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chapter Q-2, r. 37

Land Protection and Rehabilitation Regulation

Environment Quality Act
(chapter Q-2, ss. 31, 31.69, 115.27, 115.34 and 124.1).

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CHAPTER I

APPLICABLE LIMIT VALUES AND CATEGORIES OF ACTIVITIES CONCERNED

O.C. 797-2019, s. 1.

1. The limit values prescribed in Schedule I with regard to the contaminants listed in the Schedule apply for the purposes of sections 31.43, 31.45, 31.49, 31.51, 31.52, 31.54, 31.55, 31.57, 31.58 and 31.59 of the Environment Quality Act (chapter Q-2), subject to the following provisions.

In the case of lands referred to below, the applicable limit values are those indicated in Schedule II:

(1) for the purposes of sections 31.43, 31.45, 31.49, 31.52, 31.54, 31.55, 31.57 and 31.59,

(a) lands on which, under a municipal zoning by-law, industrial, commercial or institutional uses are authorized, except lands

i. where totally or partially residential buildings are built;

ii. where elementary-level and secondary-level educational institutions, childcare centres, day care centres, hospital centres, residential and long-term care centres, rehabilitation centres, child and youth protection centres, or correctional facilities are built;

(b) lands constituting, or intended to constitute, the site of a roadway within the meaning of the Highway Safety Code (chapter C-24.2) or a sidewalk bordering a roadway, a bicycle path or a municipal park, except play areas for which the limit values prescribed in Schedule I remain applicable for a depth of at least 1 m; and

(2) for the purposes of section 31.51, lands on which, under a municipal zoning by-law, only industrial, commercial or institutional uses are authorized, except the lands referred to in subparagraph ii above.

In addition, where a contaminant referred to in Part I (metals and metalloids) of Schedule I or Shedule II is present in land in a concentration exceeding the limit value prescribed in that Schedule, and the contaminant does not originate from human activity, that concentration constitutes, for the purposes of sections 31.51, 31.52, 31.54, 31.55, 31.57, 31.58 and 31.59 of the Environment Quality Act, the limit value applicable for that contaminant.

O.C. 216-2003, s. 1; O.C. 1294-2011, s. 1.

2. The categories of industrial and commercial activities listed in Schedule III are the categories to which sections 31.51, 31.52, and 31.53 of the Environment Quality Act (chapter Q-2) apply.

Sections 31.51 and 31.52 of that Act do not apply, however, to the “contaminated soil or dangerous substance or hazardous material disposal sites” category.

O.C. 216-2003, s. 2.

CHAPTER II

DECLARATIONS OF COMPLIANCE

O.C. 797-2019, s. 2.

DIVISION I

ACTIVITY ELIGIBLE UNDER SECTION 31.0.6 OF THE ENVIRONMENT QUALITY ACT

O.C. 797-2019, s. 2.

§ 1. — *Eligible activity*

O.C. 797-2019, s. 2.

2.1. Soils containing contaminants in a concentration equal to or less than the limit values in Schedule I that are received on or in land are eligible for a declaration of compliance if

(1) the soils are intended to be reclaimed on the land;

(2) they do not contain asbestos; and

(3) the soils covered by the declaration will not increase the total volume of contaminated soils received on the land to more than 10,000 m^3, whether that volume is reached after a single project or several projects.

O.C. 797-2019, s. 2.

§ 2. — *Content of the declaration*

O.C. 797-2019, s. 2.

2.2. Every declarant for the activity eligible for a declaration of compliance referred to in subdivision 1 must include the following information in the declaration:

(1) information regarding the declarant's identity, namely:

(a) the declarant's name, contact information and, if applicable, those of the declarant's representative;

(b) in the case of a declarant other than a natural person, the Québec business number assigned under the Act respecting the legal publicity of enterprises (chapter P-44.1), where applicable, and that of the establishment covered by the declaration;

(2) if the declarant has retained the services of professionals or other competent persons to prepare the declaration, the name and contact information of those persons, a brief description of each of their mandates and an attestation that the information and documents they provide are complete and accurate;

(3) a description of the activity that is subject to the declaration of compliance by indicating in particular any information enabling to verify compliance of the activity with the eligibility conditions provided for in subdivision 1;

(4) the limits within which the activity will be carried on and, as the case may be, the applicable municipal zoning and, if applicable, the presence of wetlands and bodies of water within a radius of 100 m and their designation.

For the activity referred to in the first paragraph to be eligible for a declaration of compliance, the declarant must also attach to the declaration

(1) a plan that indicates the geographic coordinates of the site concerned;

(2) the characterization study referred to in section 2.12;

(3) an attestation that all the information and documents provided by the declarant are complete and accurate; and

(4) the payment of the fees payable under the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28).

The declarant must, at the same time as the declarant sends the declaration of compliance to the Minister, send a copy to the municipality in the territory of which the activity will be carried on.

The owner of the land receiving the soils is responsible for making that declaration.

O.C. 797-2019, s. 2.

2.3. Any change to the information sent in the declaration of compliance or to the documents attached to the declaration must be communicated to the Minister by the declarant as soon as possible.

O.C. 797-2019, s. 2.

DIVISION II

REHABILITATION MEASURES ELIGIBLE UNDER SECTION 31.68.1 OF THE ENVIRONMENT QUALITY ACT

O.C. 797-2019, s. 2.

§ 1. — *Eligible rehabilitation measures*

O.C. 797-2019, s. 2.

2.4. The following contaminated land rehabilitation measures, when taken under section 31.51 or 31.54 of the Environment Quality Act (chapter Q-2), are eligible for a declaration of compliance if the conditions determined in the second paragraph are met:

(1) land rehabilitation is made only by excavation of soils whose concentration of contaminants present therein exceeds the limit values in Schedule I and its carrying out may be completed within a maximum period of 1 year;

(2) only the recovery of water accumulating in the excavation is required.

