

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 1

**AMENDMENT:**

Replace by:

**1.** The Environment Quality Act (chapter Q-2) is amended by inserting the following before Chapter I:

**“PRELIMINARY PROVISION**

“The purpose of this Act is to protect the environment and the living species inhabiting it, to the extent provided for by law. The Act fosters the reduction of greenhouse gases, and makes it possible to take into consideration the evolution of knowledge and technologies, climate change issues and human health protection issues, as well as the realities of the territories and the communities living in them.

The Act affirms the collective and public interest character of the environment, which is inseparable from its ecological, social and economic dimensions.

The fundamental objectives of the Act ensure that environmental protection, improvement, restoration, development and management are of general interest.

The Act ensures compliance with the principles of sustainable development as defined in the Sustainable Development Act (chapter D-8.1.1).”

*adopté*  
*AA*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 5

**AMENDMENT:**

Replace by:

5. Section 2.2 of the Act is amended

(1) by replacing “, emission, deposit, issuance or discharge” in the second paragraph by “or release”;

(2) by replacing “emitted, deposited, issued or discharged” in the third paragraph by “released”;

(3) by striking out the fifth paragraph.

*adote*  
*W*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 7

**AMENDMENT:**

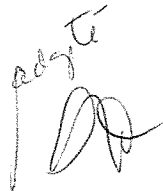
Replace by:

7. Section 6.2 of the Act is amended

(1) by inserting “on a part-time basis” after “members” in the second paragraph;

(2) by adding the following paragraph at the end:

“Despite the first and second paragraphs, if a member’s term expires in the course of work relating to a matter already referred to the member, the term is extended until the work is completed.”

A handwritten signature in black ink, appearing to be 'Ady' followed by a stylized flourish.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 8

**AMENDMENT:**

Replace proposed section 6.2.2 by:

“**6.2.2.** The Government shall establish a member selection procedure that must include the creation of a selection committee.

A member may be reappointed without it being necessary to follow the selection procedure established under this section.

*ad te*  
*R*


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Strike out the third paragraph of proposed section 20.

*adviser*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

In proposed section 22:

1. Replace subparagraph 3 of the first paragraph by:

“(3) the establishment, alteration or extension of any water management or treatment facility referred to in section 32, and the installation and operation of any other apparatus or equipment designed to treat water, in particular in order to prevent, abate or stop the release of contaminants into the environment or a sewer system;

2. Replace “or operation” in subparagraph 6 of the first paragraph by “and operation”.

3. Replace “any other” in the introductory clause of the second paragraph by “a project involving another”.

*adapté*  
*DL*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

In proposed section 23:

1. Insert after the first paragraph:

The regulation may also prescribe the terms and conditions governing the authorization applications, including the use of a specific form; those terms and conditions may vary according to the type of structure, works, industrial process, industry, work or other activity.

2. Add “or does not comply with the terms and conditions prescribed in the regulation” after “regulation” in the second paragraph.

3. Add the following paragraph at the end:

On sending an authorization application to the Minister, the applicant must also send a copy to the municipality in whose territory the project concerned by the application will be carried out.

*adgto*  
*[Signature]*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

In proposed section 24:

1. Replace “will be” in subparagraph 3 of the first paragraph by “are likely to be”;

2. Add the following subparagraph after subparagraph 4 of the first paragraph:

(5) in the cases provided for by government regulation, the greenhouse gas emissions attributable to the project and the reduction measures the project may entail.

3. Replace the second paragraph by:

The Minister may also take into account the expected climate change risks to and impacts on the project and the milieu in which it will be carried out, the adaptation measures the project may entail and Québec’s commitments with regard to greenhouse gas emissions.

4. Replace “additional” in the third paragraph by “other”.

A handwritten signature and initials, possibly reading "caste" and "RC", are written in ink.



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

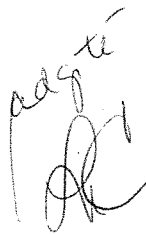
Section 16

**AMENDMENT:**

Replace subparagraph 8 of the first paragraph of proposed section 25 by the following subparagraphs:

(8) measures to reduce the greenhouse gas emissions attributable to the activity; and

(9) the adaptation measures required because of the expected climate change risks to and impacts on the activity or the milieu in which the activity will be carried on.

A handwritten signature in dark ink, appearing to be a stylized name or set of initials, located in the lower right quadrant of the page.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Replace the introductory clause of proposed section 25 by:

“25. On issuing an authorization, the Minister may prescribe any condition, restriction or prohibition the Minister deems advisable for protecting the quality of the environment and preventing adverse effects on the life, health, safety, welfare or comfort of human beings or on ecosystems, living species or property, and which may concern, among other things,

*adapté*  
*RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Following the adoption of amendment 124, amendment 11 has lapsed and been renamed amendment ak.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Strike out “However, for any activity not covered by such a regulation, the Minister may prescribe the valid term on issuing the authorization.” in the first paragraph of proposed section 28.

*port  
RA*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

In proposed section 30:

1. Insert “new” before “release” in subparagraph 1 of the first paragraph.
2. Add the following paragraph at the end:

Before making a decision under the second paragraph, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the person concerned and grant the latter at least 15 days to submit observations.

*abste*  
*RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Replace “26” in the first paragraph of proposed section 31 by “27”.

*adgte*  
*RL*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

In proposed section 31.0.2:

1. Replace “An authorization issued under this subdivision is transferable. However, the transferor must first send” in the first paragraph by “Any person or municipality that wishes to continue or carry on an activity authorized under this subdivision must obtain a transfer of the authorization concerned from its holder. The latter must, to that end, first send”.
2. Replace “required by the Minister under” in the second paragraph, by “provided for in”.

*copy*  
*AC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Replace the first paragraph of proposed section 31.0.3 by the following paragraphs:

**“31.0.3.** The Minister shall refuse to issue or amend an authorization if the applicant has not demonstrated that the project complies with this Act and the regulations.

Furthermore, in addition to the reasons for refusal provided for by other provisions of this Act, the Minister may refuse to issue or amend an authorization if

(1) the applicant has not provided, within the time determined by the Minister, all the information, documents or studies required for the application to be analyzed; or

(2) the Minister is of the opinion that the measures to be implemented in connection with the project or its modification are insufficient to ensure adequate protection of the environment, human health or other living species.

*aozte*  
*QC*




Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Insert “for the Minister” after “necessary” in proposed section 31.0.4.

*adapte*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

In proposed section 31.0.5:

1. Replace “total” in the first paragraph by “permanent”.
2. Replace “A total cessation of an activity” in the second paragraph by “A permanent cessation of an activity for two consecutive years”.

*redpte -*  
*RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

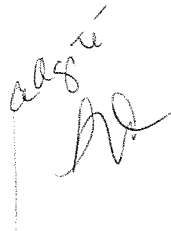
Section 16

**AMENDMENT:**

Insert after proposed section 31.0.5:

**“31.0.5.1.** Subject to subdivisions 2 and 3, the Minister may issue to a municipality a general authorization for carrying out maintenance work on a watercourse referred to in section 103 of the Municipal Powers Act (chapter C-47.1) or for carrying out work in a lake to regulate the water level or maintain the lake bed.

The Minister shall determine the duration of the general authorization, which may not exceed five years. This subdivision, except sections 29 and 31.0.2, applies to the general authorization.

Handwritten signature and initials, possibly "aag" and "u" above a stylized signature.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

In the first paragraph of proposed section 31.0.6, replace “The Minister may, by regulation, designate the activities referred to in section 22” by “The Government may, by regulation, designate the activities referred to in section 22 or 30”.

*post-  
m*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Replace “of the Minister” in the first paragraph of proposed section 31.0.7 by “of the Government”.

*adg*  
*RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Replace “of the Minister” in proposed section 31.0.9 by “of the Government”.

*edg*  
*AC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Strike out proposed section 31.0.11.

*add to*  
*RR*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

In proposed section 31.0.12:

1. Replace “The Minister” in the first and fourth paragraphs by “The Government”.
2. Strike out the third paragraph.

*proposed*  
*QC*



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Strike out proposed section 31.0.13.

*adg te*  
*DR*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Replace the second paragraph of proposed section 31.0.14 by the following paragraph:

The Minister may, at any time, modify the conditions, restrictions and prohibitions determined under the first paragraph if of the opinion that doing so is necessary to ensure adequate protection of the environment and prevent adverse effects on the life, health, safety, welfare or comfort of human beings or on ecosystems, other living species or property.”

*adote*  
*AC*


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 19

**AMENDMENT:**

Replace “in accordance with section 23” in the second paragraph of proposed section 31.1.1 by “in the register provided for in section 118.5”.

