

chapter Q-2, r. 34.1

Regulation respecting municipal wastewater treatment works

Environment Quality Act

(chapter Q-2, ss. 31.32, 31.41, pars. 3, 8 and 9, s. 46, pars. 3 and 17 and s. 95.1, 1st par., subpars. 3, 4, 20, 21, 23 and 25).

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation

(chapter M-11.6, ss. 30 and 45).

O.C. 1305-2013; I.N. 2019-12-01; S.Q. 2022, c. 8, s. 1.

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CHAPTER I

APPLICATION

1. This Regulation applies to municipal wastewater treatment works situated in whole or in part south of the 54th degree north latitude and whose average annual flow rate is greater than 10 m³ per day, including those situated on immovables comprised in a reserved area or in an agricultural zone established in accordance with the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

A municipal wastewater treatment works means any works used to collect, store, transport and process wastewater, in whole or in part of domestic origin, before being discharged into the environment or into a storm water management system, and operated by an intermunicipal board, a municipality or a person acting as a grantee for a municipality in accordance with section 43 of the Environment Quality Act (chapter Q-2) and section 22 of the Municipal Powers Act (chapter C-47.1).

O.C. 1305-2013, s. 1; O.C. 870-2020, s. 1.

2. For the purposes of this Regulation,

“**annual average flow rate**” means

(1) for existing municipal wastewater treatment works, the flow rate of wastewater calculated at the affluent or at the effluent based on the last 3 calendar years of operation;

(2) for new municipal wastewater treatment works, the flow rate of wastewater that works are able to collect; (*débit moyen annuel*)

“**diversion**” means any discharge of partially treated wastewater into the environment due to the bypass of a stage of treatment by the treatment plant; (*dérivation*)

“**diversion point**” means a point subject to the monitoring provided for in section 9 installed to bypass a stage of the treatment plant; (*ouvrage de dérivation*)

“**effluent**” means wastewater discharged by a municipal wastewater treatment works, except the effluent that seeps through the ground and sewer overflows; (*effluent*)

“**industrial input**” means the flow rates of the following effluents, calculated on the basis of the 3-month average where the flow rates are the highest and considering the average of total flow rates at the plant during those 3 months:

(1) water from industrial processes, in particular process water from the following industrial sectors:

(a) prospection or development of resources, such as mining, forest, petroleum or gas resources;

(b) manufacturing industry;

(c) processing industry, including food processing;

(d) air or maritime transport, including cleaning operations of containers;

(2) leachate from landfills;

(3) the effluent from a site that processes sludge or residual materials;

(4) discharges from hospitals and laboratories, excluding nursing stations; (*apport industriel*)

“**outfall**” means a main that receives the effluent from a treatment plant, where the effluent is subject to the monitoring provided for in section 6, and that transports the effluent to the final point of discharge; (*émissaire*)

“**overflow**” means any discharge of untreated wastewater into the environment or into a storm water management system; (*débordement*)

“**overflow point**” means a point subject to the monitoring provided for in section 9 installed to discharge untreated wastewater into the environment or into a storm water management system. (*ouvrage de surverse*)

“**treatment plant**” means a municipal wastewater treatment works used to process wastewater before being discharged into the environment, including associated works used to process sludge, waste and air, except if such works are of the “screen” type, classified according to the following categories:

(1) “very small plant” means any plant with an average annual flow rate equal to or lower than 500 m³ per day and with an industrial input lower than 5% of its total flow rate;

(2) “small plant” means any plant with an average annual flow rate greater than 500 m³ per day but equal to or lower than 2,500 m³ per day and with an industrial input lower than 5% of its total flow rate;

(3) “medium plant” means any plant with an average annual flow rate greater than 2,500 m³ per day but equal to or lower than 17,500 m³ per day and any plant with a flow rate equal to or lower than 2,500 m³ per day and with an industrial input equal to or greater than 5% of its total flow rate;

(4) “large plant” means any plant with an average annual flow rate greater than 17,500 m³ per day but equal to or lower than 50,000 m³ per day;

(5) “very large plant” means any plant with an average annual flow rate greater than 50,000 m³ per day. (*station d’épuration*)

O.C. 1305-2013, s. 2; I.N. 2014-02-01; O.C. 870-2020, s. 2.

3. The Minister issues a depollution attestation to the operator of municipal wastewater treatment works referred to in section 1.

O.C. 1305-2013, s. 3; I.N. 2019-12-01; O.C. 870-2020, s. 3.

CHAPTER II

OPERATING STANDARDS

DIVISION I

GENERAL

4. The operator of a treatment plant must measure the daily flow rate of wastewater treated by the plant with a device which can measure the flow rate with a margin of error less than 15% of the actual value.

