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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Draft Bill

**An Act to amend the Environment  
Quality Act and other legislative  
provisions as regards waste management**

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**Tabled by  
Mr Paul Bégin  
Minister of the Environment**

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## **EXPLANATORY NOTES**

*This draft bill amends the Environment Quality Act to establish new rules that will govern waste management in Québec.*

*The draft bill defines the objectives of the proposed legislative measures, in particular as concerns the reclamation and elimination of waste.*

*The draft bill clarifies the responsibilities of the Government and the Minister of the Environment as regards waste management. A regional waste management plan development process is established requiring urban communities and regional county municipalities to formulate a reclaimable materials and waste management plan to apply throughout their territory. To be implemented chiefly by the local municipalities, the management plan must be compatible with government policies.*

*The draft bill recognizes the right of an urban community and regional county municipality to restrict or prohibit the dumping in its territory of waste from outside the territory, subject to certain conditions.*

*The draft bill proposes consolidating the regulatory powers of the Government to enable more efficient control of the production and elimination of waste and to place greater emphasis on waste reclamation. The conditions under which the Commission municipale du Québec will be able to continue to monitor the tariffs payable for certain waste elimination services are clarified.*

*Lastly, the draft bill provides various transitional measures.*

### **LEGISLATION AMENDED BY THIS DRAFT BILL :**

- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- Act respecting the Communauté urbaine de l'Outaouais (R.S.Q., chapter C-37.1);
- Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2);

- Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3);
- Act respecting the Société québécoise de récupération et de recyclage (R.S.Q., chapter S-22.01);
- Act respecting the sale and distribution of beer and soft drinks in non-returnable containers (R.S.Q., chapter V-5.001);
- Act to amend the Environment Quality Act and other legislative provisions (1994, chapter 41).



## Draft Bill

### AN ACT TO AMEND THE ENVIRONMENT QUALITY ACT AND OTHER LEGISLATIVE PROVISIONS AS REGARDS WASTE MANAGEMENT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 1 of the Environment Quality Act (R.S.Q., chapter Q-2) is amended by striking out paragraphs 11 and 12.
2. Section 31 of the said Act is amended by striking out “59,” in the fourth line of paragraph *n*.
3. Section 31.34 of the said Act is amended by replacing “, subparagraphs *a*, *c* and *k* of the first paragraph of” in the second and third lines of paragraph 4 by “and”.
4. Section 31.52 of the said Act is amended by adding the following paragraphs after paragraph *d*:

“(e) prescribe conditions or prohibitions applicable to contaminated soil burial sites after their closure, in particular with regard to maintenance and supervision, prescribe the period of time during which the conditions and prohibitions are to apply, and determine the person responsible for their application;

“(f) require, as a condition for the operation of any contaminated soil burial site, that financial guarantees be set up as provided in section 55 for waste elimination facilities, and that section shall then apply, with the necessary modifications.”

5. Division VII of Chapter I of the said Act is amended by inserting the following after the heading of the Division:

“§1. — *General provisions*

“53.1. For the purposes of this Division,

“**elimination**” means any operation entailing the final deposit or discharge of waste in or into the environment, in particular by dumping, storage or incineration, including operations involving the treatment or transfer of waste with a view to its elimination;

“**reclamation**” means any operation the purpose of which is to obtain useful substances or products or energy from waste by re-use, recycling, composting, regeneration or any other process.

“53.2. The provisions of this Division do not apply to gaseous substances or to mine tailings. The provisions of subdivision 5 of this Division do not apply to hazardous materials.

“53.3. The objects of this Division are

(1) to prevent or reduce the production of waste, in particular having regard to the manufacture and marketing of products;

(2) to promote the recovery and reclamation of waste;

(3) to reduce the volume of waste to be eliminated, and to ensure the safe management of elimination facilities;

(4) to raise the awareness among product manufacturers and importers of the effects their products have on the environment and of the costs involved in recovering, reclaiming and eliminating the waste generated by their products.

“53.4. To further the achievement of the objects mentioned in section 53.3, the Minister shall prepare waste management policies and propose them to the Government. In addition to setting forth the principles on which they are based, the policies may establish short, medium and long-term objectives for reclamation and waste reduction and elimination, and establish strategies and measures to facilitate the attainment of the objectives within the specified time frames.