*Adopté*  


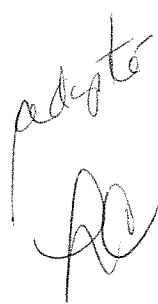
Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 20

**AMENDMENT:**

Add the following sentence at the end of proposed section 31.2: "On filing such a notice with the Minister, the person must also send a copy to the municipality in whose territory the project will be carried out."

A handwritten signature in black ink, appearing to be "Adèle" or similar, with a stylized flourish below it.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 20

**AMENDMENT:**

Replace “that must be taken” in the second paragraph of section 31.3.1 by “whose relevance warrants that it be mandatory to take them”.

*ad te*  
*RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 20

**AMENDMENT:**

Replace proposed section 31.3.5 by:

**“31.3.5.** If the Minister considers the impact assessment statement to be admissible, the Minister shall direct the project proponent in writing to hold the public information period prescribed by government regulation.

Any person, group or municipality may, during that period, apply to the Minister for a public consultation or mediation on the project.

Unless the Minister considers the application to be frivolous, in particular if he considers that the reasons given in support of it are not serious or that a public consultation or mediation on the concerns raised would not be useful for analyzing the project, the Minister shall send a copy to the Bureau.

After analyzing the applications received, the Bureau must recommend to the Minister, within the time prescribed by government regulation, the type of mandate described in the fifth paragraph that should be conferred on the Bureau.

The Minister shall then mandate the Bureau to hold

- (1) a public hearing;
- (2) a targeted consultation on the concerns identified by the Minister or with regard to the persons, groups or municipalities to be consulted; or
- (3) mediation, if the Minister considers that the nature of the concerns raised warrants it and that there is a possibility that the interested parties will reach a compromise.



If the impact assessment statement is considered admissible and, given the nature of the issues raised by the project, a public hearing appears certain, in particular if the public's concerns warrant it, the Minister may mandate the Bureau to hold such a hearing on the project without the proponent having to undertake the stage referred to in the first paragraph.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 20

**AMENDMENT:**

Replace “third” in proposed section 31.3.7 by “fifth”.

A handwritten signature in black ink, appearing to be 'A. Ste', is located in the center of the page.



Bill 102

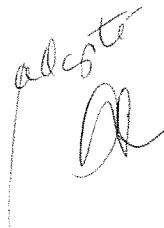
**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 21

**AMENDMENT:**

1. Replace the introductory clause by:
  21. Section 31.5 of the Act, amended by section 23 of chapter 35 of the statutes of 2016, and sections 31.6 and 31.7 of the Act, are replaced by the following sections:
2. Insert the following paragraph after the first paragraph of proposed section 31.5:

Where the environmental impact assessment statement concerns work related to petroleum production or storage, the Government, before rendering its decision, must take cognizance of the decision of the Régie de l'énergie submitted by the Minister of Natural Resources and Wildlife under section 45 of the Petroleum Resources Act (2016, chapter 35, section 23).
3. Replace “or health” in the third paragraph of proposed section 31.5 by “, human health or other living species”.

A handwritten signature in dark ink, appearing to be 'alister' followed by a stylized flourish.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 21

**AMENDMENT:**

Replace “the release” in the first paragraph of proposed section 31.7 by “a new release”.

*adopté*  
*Ra*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 21.1

**AMENDMENT:**

Insert after section 21:

**21.1.** The Act is amended by inserting the following section before section 31.8:

**“31.7.5.** An authorization issued under this subdivision is transferable in accordance with section 31.0.2.”

*adapt*  
*AC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 23

**AMENDMENT:**

Replace by:

**23.** Section 31.8.1 of the Act is amended by replacing the first, second and third paragraphs by the following paragraphs:

“**31.8.1.** If a project referred to in section 31.1 or 31.1.1 is also subject to an environmental assessment procedure prescribed under an Act of a legislative authority other than the Parliament of Québec, the Minister may make an agreement with any competent authority to coordinate the environmental assessment procedures, including by establishing a unified procedure.

Such an agreement must, in keeping with the objectives of this division,

(1) set out the conditions applicable to carrying out the study on the project’s environmental impact;

(2) provide that a public information period as well as targeted consultations or public hearings, as applicable, must be held.

The agreement may also provide for the establishment and operation of a body responsible for the implementation of all or part of the environmental assessment procedure.

The provisions of the agreement pertaining to the matters mentioned in the second and third paragraphs are substituted for the corresponding provisions of this Act and its statutory instruments.”



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 24

**AMENDMENT:**

Replace subparagraph *b* of paragraph 1 by:

(*b*) by inserting the following subparagraph after subparagraph *b*:

“(*b.1*) determine the parameters of an environmental impact assessment statement on the greenhouse gas emissions attributable to a project and any expected climate change risks to and impacts on the project and the milieu in which it will be carried out;”;

adg te  
AC

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 24

**AMENDMENT:**

Replace “modify” in the sentence proposed by paragraph 2 by “extend”.

*add to*  
*AL*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 25

**AMENDMENT:**

Insert “, ecosystems” before “, living species” in proposed section 31.12.

*adapté*  
*AC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 25

**AMENDMENT:**

Insert “and to eliminate and prevent its causes” at the end of proposed section 31.16.

*passed  
AO*



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 25

**AMENDMENT:**

Replace the second paragraph of proposed section 31.19 by the following paragraph:

If the Minister does not intend to include, in the authorization, some or all of the amendments submitted by the applicant in accordance with the second paragraph of section 31.13, the Minister must inform the applicant in writing of the reasons behind that intention before publication of the notice concerning a public consultation to be held under section 31.20 or 31.22, as applicable.

*edgto*  
*DD*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 25

**AMENDMENT:**

Replace “A total cessation of the operations of an industrial establishment” in the second paragraph of proposed section 31.24 by “The cessation of the operations of an industrial establishment for two consecutive years”.

*edgtr*  
*RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 25

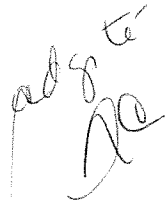
**AMENDMENT:**

In proposed section 31.26:

1. In the first paragraph, replace “to the Minister, within the time and in the manner and form prescribed by government regulation,” by “an authorization application to the Minister within the time and in the manner and form prescribed by government regulation”.

2. Replace the fourth paragraph by the following paragraph:

Sections 31.11 to 31.15, 31.18, 31.20 and 31.21 apply, with the necessary modifications, to the issue of an authorization to operate an existing industrial establishment. Sections 31.20 and 31.21 also apply to the first renewal of such an authorization, in the cases prescribed by government regulation.

Handwritten signature or initials, possibly reading 'adg te' and 'no'.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 25

**AMENDMENT:**

Insert after proposed section 31.26:

**“31.26.1.** The Minister may require the applicant to submit, within the time specified in the notice required for that purpose, a residual materials management plan for the residual materials produced by the industrial establishment or present on its site.

*paste  
RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 30.1

**AMENDMENT:**

Insert after section 30:

**30.1.** Section 31.43 of the Act is amended by inserting “ecosystems,” after “human beings,” in the first paragraph.

*adopté*  
*RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 30.1

**AMENDMENT:**

Replace the second paragraph of proposed section 31.50.1 by:

If the study reveals the presence of contaminants likely to have adverse effects on the life, health, safety, welfare or comfort of human beings or on ecosystems, other living species, the environment in general or property, the Minister may require the applicant to submit the measures that will be taken to prevent such effects, such as the removal or treatment of all or part of the contaminants or their containment.

*adgto*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 32

**AMENDMENT:**

Replace by:

**32.** Section 31.51 is amended

(1) by adding the following sentence at the end of the first paragraph:  
“A notice of cessation of the activity must be sent to the Minister within the time  
prescribed by government regulation.”;

(2) by replacing “human beings, the other living species and the  
environment in general, including property” in the second paragraph by “the  
quality of the environment and prevent adverse effects on the life, health, safety,  
welfare or comfort of human beings or on ecosystems, living species or property”.

*aaq*  
*RR*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 33.1

**AMENDMENT:**

Insert after section 33:

**33.1.** Section 31.51.1 of the Act is amended by replacing “human beings, the other living species and the environment in general, including property” in the first paragraph by “the quality of the environment and prevent adverse effects on the life, health, safety, welfare or comfort of human beings or on ecosystems, living species or property”.

*adapté*  
*DR*



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 33

**AMENDMENT:**

Replace “insurance or any other form of” in proposed section 31.51.0.2 by  
“liability insurance or a”.

*page 1*  
*DE*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 34

**AMENDMENT:**

Replace by:

**34.** Section 31.54 of the Act is amended by replacing the second paragraph by the following paragraph:

“The rehabilitation plan must be sent to the Minister and must set out the measures that will be implemented to protect the quality of the environment and prevent adverse effects on the life, health, safety, welfare or comfort of human beings or on ecosystems, living species or property. The plan must also set out any measures intended to render the projected land use consistent with the condition of the land. Lastly, the plan must be accompanied by an implementation schedule and, if applicable, a plan for dismantling the facilities present on the land.”