The device must be maintained in good working order at all times. It must also be calibrated at least once a year.

O.C. 1305-2013, s. 4.

5. Any sanitary, partially separated sanitary or combined sewer system must be connected to a treatment plant.

O.C. 1305-2013, s. 5.

DIVISION II

DISCHARGE STANDARDS

6. The effluent from any treatment plant must comply with the following standards:

(1) the 5-day carbonaceous biochemical oxygen demand (CBOD₅) must be less than or equal to 25 mg/l;

(2) the concentration of suspended solids (SS) must be less than or equal to 25 mg/l, except if it is shown that the excess is caused by algae proliferating in sewage lagoons;

(3) the pH value must be between 6.0 and 9.5.

Compliance of the concentrations provided for in subparagraphs 1 and 2 of the first paragraph is assessed periodically on the basis of an average effluent discharge calculated for the periods listed in Schedule I.

The operator of a treatment plant must collect samples or take measurements of the effluent from its plant at the frequencies provided for in Schedule I and the operator must analyze them according to the procedure established in the Schedule.

O.C. 1305-2013, s. 6.

7. The effluent from a treatment plant may not show acute toxicity for rainbow trout *Oncorhynchus mykiss* or daphnia *Daphnia magna*, or both. Acute toxicity corresponds to a mortality rate of more than 50% of the organisms exposed to the undiluted effluent.

The operator of a medium, large or very large treatment plant must perform the acute toxicity tests provided for in Schedule II in accordance with the frequencies and procedure listed in that Schedule.

O.C. 1305-2013, s. 7.

DIVISION III

OVERFLOW STANDARDS

8. The following are forbidden in dry weather:

- (1) overflows of wastewater in the environment from municipal wastewater treatment works;
- (2) diverting of untreated or partially treated wastewater at a treatment plant.

For the purposes of this section, dry weather means any period beginning 24 hours after the end of rain.

The prohibition referred to in the first paragraph does not apply to overflows and diverting of wastewater occurring in the following events:

- (1) in a case of emergency;
- (2) the melting of snow;
- (3) the realization of work to alter, repair or maintain a works when a notice is sent to the Minister under section 15;
- (4) the infiltration of water into the works caused by spring thaw.

O.C. 1305-2013, s. 8.

9. The operator of municipal wastewater treatment works must list all the overflows of wastewater that occur at the operator's treatment works, using a device to record their frequency, the time when they occur and their daily cumulative duration, or by observing the displacement of a visual feature installed to that effect each week.

When an overflow of wastewater not caused by a case of emergency occurs at the overflow point, the operator must install the device provided for in the first paragraph within a year of the occurrence of the overflow concerned.

Where a device is installed, it must be maintained in good working order at all times.

O.C. 1305-2013, s. 9.

DIVISION IV

QUALIFICATIONS OF PERSONNEL

10. A valid qualification certificate or apprenticeship card issued for the relevant class of treatment plant concerned under a vocational training and qualification program established by the Minister of Employment and Social Solidarity under section 29.1 of the Act respecting workforce vocational training and qualification (chapter F-5) must be held by any natural person who

- (1) operates a treatment plant and monitors its operation;
- (2) takes the samples required by this Regulation, unless the person is employed by a laboratory accredited under section 118.6 of the Environment Quality Act (chapter Q-2) to perform such sampling; or
- (3) takes a measurement or a reading required by this Regulation.

The holder of the certificate or apprenticeship card must show it on request.

For the purposes of the first paragraph, an apprenticeship card is valid if it is issued for a maximum period of 3 years following the holder's registration in the vocational training and qualification program and if it is not renewable.

Despite the first paragraph, obtaining a qualification certificate or an apprenticeship card is not required to operate works that do not contribute directly to the operation of the liquid treatment chain of the treatment plant.

O.C. 1305-2013, s. 10; O.C. 870-2020, s. 4.

11. A natural person who carries out one of the tasks listed in section 10 in a plant that will change classes in relation to the class of treatment plant referred to in its initial certificate must obtain a new certificate covered by section 10.

The holder of the certificate must hold his or her apprenticeship card for the new class of treatment plant not later than 4 months after one of the following dates, whichever comes first:

- (1) the date of issue of the authorization required for the work carried out at the treatment plant;
- (2) the date of transmission of the declaration of compliance required for the work performed at the treatment plant;
- (3) the date of amendment of the depollution attestation.

Until the natural person obtains a new certificate, the natural person must show, on request, the apprenticeship card given to the natural person during the natural person's admission to the training program.

O.C. 1305-2013, s. 11; O.C. 870-2020, s. 5.

11.1. The operator of a municipal wastewater treatment works must ensure that the tasks listed in section 10 are carried out by a person who is the holder of the valid qualification certificate or apprenticeship card referred to in that section.