The conditions that must be complied with so that the measures referred to in the first paragraph are eligible for a declaration of compliance are the following:

(1) the quantity of contaminated soils to be excavated is not more than 10,000 m^3;

(2) the characterization study reveals

(a) the absence, in the land, of residual hazardous materials, asbestos, chlorinated volatile organic compounds and measurable immiscible liquids; and

(b) that no monitoring of groundwater quality is required after carrying out the work;

(3) the recovered water will be discharged into a municipal wastewater treatment works or transported to a site authorized by the Minister.

The rehabilitation measures referred to in the first paragraph must begin as soon as possible after carrying out the characterization study provided for in the first paragraph of section 31.51 or in the first paragraph of section 31.53 of the Environment Quality Act.

O.C. 797-2019, s. 2.

§ 2. — *Content of the declaration*

O.C. 797-2019, s. 2.

2.5. The declaration of compliance includes the following information and is accompanied by a work schedule:

(1) the contact information of the person filing it;

(2) the location and description of the contaminated land;

(3) the nature and concentration of contaminants present in the land and the quantity of soils to be excavated;

(4) if the declarant is not the person carrying out the excavation work, the contact information of that person;

(5) the address of the site where

(a) contaminated soils will be shipped;

(b) material from the dismantling of the installations present on the land, where applicable, will be shipped; and

(c) recovered water will be discharged or, where applicable, transported.

O.C. 797-2019, s. 2.

2.6. Any change to the information or schedule sent pursuant to section 2.5 must be communicated to the Minister as soon as possible.

O.C. 797-2019, s. 2.

CHAPTER III

EXEMPTIONS

O.C. 797-2019, s. 2.

2.7. Soils containing contaminants in a concentration equal to or less than the limit values in Schedule I that are received on or in land are exempted from the application of all or part of section 22 of the Environment Quality Act (chapter Q-2) if

(1) the soils are intended to be reclaimed on that land;

(2) they do not contain asbestos; and

(3) the disposal of those soils will not increase the total volume of contaminated soils received on the land to more than 1,000 m^3, whether that volume is reached after a single project or several projects.

O.C. 797-2019, s. 2.

2.8. Every person or municipality that carries on an activity exempted under this Chapter must keep the characterization study of the land where the soils are received, required by section 2.12, for at least 5 years after the end of the activity.

O.C. 797-2019, s. 2.

CHAPTER IV

MONITORING MEASURES

O.C. 797-2019, s. 2.

2.9. Soils that, in connection with a project, are intended to be reclaimed and whose reception is covered by a declaration of compliance or is exempt from the requirement of obtaining an authorization under the Environment Quality Act (chapter Q-2), must be used for that purpose within 30 days after they are received on the land where their reclamation must take place.

O.C. 797-2019, s. 2.

2.10. Where the reception of contaminated soils is covered by a declaration of compliance or exempted from the application of section 22 of the Environment Quality Act (chapter Q-2), the owner of the land where the soils are received, or the owner's representative, must, before receiving the soils, verify their acceptability.

To that end, the owner or representative must, upon arrival of the soils, enter in a logbook the following information:

(1) the address of the soils' land of origin;

(2) the contact information of the carrier of soils;

(3) the date on which the soils are received;

(4) their quantity, expressed in m^3;

(5) the nature and concentration of the contaminants they contain, established on the basis of the analysis reports referred to in the third paragraph.

The owner or representative must also attach to the logbook the analysis reports that were used to perform the characterization study of the soils that their owner must give to them.

Where the reception of the owner's soils is covered by a declaration of compliance, the owner of the land or representative must also, when receiving the soils,

(1) for each batch of soils accepted less than or equal to 100 m^3, collect a sample and have it analyzed;

(2) for each batch of soils accepted greater than 100 m^3, collect an additional sample and have it analyzed for each additional fraction of soils less than or equal to 200 m^3.

The analysis of the samples collected in accordance with the fourth paragraph must allow to determine whether they contain the following contaminants referred to in Schedule I:

(1) monocyclic aromatic hydrocarbons (MAH) and polycyclic aromatic hydrocarbons (PAH);

(2) petroleum hydrocarbons (C10 to C50);

(3) metals and metalloids;

(4) any other contaminant whose presence in the soils accepted is indicated in the analysis reports referred to in the third paragraph.

The results of the analysis referred to in the fourth paragraph must also be entered in the logbook referred to in the second paragraph.

O.C. 797-2019, s. 2.

2.11. The owner of the land or the owner's representative must keep the logbook and make it available to the Minister for at least 5 years after the project of reclamation of soils has ended.

O.C. 797-2019, s. 2.

CHAPTER V

CHARACTERIZATION STUDY

O.C. 797-2019, s. 2.

2.12. Every person or municipality preparing to receive soils containing contaminants in a concentration equal to or less than the limit values in Schedule I and intended for reclamation, on or in land must, before receiving such soils, perform a characterization study, carried out by a professional or by any other person qualified in the field, of the portion of land on which the soils will be disposed of, excluding surface and groundwater found there.

The characterization study referred to in the first paragraph must be carried out in accordance with generally accepted standards and practices and the person responsible for performing the study must take into account the history of the land and the results of the analysis reports referred to in the third paragraph of section 2.10 with respect to contaminants whose presence in the portion of land concerned is indicated in the reports.

O.C. 797-2019, s. 2.

3. The analysis of any soil sample collected in connection with a site characterization study required under a provision of this Regulation or of Division IV of Chapter IV of Title I of the Environment Quality Act (chapter Q-2) must be made by a laboratory accredited by the Minister of Sustainable Development, Environment and Parks under section 118.6 of that Act.

O.C. 216-2003, s. 3; O.C. 797-2019, s. 3.

CHAPTER VI

MONITORING OF GROUNDWATER QUALITY

O.C. 797-2019, s. 4.

4. The carrying on on land of an industrial or commercial activity in a category listed in Schedule IV is subject to the monitoring of groundwater quality, in accordance with the following provisions, if a catchment installation for surface or groundwater intended for human consumption is situated less than 1 km downstream from the land.