The Minister shall direct and coordinate the application of the policies.

“53.5. Urban communities, regional county municipalities, local municipalities and all other municipal entities authorized to act in the area of waste management shall, when acting in connection with waste management, perform the duties assigned to them by law in a manner that is conducive to the implementation of the government policies established pursuant to section 53.4.

“§2. — *Regional planning*

“53.6. Every urban community or regional county municipality must, before 1 January 2002, establish a reclaimable materials and waste management plan to apply throughout its territory. Where an application is made to the Minister before 1 June 2001, the Minister may extend the time limit for establishing the management plan.

An urban community or regional county municipality may agree with one or more adjoining urban communities or regional county municipalities to

establish a joint waste management plan to apply in their respective territories. In such a case, each party to the agreement is deemed to have established a management plan specifically for its territory.

The Communauté urbaine de Montréal is authorized to delegate to the Régie intermunicipale de gestion des déchets sur l'Île de Montréal the responsibilities incumbent upon it under this subdivision; the Régie is, in such a case, considered to be an urban community for the purposes of this subdivision.

“53.7. Each management plan must

- (1) describe the territory in which it applies;
- (2) identify the local municipalities covered by the plan and the intermunicipal waste management agreements that apply in all or part of the territory;
- (3) list the organizations and enterprises in the territory that work in the field of waste recovery, reclamation or elimination;
- (4) contain an inventory of the waste to be reclaimed or eliminated, whether it is of domestic, industrial, commercial, institutional or other origin, and specifying the nature of the waste and its composition;
- (5) contain a statement of policies and objectives, compatible with government policies, that relate to reclamation and waste reduction and elimination, and describe the services to be offered to attain the objectives;
- (6) list the existing recovery, reclamation or elimination facilities, and any facilities whose establishment appears necessary to enable the objectives set out above to be attained;
- (7) formulate a proposal for the implementation of the plan that encourages public participation and the cooperation of the organizations and enterprises working in the field of waste management;
- (8) establish a timetable for the implementation of the plan;
- (9) establish a system for the supervision and monitoring of the plan for the purpose of periodically verifying its application, in particular the degree to which the objectives fixed have been attained and the effectiveness of the implementation measures taken by the urban community, regional county municipality or local municipalities, as the case may be, covered by the plan.

Where an urban community or regional county municipality intends to restrict or prohibit the dumping, within its territory, of waste from outside the territory, it must state its intention in the plan and indicate the quantities of waste concerned by the restriction or prohibition.

The needs and capacity, in terms of waste elimination, of every adjoining urban community or regional county municipality and every intermunicipal waste management agreement must be taken into account in the preparation of the management plan.

“53.8. The management plan preparation process begins with a resolution passed for that purpose by the council of the urban community or regional county municipality, notice of which must be published in a newspaper circulated in the territory of the urban community or regional county municipality.

A copy of the resolution must also be sent to each adjoining urban community or regional county municipality and to the Minister.

“53.9. Within three months after the plan preparation process has begun, the council of the urban community or regional county municipality must adopt a preliminary management plan by way of a resolution.

The resolution must state the time within which the preliminary plan is to be submitted for public consultation.

“53.10. The public consultation on the preliminary management plan shall be held by a commission established by the council of the urban community or regional county municipality and composed of the members designated by the council, including at least one representative from the business sector, one representative from the social and community service sector, and one representative of environmental protection groups.

The commission must, within the time fixed in the resolution referred to in section 53.9, hold at least one public meeting at the date, time and place it determines.

Subject to the provisions of this Act, the commission shall define its operating and consultation procedures.

“53.11. At least 45 days before the public meeting is to be held, a summary of the preliminary plan must be published in a newspaper circulated in the territory of the urban community or regional county municipality concerned, together with a notice stating the date, time and place of the public meeting and that the preliminary plan may be examined at the offices of each local municipality covered by the plan.

“53.12. At the public meeting, the commission shall provide the explanations necessary for a proper understanding of the preliminary plan, and shall hear the persons, groups and bodies wishing to be heard.