*page 6*  
*[Signature]*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Sections 35.1 and 35.2

**AMENDMENT:**

Insert after section 35:

**35.1.** Section 31.57 of the Act is amended by replacing “human beings, the other living species and the environment in general, including property” in the first paragraph by “the quality of the environment and prevent adverse effects on the life, health, safety, welfare or comfort of human beings or on ecosystems, living species or property”.

**35.2.** Section 31.61 of the Act is amended by replacing “the environment or for human beings” by “the quality of the environment or for the life, health, safety, welfare or comfort of human beings, ecosystems, living species or property”.

*adopte  
AR*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 38

**AMENDMENT:**

Replace by:

**38.** Section 31.69 of the Act is amended by striking out “and relating to the sale or storage of petroleum products” in paragraph 2.1.

*adapte*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 42

**AMENDMENT:**

Replace the introductory clause of the paragraph added by paragraph 3 by:

“In addition to the elements set out in section 24, such a decision must take into account the elements contained in a water master plan or an integrated management plan for the St. Lawrence prepared under the Act to affirm the collective nature of water resources and provide for increased water resource protection (chapter C-6.2), the observations communicated by the public with regard to the water withdrawal, and the consequences of the withdrawal for

*adopté*  
*De*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 44

**AMENDMENT:**

Insert “, amend” after “issue” in the first paragraph of proposed section 31.79.1.

*adg te*  
*Re*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 45

**AMENDMENT:**

Insert “, amend or renew” after “issue” and “, in addition to the conditions, restrictions and prohibitions prescribed under section 25,” after “may prescribe” in the proposed introductory clause of proposed section 31.80.

*adapte*  
*As*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 49

**AMENDMENT:**

Replace the first sentence by the following sentence: "Section 31.104 of the Act is renumbered 45.5.1 and moved immediately before section 46."

*adopted*  
*AA*



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 50

**AMENDMENT:**

Replace by:

**50.** The heading of subdivision 4 before section 32 of the Act is replaced by the following heading:

“§4. — *Water management and treatment*”.

*pedro*  
*RA*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 51

**AMENDMENT:**

Replace by:


**51.** Section 32 of the Act is replaced by the following:

“1. SCOPE

“**32.** For the purposes of subparagraph 3 of the first paragraph of section 22 and this subdivision, a water management or treatment facility is

- (1) a waterworks system;
- (2) a sewer system; or
- (3) a rainwater management system.

The Government may, by regulation, define the terms mentioned in the first paragraph.”

*adopté*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 53

**AMENDMENT:**

Replace the proposed heading by:

“2. SPECIAL MEASURES APPLICABLE TO AUTHORIZATIONS  
FOR ACTIVITIES DESCRIBED IN SUBPARAGRAPH 3 OF THE FIRST  
PARAGRAPH OF SECTION 22”.

*adgt*  
*AA*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 68

**AMENDMENT:**

Replace by:

**68.** The Act is amended by inserting the following after section 45.3:

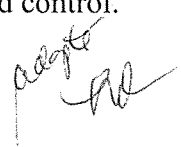
**“4. ORDERS**

**“45.3.1.** The Minister may, on the conditions the Minister determines, order a municipality to temporarily operate an operator’s or owner’s water management or treatment facility, provided the facility is not operated by a municipality, and to carry out work there if the Minister considers it necessary in order to ensure adequate service for the persons served. The order may also determine the apportionment of the costs related to the operation or work among the persons served or among those persons and the operator or owner, as the case may be.

The Minister may also, if of the opinion that it is necessary for the protection of public health, order a municipality to acquire such a facility by agreement or expropriation, or to set up a new facility and acquire by agreement or expropriation the immovables and real rights required to do so.

The Minister may make any other order with regard to a municipality that the Minister considers necessary regarding water supply and water management or treatment.

**“45.3.2.** With regard to a person operating a water management or treatment facility or to the owner of such a facility, the Minister may make any order the Minister considers appropriate concerning the quality of service, the extension of the system, the reports to be made, the mode of operation, the rates and any other matter under the Minister’s power of supervision and control.”





Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 56

**AMENDMENT:**

Replace by:

**56.** Section 32.5 of the Act is repealed.

*adgte*  
*aa*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 57

**AMENDMENT:**

Replace proposed sections 32.6 and 32.7 by the following:

“**32.6.** In addition to the conditions, restrictions and prohibitions the Minister may prescribe under section 25 when authorizing a municipality to carry out work for a water management or treatment facility in a sector also served by a facility not operated by a municipality, or operated by a municipality outside its territorial limits, the Minister may impose the acquisition by agreement or expropriation of the existing facilities.

“3. OTHER MEASURES

“**32.7.** Despite any contrary provision, an operator or owner of a waterworks or sewer system may not cease to operate it without first submitting, for the Minister’s approval, the alternative measures that will be implemented to maintain the water supply and water treatment for the persons served, together with the implementation schedule for those measures.

The operator or owner must keep the waterworks or sewer system operating until the approved alternative measures take effect.

When exercising the power of approval under the first paragraph, the Minister may prescribe any condition, restriction or prohibition the Minister considers necessary and modify the measures submitted or their implementation schedule.

Before making a decision under the third paragraph, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the person concerned and grant the latter at least 15 days to submit observations.”



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 59

**AMENDMENT:**

Replace by:

**59.** Section 32.9 of the Act is repealed.

*red gte*  
*RR*



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 60

**AMENDMENT:**

Replace by:

**60.** Section 33 of the Act is replaced by the following section:

“**33.** No person may set up or operate, as applicable, any amusement grounds, holiday camp, public beach, mobile home park or camping ground or any other grounds used for similar purposes and intended for lease or co-ownership unless they are equipped with a waterworks or sewer system authorized under this Act or, if no authorization is required, unless they are equipped with a system that complies with the standards prescribed by government regulation.

“**33.1.** Anyone who wishes to carry out a housing or vacation development defined by government regulation, but whose development fails to meet the criteria determined by government regulation, may not obtain a subdivision permit from a municipality without first

(1) submitting to the Minister the plan that will be implemented to ensure the development’s water supply and waste water and rainwater management and treatment; and

(2) obtaining the Minister’s approval of the plan referred to in subparagraph 1, which the Minister may grant with or without amendment and subject to the conditions, restriction or prohibitions the Minister determines.

Before making amendments or prescribing conditions, restrictions or prohibitions under this section, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3)

to the interested person and grant the latter at least 15 days to submit observations.”

*adapte*  
*Ra*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 61

**AMENDMENT:**

Replace by:

**61.** Section 34 of the Act is repealed.

ad 6  
AC

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 64

**AMENDMENT:**

Replace by:

**64.** Section 39 of the Act is replaced by the following sections:

**“39.** An operator or owner of a waterworks or sewer system may collect a tax, duty or dues from the persons served by it, in the cases and manner prescribed by government regulation. To that end, the operator or owner shall set the applicable rate for using the system, in accordance with the terms and conditions prescribed by government regulation.

A person served may refuse the imposed rate, in accordance with the terms and conditions prescribed by government regulation.

If the operator or owner and the person served cannot agree on the applicable rate, the person may apply to the Minister for an inquiry into the matter.

The Minister may, after making such an inquiry, impose the applicable rate and the moment it takes effect, in accordance with the criteria prescribed by government regulation.

**“39.1.** If water supply or water treatment or management are provided to a municipality by another municipality or by another operator or owner of a water management or treatment facility, the Commission municipale shall set the rates for the sale of water or for water management or treatment services between the parties concerned if the latter are unable to reach an agreement on the rates.

On an application by anyone interested, the Commission municipale may cancel or amend a contract or by-law regarding a water management or treatment facility if the applicant establishes that its conditions are abusive.

When exercising a power conferred on it by this section with regard to an agreement between two municipalities, the Commission must comply with the cost apportionment rules enacted by articles 573 to 575 of the Municipal Code of Québec (chapter C-27.1) and sections 468.4 to 468.6 of the Cities and Towns Act (chapter C-19).”

adB  
R

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 65

**AMENDMENT:**

Replace by:

**65.** Section 41 of the Act is replaced by the following section:

“**41.** Every municipality may, with the Minister’s authorization, acquire by agreement or expropriation immovables or real rights located outside its territory that are required to set up a water management or treatment facility or to develop or protect a water withdrawal site.”

A handwritten signature in black ink, appearing to be 'Adelste' or similar, with a large 'A' below it.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 66

**AMENDMENT:**

Replace by:

**66.** Section 42 of the Act is replaced by the following section:

“**42.** If an operator of a waterworks or sewer system, other than a municipality, is unable to acquire by agreement an immovable or any other real right required to operate the waterworks or sewer system, the operator may, with the Minister’s authorization, expropriate the immovable or real rights concerned.”