In addition, the operator must ensure that the holder of the certificate takes the necessary steps to obtain a new certificate in the cases and within the time provided for in section 11.

O.C. 870-2020, s. 5.

DIVISION V

REPORTS AND REGISTER

12. The operator of municipal wastewater treatment works must send to the Minister electronically, not later than 42 days following the end of each month, a monthly report in which the flow rate, the results of the analysis of samples, pH measurements, results of toxicity tests, overflow measurements and observations made in the course of operation of the operator's works are recorded.

O.C. 1305-2013, s. 12.

13. The operator of municipal wastewater treatment works sends to the Minister electronically, before 1 April of each year, an annual report updated to 31 December of each year that contains the following elements:

(1) the number of the depollution attestation, if any, and the identification number of the treatment plant concerned;

(2) a summary of the results of the analysis of samples collected, pH measurements, toxicity tests and overflow measurements made under this Regulation. The summary must in particular indicate the cases of non-compliance of the discharge and overflow standards and include the following information:

(a) the place and period where the non-compliance occurred;

(b) the causes of non-compliance and the circumstances in which it occurred;

(c) the measures taken or planned by the operator to minimize or eliminate the effects of non-compliance and to eliminate and prevent the causes thereof;

(3) the qualification of persons responsible for the operation and monitoring of works.

The information recorded in the report is public information.

O.C. 1305-2013, s. 13.

14. The operator of municipal wastewater treatment works maintains and keeps up-to-date a register on the operation of the works for a minimum period of 10 years. The register contains the following elements:

(1) the analysis certificates issued by accredited laboratories;

(2) proof of calibration of flow measurement devices;

(3) all the data and raw measurements collected in the operation of the works;

(4) the accountability reports sent monthly and annually to the Minister;

(5) the notices sent to the Minister;

(6) any other information obtained during the operation of the works.

Any information contained in the register must be provided to the Minister on request.

O.C. 1305-2013, s. 14.

DIVISION VI

NOTICE TO THE MINISTER

15. The operator of municipal wastewater treatment works must notify the Minister where one of the following events occurs:

- (1) the discharge of the effluent elsewhere than at the final point of discharge of the outfall;
 - (1.1) a diversion or an overflow elsewhere than from an overflow point or diversion point;
- (2) equipment shutdown or failure having an impact on the quality of discharges or on the frequency or volume of overflows or diversions;
- (3) a diverting or an overflow required so that work may be performed to alter, repair or maintain the works;
- (4) a diversion or an overflow other than from an overflow point or a diversion point.

The notice must contain

- (1) the date and time corresponding to the beginning of the event;
- (2) the location of the discharge, overflow or diversion by indicating in particular its geographical coordinates;
- (3) in the case of planned work, the reasons why it is impossible to carry out the work without any overflow, diversion or discharge elsewhere than at the final discharge point of the outfall;
- (4) the uses of the receiving environment that could be affected;
- (5) the real or estimated volumes of wastewater that are discharged, overflowed or diverted;
- (6) the measures taken or planned by the operator to limit the discharge, overflow or diversion and minimize the effects of the event;
- (7) the estimated date of the end of the event;
- (8) the cleaning measures that will be set up after the event; and
- (9) the measures set up to communicate to the public the information relating to a planned event.

In the cases provided for in subparagraphs 1, 1.1, 2 and 4 of the first paragraph, the notice is sent to the Minister without delay. It may be a written or verbal notice. In the latter case, the operator must send a written copy of the notice within 48 hours following the verbal notice. In the case provided for in subparagraph 1 of the first paragraph, where the discharge will result in work for the alteration, repair or maintenance of the works, the notice is sent in accordance with the fourth paragraph.

In the case referred to in subparagraph 3 of the first paragraph, the notice is sent to the Minister 45 days before the planned event. The notice must be in writing.

All written notices referred to in this section must be sent electronically.

In all cases, the operator must comply, without delay, with the measures planned to minimize or eliminate the effects of the events referred to in subparagraphs 1 to 4 of the first paragraph and notify the Minister as soon as the event has ended.

O.C. 1305-2013, s. 15; O.C. 870-2020, s. 6.

16. The operator of municipal wastewater treatment works must also notify the Minister in writing and without delay after completion of the work, of any alteration that has the effect of modifying the operating conditions of the operator's works, such as an increase in its wastewater processing capacity.

A written copy of the notice is sent to the Minister of Municipal Affairs, Regions and Land Occupancy.

O.C. 1305-2013, s. 16.