Where the catchment installation referred to in the first paragraph is built after the industrial or commercial activity has begun, the groundwater monitoring requirement applies only after the expiry of the sixth month following the date on which the person carrying on the activity is informed of the existence of the installation.

The groundwater monitoring requirement prescribed by this section does not apply if it is shown that the industrial or commercial activity carried on on the land is not likely to alter the quality of the water referred to in the first paragraph by substances listed in Schedule V. If that demonstration is based in whole or in part on the land's prevailing hydrogeological conditions, it must be signed by an engineer or a geologist who is a member of an order governed by the Professional Code (chapter C-26).

O.C. 216-2003, s. 4.

5. The purpose of the monitoring of groundwater quality prescribed in section 4 must be to

(1) determine the land's prevailing hydrogeological conditions;

(2) identify the substances listed in Schedule V that are likely to be emitted on or in the land as a consequence of the carrying on on the land of certain industrial or commercial activities referred to in the first paragraph of section 4, and locate on the land the points of emission of the substances; and

(3) verify the presence of the substances in the groundwater where the water reaches the boundaries of the land and, where applicable, their concentration.

O.C. 216-2003, s. 5.

6. In order to monitor groundwater quality as required by sections 4 and 5, a monitoring well system must be installed on the land concerned.

The number and location of the monitoring wells in such a system, as well as the number of sampling points that each well must have depends on the area of the land, the prevailing hydrogeological conditions and the number and location of the points of emission of the substances referred to in paragraph 2 of section 5.

O.C. 216-2003, s. 6.

7. At least 3 times a year, in the spring, summer and fall, the groundwater must be sampled at each sampling point of the monitoring wells established for the purposes of section 6 in order to perform the verification referred to in paragraph 3 of section 5.

During sampling, the piezometric level of groundwater must also be measured.

After a monitoring period of at least 5 years, if the analysis of the groundwater samples collected during that period has not revealed the presence of any substance referred to in paragraph 2 of section 5, the sampling frequency may be reduced to 1 sampling per year. The reduction in the sampling frequency applies as long as the analysis of groundwater samples shows that the conditions for the reduction are satisfied.

O.C. 216-2003, s. 7.

8. The analysis of groundwater samples collected pursuant to section 7 must be made by a laboratory accredited by the Minister under section 118.6 of the Environment Quality Act (chapter Q-2).

If the analysis of a sample shows that a limit value in Schedule V has been exceeded, mention to that effect must be made in the analysis report and the Minister must be informed of the excess as soon as possible.

The analysis reports produced by the laboratories must be kept for at least 5 years after the date on which they were produced.

O.C. 216-2003, s. 8.

9. The analysis reports made pursuant to section 8 in the course of a year must be transmitted to the Minister at the latest on 1 February of the following year.

An attestation stating that the samples were collected in accordance with generally accepted standards and practices and the requirements of this Regulation must also be transmitted to the Minister with the reports.

O.C. 216-2003, s. 9.

10. Any application under the Environment Quality Act (chapter Q-2) for an authorization to carry on on land an industrial or commercial activity in a category listed in Schedule IV must, if a catchment installation for surface or groundwater intended for human consumption is situated less than 1 km downstream from the land, be filed with a groundwater monitoring program intended to ensure compliance with this Regulation, in addition to all documents or information required under that Act or any other regulation made under it.

The program must contain

(1) a description of the land's prevailing hydrogeological conditions;

(2) a designation of the substances referred to in paragraph 2 of section 5 and the location on the land of the points of emission of the substances; and

(3) a detailed description of the monitoring well system including the number and the location of the monitoring wells.

Except where the monitoring program has been prepared by an engineer or geologist who is a member of an order governed by the Professional Code (chapter C-26), the monitoring program must be filed with a certificate of such an engineer or geologist stating that the data is accurate and the monitoring well system allows groundwater quality to be monitored in compliance with the requirements of this Regulation.

An applicant for an authorization is exempted from the requirement to furnish a groundwater monitoring program if, in the application for authorization, the applicant shows that the groundwater monitoring requirements under the third paragraph of section 4 have been satisfied.

O.C. 216-2003, s. 10.

11. In the case provided for in the second paragraph of section 4, the person carrying on the industrial or commercial activity must transmit to the Minister, before the expiry of the sixth month referred to in that section, a groundwater monitoring program and the opinion of a professional in conformity with the provisions of section 10, unless, during that period, the person shows to the Minister that the groundwater monitoring requirements under the third paragraph of section 4 have been satisfied.

O.C. 216-2003, s. 11.

12. *(Obsolete).*

O.C. 216-2003, s. 12.

13. Any groundwater monitoring program transmitted for the purposes of sections 10 and 11 must be reviewed and updated every 5 years, in particular to take into account changes authorized by the third paragraph of section 7 or that may have occurred with regard to the land's hydrogeological conditions, the substances referred to in paragraph 2 of section 5, the points of emission of those substances or the monitoring well system.

The reviewed and updated program must be sent to the Minister not later than 30 days after the expiry of each 5-year period.

O.C. 216-2003, s. 13.

CHAPTER VII

NOTICE OF PERMANENT CESSATION

O.C. 797-2019, s. 5.

13.0.1. Every person who permanently ceases an activity of one of the categories listed in Schedule III must send to the Minister, not later than 30 days following that cessation, a notice containing the following information and document:

(1) where applicable, the number and date of issue of the authorization corresponding to the activity that ceased;

(2) the person's name and address;

(3) the address of the site where the activity was carried on;

(4) the date of the cessation of the activity;

(5) an attestation from that person that all the information and documents provided are complete and accurate.

O.C. 797-2019, s. 5.

CHAPTER VIII

PROHIBITIONS

O.C. 797-2019, s. 5.

13.0.2. Except in the cases covered by the Environment Quality Act (chapter Q-2) or the regulations made thereunder, no one may dispose of contaminated soils nor allow them to be disposed of, on or in a site other than land where the disposal is permitted, as the case may be,

(1) by an authorization issued under the Environment Quality Act;

(2) by a declaration of compliance covered by the Act or the regulations made thereunder and filed in accordance with the Act; or

(3) by a rehabilitation plan approved by the Minister.