*Adopté*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 67

**AMENDMENT:**

Replace by:

**67.** Section 45.2 of the Act is renumbered 45.5.2 and moved immediately after section 45.5.1, as renumbered by section 49.

*ad 67*  
*A*



Bill 102

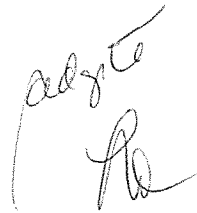
**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 69

**AMENDMENT:**

In proposed section 46:

1. Insert “, the owner” after “served” in paragraph 12;
2. Insert the following subparagraph at the end of paragraph 16:  
  
(m) establish public consultation procedures; and

A handwritten signature in black ink, appearing to be 'adg' followed by a stylized 'R' or 'A'.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 76

**AMENDMENT:**

Replace by:

**76.** Section 46.17 of the Act is amended by replacing the second paragraph by the following paragraph:

“The Government must make the report public within 30 days after receiving it.”

*adopté*  
*RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 79.1

**AMENDMENT:**

Insert after section 79:

**79.1.** Section 53.4 of the Act is amended by inserting the following paragraph after the third paragraph:

“The Société québécoise de récupération et de recyclage shall prepare any plans and programs pursuant to the policy; such plans and programs require the Minister’s prior approval.”

*adopté*  
*AC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 79.2

**AMENDMENT:**

Insert after section 79.1:

**79.2.** Section 53.4.1 of the Act is amended by replacing “the Minister” in the first paragraph by “the Société québécoise de récupération et de recyclage”.

*adote*  
*RC*

Bill 102

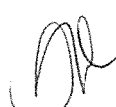
**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 80

**AMENDMENT:**

Replace by:

**80.** Section 53.5.1 of the Act is amended by replacing “with the responsibilities relating to the regional planning of residual materials management. In particular, the Minister may transmit to the Société the management plans received from the municipalities so that the Société may analyze the plans and make recommendations to the Minister” by “in carrying out his responsibilities”.

*adote*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 82

**AMENDMENT:**

Replace “53.16” by “53.11”.

A handwritten signature in black ink, appearing to be 'ad to' followed by a stylized flourish.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 86

**AMENDMENT:**

Replace “two public meetings” in proposed section 53.13 by “one public meeting”.

*recept  
RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 88.1

**AMENDMENT:**

Insert after section 88:

**88.1.** Section 53.16 of the Act is amended

(1) by replacing “to the Minister” by “to the Société québécoise de  
récupération et de recyclage”;

(2) by replacing “the commission’s” by “the regional municipality’s”.

*adapté*  
*RC*



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 89

**AMENDMENT:**

1. Insert after paragraph 1:

(1.1) by replacing “The Minister” in the first paragraph by “The Société québécoise de récupération et de recyclage”;

2. Insert after paragraph 2:

(2.1) by replacing “The Minister’s” in the third paragraph by “The Société’s”;

(2.2) by replacing “the Minister” in the fourth paragraph by “the Société”;

3. Replace “the Minister” in the paragraph proposed by paragraph 3 by “the Société”.

*adopté*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 91

**AMENDMENT:**

Replace by:

**91.** Section 53.20 of the Act is amended

(1) in the first paragraph,

(a) by replacing “Where the Minister considers that the” by “If the Société québécoise de récupération et de recyclage considers that the draft”;

(b) by replacing “refusal must be notified by the Minister” by “non-compliance must be notified by the Société”;

(c) by replacing “before the plan comes into force” by “within 120 days after the draft management plan is received”;

(2) by replacing the second paragraph by the following paragraph:

“The notice must state the grounds for the decision as well as the amendments to be made and sent to the Société within the time specified.”

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 92

**AMENDMENT:**

1. Replace “the Minister’s notice of non-compliance” and “the Minister” in proposed section 53.20.1 by “the notice of non-compliance of the Société québécoise de récupération et de recyclage” and “the Société”, respectively;
2. Replace “The Minister” in the first paragraph of proposed section 53.20.2 by “The Société québécoise de récupération et de recyclage”.
3. Replace “the Minister” in the second paragraph of proposed section 53.20.2 by “the Société”.
4. Replace “from the Minister” in the third paragraph of proposed section 53.20.2 by “from the Société”.

*adopté*  
*AL*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 93

**AMENDMENT:**

In the proposed first paragraph:

1. Replace “The Minister” by “On the recommendation of the Société québécoise de récupération et de recyclage, the Minister”.
2. Replace “the Minister” in subparagraph 1 by “the Société”.
3. Replace “from the Minister” in subparagraph 2 by “from the Société”.

*adopté*  
*AL*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 95

**AMENDMENT:**

In the proposed second paragraph, replace “10” by “7” and “eighth” by “fifth”.

*adapte*  
*AR*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 95.1

**AMENDMENT:**

Insert after section 95:

**95.1.** Section 53.27 of the Act is amended by replacing “be exercised having regard to the provisions of” by “take into consideration”.

*proposed*  
*AC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 95.2

**AMENDMENT:**

Insert before section 96:

**95.2.** Section 53.30 of the Act is amended

(1) in subparagraph 6 of the first paragraph,

(a) by inserting “or the Société québécoise de récupération et de recyclage, as applicable” after “Minister” in subparagraph *b.1*;

(b) by inserting “or the Société, as applicable” after “Minister” in subparagraph *c*;

(2) by replacing “indemnités” in subparagraph 12 of the first paragraph of the French text by “indemnités”.

**95.3.** Section 53.31 of the Act is amended by inserting “or, as applicable, the Société Québécoise de récupération et de recyclage, for the purposes of the responsibilities conferred on the Minister or the Société under this Act,” after “provide the Minister”.

*adopté*  
*AP*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 97

**AMENDMENT:**

Replace by:

**97.** Section 54 of the Act is amended by replacing “section 65” by “sections 65 to 66”.

*ad 97*  
*[Signature]*



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 100

**AMENDMENT:**

Replace “applying for authorization” in the second paragraph of proposed section 65 by “that had the study conducted”.

*adopted*  
*[Signature]*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 100

**AMENDMENT:**

Replace “a person” in the first paragraph of proposed section 65 by “a professional or any other person”.

*revised*  
*AC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 100

**AMENDMENT:**

In proposed section 65.1:

1. Replace “or to protect human beings, other living species or the environment in general, as well as property” in the first paragraph by “or to protect the quality of the environment and prevent adverse effects on the life, health, safety, welfare and comfort of human beings or on ecosystems, other living species or property”.
2. Insert “financial” before “guarantee” in the second paragraph.

*adopted*  
*PM*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 100

**AMENDMENT:**

Replace subparagraph 2 of the first paragraph of proposed section 65.2 by:

(2) if applicable, a description of the work to be done or works to be erected to remove the residual materials from the land or to protect the quality of the environment and prevent adverse effects on the life, health, safety, welfare and comfort of human beings or on ecosystems, other living species or property; and

*adopté*  
*AD*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 100

**AMENDMENT:**

Insert after proposed section 65.4:

**65.5.** If a person or municipality fails to apply for registration of a notice in the land register under section 65 or 65.2, the Minister may require such registration and recover from the person or municipality the direct and indirect costs incurred by the Minister for that purpose.”

*adgte*  
*PP*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 105

**AMENDMENT:**

Replace “as quickly as possible” in proposed section 70.5.1 by “without delay”.

*adapte*  
*DL*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 105

**AMENDMENT:**

Add the following paragraph at the end of proposed section 70.5.2:

Any person who, as owner or lessee or in any other capacity, has custody of land affected by the release must give free access to the land at any reasonable time to any person required under this section to conduct a characterization study on the land, subject, however, to that person restoring the site and compensating the custodian or owner of the land, as the case may be, for any damage sustained."

*Adopte*  
*DR*

Bill 102

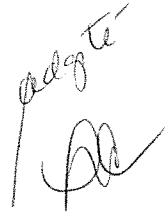
**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 105

**AMENDMENT:**

Add the following paragraph at the end of proposed section 70.5.4:

If whoever is responsible fails to apply for registration of a notice in the land register in accordance with the first paragraph, the Minister may require such registration and recover from that person or municipality the direct and indirect costs incurred by the Minister for that purpose.”

A handwritten signature in black ink, appearing to be 'adg te' followed by a stylized flourish.



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 106

**AMENDMENT:**

Strike out “that he produced or used” in the proposed first paragraph of section 70.6.

*delete*  
*DE*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 109

**AMENDMENT:**

Insert “determined by government regulation” after “hazardous materials elimination site” in subparagraph 1 of the first paragraph of proposed section 70.9.

*adopte*  
*AC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 111

**AMENDMENT:**

Replace “specify the hazardous materials or” in proposed section 70.13 by  
“contain a list of the hazardous materials or specify the”.