CHAPTER III

DEPOLLUTION ATTESTATION

DIVISION I

CONTENT

17. The depollution attestation contains the following elements:

(1) the name and contact information of the operator of the municipal wastewater treatment works concerned;

(2) the description and location of points of discharge, deposit, release or emission of contaminants into the environment and the description of what constitutes the source of each of those points;

(3) the description of the wastewater treatment equipment used, in particular the type of plant and technology and the capacity of each of the components of the equipment;

(4) the standards of discharge, overflow and diversion;

(5) the operating conditions of the works;

(6) the requirements for the installation of equipment related to treatment works and for the carrying out of work required for that purpose;

(7) the monitoring requirements of the treatment plant, overflows and diversions, including the sampling and measurement procedure;

(8) the additional content of the register held by the operator of works under section 14 and the manner in which the content must be kept and sent;

(9) the content and form of the reports to be sent, their intervals, the manner in which they are sent and the possibility to attach such reports to the reports required under sections 12 and 13;

(10) the content and form of the information to be sent to the Minister, in particular any action plan prepared to comply with the standards of this Regulation or with the standards provided for in the depollution attestation or any other study required by the Minister under section 31.34 of the Environment Quality Act, including the information on progress of the measures or work provided for in those plans or studies;

(11) the nature, quantity, quality and concentration of each contaminant covered by a standard or a requirement;

(12) the nature, origin and quality of the wastewater treated by the works;

(13) the applicable corrective programs, if any;

(14) the master plans of municipal water management that apply, if any;

(15) the standards, conditions, restrictions or prohibitions imposed by the Minister under section 31.37 of the Environment Quality Act.

O.C. 1305-2013, s. 17; I.N. 2019-12-01; O.C. 870-2020, s. 7.

DIVISION II

AMENDMENT OF A DEPOLLUTION ATTESTATION

18. An application to amend a depollution attestation must be filed in writing and contain the following elements:

(1) the number of the depollution attestation in respect of which the application is being filed;

(2) an update of the information included in the depollution attestation, if such is the case;

(3) a description of the amendments applied for and the reasons justifying such amendments;

(4) an impact assessment of the amendments on the quantity and quality of the effluent from the treatment plant concerned or on the overflows of wastewater that may occur at the municipal wastewater treatment works concerned;

(5) a certified copy of the deed authorizing the applicant to file the application for amendment.

O.C. 1305-2013, s. 18.

CHAPTER IV

ADMINISTRATIVE AND PENAL PROVISIONS

DIVISION I

MONETARY ADMINISTRATIVE PENALTIES

19. A monetary administrative penalty of \$250 may be imposed on a natural person who does not show on request his or her qualification certificate or apprenticeship card required under the first paragraph of section 10 or his or her apprenticeship card required under the third paragraph of section 11.

O.C. 1305-2013, s. 19; O.C. 870-2020, s. 8.

20. A monetary administrative penalty of \$250 for a natural person or \$1,000 in other cases may be imposed on the operator of municipal wastewater treatment works who, in contravention of this Regulation,

(1) refuses or neglects to send a notice or furnish information, plans or reports or fails to file them in the prescribed time or conditions if no other monetary administrative penalties are provided for such failure;

(2) fails to constitute, maintain or keep up-to-date the register in accordance with section 14.

O.C. 1305-2013, s. 20.

21. A monetary administrative penalty of \$500 for a natural person or \$2,500 in other cases may be imposed on the operator of municipal wastewater treatment works who fails

(1) to measure the flow rate of wastewater from the works in accordance with section 4 and to use the device referred to in that section;

(2) to collect a sample or take a measurement and analyze it in accordance with section 6, to perform an acute toxicity test in accordance with section 7 or to list an overflow of wastewater in accordance with the first paragraph of section 9;

(3) to install a device that records the overflows of wastewater of the works in accordance with the second paragraph of section 9;

(4) to have one of the tasks listed in the first paragraph of section 10 carried out by a person who holds the qualification certificate or apprenticeship card required by section 10 or 11;

(4.1) to ensure that the holder of the qualification certificate takes the necessary steps to obtain a new certificate in the cases and within the time provided for in section 11;

(5) to notify the Minister without delay of any modification that has the effect of modifying the operating conditions of works in accordance with section 16.

O.C. 1305-2013, s. 21; O.C. 870-2020, s. 9.

22. A monetary administrative penalty of \$750 for a natural person or \$3,500 in other cases may be imposed on the operator of municipal wastewater treatment works who fails

(1) to maintain in good working order a device required under this Regulation;

(2) to calibrate the device referred to in section 4 at least once a year.

O.C. 1305-2013, s. 22.

23. A monetary administrative penalty of \$2,000 for a natural person or \$10,000 in other cases may be imposed on the operator of municipal wastewater treatment works

(1) who operates a sanitary, partially separated sanitary or combined sewer system without being connected to a treatment plant in contravention of section 5;

(2) who does not comply with a discharge standard provided for in section 6 or 7;

(3) whose works overflows or diverts wastewater in dry weather in contravention of section 8;

(4) who fails to notify the Minister of the events referred to in section 15;

(5) who fails to comply with the measures planned to minimize or eliminate the effects of an event in accordance with the sixth paragraph of section 15.