The prohibition provided for in the first paragraph does not apply where the disposal is covered by an exemption covered by the Environment Quality Act or the regulations made thereunder.

Where contaminated soils are disposed of on or in a site where the disposal is not permitted by one of the documents provided for in the first paragraph or is not covered by an exemption, the owner, the lessee or any other person in charge of the site is required to take the necessary measures so that the soils are transported on or in a site where

(1) such a disposal is permitted by one of the documents;

or

(2) such a disposal is covered by an exemption.

O.C. 797-2019, s. 5.

13.0.3. No one may dispose of contaminated soils in wetlands and bodies of water.

O.C. 797-2019, s. 5.

CHAPTER IX

PENALTIES

O.C. 797-2019, s. 5.

DIVISION I

MONETARY ADMINISTRATIVE PENALTIES

O.C. 797-2019, s. 5.

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

(0.1) to keep, as provided for in section 2.8, the characterization study required by section 2.12 for at least 5 years following the end of the exempted activity;

(1) to keep an analysis report produced by an accredited laboratory for the period provided for in the third paragraph of section 8;

(2) to transmit to the Minister the attestation of conformity required under the second paragraph of section 9, according to the frequency provided for in that section.

O.C. 679-2013, s. 1; O.C. 797-2019, s. 6.

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

(1) to communicate to the Minister, as provided for in sections 2.3 and 2.6, any change to the information sent pursuant to section 2.2 or 2.5, as soon as possible;

(2) to enter in a logbook the information provided for in the second paragraph of section 2.10 or to attach to the logbook the analysis reports that were used to perform the characterization study of soils in accordance with the third paragraph of that section;

(3) to keep the logbook or to make it available to the Minister for at least 5 years after the project of reclamation of soils has ended, in accordance with section 2.11;

(4) to send to the Minister an analysis report made under section 8, in accordance with the first paragraph of section 9;

(5) to send to the Minister a notice containing the information and document required by section 13.0.1, within the time prescribed therein.

O.C. 679-2013, s. 1; O.C. 797-2019, s. 7.

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

(0.1) to verify the acceptability of the soils before they are received, in the cases and on the conditions provided for in section 2.10;

(0.2) to collect or have analyzed the samples covered by the fourth paragraph of section 2.10, in the cases and on the conditions provided for in the fourth and fifth paragraphs of that section or to enter, as required in the sixth paragraph of that section, the results of the analysis of those samples in the logbook covered by the second paragraph of that section;

(1) to sample groundwater, on the conditions and according to the frequency provided for in section 7 or have those samples analyzed by a laboratory accredited by the Minister in accordance with the first paragraph of section 8;

(2) to transmit to the Minister a groundwater monitoring program and the opinion of a professional, within the time prescribed and according to the conditions provided for in section 11;

(3) to review and update a groundwater monitoring program for the purposes and according to the frequency provided for in section 13 or to send the program to the Minister within the time provided for in that section.

O.C. 679-2013, s. 1; O.C. 797-2019, s. 8.

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

(1) to carry on the monitoring of groundwater quality in accordance with section 4;

(2) to install a well system to monitor groundwater quality that complies with the requirements of section 6.

O.C. 679-2013, s. 1.

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

(1) to perform a characterization study in accordance with the first paragraph of section 2.12 and to comply with the requirement provided for in the second paragraph of that section;

(2) to mention, in the analysis report referred to in the second paragraph of section 8, an excess of the limit value or to inform the Minister thereof as soon as possible, in accordance with the second paragraph of section 8;

(3) to comply with the prohibition provided for in the first paragraph of section 13.0.2 or that provided for in section 13.0.3;

(4) to comply with the requirement provided for in the third paragraph of section 13.0.2.

O.C. 679-2013, s. 1; O.C. 797-2019, s. 9.

DIVISION II

PENAL SANCTIONS

O.C. 797-2019, s. 10.

14. Every person who contravenes section 2.8, the third paragraph of section 8 or the second paragraph of section 9 commits an offence and is liable, in the case of a natural person, to a fine of $1,000 to $100,000 or, in other cases, to a fine of $3,000 to $600,000.

O.C. 216-2003, s. 14; O.C. 679-2013, s. 2; O.C. 797-2019, s. 11.

14.1. Every person who contravenes section 2.3, 2.6, the second or third paragraph of section 2.10, section 2.11, the first paragraph of section 9 or section 13.0.1 commits an offence and is liable, in the case of a natural person, to a fine of $2,000 to $100,000 or, in other cases, to a fine of $6,000 to $600,000.

O.C. 679-2013, s. 2; O.C. 797-2019, s. 12.

14.2. Every person who contravenes the fourth, fifth or sixth paragraph of section 2.10, section 7, the first paragraph of section 8 or section 11 or 13 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. 679-2013, s. 2; O.C. 797-2019, s. 13.

14.3. Every person who contravenes section 4 or 6 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. 679-2013, s. 2.

14.4. Every person who

(1) contravenes the first paragraph of section 2.10, section 2.12, the second paragraph of section 8 or section 13.0.2 or 13.0.3,

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

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

O.C. 679-2013, s. 2; O.C. 797-2019, s. 14.

14.5. 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 Regulation 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. 679-2013, s. 2.

15. This Regulation applies to the immovables in a reserved area or an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

O.C. 216-2003, s. 15.

16. *(Omitted).*

O.C. 216-2003, s. 16.