*Adopte*  
*AC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 114

**AMENDMENT:**

Insert before paragraph 1:

(0.1) by replacing “materials referred to in paragraph 21 of” by  
“hazardous materials referred to in”;

*page to*  
*AC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 115

**AMENDMENT:**

In proposed section 95.2:

1. Strike out the first paragraph.
2. Replace “De plus, un” in the second paragraph of the French text by “Un”.

*adopté*  
*RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 115

**AMENDMENT:**

Replace “examine the documents concerned” in the second paragraph of proposed section 95.3 by “process the documents referred to in the first paragraph, including to examine them”.

*redgite*  
*AC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 116

**AMENDMENT:**

Replace proposed section 95.5 by:

“**95.5.** The Administration’s programs determined by government regulation, including the strategies, plans and other forms of guidelines the Administration develops, must be the subject of a strategic environmental assessment under this chapter. The same applies, with the necessary modifications, to draft amendments to such programs.

With regard to the Administration’s programs not determined by government regulation, the Government may, exceptionally and on the conditions it determines, make some or all of them subject to such an assessment if they are likely to have significant effects on the environment.

In the development of the Administration’s programs, one objective of such an assessment is to promote fuller consideration of environmental issues, including those related to climate change, human health and other living species. Another objective of such an assessment is to take into consideration cumulative impacts and the principles of sustainable development provided for by the Sustainable Development Act (chapter D-8.1.1) in the development of the Administration’s programs. A further objective of the assessment may be, if necessary, to determine any conditions of environmental and social acceptability for projects resulting from those programs.

For the purposes of this chapter, “Administration” means the Government, the Conseil exécutif, the Conseil du trésor, a government department, or a government agency within the meaning of the Auditor General Act (chapter V-5.01).

A person appointed or designated by the Government or a minister, together with the personnel directed by the person, is considered to be a government agency in the exercise of the functions assigned to the person by law or by the Government or the Minister.

*adote*  
*AC*



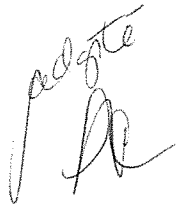
Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 116

**AMENDMENT:**

In the amendment to proposed section 95.5, replace “to take into consideration cumulative impacts and” in the third paragraph by “to take cumulative impacts into consideration and ensure respect for”.

A handwritten signature in black ink, appearing to be 'M. P. P.' or similar, with a stylized 'M' and a large 'P'.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

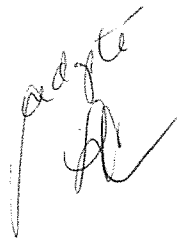
Section 116

**AMENDMENT:**

Insert the following paragraphs after the second paragraph of proposed section 95.6:

In addition, the Committee is composed of three members from civil society appointed by the Minister on the conditions the Minister determines.

The Minister may also appoint additional members for a special mandate, on the conditions the Minister determines.

A handwritten signature in black ink, appearing to be 'M. Gauthier', is located in the lower right quadrant of the page.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 116

**AMENDMENT:**

Replace “An administration that intends to” in proposed section 95.7 by “If the Administration must, under section 95.5,” and insert “, it” after “program”.

*adapte*  
*AL*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 116

**AMENDMENT:**

Insert after the second paragraph of proposed section 95.8:

The Minister may, at the Committee's request, require expert opinions from the Bureau d'audiences publiques sur l'environnement in order to assist the Committee in evaluating the focus report.

*adpte*  
*RA*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 116

**AMENDMENT:**

Replace “The Administration may also ask the Minister to” in the second paragraph of proposed section 95.10 by “The Minister may”.

*adote*  
*AC*

Bill 102


**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 116

**AMENDMENT:**

1. Insert “and justification for” after “summary of” in subparagraph 2 of the first paragraph;
2. Add “, as well as the monitoring reports required while the program is being implemented” at the end of subparagraph 3 of the first paragraph;
3. Replace the second paragraph by the following paragraph:

The Administration must submit its draft report to the Strategic Environmental Assessment Advisory Committee, which must send its comments to the Administration within the time prescribed by government regulation. The Administration must, if necessary, revise its report to reflect those comments.

A handwritten signature in dark ink, appearing to be 'Jed Ste' followed by a stylized monogram or initials.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

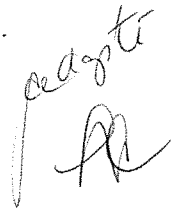
Section 116

**AMENDMENT:**

Replace proposed section 95.13 by:

**“95.13.** All reports and documents produced in connection with a strategic environmental assessment conducted under this chapter are made public by the Minister in a strategic environmental assessment register. This also applies to the monitoring reports required while the program concerned is being implemented.

The Minister shall publish such documents and information with dispatch on the Minister’s department’s website, except the final environmental report, which must be published within 15 days after being received by the Minister.

A handwritten signature in black ink, appearing to be 'peast' followed by a stylized monogram or flourish.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 118

**AMENDMENT:**

In proposed section 118.12:

1. Insert “, amends on his own initiative” after “suspends” in subparagraph 3 of the second paragraph.
2. Add “or accreditation” after “authorization” in subparagraph 4 of the second paragraph.
3. Replace “approves rates, with modifications, under section 32.9, the operator” in the third paragraph by “imposes a rate under section 39, the operator or person served”.

*adpte*  
*R*



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 130

**AMENDMENT:**

In proposed section 114:

1. Insert “or use” after “install” in subparagraph 2 of the first paragraph;
2. Add “, and require the owner, lessee or whoever is responsible for the site to send the data collected in the manner and form determined by the Minister” at the end of the third paragraph.

*Adopté*  
*RR*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 133

**AMENDMENT:**

Replace subparagraph *b* of paragraph 1 by:

(*b*) by replacing “the risk of damage to public or private property, human beings, wildlife, vegetation or the general environment” by “any adverse effects on the quality of the environment, on the life, health, safety, well-being or comfort of human beings or on ecosystems, other living species or property”;

*ad-Te*  
*Da*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 134

**AMENDMENT:**

Replace paragraph *b* of paragraph 1 by:

(*b*) by replacing “the risk of damage to public or private property, human beings, wildlife, vegetation or the general environment” by “any adverse effects on the quality of the environment, on the life, health, safety, well-being or comfort of human beings or on ecosystems, other living species or property”;

*adgti*  
*MP*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 137

**AMENDMENT:**

Insert “and restoration” after “reclamation” in proposed section 115.3.1.

*Adopte*  
*[Signature]*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 138

**AMENDMENT:**

Replace “irreparable harm or damage to human beings, other living species, the environment or property” in the first paragraph of proposed section 115.4.2 by “serious or irreparable harm or damage to human beings, ecosystems, other living species, the environment or property”.

*Adopté*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 144

**AMENDMENT:**

Replace “presents a serious risk for public health or the environment” in the first paragraph of proposed section 115.10.1 by “is likely to cause irreparable harm or damage to or have serious adverse effects on living species, human health or the environment”.

A handwritten signature in black ink, appearing to be 'adste' with a stylized flourish below it.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 153

**AMENDMENT:**

Strike out “special” in the subparagraph proposed by paragraph 1.

*peste*  
*A*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 154

**AMENDMENT:**

In section 154:

1. Insert “31.0.5.1,” after “22,” in proposed subparagraph 2.
2. Replace proposed subparagraph 9 by:

“(9) imposes a different rate than the one imposed by the Minister, or imposes a rate before the date prescribed by the Minister in accordance with section 39; or

*accepte*  
*R*




Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 158

**AMENDMENT:**

Strike out “special” in paragraph 2 proposed by paragraph 1.

*paste*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 159

**AMENDMENT:**

In section 159:

1. Insert “31.0.5.1,” before “31.1” in paragraph 1 proposed by paragraph 1.
2. Replace paragraph 6 proposed by paragraph 1 by:

“(6) files or signs an attestation required under this Act or the regulations that is false or misleading,

*adp*  
*PC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 160

**AMENDMENT:**

Add the following paragraph at the end:

(6) by adding the following paragraph at the end:

“(8) carries on an activity or does something that contravenes any other decision the Government or the Minister renders in his or its regard under this Act.”

*adpte*  
*M*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 161

**AMENDMENT:**

Replace “15.4.36” by “15.4.38”.

*adopté*  
*DR*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 166

**AMENDMENT:**

Add “and amended by replacing “Division XI” by “Chapter XII”” at the end.

*adapte*  
*R*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 177

**AMENDMENT:**

In proposed section 118.5:

1. Replace paragraph 1 by:
  - (1) applications submitted under this Act to have an authorization issued, amended, renewed, suspended or revoked;
2. Replace “V” in paragraph 14 by “XII”.