After the public meeting, the commission shall make a report on the observations received from the public and the procedure for the public consultation, and send the report to the council of the urban community or

regional county municipality. The report shall be made available to the public as soon as it has been sent to the council.

“53.13. Following the public consultation, the preliminary plan, amended as required to take into account the comments received, shall be sent to the Minister and to each adjoining urban community or regional county municipality, together with the report of the commission.

“53.14. The Minister may, within 60 days after receiving the preliminary plan, give an opinion to the urban community or regional county municipality on the compliance of the plan with government policies.

Where the plan indicates that the urban community or regional county municipality intends to restrict or prohibit, in its territory, the dumping of waste from outside the territory, the Minister shall indicate whether, in the Minister’s opinion, the restriction or prohibition is likely to compromise public health or safety in the adjoining territories; if that is the case, the Minister shall call on the parties concerned to collaborate and to reassess the needs and capacity of the adjoining territories as regards waste elimination so as to prevent public health or safety from being adversely affected.

The Minister’s opinion must also be sent to each adjoining urban community and regional county municipality.

“53.15. On the expiry of the time provided in the first paragraph of section 53.14, the council of the urban community or regional county municipality shall, by resolution, adopt a final draft plan that takes account of the opinions received, including the opinion of the Minister, if any.

The final draft plan, together with the Minister’s opinion, shall be submitted for public consultation in accordance with the procedure set out in sections 53.10 to 53.12.

“53.16. Following the public consultation, the council of the urban community or regional county municipality shall, by a majority vote of its members, adopt a by-law enacting the management plan, with or without amendment.

A copy of the management plan shall be sent without delay to the Minister and to every adjoining urban community and regional county municipality, together with the commission’s report on the public consultation.

Notice of the adoption of the management plan shall be published in a newspaper circulated in the territory of the urban community or regional county municipality, together with a summary of the plan.

“53.17. The management plan shall come into force one hundred and twenty days after the date on which it is sent to the Minister, subject to the provisions set out hereafter.

“53.18. Where the Minister considers that the management plan, or a provision contained in the plan, is not in compliance with government policies or is likely to compromise public health or safety in the adjoining territories, a notice of refusal must be notified by the Minister to the urban community or regional county municipality concerned before the plan comes into force. The notice must also be notified to each adjoining urban community or regional county municipality.

The notice of refusal must state the grounds for the refusal and indicate the amendments to be made and sent to the Minister within the time specified. If no opinion on the amendments is given by the Minister within fifteen days of receiving them, the Minister’s opinion is deemed to be favourable.

“53.19. If the urban community or regional county municipality has not amended its management plan within the time fixed in the notice of refusal or within any additional time granted by the Minister, or if the latter gives an unfavourable opinion on the amendments within that time, the Minister may exercise the Minister’s regulatory powers in place and instead of the urban community or regional county municipality in order to bring the management plan into compliance with government policies or to prevent public health or safety in the adjoining territories from being adversely affected.

A regulation made by the Minister pursuant to the first paragraph is not subject to any preliminary formalities.

The regulation comes into force on the day of its publication in the *Gazette officielle du Québec* and has the same effect as a by-law adopted by the urban community or regional county municipality. Notice of the coming into force of the regulation must be sent to the urban community or regional county municipality concerned and to every adjoining urban community or regional county municipality.

“53.20. No management plan in respect of which a notice of refusal has been issued by the Minister may come into force before

(1) the date of the expiry of the time available to the Minister under the second paragraph of section 53.18 to give an opinion on an amendment made by the urban community or regional county municipality to its management plan, provided the Minister has not given an unfavourable opinion on the amendment within that time; or

(2) the date of coming into force of a regulation made by the Minister pursuant to section 53.19.

Notice of the coming into force of a management plan referred to in the first paragraph must be published in a newspaper circulated in the territory of the urban community or regional county municipality concerned, together with a summary of the amendments.

“53.21. The management plan may be amended at any time by the council of the urban community or regional county municipality.

The management plan must be revised every five years by the council.