SCHEDULE I

(s. 1)

Contaminants	Limit values mg/kg of soil (dry matter)
I- METALS AND METALLOIDS	
Silver (Ag)	20
Arsenic (As)	30
Barium (Ba)	500
Cadmium (Cd)	5
Cobalt (Co)	50
Chromium (Cr)	250
Copper (Cu)	100
Tin (Sn)	50
Manganese (Mn)	1000
Mercury (Hg)	2
Molybdenum (Mo)	10
Nickel (Ni)	100
Lead (Pb)	500
Selenium (Se)	3

Zinc (Zn)	500
II- OTHER INORGANIC COMPOUNDS	
Available bromide (Br^-)	50
Available cyanide (CN^-)	10
Total cyanide (CN^-)	50
Available fluoride (F^-)	400
III- VOLATILE ORGANIC COMPOUNDS	
Monocyclic aromatic hydrocarbons	
Benzene	0.5
Monochlorobenzene	1
1,2-Dichlorobenzene	1
1,3-Dichlorobenzene	1
1,4-Dichlorobenzene	1
Ethylbenzene	5
Styrene	5
Toluene	3
Xylenes	5
Chlorinated aliphatic hydrocarbons	
Chloroform	5

1,1-Dichloroethane	5
1,2-Dichloroethane	5
1,1-Dichloroethylene	5
1,2-Dichloroethylene (cis and trans)	5
Dicholoromethane	5
1,2-Dichloropropane	5
1,3-Dichloropropylene (cis and trans)	5
1,1,2,2-Tetrachloroethane	5
Tetrachloroethylene	5
Carbon tetrachloride	5
1,1,1-Trichloroethane	5
1,1,2-Trichloroethane	5
Trichloroethylene	5
IV- PHENOLIC COMPOUNDS	
Non-chlorinated	
Cresol (ortho, meta, para)	1
2,4-Dimethylphenol	1
2-Nitrophenol	1
4-Nitrophenol	1

Phenol	1
Chlorinated	
Chlorophenol (2-, 3-, or 4-)	0.5
2,3-Dichlorophenol	0.5
2,4-Dichlorophenol	0.5
2,5-Dichlorophenol	0.5
2,6-Dichlorophenol	0.5
3,4-Dichlorophenol	0.5
3,5-Dichlorophenol	0.5
Pentachlorophenol (PCP)	0.5
2,3,4,5-Tetrachlorophenol	0.5
2,3,4,6-Tetrachlorophenol	0.5
2,3,5,6-Tetrachlorophenol	0.5
2,3,4-Trichlorophenol	0.5
2,3,5-Trichlorophenol	0.5
2,3,6-Trichlorophenol	0.5
2,4,5-Trichlorophenol	0.5
2,4,6-Trichlorophenol	0.5
3,4,5-Trichlorophenol	0.5

V- POLYCYCLIC AROMATIC HYDROCARBONS	
Acenaphtene	10
Acenaphtylene	10
Anthracene	10
Benzo (a) anthracene	1
Benzo (a) pyrene	1
Benzo (b + j + k) fluoranthene (combination or each)	1
Benzo (c) phenanthrene	1
Benzo (g,h,i) perylene	1
Chrysene	1
Dibenzo (a,h) anthracene	1
Dibenzo (a,i) pyrene	1
Dibenzo (a,h) pyrene	1
Dibenzo (a,l) pyrene	1
7,12-Dimethylbenzo (a) anthracene	1
Fluoranthene	10
Fluorene	10
Indeno (1,2,3-cd) pyrene	1
3-Methylcholanthrene	1

Naphtalene	5
1-Methylnaphtalene	1
2-Methylnaphtalene	1
1,3-Dimethylnaphtalene	1
2,3,5-Trimethylnaphtalene	1
Phenanthrene	5
Pyrene	10
VI- NON-CHLORINATED BENZENE COMPOUNDS	
2,4,6-Trinitrotoluene (TNT)	0.04
VII- CHLOROBENZENES	
Hexachlorobenzene	2
Pentachlorobenzene	2
1,2,3,4-Tetrachlorobenzene	2
1,2,3,5-Tetrachlorobenzene	2
1,2,4,5-Tetrachlorobenzene	2
1,2,3-Trichlorobenzene	2
1,2,4-Trichlorobenzene	2
1,3,5-Trichlorobenzene	2
VIII- POLYCHLORINATED BIPHENYLS (PCB)	

Summation of the congeners	1
IX- PESTICIDES	
Tebuthiuron	50
X- OTHER ORGANIC SUBSTANCES	
Acrylonitrile	1
Ethylene glycol	97
Formaldehyde	100
Dibutyl phtalate	6
XI- INTEGRATING PARAMETERS	
Petroleum hydrocarbons C_{10} to C_{50}	700
XII- DIOXINS AND FURANS	
Summation of chlorodibenzodioxins and chlorodibenzofurans expressed in toxic equivalents 2,3,7,8-TCDD (NATO, 1988)	1.5×10^{-5}

O.C. 216-2003. Sch. I.

SCHEDULE II

(s. 1)

Contaminants	**Limit values mg/kg of soil (dry matter)**
I- METALS AND METALLOIDS	
Silver (Ag)	40
Arsenic (As)	50
Barium (Ba)	2,000
Cadmium (Cd)	20
Cobalt (Co)	300
Chromium (Cr)	800
Copper (Cu)	500
Tin (Sn)	300
Manganese (Mn)	2,200
Mercury (Hg)	10
Molybdenum (Mo)	40
Nickel (Ni)	500
Lead (Pb)	1,000
Selenium (Se)	10

Zinc (Zn)	1,500
II- OTHER INORGANIC COMPOUNDS	
Available bromide (Br^-)	300
Available cyanide (CN^-)	100
Total cyanide (CN^-)	500
Available fluoride (F^-)	2,000
III- VOLATILE ORGANIC COMPOUNDS	
Monocyclic aromatic hydrocarbons	
Benzene	5
Chlorobenzene (mono)	10
1,2-Dichlorobenzene	10
1,3-Dichlorobenzene	10
1,4-Dichlorobenzene	10
Ethylbenzene	50
Styrene	50
Toluene	30
Xylenes	50
Chlorinated aliphatic hydrocarbons	
Chloroform	50