O.C. 1305-2013, s. 23; O.C. 870-2020, s. 10.

DIVISION II

PENAL SANCTIONS

24. The operator of municipal wastewater treatment works who fails

(1) to send a report in accordance with sections 12 and 13 or to comply with the fixed time and conditions for its filing,

(2) to constitute, maintain and keep up-to-date a register in accordance with section 14,

(3) to comply with a requirement imposed by this Regulation that is not otherwise sanctioned by this Division or the Chapter VII of Title I of the Environment Quality Act (chapter Q-2),

commits an offence and is liable to a fine of \$1,000 to \$100,000 in the case of a natural person or to a fine of \$3,000 to \$600,000 in other cases.

Any person who fails to comply with section 10 or 11 commits an offence and is liable to the fine provided for in the first paragraph applicable to a natural person.

O.C. 1305-2013, s. 24; I.N. 2019-12-01; O.C. 870-2020, s. 11.

25. The operator of municipal wastewater treatment works who fails

(1) to measure the flow rate of wastewater from the operator's works in accordance with section 4 and to use the device referred to in that section,

(2) to collect a sample or to take a measurement and analyze it in accordance with section 6, to perform an acute toxicity test in accordance with section 7 or to list an overflow of wastewater in accordance with the first paragraph of section 9,

(3) to install a device that records the overflows of wastewater of the works in accordance with the second paragraph of section 9,

(4) to have one of the tasks listed in the first paragraph of section 10 carried out by a person who holds the qualification certificate or apprenticeship card required by section 10 or 11;

(4.1) to ensure that the holder of the qualification certificate takes the necessary steps to obtain a new certificate in the cases and within the time provided for in section 11;

(5) to notify the Minister without delay of any modification that has the effect of modifying the operating conditions of the works in accordance with section 16,

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

O.C. 1305-2013, s. 25; O.C. 870-2020, s. 12.

26. The operator of municipal wastewater treatment works who fails

(1) to maintain in good working order a device required under this Regulation,

(2) to calibrate the device referred to in section 4 at least once a year,

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

O.C. 1305-2013, s. 26.

27. The operator of municipal wastewater treatment works who knowingly provides false or misleading information 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. 1305-2013, s. 27.

28. The operator of municipal wastewater treatment works

- (1) who operates a sanitary, partially separated sanitary or combined sewer system without being connected to a treatment plant in contravention of section 5,
- (2) who does not comply with a discharge standard provided for in section 6 or 7,
- (3) whose works overflows or diverts wastewater in dry weather in contravention of section 8,
- (4) who fails to notify the Minister of the events referred to in the first paragraph of section 15,
- (5) who fails to comply with the measures planned to minimize or eliminate the effects of an event in accordance with the sixth paragraph of section 15,

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. 1305-2013, s. 28; O.C. 870-2020, s. 13.

CHAPTER V

TRANSITIONAL AND FINAL

29. The operator of a treatment plant listed in Schedule III must send to the Minister an action plan on the measures to be taken to comply with the standards provided for in subparagraphs 1 and 2 of the first paragraph of section 6 and a schedule to ensure the implementation of those measures.

The deadline for sending the action plan and implementation schedule is fixed in Schedule III.

The discharge standards provided for in subparagraphs 1 and 2 of the first paragraph of section 6 do not apply to the operator of a treatment plant referred to in Schedule III until the realization of work to expand, modernize or replace the plant or, at the latest, until the date listed in Schedule III, provided that, in all cases, the operator complies with the content of his or her action plan and implementation schedule.

The operator must keep the action plan and implementation schedule in the register provided for in section 14.

O.C. 1305-2013, s. 29.

30. Despite section 5, the operator of a sanitary, partially separated sanitary or combined sewer system that, on 11 January 2014, is not connected to a treatment plant may continue to operate the sewer system. The operator must, however, install such a plant connected to the sewer system not later than on 31 December 2020.

Until then, the operator must send to the Minister an action plan on the measures to be taken to comply with the standards provided for in subparagraphs 1 and 2 of the first paragraph of section 6 and an implementation schedule of those measures not later than on 31 December 2015. The operator must keep them in the register provided for in section 14.

O.C. 1305-2013, s. 30; I.N. 2014-02-01.

31. The operator of municipal wastewater treatment works must install, not later than on 31 December 2015, a device to record the overflows of wastewater at each overflow point which has had at least one overflow not caused by a case of emergency in the 3 years preceding 11 January 2014. The device must record the frequency of the overflows, the time when they occur and their daily cumulative duration.