The procedure provided for in sections 53.8 to 53.20 for the adoption of the management plan applies, with the necessary modifications, to any amendment to or revision of the plan, subject to the following special provisions: if the general scheme of the plan is not affected by the amendment, the amended plan need not be submitted for public consultation. When revising its management plan, an urban community or regional county municipality may elect to submit the revised plan to a single public consultation; in such a case, it must indicate its intention in the resolution referred to in section 53.8.

“53.22. The management plan in force in the territory of an urban community or regional county municipality is binding on the local municipalities covered by the plan.

Every local municipality bound by the management plan is required to take the measures necessary to implement the plan in its territory.

The local municipality is also required to bring its regulation into compliance with the provisions of the plan within 12 months of the date on which the plan comes into force.

“53.23. Upon the coming into force of a management plan or an amendment to the plan containing the indications mentioned in the second paragraph of section 53.7, the council of the urban community or regional county municipality concerned may, by a majority vote of its members and in compliance with the provisions of the plan, adopt a by-law to restrict or prohibit the dumping in its territory of waste from outside the territory.

A by-law adopted under the first paragraph is, however, not applicable to a waste elimination facility established before the coming into force of the plan or amendment except as regards elimination capacity in excess of the facility’s authorized elimination capacity on that date.

“53.24. An urban community or regional county municipality may, in order to obtain the information it considers necessary to establish or revise its management plan, require every local municipality covered by the plan and every person whose domicile, enterprise or place of business is situated in its territory, to provide information on the origin, nature, quantity, composition, destination and mode of recovery, reclamation or elimination of the waste that the municipality or person produces, gives to a third person or takes charge of.

“§3. — *Reduction in waste production*

“53.25. The Government may, by regulation, determine the conditions or prohibitions applicable to the manufacture and use of the containers,

packaging, packaging materials, printed matter or other products it designates with a view to reducing the quantity of waste to be eliminated or to facilitate waste reclamation. The regulations may, in particular,

(1) fix the minimum proportion of recovered materials or elements to be used in the manufacture of the designated containers, packaging, packaging materials, printed matter or other products;

(2) prohibit certain mixtures or associations with other materials or elements in the manufacture of the designated containers, packaging, packaging materials, printed matter or other products;

(3) regulate the composition, form, volume, size and weight of the designated containers or packaging, among other things for their standardization;

(4) regulate the labelling or the marking of designated containers, packaging, printed matter or other products, among other things to prescribe or prohibit the use on them of terms, logos, symbols or other representations intended to inform users of the advantages or disadvantages that the container, packaging, printed matter or other product entails for the environment.

“53.26. No one may, as part of a commercial operation, offer for sale, sell, distribute or otherwise place at the disposal of users

(1) any containers, packaging, packaging materials, printed matter or other products that do not satisfy the regulatory standards prescribed under section 53.25;

(2) any products that are in containers or packaging not in conformity with the above-mentioned regulatory standards.

“§4. — *Recovery and reclamation of waste*

“53.27. The Government may, by regulation, regulate the recovery and reclamation of waste in all or part of the territory of Québec. The regulations may, in particular,

(1) classify recoverable or reclaimable waste;

(2) prescribe or prohibit, in respect of one or more classes of waste, any mode of recovery or reclamation;

(3) require any municipality to recover or reclaim or to see to the recovery or reclamation of the designated classes of waste, on the conditions fixed;

(4) determine the conditions or prohibitions applicable to the establishment, operation and closure of any recovery or reclamation facilities, in particular composting and storage facilities, including facilities where sorting and transfer operations are carried out;

(5) determine the conditions or prohibitions applicable to the use, sale, storage and processing of materials intended for or resulting from reclamation. For such purpose, the regulations may make mandatory the standards of quality fixed by a certifying or standards body, and provide that in such a case, the references to the standards will include such amendments as may be made to them from time to time;

(6) require any class of establishment, in particular industrial and commercial establishments, which use or put on the market containers, packaging or packaging materials, which market products in containers or packaging acquired for that purpose, or which use products marketed in containers or packaging,

(a) to carry out, on the conditions fixed, studies on the quantity and composition of the containers, packaging or packaging materials, on their environmental impacts and on measures capable of mitigating or eliminating those impacts;