1,1-Dichloroethane	50
1,2-Dichloroethane	50
1,1-Dichloroethylene	50
1,2-Dichloroethylene (cis and trans)	50
Dichloromethane	50
1,2-Dichloropropane	50
1,3-Dichloropropylene (cis and trans)	50
1,1,2,2-Tetrachloroethane	50
Tetrachloroethylene	50
Carbon tetrachloride	50
1,1,1-Trichloroethane	50
1,1,2-Trichloroethane	50
Trichloroethylene	50
IV- PHENOLIC COMPOUNDS	
Non-chlorinated	
Cresol (ortho, meta, para)	10
2,4-Dimethylphenol	10
2-Nitrophenol	10
4-Nitrophenol	10

Phenol	10
Chlorinated	
Chlorophenol (2-, 3-, or 4-)	5
2,3-Dichlorophenol	5
2,4-Dichlorophenol	5
2,5-Dichlorophenol	5
2,6-Dichlorophenol	5
3,4-Dichlorophenol	5
3,5-Dichlorophenol	5
Pentachlorophenol (PCP)	5
2,3,4,5-Tetrachlorophenol	5
2,3,4,6-Tetrachlorophenol	5
2,3,5,6-Tetrachlorophenol	5
2,3,4-Trichlorophenol	5
2,3,5-Trichlorophenol	5
2,3,6-Trichlorophenol	5
2,4,5-Trichlorophenol	5
2,4,6-Trichlorophenol	5
3,4,5-Trichlorophenol	5

V- POLYCYCLIC AROMATIC HYDROCARBONS	
Acenaphtene	100
Acenaphtylene	100
Anthracene	100
Benzo (a) anthracene	10
Benzo (a) pyrene	10
Benzo (b + j + k) fluoranthene (combination or each)	10
Benzo (c) phenanthrene	10
Benzo (g,h,i) perylene	10
Chrysene	10
Dibenzo (a,h) anthracene	10
Dibenzo (a,i) pyrene	10
Dibenzo (a,h) pyrene	10
Dibenzo (a,l) pyrene	10
7,12-Dimethylbenzo (a) anthracene	10
Fluoranthene	100
Fluorene	100
Indeno (1,2,3-cd) pyrene	10
3-Methylcholanthrene	10

Naphtalene	50
1-Methylnaphtalene	10
2-Methylnaphtalene	10
1,3-Dimethylnaphtalene	10
2,3,5-Trimethylnaphtalene	10
Phenanthrene	50
Pyrene	100
VI- NON-CHLORINATED BENZENE COMPOUNDS	
2,4,6-Trinitrotoluene (TNT)	1.7
VII- CHLOROBENZENES	
Hexachlorobenzene	10
Pentachlorobenzene	10
1,2,3,4-Tetrachlorobenzene	10
1,2,3,5-Tetrachlorobenzene	10
1,2,4,5-Tetrachlorobenzene	10
1,2,3-Trichlorobenzene	10
1,2,4-Trichlorobenzene	10
1,3,5-Trichlorobenzene	10
VIII- POLYCHLORINATED BIPHENYLS (PCB)	

Summation of the congeners	10
IX- PESTICIDES	
Tebuthiuron	3,600
X- OTHER ORGANIC SUBSTANCES	
Acrylonitrile	5
Ethylene glycol	411
Formaldehyde	125
Dibutyl phtalate	70,000
XI- INTEGRATING PARAMETERS	
Petroleum hydrocarbons C_{10} to C_{50}	3,500
XII- DIOXINS AND FURANS	
Summation of chlorodibenzodioxins and chlorodibenzofurans expressed in toxic equivalents 2,3,7,8-TCDD (NATO, 1988)	7.5×10^{-4}

O.C. 216-2003, Sch. II.

SCHEDULE III

(s. 2)

NAICS* Code	Categories of industrial and commercial activities
21111	Oil and Gas Extraction
21221	Iron Ore Mining or Processing
21222	Gold and Silver Ore Mining or Processing
21223	Copper, Nickel, Lead and Zinc Ore Mining or Processing
21229	Other Metal Ore Mining or Processing
212394	Asbestos Ore Mining or Processing
221112	Electric Power Generation (from Fuel Oil or Diesel)
221122	Electric Power Distribution (Transformer Stations Only)
22133	Steam Supply (from Fuel Oil or Diesel)
31323	Nonwoven Fabric Mills
3133	Textile and Fabric Finishing and Fabric Coating
31411	Carpet and Rug Mills
31611	Leather and Hide Tanning and Finishing
321111	Sawmills (except Shingle and Shake Mills)
321114	Wood Preservation
321211	Hardwood Veneer and Plywood Mills

321212	Softwood Veneer and Plywood Mills
321216	Particle Board and Fibreboard Mills
321217	Waferboard Mills
32211	Pulp Mills
322121	Paper (except Newsprint) Mills
322122	Newsprint Mills
32213	Paperboard Mills
32411	Petroleum Refineries
324122	Asphalt Shingle and Coating Material Manufacturing
32419	Other Petroleum and Coal Products Manufacturing (except Asphaltic Concrete Manufacturers)
32511	Petrochemical Manufacturing
32512	Industrial Gas Manufacturing
32513	Synthetic Dye and Pigment Manufacturing
32518	Other Basic Inorganic Chemical Manufacturing
32519	Other Basic Organic Chemical Manufacturing
32521	Resin and Synthetic Rubber Manufacturing
32532	Pesticide and Other Agricultural Chemical Manufacturing
32551	Paint and Coating Manufacturing
32552	Adhesive Manufacturing

32591	Printing Ink Manufacturing
32592	Explosives Manufacturing
325999	All Other Miscellaneous Chemical Product Manufacturing
326111	Unsupported Plastic Bag Manufacturing
326114	Unsupported Plastic Film and Sheet Manufacturing
32612	Plastic Pipe, Pipe Fitting and Unsupported Profile Shape Manufacturing
32613	Laminated Plastic Plate, Sheet and Shape Manufacturing
32614	Polystyrene Foam Product Manufacturing
32615	Urethane and Other Foam Product (except Polystyrene) Manufacturing
32616	Plastic Bottle Manufacturing
326193	Motor Vehicle Plastic Parts Manufacturing
32621	Tire Manufacturing
32622	Rubber and Plastic Hose and Belting Manufacturing
32629	Other Rubber Product Manufacturing
32731	Cement Manufacturing
33111	Iron and Steel Mills and Ferro-Alloy Manufacturing
33121	Iron and Steel Pipes and Tubes Manufacturing from Purchased Steel
331221	Cold-Rolled Steel Shape Manufacturing
331222	Steel Wire Drawing

