission standard for the handling, transportation, storage, deposit or elimination of dust recovered by dust collector systems as prescribed by section 33;
- (6) the standard for the emission of impulsive or discontinuous seismic waves relating to the operation of a quarry as prescribed by section 34.

The penalty provided for in the first paragraph may also be imposed on any person who discharges into the environment water that does not comply with the standards prescribed by section 22 or 23.

O.C. 658-2013, s. 3.

DIVISION X
PENAL SANCTIONS

O.C. 658-2013, s. 3.

64. Every person who

(1) contravenes section 6, the first paragraph of section 20, section 24, 28, 31, 36, 38, 39, 40 or 41, the first paragraph of section 43 or section 45, 52, 53 or 56,

(2) fails to install a dust collecting apparatus linked to a dust collector system in accordance with section 32,

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

O.C. 658-2013, s. 3.

65. Every person who contravenes section 30 or 54 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

O.C. 658-2013, s. 3.

66. Every person who

(1) contravenes section 2 or 11, the first or third paragraph of section 14, section 15, the second paragraph of section 20, section 21, the second paragraph of section 43 or section 44 or 46,

(2) fails to comply with the standards for the minimum distance between the operating site of a new pit or quarry and any territory zoned for residential, commercial or mixed purposes provided for in section 10,

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

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

O.C. 658-2013, s. 3.

67. Every person who

(1) establishes a new pit or quarry, the operating site of which is located in a territory zoned for residential, commercial or mixed purposes, in contravention of section 10;

(2) contravenes the second paragraph of section 14 or section 16, 17, 18, 19 or 57,

commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

O.C. 658-2013, s. 3.

68. Every person who

(1) contravenes the second paragraph of section 12, section 22 or 23, the first or second paragraph of section 25 or section 33 or 34,

(2) fails to comply with the standard for the emission of particulate matter relating to the dust collecting apparatus linked to a dust collector system prescribed by section 32,

commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

O.C. 658-2013, s. 3.

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

O.C. 658-2013, s. 3.

SCHEDULE A

(Revoked).

R.R.Q., 1981, c. Q-2, r. 2, Sch. A; O.C. 476-91, s. 7.

SCHEDULE B

(Revoked).

R.R.Q., 1981, c. Q-2, r. 2, Sch. B; O.C. 476-91, s. 7.

SCHEDULE C

(s. 57)

DESCRIPTION OF THE TERRITORIES IN WHICH IT IS PROHIBITED TO OPERATE A PIT OR QUARRY

(a) Mont Saint-Bruno: All the territory comprised within the perimeter hereinafter determined using cadastral map 31 H-11-200-0101 published by the Ministère de l'Énergie et des Ressources du Québec in May 1971 and road map 31 11-14 (revision of January 1976) published by the Ministère des Transports du Québec:

commencing at the intersection of chemin des 20 with Highway 116 on lot number 322 of the cadastre of the parish of Saint-Bruno. Thence, southwesterly, following Highway 116 to its intersection with Boulevard Boucherville. Thence, northwesterly, following Boulevard Boucherville to its intersection with chemin Rabastalière. Thence, southwesterly, following chemin Rabastalière to its intersection with chemin de la Montée des 25. Thence, northwesterly, following the chemin de la Montée des 25 to its intersection with chemin des 25 nord. Thence, northerly and northeasterly along chemin des 25 nord to its intersection with chemin Fer-à-Cheval. Thence, northerly along chemin Fer-à-Cheval to its intersection with the pipeline belonging to the Montreal Pipeline Company. Thence, easterly following the pipeline belonging to Montreal Pipeline Company to its intersection with the line dividing the parishes of Sainte-Julie and Saint-Bruno. Thence, northerly and thence southeasterly following the line dividing the parishes of Sainte-Julie and Saint-Bruno to the line dividing Pointe de Chemise Range and Quarante-Deux Range of the parish of Saint-Bruno. Thence, southerly following the line dividing Pointe de Chemise Range and Quarante-Deux Range to its intersection with chemin des 20. Thence, southerly following chemin des 20 to the point of commencement;