*adapte*  
*AB*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 177

**AMENDMENT:**

In proposed section 118.5.0.1:

1. Replace “section 31.3” in subparagraph 2 of the first paragraph by “sections 31.3 and 31.3.1”.
2. Insert the following subparagraph after subparagraph 3 of the first paragraph:

(3.1) the recommendations of the Bureau d’audiences publiques sur l’environnement required under section 31.3.5;
3. Add “and any other information, document or study forming an integral part of such authorizations” at the end of subparagraph 4 of the first paragraph.

*adopté*  
*JP*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Replace the first paragraph of proposed section 23 by the following paragraphs:

“23. A person or municipality that applies to the Minister for an authorization must provide the following information and documents:

- (1) a description of the activity and its location;
- (2) the nature, quantity, concentration and location of any and all contaminants likely to be released into the environment;
- (3) any other information or documents determined by regulation, which information or documents may vary according to the class of activities and the territory in which they will be carried on.

The information and documents referred to in subparagraphs 1 and 2 of the first paragraph are public, subject to the first paragraph of section 118.5.3. A regulation made under subparagraph 3 of the first paragraph may also determine which of the information and documents concerned are public.

*adapte*  
*R*



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Insert after proposed section 23:

“**23.1.** A person or municipality that applies to the Minister for an authorization must, in the application, identify the information and documents that are not public under section 23 and that the person or municipality considers to be a confidential industrial or trade secret, and justify that claim.

If the Minister does not agree with the applicant’s claim as to the confidentiality of the information and documents identified under the first paragraph and decides to make them public, the Minister must notify the applicant in writing of the decision. The Minister’s decision becomes enforceable on the expiry of 15 days after the notice is sent.

This section does not have the effect of restricting the scope of section 118.4.”

*Adopté*  
*AA*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 16

**AMENDMENT:**

Replace the second paragraph of proposed section 27 by the following paragraphs:

The information referred to in the first paragraph is public unless it constitutes a confidential industrial or trade secret under section 23.1 or is information referred to in the first paragraph of section 118.5.3. To the same extent, studies and other analyses submitted by the applicant and on which the authorization issued by the Minister is based are also public.

This section does not have the effect of restricting the scope of section 118.4.

*degrte*  
*PO*

Bill 102


**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 178

**AMENDMENT:**

Insert after the first paragraph of proposed section 118.5.3:

In addition, the restrictions provided for in section 23.1 of this Act apply to the information and documents contained in the register established under section 118.5.

*adapte*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 179

**AMENDMENT:**

Add “as well as the information and documents prescribed by government regulation” at the end of the third paragraph of proposed section 118.9.

A handwritten signature in black ink, appearing to be 'pelgite' followed by a stylized flourish.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 187

**AMENDMENT:**

Strike out “special” in the paragraph proposed by paragraph 1.

*accept*  
*AK*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 190.1

**AMENDMENT:**

Insert after section 190:

**190.1.** The Act is amended by inserting the following sections after section 124.5, renumbered by section 170 of this Act:

“**124.6.** The Minister shall notify the Minister of Health and Social Services of the presence of any contaminant in the environment that is likely to adversely affect the life, health, safety, welfare or comfort of human beings. The Minister may also, if of the opinion that it is advisable, notify the Minister of Public Security and the Minister of Agriculture, Fisheries and Food.

“**124.7.** The Minister shall, at least once every ten years, produce and table in the National Assembly a report on the implementation of this Act and recommendations on the advisability of amending it.

The first report must be tabled in the National Assembly not later than *(insert the date that is 10 years after the date of assent to this Act)*.

“**124.8.** The Minister shall, every five years, propose to the Government a revision of the regulatory provisions made under sections 31.0.6 and 31.0.12.”

*adopté*  
*Re*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 193.1

**AMENDMENT:**

Insert after section 193:

**193.1.** Section 213 of the Act is amended by replacing “Division IV.1 of Chapter I” by “subdivision 4 of Division II of Chapter IV of Title I”.

*recepte*  
*RR*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 199

**AMENDMENT:**

1. Insert the following paragraph after paragraph 2:

(3) by inserting “, the minister responsible for transport and the minister responsible for the administration of this Act” after “Finance” in the second paragraph;

2. Renumber paragraph 3 as paragraph 4.

A handwritten signature in black ink, appearing to be 'pedro' followed by a stylized flourish.



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 203

**AMENDMENT:**

Insert “, including in particular the transfers made under section 15.4.1,” after  
“measures financed by the Green Fund” in subparagraph 4 of the third paragraph  
of proposed section 15.4.7.

*pedote*  
*AO*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 203

**AMENDMENT:**

Insert “, including in particular the transfers made under section 15.4.1” after “dedicated” in subparagraph *a* of subparagraph 2 of the first paragraph of proposed section 15.4.34.

*adapte*  
*RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 203

**AMENDMENT:**

Insert the following subparagraph after subparagraph 9 of the first paragraph of proposed section 15.4.40:

(9.1) the revenue generated by the management, operation and use of public dams by third persons;

*adapte*  
*RA*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 203

**AMENDMENT:**

Replace “The sums referred to in paragraph 16 of section 15.4.40” in proposed section 15.4.41 by “The sums referred to in subparagraph 11 of the first paragraph of section 15.4.40 with regard to fees, duties or charges relating to the use, management or purification of water as well as the sums referred to in subparagraph 16 of the first paragraph of that section”.

*page  
10*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 214

**AMENDMENT:**

Replace “any work referred to in section 71” in the introductory clause proposed by paragraph 1 by “a dam, dike, causeway, sluice, embankment or any other work retaining the water of a lake, pond, river or stream that is not subject to a provision of this Act”.

*adapte*  
*PC*

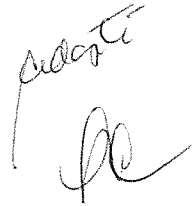
Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 225

**AMENDMENT:**

Replace “by the plan referred to in the second paragraph of section 33” in the proposed subparagraph by “by the plan referred to in section 33.1”.

A handwritten signature in black ink, appearing to be 'P. Gauthier', with a stylized flourish below it.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 237

**AMENDMENT:**

Insert “of Division II” after “subdivision 4”.

*readopted  
RA*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 240

**AMENDMENT:**

Insert “of Division II” after “subdivision 4”.

*agti*  
*DC*



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 242.1

**AMENDMENT:**

Insert after section 242:

ACT RESPECTING THE BOUNDARIES OF THE WATERS IN THE  
DOMAIN OF THE STATE AND THE PROTECTION OF WETLANDS  
ALONG PART OF THE RICHELIEU RIVER

**242.1.** Section 18 of the Act respecting the boundaries of the waters in the domain of the State and the protection of wetlands along part of the Richelieu River (2009, chapter 31) is amended by replacing the third paragraph by the following paragraph:


“The provisions of the Environment Quality Act (chapter Q-2) and its regulations with regard to authorization applications apply, with the necessary modifications, to authorization applications for the activities covered by this section. Without restricting the generality of the preceding sentence, the following, in particular, apply to such activities and authorization applications: all provisions of that Act relating to proceedings before the Administrative Tribunal of Québec, the penal provisions and other sanctions, as well as the general provisions, including those on powers to make orders and conduct inspections.”

ACT TO INCREASE THE NUMBER OF ZERO-EMISSION VEHICLES IN  
QUÉBEC IN ORDER TO REDUCE GREENHOUSE GAS AND OTHER  
POLLUTANT EMISSIONS

**242.2.** Section 47 of the Act to increase the number of zero-emission vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (2016, chapter 23) is amended by inserting the following paragraph after the third paragraph:

"If the notice concerns more than one person or municipality, the debtors are solidarily liable."

**242.3.** Section 59 of the Act is amended by replacing "in accordance with section 15.4 of" by "established under".

*edente*  


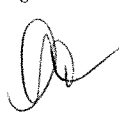
Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 246

**AMENDMENT:**

Withdraw section 246 and the heading above it.

*note*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 253

**AMENDMENT:**

1. Replace both occurrences of “may be” in subparagraph *c* of subparagraph 3 of the first paragraph by “will be”.
2. Strike out subparagraph 4 of the first paragraph.
3. Insert “and any groundwater recovered” after “soils” in subparagraph 5 of the second paragraph.
4. Add at the end of subparagraph 6 of the second paragraph: “, which work must be completed not later than one year after the declaration of compliance is sent to the Minister”.
5. Insert “, with the necessary modifications,” after “apply” in the fourth paragraph.