O.C. 1305-2013, s. 31; I.N. 2014-02-01.

32. A monetary administrative penalty of \$350 for a natural person or \$1,500 in other cases may be imposed on the operator of municipal wastewater treatment works who fails

(1) to send to the Minister the action plan and the implementation schedule provided for in sections 29 and 30 or to comply with the period to send them;

(2) to keep, in the register provided for in section 14, the action plan and the implementation schedule in accordance with sections 29 and 30.

O.C. 1305-2013, s. 32.

33. A monetary administrative penalty of \$500 for a natural person or \$2,500 in other cases may be imposed on the operator of municipal wastewater treatment works who fails to install a device to record overflows of wastewater in contravention of section 31.

O.C. 1305-2013, s. 33.

34. A monetary administrative penalty of \$2,000 for a natural person or \$10,000 in other cases may be imposed on the operator of municipal wastewater treatment works who fails

(1) to comply with the action plans provided for in sections 29 and 30 and the implementation schedules associated with them;

(2) to set up a treatment plant in contravention of section 30.

O.C. 1305-2013, s. 34.

35. The operator of municipal wastewater treatment works who fails

(1) to send to the Minister the action plan and the implementation schedule provided for in sections 29 and 30 or to comply with the period to send them,

(2) to keep, in the register provided for in section 14, the action plan and the implementation schedule in accordance with sections 29 and 30,

commits an offence and is liable to a fine of \$2,000 to \$100,000 in the case of a natural person or to a fine of \$4,000 to \$600,000 in other cases.

O.C. 1305-2013, s. 35.

36. The operator of municipal wastewater treatment works who fails to install a device to record overflows of wastewater in contravention of section 31 commits an offence and is liable to a fine of \$2,500 to \$250,000 in the case of a natural person or to a fine of \$7,500 to \$1,500,000 in other cases.

O.C. 1305-2013, s. 36.

37. The operator of municipal wastewater treatment works who fails

(1) to comply with the action plans provided for in sections 29 and 30 and the implementation schedules associated with them,

(2) to set up a treatment plant in contravention of section 30,

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. 1305-2013, s. 37.

38. *(Omitted in part).*

Sections 10 and 11 come into force on 1 January 2017.

O.C. 1305-2013, s. 38.

SCHEDULE I

(s. 6)

ASSESSMENT OF COMPLIANCE WITH DISCHARGE STANDARDS OF THE EFFLUENT FROM A TREATMENT PLANT

- (1) Compliance with the standards relating to CBOD₅ and SS provided for in subparagraphs 1 and 2 of the first paragraph of section 6 is assessed by collecting samples of the effluent from a treatment plant at the frequencies appearing in Table 1, according to the class of treatment plant concerned.
- (2) All the samples collected must be analyzed by laboratories accredited under section 118.6 of the Environment Quality Act (chapter Q-2).
- (3) The results of the analyses of samples collected are compiled in a manner to establish an average of those results for the periods appearing in Table 1, according to the class of treatment plant concerned.
- (4) The laboratory produces a certificate of analysis which is sent to the operator of the treatment plant concerned.
- (5) Compliance with the standards relating to pH provided for in subparagraph 3 of the first paragraph of section 6 is assessed by taking one-time measurements of the effluent from a treatment plant at the frequencies appearing in Table 1, according to the class of treatment plant concerned.
- (6) The pH measurements are taken using a measuring device able to assess the pH with a precision to the tenth of a unit.
- (7) The samples collected and the measurements taken during the period of periodic emptying of a treatment plant of the non-aerated lagoon type, regardless of the class of treatment plant to which it belongs, must be done after the first third and after the second third of each of the emptying periods.
- (8) The frequencies and the calculation periods of the averages provided for in Table 1 do not apply if the operator of a treatment plant is the holder of a depollution attestation issued under section 31.33 of the Environment Quality Act and that attestation provides different frequencies and periods of calculation to ensure stricter periodic monitoring than that provided for in Table 1.

Table 1

Minimum monitoring of compliance with discharge standards

Class of treatment plant	Sampling frequency	Period for the calculation of averages (CBOD ₅ and SS) *
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Very small:

- Plant of the "lagoon" type	Monthly	Annual
- Plant whose average flow rate is less than 100 m ³ per day	Monthly	Annual
- Other types of plant	Monthly	Quarterly

Small:

- Plant of the "lagoon" type	Monthly	Annual
Other types of plant	Monthly	Quarterly

Medium	Every 2 weeks	Quarterly
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Large	Weekly	Monthly
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Very large:

- Plant of the "lagoon" type	3 days a week	Monthly
Other types of plant	5 days a week	Monthly

* TO VERIFY COMPLIANCE OF THE DISCHARGE STANDARDS RELATED TO CBOD₅ AND SS, THE AVERAGE MUST BE CALCULATED FROM ALL THE RESULTS OBTAINED, EVEN IF THE NUMBER OF THOSE RESULTS IS HIGHER THAN WHAT IS REQUIRED IN THE TABLE.