(b) Mont Saint-Hilaire: all the territory comprised within the perimeter hereinafter determined using cadastral map 31 H-11-200-0102 published by the Ministère de l'Énergie et des Ressources du Québec in May 1971 and road map 31 H 11-14 (revision of January 1976) published by the Ministère des Transports du Québec:

commencing at the intersection of chemin des Trente with Highway 116 in the first Range of the cadastre of the parish of Saint-Hilaire. Thence, northeasterly following Highway 116 to its intersection with Highway 229. Thence,

southeasterly, following Highway 229 to its intersection with chemin de la Carrière. Thence, southerly following chemin de la Carrière to the line dividing the municipalities of the parishes of Saint-Jean-Baptiste and Sainte-Madeleine. Thence, southeasterly following the line dividing the parishes of Sainte-Madeleine and Saint-Jean-Baptiste to the Trait-Carré. Thence, southerly following the Trait-Carré to its intersection with the Highway of Montagne Range. Thence, northwesterly, following the Highway of Montagne Range to the intersection of chemin des Trente. Thence, northerly and northwesterly following chemin des Trente to the point of commencement;

(c) Mont Rougemont: all the territory comprised within the perimeter hereinafter determined using cadastral maps 31 H-06-200-0202 and 31 H-11-200-0102 published by the Ministère de l'Énergie des Ressources du Québec in May 1971 and road map 31 H 3-6 (revision of January 1976) published by the Ministère des Transports du Québec:

commencing at the intersection of rang du Cordon Highway with the line dividing lots 689 and 690 of du Cordon Range in the cadastre of the parish of Saint-Damase. Thence, southeasterly following the line dividing lots 689 and 690 to the line dividing du Cordon and Sainte-Marie-Anne Ranges of the cadastre of the parish of Saint-Damase. Thence, northerly following the line dividing du Cordon and Sainte-Marie-Anne Ranges to the highway situated between Saint-Louis Range south and Sainte-Marie-Anne Range, in the cadastre of the parish of Saint-Damase. Thence, easterly following the highway situated between Saint-Louis Range south and Sainte-Marie-Anne Range to its intersection with Highway 231. Thence, southerly following Highway 231 to its intersection with Highway 229. Thence, northwesterly following Highway 229 to its intersection with rang du Cordon Highway. Thence, northerly following rang du Cordon Highway to the point of commencement;

(d) Mont Saint-Grégoire: all the territory comprised within the perimeter hereinafter determined using cadastral map 31 H-06-200-0102 published by the Ministère de l'Énergie et des Ressources du Québec in May 1971 and road map 31 H 3-6 (revision of January 1976) published by the Ministère des Transports du Québec:

commencing at the intersection of chemin du Bois-de-la-Montagne with the line dividing the parishes of Sainte-Angèle-de-Monnoir and Saint-Grégoire-le-Grand. Thence, southeasterly following the line dividing the parishes of Saint-Grégoire-le-Grand and Sainte-Angèle-de-Monnoir to its intersection with chemin du Rang-de-la-Montagne. Thence, southwesterly following chemin du Rang-de-la-Montagne to the line dividing lots 179 and 180 of the Third Concession of the cadastre of the parish of Saint-Grégoire. Thence, northwesterly, following the line dividing lots 179 and 180 and its extension to the line dividing lots 174 and 175 of the Third Concession, in the cadastre of the parish of Saint-Grégoire-le-Grand. Thence, northeasterly following the line dividing lots 174 and 175 and its extension to the line dividing lots 172 and 173 of the Third Concession. Thence, northeasterly following the line dividing lots 172 and 173 to the line dividing lots 172 and 170 of the Third Concession. Thence, northwesterly following the line dividing lots 172 and 170 to chemin du Bois-de-la-Montagne. Thence, northerly following chemin du Bois-de-la-Montagne to the point of commencement;

(e) Mont Yamaska: all the territory comprised within the perimeter hereinafter determined using cadastral map 31 H-07-200-0201 published by the Ministère de l'Énergie et des Ressources du Québec in May 1971 and road map 31 H 2-7 (revision of January 1975) published by the Ministère des Transports du Québec:

commencing at the intersection of Highway 112 with the Canadian Pacific Railway within the limits of the parish of Saint-Paul-d'Abbotsford. Thence, following the railroad track northerly to Highway 235. Thence, northerly following Highway 235 to its intersection with chemin du Haut-de-la-Rivière. Thence, northeasterly following chemin du Haut-de-la-Rivière to its intersection with Rang Saint-Charles Highway. Thence, southeasterly, following Rang Saint-Charles Highway to its intersection with chemin Saint-Charles. Thence, southerly following chemin Saint-Charles to its intersection with Highway 112. Thence, westerly, following Highway 112 to the line dividing lots 177 and 178 of petit rang-Saint-Charles in the cadastre of the parish of Saint-Paul-d'Abbotsford. Thence, southerly following the line dividing lots 177 and 178 to the north line of lot 194 of petit rang Saint-Charles. Thence, westerly following the north line of lot 194 and its extension to the north line of lot 214 of petit rang Saint-Charles. Thence, westerly following the north line of lot 214 to the line dividing lots 181 and 182 of petit rang Saint-Charles. Thence, northerly following the line dividing lots 181 and 182 to Highway 112. Thence, westerly following Highway 112 to the point of commencement;

(f) Mont Brome: all the territory comprised within the perimeter hereinafter determined using cadastral map 31 H-07-200-0101 published by the Ministère de l'Énergie et des Ressources du Québec and road map 31 H 2-7

(revision of January 1975) published by the Ministère des Transports du Québec:

commencing at the intersection of Highway 241 with the Yamaska River in Range 1, in the cadastre of the township of Shefford. Thence, easterly following the Yamaska River to the line dividing lots 1291 and 1295 of Range 1 in the cadastre of the township of Shefford. Thence, southerly, following the line dividing lots 1291 and 1295 of Range 1 to the southern limit of the township of Shefford. Thence, westerly following the southern limit of the township of Shefford to the line dividing Ranges 4 and 5 in the cadastre of the township of Brome. Thence, southerly following the line dividing Ranges 4 and 5 to the line dividing lots 338 and 340, Range 4, in the cadastre of the township of Brome. Thence, westerly following the line dividing lots 338 and 340 and its extension to the line dividing lots 342 and 338, Range 4. Thence, westerly, following the line dividing lots 342 and 338 to the line dividing lots 342 and 343, Range 4. Thence, southerly following the line dividing lots 342 and 343 to the line dividing lots 343 and 350, Range 4. Thence, westerly following the line dividing lots 343 and 350 to the line dividing lots 346 and 350, Range 4. Thence, southerly following the line dividing lots 346 and 350 to the line dividing lots 349 and 350, Range 4. Thence, southerly following the line dividing lots 349 and 350 to the line dividing lots 349 and 352, Range 4. Thence, westerly following the line dividing lots 349 and 352 to Iron Hill Road. Thence, southerly following Iron Hill Road to the line dividing lots 369 and 373, Range 4. Thence, westerly following the line dividing lots 369 and 373 and its extension to the line dividing Ranges 2 and 3 in the cadastre of the township of Brome. Thence, southerly following the line dividing Ranges 2 and 3 to the line dividing lots 127 and 128, Range 2 in the cadastre of the township of Brome. Thence, westerly following the line dividing lots 127 and 128 and its extension to its intersection with the south shore of Bromont Lake (Étang Brome). Thence, westerly following the south shore of Bromont Lake (Étang Brome) to the mouth of Beaver Meadow Stream. Thence, southwestly following the south bank of Beaver Meadow Stream to its intersection with Highway 241. Thence, northerly following Highway 241 to the point of commencement;

(g) Mont Shefford: all the territory comprised within the perimeter hereinafter determined using cadastral maps 31 H-07-200-0102 and 31 H-07-200-0202 published by the Ministère de l'Énergie et des Ressources du Québec in May 1971 and road map 31 H 2-7 (revision of January 1975) published by the Ministère des Transports du Québec:

commencing at the intersection of Saxby Road with Highway 112 in Range 6 in the cadastre of the township of Shefford. Thence, easterly following Highway 112 to the line dividing lots 699 and 700 of Range 5 in the cadastre of the township of Shefford. Thence, southerly following the line dividing lots 699 and 700 to the line dividing lots 831 and 838 of Range 4 of the township of Shefford. Thence, southerly following the line dividing lots 831 and 838 and its extension to Highway 241. Thence, westerly following Highway 241 to its intersection with Jolly Road. Thence, northwesterly following Jolly Road to its intersection with the line dividing lots 790 and 791 of Range 4 of the township of Shefford. Thence, westerly following the line dividing lots 790 and 791 and its extension to the line dividing lots 784 and 789 of Range 4. Thence, northerly following the line dividing lots 784 and 789 and its extension to its intersection to the line dividing lots 662 and 665 of Range 5, in the cadastre of the township of Shefford. Thence, northerly following the line dividing lots 662 and 665 and its extension to the line dividing Ranges 5 and 6 of the cadastre of the township of Shefford. Thence, easterly following the line dividing Ranges 5 and 6 to Saxby Road. Thence, northeasterly following Saxby Road to the point of commencement;

(h) the region known under the name of “côte de Beaupré”: all the territory situated within the 1,500 m north of Highway 138 and all the territory situated between Highway 138 and the St. Lawrence River, the said territories bounded westerly by the eastern territorial limits of Québec City and easterly by the eastern territorial limits of the municipality of the parish of Saint-Joachim.