(b) to develop and implement, on the conditions fixed, programs or measures for the reduction, recovery or reclamation of containers, packaging or packaging materials;

(c) to keep registers and furnish to the Minister, on the conditions fixed, reports on the composition and quantity of the containers, packaging or packaging materials they use or put on the market, or which are produced by their activities, and on the results obtained in terms of reduction, recovery or reclamation;

(7) require any class of establishment, in particular industrial and commercial establishments, to recover or reclaim the waste, other than waste referred to in paragraph 6, that is produced by their activities or generated by the products they manufacture or put on the market;

(8) exempt from all or some of the requirements prescribed pursuant to paragraphs 6 and 7 any person that is a member of an organization

(a) the function or one of the functions of which is to implement or to contribute financially towards the implementation of a system to recover or reclaim waste;

(b) the name of which appears on a list drawn up by the Minister and published in the *Gazette officielle du Québec*;

(9) prescribe, in the cases and on the conditions it determines, any consignment system applicable to containers, packaging, materials or products;

(10) fix a deposit payable on the purchase of any reclaimable container, packaging, material or product which is refundable on return, either in full or, according to the provisions of paragraph 11, in part only;

(11) determine the proportion of the deposit paid pursuant to paragraph 10 which constitutes the charge payable for the management, promotion or development of reclamation and which will not be refundable on return;

(12) designate the classes of persons required to collect and refund, in the cases and on the conditions it determines, the deposits prescribed under paragraph 9.

“53.28. Every person or municipality must, on the conditions fixed by the Minister, provide the Minister with all information requested concerning the origin, nature, characteristics, quantities, destination and mode of recovery or reclamation of the waste the person or municipality generates, gives to a third person or takes charge of.

“§5. — *Waste elimination*”.

6. Sections 54 to 59 of the said Act are replaced by the following sections:

“54. Except where authorization is required pursuant to Division IV.1 of Chapter I concerning environmental impact assessment, the authorization prescribed in section 22 must be obtained prior to the establishment or alteration of any waste elimination facility.

“55. To operate any waste elimination facility determined by regulation of the Government, an operator must set up financial guarantees in the form of a social trust, on the conditions prescribed by the regulation, for the purpose of covering, after the facility is closed, the costs incurred by

(1) the application of the regulatory standards, in particular standards relating to the maintenance and supervision of the facility, and any conditions to which an authorization is subject;

(2) an intervention authorized by the Minister to rectify the situation in the case of non-compliance with the standards or conditions or in the case of a contamination of the environment resulting from an accident or the presence of the facility.

The provisions of a regulation made by the Government may, in particular,

(1) fix the sums to be paid into the trust patrimony by the operator, or the method and parameters to be used in calculating such sums, and the conditions for their payment;

(2) authorize the Minister to verify the application of the regulatory provisions made under subparagraph 1 and to require an operator to communicate the information necessary for that verification and to adjust the amounts paid by the operator where an assessment made by an outside expert shows that an adjustment is needed to ensure the fulfilment of the trust;

(3) determine the classes of persons qualified to act as trustee;

(4) prescribe the conditions applicable to the setting up and administration of the trust, its modification, control and termination, in particular with respect to the allocation of any sum remaining on termination of the trust;

(5) determine the conditions in which the Minister may authorize the payment of sums under the trust.

“56. The operator of any waste elimination facility determined by regulation of the Government is required to establish a committee to oversee and monitor the operation, closure and post-closure management of the facility.

The regulation shall determine the conditions applicable to the establishment, operation and financing of the committee, and the obligations of the committee members as regards public information.

“57. Where the Minister ascertains that an elimination facility has not been established or is not being operated in compliance with the provisions of this Act, the regulations or the certificate of authorization, or that the provisions applicable at the time the facility is closed or thereafter are not being complied with, the Minister may order the operator or any other person or municipality required to ensure that the provisions are applied to take any remedial measures the Minister may indicate.”

7. Section 60 of the said Act is amended by replacing “require, on the conditions he determines, a municipality to establish, alter, extend or terminate a waste management system or part of it” in the first, second and third lines by “require a municipality, on the conditions the Minister determines, to establish or alter a waste elimination facility or to close it”.