O.C. 1305-2013, Sch. I.

SCHEDULE II

(s. 7)

TOXICITY TEST OF THE EFFLUENT FROM A TREATMENT PLANT

(1) The effluent from a treatment plant must undergo an acute toxicity test performed on rainbow trout (*Oncorhynchus mykiss*) and another performed on daphnia *Daphnia magna* in accordance with the most recent version of one of the following methods:

(1) for rainbow trout (*Oncorhynchus mykiss*): biological test method EPS1/RM/13 “Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to Rainbow Trout”, published by Environment Canada, carried out according to the single-concentration or multi-concentration procedure, as the case may be;

(2) for daphnia *Daphnia magna*: MA 500 – D.mag. 1.1 lethal toxicity method “Détermination de la toxicité létale CL₅₀ 48h *Daphnia magna*”, published by the Centre d’expertise en analyse environnementale du Québec of the Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs.

(2) Acute toxicity tests are performed at the following frequencies, according to the class of treatment plant concerned, unless different frequencies are provided in the depollution attestation issued under section 31.33 of the Environment Quality Act (chapter Q-2) for the municipal wastewater treatment works concerned:

Requirements of acute toxicity tests

Class of treatment plant	Acute toxicity tests	Frequency of acute toxicity tests
Medium	- Rainbow trout - <i>Daphnia magna</i>	Quarterly ¹
Large	- Rainbow trout - <i>Daphnia magna</i>	Quarterly ¹
Very large	- Rainbow trout - <i>Daphnia magna</i>	Monthly ²

1. QUARTERLY TESTS MUST BE AT INTERVALS OF AT LEAST 2 MONTHS.

2. MONTHLY TESTS MUST BE AT INTERVALS OF AT LEAST 3 WEEKS.

(3) If a positive result is obtained for an acute toxicity test, the operator must, within 7 days, have a second test performed on the same species. If the result of the second test is negative, the operator must have a third test performed on the same species, within 7 days, to determine the final result of the test.

For rainbow trout (*Oncorhynchus mykiss*), the second and third tests must be performed according to the multi-concentration procedure of the method provided for in paragraph 1 of section 1.

O.C. 1305-2013, Sch. II.

SCHEDULE III

(s. 29)

TREATMENT PLANTS EXEMPTED FROM THE STANDARDS PROVIDED FOR IN SUBPARAGRAPHS 1 AND 2 OF THE FIRST PARAGRAPH OF SECTION 6

NAME OF TREATMENT PLANT	PANT NUMBER	RISK LEVEL	DEADLINE FOR SENDING THE ACTION PLAN	END OF EXEMPTION
ADSTOCK (SAINT-MÉTHODE)	24770-1	Low	31 December 2032	31 December 2040
ASCOT-CORNER (BD)	36250-1	Low	31 December 2032	31 December 2040
BEAUPRÉ	21025-1	Low	31 December 2032	31 December 2040
BEDFORD	54360-1	Low	31 December 2032	31 December 2040
BOISCHATEL L' ANGE-GARDIEN- CHÂTEAU-RICHER	21045-1	Low	31 December 2032	31 December 2040
BOUCHETTE	78430-1	Low	31 December 2032	31 December 2040
CAMPBELL' S-BAY	80260-1	Low	31 December 2032	31 December 2040
CHAMPLAIN	37220-1	Low	31 December 2032	31 December 2040
DUDSWELL	41117-1	Low	31 December 2032	31 December 2040
EAST-ANGUS	41060-1	Medium	31 December 2022	31 December 2030
FORT-COULONGE	84060-1	Low	31 December 2032	31 December 2040
GRANDES-PILES	35040-1	Low	31 December 2032	31 December 2040
HENRYVILLE	53200-1	Low	31 December 2032	31 December 2040