Handwritten signature and initials, possibly reading 'dedgite' and 'PA'.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 254

**AMENDMENT:**

1. Replace subparagraph *f* of subparagraph 1 of the first paragraph by the following subparagraphs:

(*f*) the runoff water drained by the system does not come from an industrial site, service station site, vehicle recycling or cleaning site, loading zone, marina, or storage or handling area for hazardous materials, salts, sands or aggregates;

(*f.1*) if storm water has infiltrated into the soil, the bottom of the works used for infiltration will be situated, as applicable,

i. at least one metre above bedrock level and above the seasonal peak groundwater level calculated on the basis of the average of the annual peaks recorded by piezometer over a minimum two-year period or established on the basis of the oxidation-reduction level observed; or

ii. at least two metres above a one-time reading of groundwater level;

2. In subparagraph 2 of the first paragraph:

(a) insert “or the installation of a storm sewer main in an existing drainage system that does not include the making of a new outfall” after “system” in the introductory clause;

(b) replace subparagraph *a* by the following subparagraphs:

(a) the boundaries of the watershed of the receiving watercourse, as determined at the site of the outfall prior to the work, are not modified by the work;

(a.1) the land area of the watershed of the receiving watercourse, as determined at the site of the outfall on the basis of the Base de données topographiques du Québec à l'échelle 1/20 000, is more than 65% forest cover as assessed on the basis of the most recent forest cover maps appearing in the information system called the "système d'information écoforestière", and less than 10% is included within urbanization perimeters as assessed on the basis of the land use planning and development plans of the regional county municipalities concerned;

(c) insert "of the sewer system or storm drainage system after "effluent" in subparagraph *b*;

(d) replace subparagraph *d* of the first paragraph by the following subparagraphs:

(d) the runoff water drained by the system does not come from an industrial site, service station site, vehicle recycling or cleaning site, loading zone, marina, or storage or handling area for hazardous materials, salts, sands or aggregates;

(d.1) if storm water has infiltrated into the soil, the bottom of the works used for infiltration will be situated, as applicable,

i. at least one metre above bedrock level and above the seasonal peak groundwater level calculated on the basis of the average of the annual peaks recorded by piezometer over a minimum two-year period or established on the basis of the oxidation-reduction level observed; or

ii. at least two metres above a one-time reading of groundwater level;

(e) add the following subparagraph at the end:

(f) the existing storm sewer is not hydraulically connected to a combined system or, if it is, all the criteria set out in subparagraph 3 of this paragraph are met;

3. In subparagraph 3 of the first paragraph:

(a) replace "or extension" in the introductory clause by "of a municipal sanitary sewer system or the extension, via a sanitary sewer,";

(b) replace subparagraph *d* by the following subparagraphs:

(d) no combined sewer overflow or diversion work is added to the system;

(e) the work carried out in connection with the project does not entail an increase in the frequency of overflows for any of the combined sewer overflows situated downstream from the connection point, or in the frequency of diversions at the water purification station, above the maximum number of overflows specified in the online SOMAEU system on the Portail gouvernemental des affaires municipales et régionales on (*insert the date of assent to this Act*) or, if the work does entail such an increase, it is carried out under a compensatory measures implementation plan filed with the Minister by the municipality, which plan must, once carried out, have the effect of not increasing the overflows or diversions, and must include

- i. the boundaries of the sectors concerned;
- ii. a list of the combined sewer overflows and diversion works concerned;
- iii. a work schedule covering a maximum period of five years after the date the plan is filed with the Minister;

4. Add the following subparagraph at the end of subparagraph 4 of the first paragraph:

(c) no untreated or partially treated waste water will be discharged into the environment while the work is being carried out;

5. In subparagraph 5 of the first paragraph:

(a) replace “*Guide de gestion des eaux pluviales*” in subparagraph *a* by “*Manuel de calcul et de conception des ouvrages municipaux de gestion des eaux pluviales*”;

(b) add the following subparagraphs at the end:

(c) the runoff water does not come from an industrial site, service station site, vehicle recycling or cleaning site, loading zone, marina, or storage or handling area for hazardous waste, salts, sands or aggregates;

(d) the existing storm sewer is not hydraulically connected to a combined system or, if it is, all the criteria set out in subparagraph 3 of this paragraph are met;

(e) the boundaries of the watershed of the receiving watercourse, as determined at the site of the outfall prior to the work, are not modified by the work;

6. In subparagraph 7 of the first paragraph:

(a) strike out “or modification” in the introductory clause;

(b) add the following subparagraph at the end:

(c) the reservoirs and basins are not reconstructed in the same locations as the old ones.

7. In the second paragraph:

(a) replace “carried out on the shore, banks, littoral zone or flood plain” in subparagraph 1 by “except in the case of a new outfall referred to in subparagraph 1 of the first paragraph, carried out on the shore, banks or littoral zone”;

(b) add “, or, if the work is so carried out, it has been authorized under the Environment Quality Act” at the end of subparagraph 1;

(c) insert “, or, if the work is so carried out, the total volume of the resulting excavated material is disposed of outside the flood plain and the premises are restored to their former state, to the extent that the work complies with paragraphs *c* and *d* of subsection 4.2.1 and subsection 4.3 of that Policy” at the end of subparagraph 4.

8. Replace the fourth paragraph by the following paragraph:

This section does not have the effect of restricting any power the Minister may exercise where an activity for which a declaration of compliance was filed under this section is carried on in contravention of the Environment Quality Act or the regulations. In addition, a person or municipality that fails to send the declaration referred to in the third paragraph or to comply with the conditions set out in this section is deemed to have carried on the activity without authorization and is liable to the remedies, penalties and fines applicable in such a case.

9. Replace the sixth paragraph by the following paragraph:

This section ceases to have effect, as applicable,

(1) as regards activities exempted under subparagraphs 1 and 2 of the first paragraph, on the date of coming into force of a regulation respecting activities exempted from section 22 of the Environment Quality Act under section 31.0.12 of the Environment Quality Act, enacted by section 16;

(2) as regards activities exempted under subparagraphs 3 to 7 of the first paragraph, on the date of coming into force of a regulation providing for



activities eligible for a declaration of compliance under section 31.0.6 of the Environment Quality Act, enacted by section 16.

*adapte*  
*Re*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Sections 254.1 to 254.4

**AMENDMENT:**

Insert the following sections after section 254:

**254.1.** An authorization under section 22 of the Environment Quality Act or section 4 of the Regulation respecting hot mix asphalt plants (chapter Q-2, r. 48) is not required to establish and subsequently operate a hot mix asphalt plant situated more than 800 m from a dwelling or from a place referred to in the second paragraph of section 9 of the Regulation, provided

- (1) the plant will use only liquid or gaseous fossil fuels other than used oil;
- (2) the plant, as well as any area used to load, unload or discharge aggregates and any settling pond used for the needs of such a plant, are not situated in a constant or intermittent watercourse, or a lake, pond, marsh, swamp or bog;
- (3) the plant will not use residual materials in its manufacturing process, except dust recovered from a dust collector; and
- (4) there is no other hot mix asphalt plant within a radius of 800 m.

In addition, an authorization under section 22 of the Environment Quality Act is not required to relocate a hot mix asphalt plant to a place situated 800 m or less but more than 300 m from a dwelling or from a place referred to in the second paragraph of section 9 of the Regulation, to the extent that

- (1) an authorization to establish and operate the plant was issued under section 22 of the Environment Quality Act within the past five years and its issue was based, among other things, on an air dispersion model of the plant carried out

by a qualified person in accordance with Schedule H to the Clean Air Regulation (chapter Q-2, r. 4.1) which showed that the concentrations of contaminants in the atmosphere, at a distance of 300 m or more from the plant, comply with the standards set out in Schedule K to that Regulation and, if applicable, with the air quality criteria prescribed by the Minister in the authorization, which standards and criteria remain applicable to the relocated plant; and

- (2) the conditions set out in the first paragraph are met.

A person or municipality that wishes to establish a hot mix asphalt plant in accordance with the conditions set out in the first or second paragraph, as applicable, must, at least 30 days before beginning the work, file a declaration of compliance with the Minister and attest that those conditions have been met. In addition, the declaration must attest compliance with the siting standards set out in sections 8, 13 and 14 of the Regulation respecting hot mix asphalt plants.

A hot mix asphalt plant whose establishment and subsequent operation are exempted under this section from requiring an authorization may not be established at the place concerned for a period of more than 12 months.

The Regulation respecting hot mix asphalt plants remains applicable to hot mix asphalt plants governed by this section, subject to sections 4 and 5 of the Regulation.

This section does not have the effect of restricting any power the Minister may exercise where an activity for which a declaration of compliance was filed under this section is carried on in contravention of the Environment Quality Act or the regulations. In addition, a person or municipality that fails to send the declaration referred to in the third paragraph or to comply with the conditions set out in this section is deemed to have carried on the activity without authorization and is liable to the remedies, penalties and fines applicable in such a case.

This section ceases to have effect on the date of coming into force of a regulation designating the activities eligible for a declaration of compliance under section 31.0.6 of the Environment Quality Act, enacted by section 16.