R.R.Q., 1981, c. Q-2, r. 2, Sch. C.

SCHEDULE D

(ss. 1, 13 and Schedule E)

METHOD FOR NOISE MEASUREMENT

The noise level at a pit or quarry shall be measured according to the following formula:

— —

$$B = S + I - A + 10 \log_{10} \left[(0.0014m)^{\frac{L_I+5}{10}} + 10^{\frac{L_x}{10}} \right]$$

where

$S = 5$ where there are one or several importunate frequency bands;

$S = 0$ where there is no importunate frequency band;

$I = 5$ where there is one or several information bearing noises;

$I = 0$ where there is no information bearing noise;

$A = A_1 + (A_2 - A_3)$ calculated as follows:

$A_1 =$ attenuation caused by distance

d_2

$$A_1 = 20 \log_{10} \frac{d_2}{d_1}$$

d_1

and

$d_1 =$ distance from the pit or quarry to the point of measurement

$d_2 =$ distance from the pit or quarry and the evaluation point

$A_2 =$ attenuation at the evaluation point caused by a barrier

$A_3 =$ attenuation at the measuring point caused by the same barrier

$L_I =$ equivalent level of impact noise:

Calculation of the arithmetic mean of the maximum energies, during the period of emission of the impact noises produced during the sampling time period which are recorded at the point of measurement.

The formula to be used is as follows:



where:

$dB_n =$ maximum noise of the nth impact noise during its emission period

$m =$ total number of impacts during the emission period.

If the number of impacts is over 720/h, $m = 720$.

$L_x =$ equivalent level of a noise:

Equivalent level of a noise at the point of measurement during its period of emission during a sampling period.

The formula to be used is the following:



where f_i = time interval (expressed in a percentage of the sampling time) during which the noise level is less than the limit of class i .

Where the pit or quarry is not in a period of emission, the corresponding f_i shall be equal to 0.

L_i = sound level in dBA corresponding to the average of class i .

The scope of class I must be fixed at a value equal or less than 2 2BA and the period of sampling must be equal or less than 0.1 seconds.

For the purposes of this measurement method, the normal sampling time shall be 60 consecutive minutes. If the sampling lasts longer than 60 minutes, an adjustment must be made so that the ratio between the periods of emission and the pause is the same.

All the measurements shall be made in dBA using the rapid response of the sound level meter. The sound level meter and the octave band filters must comply with the standards in publications 179 (2nd edition, 1973) and 225 (1st edition, 1966) of the Central Office of the International Electrotechnical Commission.

R.R.Q., 1981, c. Q-2, r. 2, Sch. D.

SCHEDULE E

(ss. 1 and 13)

OCTAVE BAND ANALYSIS — METHOD

The value retained for each octave shall be the minimum value during a period of 30 seconds, at the evaluation point. If the pit or quarry produces a noise during a period that lasts less than 30 seconds, the measurement shall be taken during the emission period.

Octave band analysis shall be made in linear dB using the slow response on the sound level meter.

Every octave band analysis shall be made using a sound level meter and octave band filters which comply with the standards referred to in Schedule D.

R.R.Q., 1981, c. Q-2, Sch. E.

REFERENCES

- R.R.Q., 1981, c. Q-2, r. 2
- O.C. 476-91, 1991 G.O. 2, 1456
- S.Q. 1992, c. 21, s. 375
- O.C. 657-96, 1996 G.O. 2, 2717
- O.C. 492-2000, 2000 G.O. 2, 2090
- O.C. 85-2002, 2002 G.O. 2, 1390
- O.C. 451-2005, 2005 G.O. 2, 1182
- O.C. 450-2011, 2011 G.O. 2, 1083
- O.C. 658-2013, 2013 G.O. 2, 1744