331313	Primary Production of Alumina and Aluminum
331317	Aluminum Rolling, Drawing, Extruding and Alloying
33141	Non-Ferrous Metal (except Aluminum) Smelting and Refining
33142	Copper Rolling, Drawing, Extruding and Alloying
33149	Non-Ferrous Metal (except Copper and Aluminum) Rolling, Drawing, Extruding and Alloying
331511	Iron Foundries
331514	Steel Foundries
33152	Non-Ferrous Metal Foundries
33211	Forging and Stamping
332314	Concrete Reinforcing Bar Manufacturing
332319	Other Plate Work and Fabricated Structural Product Manufacturing
332321	Metal Window and Door Manufacturing
332329	Other Ornamental and Architectural Metal Products Manufacturing
33241	Power Boiler and Heat Exchanger Manufacturing
33243	Metal Can, Box and Other Metal Container Manufacturing
332611	Spring (Heavy Gauge) Manufacturing
332619	Other Fabricated Wire Product Manufacturing (Gas Welding Rods only)
33271	Machine Shops

33281	Coating, Engraving, Heat Treating and Allied Activities
33291	Metal Valve Manufacturing
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing
333611	Turbine and Turbine Generator Set Unit Manufacturing
335311	Power, Distribution and Specialty Transformers Manufacturing
335312	Motor and Generator Manufacturing
335315	Switchgear and Switchboard, and Relay and Industrial Control Apparatus Manufacturing
33591	Battery Manufacturing
33592	Communication and Energy Wire and Cable Manufacturing
33599	All Other Electrical Equipment and Component Manufacturing
3361	Motor Vehicle Manufacturing
33641	Aerospace Product and Parts Manufacturing
33651	Railroad Rolling Stock Manufacturing
336611	Ship Building and Repairing
41211	Petroleum Product Wholesaler-Distributors (Bulk plant or Terminal governed within the meaning of section 8.01 of the Construction Code)
41531	Used Motor Vehicle Parts and Accessories Wholesaler-Distributors
41811	Recyclable Metal Wholesaler-Distributors
41839	Agricultural Chemical and Other Farm Supplies Wholesaler-Distributors

41841	Chemical (except Agricultural) and Allied Product Wholesaler-Distributors
48611	Pipeline Transportation of Crude Oil
48691	Pipeline Transportation of Refined Petroleum Products (except Natural Gas)
48699	All Other Pipeline Transportation (except Natural Gas)
488119	Other Airport Operations (except Air Traffic Control)
48819	Other Air Transport Support Activities
48821	Support Activities for Rail Transportation
48831	Port and Harbour Operations (Lighthouses, Wharves and Ports)
48832	Marine Cargo Handling
811199	All Other Automotive Repair and Maintenance (only Bus, Truck and Heavy Vehicle Fleets and Motor Vehicle Dealers)
	Motor Fuel Dispensing Outlets Using High-Risk Petroleum Equipment, as defined by section 8.01 of the Construction Code
	Contaminated Soil or Dangerous Substance or Hazardous Material Treatment Centres
	Contaminated Soil or Dangerous Substance or Hazardous Material Transfer Stations
	Contaminated Soil or Dangerous Substance or Hazardous Material Disposal Sites
	Snow Elimination Sites (governed by the Regulation respecting snow elimination sites (chapter Q-2, r. 31))

* THE NUMBERS ENTERED FOR EACH CATEGORY OF INDUSTRIAL AND COMMERCIAL ACTIVITY REFERRED TO IN THIS SCHEDULE CORRESPOND TO THE CODES ASSIGNED BY THE NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM

(NAICS). The description of those categories of activities contained in the document entitled "North American Industry Classification System 1997" published by Statistics Canada (Catalogue no. 12-501-XPF, 1998, 953 pages, ISBN 0-660-95794-9) applies for the purposes of this Regulation.

O.C. 216-2003, Sch. III; O.C. 797-2019, s. 15.

SCHEDULE IV

(ss. 4 and 10)

NAICS* Code	Categories of industrial and commercial activities
21111	Oil and Gas Extraction
21221	Iron Ore Mining (50,000 Tons or More of Ore Per Year)
21222	Gold and Silver Ore Mining (50,000 Tons or More of Ore Per Year)
21223	Copper, Nickel, Lead and Zinc Ore Mining (50,000 Tons or More of Ore Per Year)
21229	Other Metal Ore Mining (50,000 Tons or More of Ore Per Year)
212394	Asbestos Ore Mining (50,000 Tons or More of Ore Per Year)
221112	Electric Power Generation (from Fuel Oil or Diesel)
22133	Steam Supply (from Fuel Oil or Diesel)
31611	Leather and Hide Tanning and Finishing
321114	Wood Preservation
321216	Particle Board and Fibreboard Mills
321217	Waferboard Mills
32211	Pulp Mills
322121	Paper (except Newsprint) Mills

322122	Newsprint Mills
32213	Paperboard Mills
32411	Petroleum Refineries
324122	Asphalt Shingle and Coating Material Manufacturing
32419	Other Petroleum and Coal Products Manufacturing (except Asphaltic Concrete Manufacturers)
32511	Petrochemical Manufacturing
32512	Industrial Gas Manufacturing
32513	Synthetic Dye and Pigment Manufacturing
32518	Other Basic Inorganic Chemical Manufacturing
32519	Other Basic Organic Chemical Manufacturing
32521	Resin and Synthetic Rubber Manufacturing
32532	Pesticide and Other Agricultural Chemical Manufacturing
32551	Paint and Coating Manufacturing
32552	Adhesive Manufacturing
32591	Printing Ink Manufacturing
32592	Explosives Manufacturing
325999	All Other Miscellaneous Chemical Product Manufacturing
32621	Tire Manufacturing