**254.2.** A fee of \$295.00 must be paid by anyone making a declaration of compliance under section 253 or 254.

A fee of \$222.00 must be paid by anyone making a declaration of compliance under section 254.1.

Payment of those fees must be enclosed with the declaration of compliance sent to the Minister.

The fees are payable in cash, by cheque, bank money order or postal money order made out to the Minister of Finance, or by a mode of e-payment.


**254.3.** Declarations of compliance made under this chapter are available on request from the Minister.

Section 118.5.3 of the Environment Quality Act, replaced by section 178, applies, with the necessary modifications, to such declarations of compliance.

**254.4.** Whoever files or signs an attestation required under this chapter that is false or misleading is guilty of 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, and, in all other cases, to a fine of \$15,000 to \$3,000,000.

If penal proceedings are brought against a professional within the meaning of the Professional Code (chapter C-26) for an offence under the first paragraph, the Minister must inform the syndic of the professional order concerned.

Sections 115.33 and 115.35 to 115.46 of the Environment Quality Act apply, with the necessary modifications, to an offence under the first paragraph.

*adote*  



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 255

**AMENDMENT:**

1. Insert “, or a reference to a permit issued under section 32.1 or 32.2 of that Act for the operation of a waterworks or sewer system,” after “devices” in paragraph 4.
2. Replace “70.9” in paragraph 5 by “Division VII.1 of Chapter I”.

*adopte*  


Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 260

**AMENDMENT:**

1. Replace “70.9” by “Division VII.1 of Chapter I”.

*adapte*  
*R*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 268

**AMENDMENT:**

1. Replace “until their accreditation expires” in the introductory clause by “until the coming into force of the first regulation made under section 118.6 of the Environment Quality Act, replaced by this Act, or not later than five years after *(insert the date that is 12 months after the date of assent to this Act)*”.

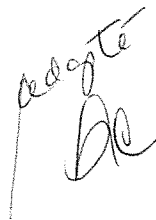
2. Insert after subparagraph 5 of the first paragraph:

(5.1) the “Lignes directrices concernant l’échantillonnage de l’eau potable”, document DR-12-SCA-07;

3. Add at the end of the first paragraph:

(7) the “Exigences relatives à la qualification du personnel”, document DR-12-PER.

4. Replace “suspend, amend or revoke an accreditation” in the second paragraph by “renew an accreditation. The Minister may also suspend, amend or revoke an accreditation”.

Handwritten signature and initials, possibly reading "Adopté" and "DA".

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 270

**AMENDMENT:**

1. Insert “or under section 32.1 or 32.2 of that Act” at the end of paragraph 4.
2. Replace “section 70.8 or 70.9” in paragraph 5 by “Division VII.1 of Chapter I”.

*adopté*  
*[Signature]*



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 273

**AMENDMENT:**

Withdraw.

*adote*  
*PP*

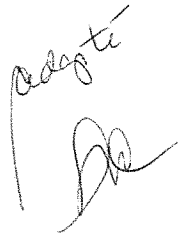
Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 274

**AMENDMENT:**

Withdraw.

A handwritten signature in black ink, appearing to be "P. P. P." or similar, with a stylized flourish.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 275

**AMENDMENT:**

Replace by:

**275.** Except with regard to cases pending before the courts on (*insert the date of introduction of this bill*), the Minister is exonerated from all liability for injury suffered by an authorization holder and resulting from an activity carried on in accordance with the information or documents provided by the holder and on which the authorization is based, unless the injury is due to an intentional or gross fault.

*Adopté*  
*[Signature]*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

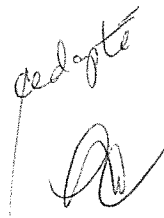
Section 276

**AMENDMENT:**

1. Replace “until the filing, before (*insert the date that is five years after the date of assent to this Act*), of a concession-of-right application with the minister or ministers exercising the rights and powers inherent in the right of ownership for the lands and rights concerned” in the first paragraph by “until a concession of right is obtained by the minister or ministers exercising the rights and powers inherent in the right of ownership for the lands and public rights concerned”;

2. Replace the second paragraph by the following paragraph:

To obtain a concession of right, the owner or operator of the works concerned must apply to the minister or ministers concerned within the time and according to the conditions prescribed for that purpose by a regulation made under section 88 of the Watercourses Act (chapter R-13).

Handwritten signature and initials in the bottom right corner of the page.

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 277.1

**AMENDMENT:**

Insert after section 277:

**277.1.** The coming into force process for any residual materials management plan adopted, in accordance with section 53.18 of the Environment Quality Act, by the council of a regional municipality before *(insert the date of assent to this Act)* continues in accordance with the provisions of that Act as they read on that date.

*Assent to*  
*RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Sections 279 to 279.3

**AMENDMENT:**

Replace section 279 by the following sections:

**279.** As of (*insert the date of assent to this Act*), the information and documents mentioned in section 118.5 of the Environment Quality Act, replaced by section 177, and received or produced by the Minister on or after that date, are available on request.

Subject to the right-of-access restrictions provided for in sections 28, 28.1 and 29 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), and in the first and second paragraphs of section 279.1 of this Act, the information and documents referred to in the first paragraph are public, except information concerning the location of vulnerable or threatened species.

This section ceases to have effect on the date of coming into force of section 118.5 of the Environment Quality Act, as amended by section 177.

**279.1.** If the Minister receives an application made under the first paragraph of section 279 requesting access to an application for the issue of an authorization, permit, certificate, attestation or permission, or requesting access to an authorization, permit, certificate, attestation or permission the Minister has already issued, the Minister must, before communicating the requested information or documents, give notice to the third person concerned in order to allow that person to identify any information or documents it considers to be a confidential industrial or trade secret and to justify that claim.

The third person concerned may submit observations within 15 days after the date the notice is sent. If the third person does not submit observations within

that time, it is deemed to have consented to access being given to the information and documents.

If the Minister does not agree as to the claimed confidentiality of information or documents identified by the third person and decides to give access to them, the Minister must notify the third person in writing of the decision. The Minister's decision becomes enforceable on the expiry of 15 days after the date the notice is sent.

Despite the first paragraph, the following information and documents are public:

- (1) the description of the activity concerned and its location; and
- (2) the nature, quantity, concentration and location of all contaminants likely to be released into the environment.

This section does not have the effect of restricting the scope of section 118.4 of the Environment Quality Act.

**279.2.** The register provided for in section 118.5 of the Environment Quality Act, as it read before the date of coming into force of that section 118.5, replaced by section 177, is maintained for the information and documents entered in it before that date.

The register provided for in that section 118.5, replaced by section 177, contains the information and documents received or produced, as applicable, by the Minister on or after the date of coming into force of that section.

**279.3.** The register provided for in section 118.5.0.1 of the Environment Quality Act, as introduced by section 177, contains the information and documents received or produced, as applicable, by the Minister on or after (*insert the date that is 12 months after the date of assent to this Act*).

*accepte*  
*PO*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 282.1

**AMENDMENT:**

Insert after section 282:

**282.1.** As of (*insert the date of assent to this Act*), whoever makes an authorization application to the Minister under the Environment Quality Act must also send a copy of it to the municipality in whose territory the project concerned will be carried out.

*assent*  
*AC*



Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 284

**AMENDMENT:**

Insert the following paragraph after the first paragraph:

In addition, not later than (*insert the date that is 12 months after the date of assent to this Act*), the Government must make the following regulations, which must come into force on that date:

(1) a regulation on activities that are eligible for a declaration of compliance, in accordance with subdivision 2 of Division II of Chapter IV of Title I of the Environment Quality Act, introduced by section 16; and

(2) a regulation on activities that are exempted from section 22 of the Environment Quality Act, in accordance with subdivision 3 of Division II of Chapter IV of Title I of that Act, introduced by section 16.

*adapte*  
*RC*

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 286

**AMENDMENT:**

Replace by:

**286.** The Minister must, not later than (*insert the date that is 12 months after the date of assent to this Act*), make a regulation on fees payable, in accordance with section 95.3 of the Environment Quality Act, replaced by this Act, which must come into force on that date.

adapte  
PC

Bill 102

**An Act to amend the Environment  
Quality Act to modernize the  
environmental authorization scheme  
and to amend other legislative  
provisions, in particular to reform the  
governance of the Green Fund**

Section 288

**AMENDMENT:**

Replace paragraph 1 by:

(1) sections 1, 5, 7, 8, 12, 13, 31 to 38, 70 to 76, 79.1 to 96, 116, 126, 132, paragraph 3 of section 133, sections 147, 148, 150, 151, 161, 162, 194 to 224, 227, 234, 238, 239, 241 to 254.4, 266, 267, 275 to 277.1 and 279 to 287, which come into force on *(insert the date of assent to this Act)*;

*Adopte*  
*PO*