8. Section 61 of the said Act is amended

(1) by replacing “system of waste management or part of it” in the third line of the first paragraph by “waste elimination facility”;

(2) by replacing “included in a waste management system” in the fifth and sixth lines of that paragraph by “necessary for the elimination of waste”.

9. Section 64 of the said Act is repealed.

10. Section 64.1 of the said Act is replaced by the following section:

“64.1. A regulation of the Government shall determine the classes of waste elimination facilities that are subject to the provisions of sections 64.2 to 64.12.”

11. Section 64.2 of the said Act is amended by replacing “site” by “facility”.

12. Section 64.3 of the said Act is amended

(1) by replacing “forty-five” in the second line of the first paragraph by “ninety”;

(2) by adding the following sentence at the end of the second paragraph: “No change may, however, come into force until 1 January of the year following the year during which the 90-day time period for publication expires.”;

(3) by adding the following paragraph:

“In addition, as soon as the tariff or any change therein is published, the operator must send a copy of the tariff or change to the Minister, to the regional county municipality or urban community in whose territory the facility is situated, to every local municipality in that territory and to any person or municipality bound by contract to use the operator’s services.”

13. Section 64.8 of the said Act is amended by replacing the first paragraph by the following paragraphs:

“64.8. The Commission shall render its decision on the application referred to in section 64.5 on the basis of the following criteria:

(1) the investments made by the operator to equip and operate the elimination facility, to take the corrective measures required to ensure compliance with the applicable standards, or to implement a new technology designed to ensure increased environmental protection;

(2) the costs connected with the gradual closure of waste deposit sites, the setting up of financial guarantees for the post-closure management of the facility, the supervision and environmental monitoring program and the financing of the committee referred to in section 56;

(3) the quantities of waste that will be buried during the reference years;

(4) the revenue generated by the sale of waste by-products, such as biogas.

The decision of the Commission must be rendered not later than one hundred and twenty days after the expiry of the time provided in the first paragraph of section 64.5.”

14. Section 64.11 of the said Act is amended by replacing “site” by “facility”.

15. Section 66 of the said Act is replaced by the following section:

“66. No one may deposit or discharge waste or allow waste to be deposited or discharged at a place other than a site at which the storage,

treatment or elimination of waste is authorized by the Minister or the Government in accordance with the provisions of this Act and the regulations.

Where waste has been deposited or discharged at a place other than an authorized site, the owner, the lessee or any other person in charge of the place is bound to take the necessary measures to ensure that the waste is stored, treated or eliminated at an authorized site.”

16. Section 68.1 of the said Act is replaced by the following section:

“68.1. Every person or municipality must, on the conditions fixed by the Minister, provide the Minister with all information requested concerning the origin, nature, characteristics, quantities, destination and mode of elimination of the waste the person or municipality generates, gives to a third person or takes charge of.”

17. Section 69 of the said Act is repealed.

18. Section 70 of the said Act is replaced by the following section:

“70. The Government may make regulations to regulate waste elimination in all or part of the territory of Québec. The regulations may, in particular,

(1) classify waste elimination facilities and waste, and exempt certain classes from the application of all or certain of the provisions of this Act and the regulations;

(2) prescribe or prohibit, in respect of one or more classes of waste, any mode of elimination;

(3) fix the maximum number of waste elimination facilities that may be established in any part of the territory of Québec;

(4) prohibit the establishment, in any part of the territory of Québec, of waste elimination facilities or certain waste elimination facilities;

(5) determine the conditions or prohibitions applicable to the establishment, operation and closure of any waste elimination facility, in particular incinerators, landfills and treatment, storage and transfer facilities;

(6) prescribe the conditions or prohibitions applicable to waste elimination facilities after they are closed, including the conditions and prohibitions relating to maintenance and supervision, prescribe the period of time for which the conditions and prohibitions are to be applied and determine who will be required to ensure that they are applied;

(7) authorize the Minister to determine, for the classes of waste elimination facilities specified in the regulation, the parameters to be measured and the substances to be analysed on the basis of the composition of the waste

received for elimination, and to fix the limits to be respected for such parameters or substances. The limits may be in addition to, or may be substituted for, the limits fixed by the regulation;

(8) determine the conditions or prohibitions applicable to the transportation of designated classes of waste.”