33111	Iron and Steel Mills and Ferro-Alloy Manufacturing
33121	Iron and Steel Pipes and Tubes Manufacturing from Purchased Steel
331221	Cold-Rolled Steel Shape Manufacturing
331313	Primary Production of Alumina and Aluminum
33141	Non-Ferrous Metal (except Aluminum) Smelting and Refining
331511	Iron Foundries
331514	Steel Foundries
33152	Non-Ferrous Metal Foundries
332619	Other Fabricated Wire Product Manufacturing (Gas Welding Rods only)
33281	Coating, Engraving, Heat Treating and Allied Activities
33591	Battery Manufacturing
41211	Petroleum Product Wholesaler-Distributors (Bulk plant or Terminal governed within the meaning of section 8.01 of the Construction Code)
488119	Other Airport Operations (except Air Traffic Control)
	Contaminated Soil or Dangerous Substance or Hazardous Material Treatment Centres

* THE NUMBERS ENTERED FOR EACH CATEGORY OF INDUSTRIAL AND COMMERCIAL ACTIVITY REFERRED TO IN THIS SCHEDULE CORRESPOND TO THE CODES ASSIGNED BY THE NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS). THE DESCRIPTION OF THOSE CATEGORIES OF ACTIVITIES CONTAINED IN THE DOCUMENT ENTITLED "NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM 1997" PUBLISHED BY STATISTICS CANADA (CATALOGUE NO. 12-501-XPF, 1998, 953 PAGES, ISBN 0-660-95794-9) APPLIES FOR THE PURPOSES OF THIS REGULATION.

O.C. 216-2003, Sch. IV.

SCHEDULE V

(ss. 4, 5 and 8)

Contaminants	Limit values µg/L
METALS AND METALLOIDS	
Antimony* (Sb)	6
Arsenic* (As)	25
Silver (Ag)	100
Barium* (Ba)	1,000
Boron* (B)	5,000
Cadmium* (Cd)	5
Total Chromium* (Cr)	50
Copper (Cu)	1,000
Manganese (Mn)	50
Mercury* (Hg)	1
Molybdenum (Mo)	70
Nickel (Ni)	20
Lead* (Pb)	10
Selenium* (Se)	10
Uranium* (U)	20

Zinc (Zn)	5,000
OTHER INORGANIC COMPOUNDS	
Bromates*	10
Chloramines*	3,000
Cyanides*	200
Fluorides*	1,500
Nitrates + Nitrites (expressed in N)*	10,000
Nitrites* (NO_2-)	1,000
Sulfides (H_2S)	50
VOLATILE MONOCYCLIC AROMATIC HYDROCARBONS	
Benzene*	5
1,2-Dichlorobenzene*	200
1,4-Dichlorobenzene*	5
Ethylbenzene	2.4
Monochlorobenzene*	80
Styrene	20
Toluene	24
Xylenes	300

VOLATILE CHLORINATED ALIPHATIC HYDROCARBONS	
Vinyl chloride*	2
1,2-Dichloroethane*	5
1,1-Dichloroethylene*	14
1,2-Dichloroethylene (cis and trans)	50
1,2-Dichloropropane	5
1,3-Dichloropropylene (cis and trans)	2
Dichloromethane*	50
Tetrachloroethylene*	30
Carbon tetrachloride*	5
1,1,1-Trichloroethane	200
1,1,2-Trichloroethane	5
Trichloroethylene*	50
CHLOROBENZENES	
Hexachlorobenzene	0.1
Trichlorobenzenes (total)	20
NON-CHLORINATED PHENOLIC COMPOUNDS	
Phenol index	2
CHLORINATED PHENOLIC COMPOUNDS	

2,4-Dichlorophenol*	900
Pentachlorophenol* (PCP)	60
2,3,4,6-Tetrachlorophenol*	100
2,4,6-Trichlorophenol*	5
POLYCYCLIC AROMATIC HYDROCARBONS	
Benzo (a) pyrene*	0.01
POLYCHLORINATED BIPHENYLS (PCB)	
Summation of the congeners	0.5
PESTICIDES	
Aldicarb and its metabolites*	9
Aldrin and dieldrin*	0.7
Atrazine and its metabolites*	5
Azinphos-methyl*	20
Bendiocarb*	40
Bromoxynil*	5
Carbaryl*	90
Carbofuran*	90
Chlorpyrifos*	90
Cyanazine*	10

Diazinon*	20
Dicamba*	120
2,4-dichlorophenoxyacetic acid (2,4-D)*	100
Diclofop-methyl*	9
Dimethoate*	20
Dinoseb*	10
Diquat*	70
Diuron*	150
Glyphosate*	280
Malathion*	190
Methoxychlor*	900
Metolachlor*	50
Metribuzin*	80
Paraquat (in dichlorides)*	10
Parathion*	50
Phorate*	2
Picloram*	190
Simazine*	10
Terbufos*	1

Trifluralin*	45
OTHER ORGANIC SUBSTANCES	
Nitrilotriacetic acid (NTA)*	400
Formaldehyde	900
Total trihalomethanes* (chloroform, bromodichloromethane, chlorodibromomethane and bromoform)	80

* THOSE SUBSTANCES CORRESPOND TO THE SUBSTANCES TAKEN INTO ACCOUNT FOR THE PURPOSES OF THE REGULATION RESPECTING THE QUALITY OF DRINKING WATER (CHAPTER Q-2, R. 40).

O.C. 216-2003, Sch. V.

UPDATES
O.C. 216-2003, 2003 G.O. 2, 1153
O.C. 1294-2011, 2011 G.O. 2, 3739
O.C. 679-2013, 2013 G.O. 2, 1803
O.C. 797-2019, 2019 G.O. 2, 1727