ENVIRONMENT QUALITY — MUNICIPAL WASTEWATER TREATMENT WORKS

HOPE	05025-1	Low	31 December 2032	31 December 2040
LA MALBAIE	15012-1	Low	31 December 2032	31 December 2040
LA SARRE	87090-1	Low	31 December 2032	31 December 2040
LAVAL (FABREVILLE)	64500-1	Medium	31 December 2022	31 December 2030
LAVAL (LAPINIÈRE)	64500-3	Medium	31 December 2022	31 December 2030
LAVERLOCHÈRE	85050-1	Low	31 December 2032	31 December 2040
LES ÎLES (HAVRE-AUX-MAISONS)	01030-1	Medium	31 December 2022	31 December 2030
L'ISLE-AUX-COUDRES	16023-1	Low	31 December 2032	31 December 2040
LONGUEUIL	56650-1	Medium	31 December 2022	31 December 2030
MACAMIC	84365-1	Low	31 December 2032	31 December 2040
MONTRÉAL (STATION JEAN-R.-MARCOTTE)	00065-1	Medium	31 December 2022	31 December 2030
MONT-SAINT-PIERRE	04015-1	Low	31 December 2032	31 December 2040
NEUVILLE	34007-1	Low	31 December 2032	31 December 2040
PERCÉ (CAP D'ESPOIR)	02005-1	Low	31 December 2032	31 December 2040
QUÉBEC (EST)	00020-1	Medium	31 December 2022	31 December 2030
QUÉBEC (OUEST)	00020-2	Medium	31 December 2022	31 December 2030
REPENTIGNY	62200-1	Medium	31 December 2022	31 December 2030

ENVIRONMENT QUALITY — MUNICIPAL WASTEWATER TREATMENT WORKS

RIGAUD	72680-1	Low	31 December 2032	31 December 2040
RIMOUSKI (SECTEUR DES BERGES)	10065-1	Low	31 December 2032	31 December 2040
RIVIÈRE-OUELLE	14065-1	Low	31 December 2032	31 December 2040
ROSEMÈRE (LORRAINE)	73025-1	Medium	31 December 2022	31 December 2030
SAINT-ALBAN	34097-1	Low	31 December 2032	31 December 2040
SAINT-AMBROISE	94090-1	Low	31 December 2032	31 December 2040
SAINT-AUGUSTIN (CÔTE-NORD)	98012-1	Low	31 December 2032	31 December 2040
SAINT-AUGUSTIN (LAC-SAINT-JEAN)	92005-1	Low	31 December 2032	31 December 2040
SAINT-BRUNO	93030-1	Low	31 December 2032	31 December 2040
SAINT-CHARLES-GARNIER	09010-1	Low	31 December 2032	31 December 2040
SAINT-CLET	71045-1	Low	31 December 2032	31 December 2040
SAINT-DAMASE	51120-1	Medium	31 December 2022	31 December 2030
SAINT-DENIS-SUR-RICHELIEU	57068-1	Low	31 December 2032	31 December 2040
SAINTE-CATHERINE-DE- LA-JACQUES-CARTIER (COIN PERDU)	29130-2	Low	31 December 2032	31 December 2040
SAINTE-CLAIRE	19055-1	Low	31 December 2032	31 December 2040
SAINTE-CLOTILDE	68020-1	Low	31 December 2032	31 December 2040
SAINT-ELZÉAR (BONAVENTURE)	05050-1	Medium	31 December 2022	31 December 2030

ENVIRONMENT QUALITY — MUNICIPAL WASTEWATER TREATMENT WORKS

SAINTE-MÉLANIE	58370-1	Low	31 December 2032	31 December 2040
SAINT-ÉTIENNE-DES-GRÈS	43400-1	Low	31 December 2032	31 December 2040
SAINT-GUILLAUME	42300-1	Low	31 December 2032	31 December 2040
SAINT-JEAN-SUR-RICHELIEU	55750-1	Medium	31 December 2022	31 December 2030
SAINT-JUST-DE-BRETENIÈRES	18005-1	Low	31 December 2032	31 December 2040
SAINT-MAGLOIRE	15200-1	Low	31 December 2032	31 December 2040
SAINT-MICHEL	68050-1	Low	31 December 2032	31 December 2040
SAINT-ONÉSIME-D' IXWORTH	14080-1	Low	31 December 2032	31 December 2040
SAINT-PACÔME	14070-1	Low	31 December 2032	31 December 2040
SAINT-ROBERT-BELLARMIN	24110-1	Low	31 December 2032	31 December 2040
SAINT-SULPICE	62110-1	Low	31 December 2032	31 December 2040
SAINT-VALLIER	19117-1	Low	31 December 2032	31 December 2040
SAINT-ZOTIQUE (AGRANDISSEMENT)	71025-2	Low	31 December 2032	31 December 2040
SEPT-ÎLES (CLARKE)	97270-1	Low	31 December 2032	31 December 2040
TASCHEREAU	87042-1	Low	31 December 2032	31 December 2040
VAL-D'OR (LOUVICOURT)	89008-1	Low	31 December 2032	31 December 2040
VALLÉE DU RICHELIEU (BELOEIL)	57040-1	Medium	31 December 2022	31 December 2030

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UPDATES

O.C. 1305-2013, 2013 G.O. 2, 3749

O.C. 870-2020, 2020 G.O. 2, 2339A