19. Section 70.19 of the said Act is amended by inserting the following subparagraph after subparagraph 16 of the first paragraph:

“(16.1) require, as a condition for the operation of any elimination facility for hazardous materials, that financial guarantees be set up as provided in section 55 for waste elimination facilities, and that section shall then apply, with the necessary modifications;”.

20. Section 96 of the said Act is amended by replacing “57, 59” in the second and third lines of the first paragraph by “57”.

21. Section 104 of the said Act is amended

(1) by replacing “, water treatment or waste management system or any part of it” in the second and third lines of subparagraph *b* of the first paragraph by “or water treatment system and any waste recovery, reclamation or elimination facility”;

(2) by replacing “waste management or water treatment system” in the second and third lines of subparagraph *c* of the first paragraph by “water treatment system or waste recovery, reclamation or elimination facility”.

22. Section 122.3 of the said Act is amended by replacing the last sentence by the following sentence: “They also apply in the cases provided for in section 32.8, without, however, restricting the application of that section.”

#### AMENDING, TRANSITIONAL AND FINAL PROVISIONS

23. Article 678 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended by adding the following paragraph:

“The regional county municipality shall also, by by-law, exercise the competence conferred on it by sections 53.6 to 53.24 of the Environment Quality Act in connection with waste management.”

24. Section 84.1 of the Act respecting the Communauté urbaine de l’Outaouais (R.S.Q., chapter C-37.1) is amended by adding, after paragraph 2, the following paragraph:

“(3) the Environment Quality Act.”

25. Section 121.1 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2) is amended by adding, after paragraph 2, the following paragraph:

“(3) the Environment Quality Act.”

26. Section 94.1 of the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3) is amended by adding, after paragraph 2, the following paragraph:

“(3) the Environment Quality Act.”

27. Section 20 of the Act respecting the Société québécoise de récupération et de recyclage (R.S.Q., chapter S-22.01) is amended by replacing “subparagraph *i, j, j.0.1, j.1* or *j.2* of the first paragraph of section 70” in the first paragraph by “section 53.27”.

28. The Act respecting the sale and distribution of beer and soft drinks in non-returnable containers (R.S.Q., chapter V-5.001) is amended by replacing “70” in the sixth line of section 3 and in the fourth line of section 4 by “53.27”.

29. For the application of sections 30 to 33, “new section” and “former section” mean, respectively, the section as enacted by this Act and the section as it read before being replaced by this Act.

30. The new section 54 of the Environment Quality Act, enacted by section 6, applies to every application for a certificate made under the former section 54 of the said Act that is pending on the date of coming into force of the new section 54.

31. Orders made pursuant to the former sections 57 and 59 of the Environment Quality Act, and any decision made under those sections, continue to have effect.

32. Except where it provides greater environmental protection, a standard established in a certificate of authorization pursuant to section 3 of the Act respecting the establishment and enlargement of certain waste elimination sites (R.S.Q., chapter E-13.1) ceases to have effect on the date on which the sanitary landfill site or dry materials disposal site to which the certificate applies becomes governed by a standard relating to the same matter prescribed under the new section 70 of the Environment Quality Act.

33. In every statute and statutory instrument made thereunder, any reference to the former sections 54, 55 or 69, or to subparagraphs *i, j, j.0.1* and *j.1* of the first paragraph of the former section 70 of the Environment Quality Act becomes a reference, respectively, to the new sections 53.26, 54 and to the new paragraphs 9, 10, 11 and 12 of section 53.27 of the said Act.

Similarly, any reference to another subparagraph of the first paragraph of the former section 70 becomes a reference to the corresponding paragraph of section 53.27 or of the new section 70 of the said Act.

34. Notwithstanding the provisions of section 53.22, every intermunicipal waste management agreement entered into before the date of coming into force of this section continues to have effect until its date of expiry, excepting any renewal.

35. Sections 1 to 19 and 22 to 34 of the Act to amend the Environment Quality Act and other legislative provisions (1994, chapter 41) are repealed.

36. The provisions of this Act come into force on the date or dates to be fixed by the Government.