Gouvernement du Québec

O.C. 188-2025, 26 February 2025

Fertilizing Residual Materials Management Code

WHEREAS, under subparagraphs 1, 1.1, 2, 4 and 5 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, regulate the recovery and reclamation of residual materials in all or part of the territory of Québec and the regulations may, in particular,

— classify recoverable and reclaimable residual materials;

— determine the operations involved in the processing of residual materials that constitute reclamation within the meaning of Division VII of Chapter IV of Title I of the Act;

— prescribe or prohibit, in respect of one or more classes of residual materials, any mode of recovery or reclamation;

— determine the conditions or prohibitions applicable to the establishment, operation and closure of any recovery or reclamation facility, in particular biological treatment and storage facilities, including facilities where sorting and transfer operations are carried out;

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

WHEREAS, under subparagraph 3 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prohibit, limit and control sources of contamination and the release into the environment of any class of contaminants for all or part of the territory of Québec;

WHEREAS, under subparagraph 4 of the first paragraph of section 95.1 of the Act, the Government may make regulations to determine, for any class of contaminants or of sources of contamination, a maximum quantity or concentration that may be released into the environment, for all or part of the territory of Québec;

WHEREAS, under subparagraph 5 of the first paragraph of section 95.1 of the Act, the Government may make regulations to establish standards for the installation and use of any type of apparatus, device, equipment or process designed to control the release of contaminants into the environment;

WHEREAS, under subparagraph 6 of the first paragraph of section 95.1 of the Act, the Government may make regulations to regulate or prohibit the use of any contaminant and the presence of any contaminant in products sold, distributed or utilized in Québec;

WHEREAS, under subparagraph 18 of the first paragraph of section 95.1 of the Act, the Government may make regulations to determine the persons authorized to sign any document required under the Act or the regulations;

WHEREAS, under subparagraph 20 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the records, reports, documents and information to be kept and preserved by any person carrying on an activity governed by the Act or the regulations, prescribe the conditions governing their keeping, and determine their form and content and the conditions governing their preservation, in particular the period;

WHEREAS, under subparagraph 21 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the reports, documents and information that must be provided to the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks by any person carrying on an activity governed by the Act or the regulations, determine the terms and conditions governing their sending;

WHEREAS, under subparagraph 24 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the methods for collecting, preserving and analyzing water, air, soil or residual material samples for the purposes of any regulation made under the Act;

WHEREAS, under subparagraph 25.1 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the terms according to which and the format in which the data, samples and analyses must be collected, compiled and sent to the Minister and the terms according to which and the format in which the calculations, verifications and any other monitoring measure must be done and sent to the Minister;

WHEREAS, under the second paragraph of section 95.1 of the Act, a regulation made under that section may also prescribe any transitional measure necessary for its implementation;

WHEREAS, under section 124.1 of the Act, no provision of a regulation, the coming into force of which is later than 9 November 1978, likely to affect the immovables comprised in a reserved area or in an agricultural zone established in accordance with the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) applies to that area or zone unless the regulation provides it expressly;

WHEREAS, under the first paragraph of section 30 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6), the Government may, in a regulation made in particular under the Environment Quality Act, specify that failure to comply with a provision of the regulation may give rise to a monetary administrative penalty, and the regulation may set out the conditions for applying the penalty and determine the amounts or the methods for calculating them; the amounts may vary in particular according to the extent to which the standards have been violated;

WHEREAS, under the first paragraph of section 45 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation, the Government may determine the provisions of a regulation the Government has made in particular under the Environment Quality Act whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government, and provide that, despite article 231 of the Code of Penal Procedure (chapter C-25.1), a contravention renders the offender liable to a term of imprisonment or to both the imprisonment and the fine;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Fertilizing Residual Materials Management Code was published in Part 2 of the *Gazette officielle du Québec* of 24 July 2024 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Code with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks:

THAT the Fertilizing Residual Materials Management Code, attached to this Order in Council, be made.

DAVID BAHAN
Clerk of the Conseil exécutif

Fertilizing Residual Materials Management Code

Environment Quality Act
(chapter Q-2, s. 53.30, 1st par., subpars. 1, 1.1, 2, 4 and 5, s. 95.1, 1st par., subpars. 3, 4, 5, 6, 18, 20, 21, 24 and 25.1 and 2nd par., and s. 124.1).

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, s. 30, 1st par., and s. 45, 1st par.).

CHAPTER I
SCOPE AND DEFINITIONS

1. This Code applies to fertilizing residual materials that are reclaimed by storage or spreading on a raising site, a spreading site, or a site where a forest development activity is carried out, and to certain materials intended for domestic use.

This Code provides for the classification of fertilizing residual materials or blends of fertilizing residual materials in accordance with certain parameters and, to that end, specifies the rules for sampling and analyses.

This Code also determines the standards governing the storage and spreading of fertilizing residual materials, in particular those that require a ministerial authorization, are eligible for a declaration of compliance or are exempted from authorization under Division I.1 of Chapter IV of Title III of Part II of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), made by section 17 of the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, made by Order in Council 189-2025 dated 26 February 2025.

This Code sets out certain quality standards and information requirements for fertilizing residual materials intended for domestic use.

This Code applies in a reserved area and in an agricultural zone established pursuant to the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

2. In this Code, unless the context indicates otherwise,

"Act" means the Environment Quality Act (chapter Q-2); (*Loi*)

"agri-food biosolid" means a biosolid resulting from the treatment of agri-food wastewater, other than slaughterhouse or rendering plant wastewater; (*biosolide agroalimentaire*)

"agri-food residue" means waste consisting exclusively of plant or mushrooms, except oils or grease, originating from the processing, conditioning, preparation or distribution of food and beverages sorted and collected in bulk on source site; (*résidu agroalimentaire végétal*)

"aquatic animal residue" means fish, crustacean, shellfish or echinoderm waste from fisheries, aquaculture sites or primary processing plants; (*résidu animal aquatique*)

"biochar" means the solid residue from the carbonization of biomass or the thermochemical conversion of biomass in an oxygen-limited environment; (*biocharbon*)

"biosolid" means a residue having a minimum dryness value of 0.5% that contains organic matter and nutritive elements and is the result of the treatment of wastewater; (*biosolide*)

"blend of fertilizing residual materials" or "blend of FRMs" means a homogeneous FRM resulting from a blend of FRMs that have been individually classified in accordance with this Code; (*mélange de matières résiduelles fertilisantes ou mélange de MRF*)

"certified as compliant with a BNQ standard" means that a material has been certified as compliant with CAN/BNQ 0413-200 "Organic Soil Conditioners – Composts", CAN/BNQ 0413-400 "Soil Amendments – Alkaline or Dried Municipal Biosolids" or BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" by the Bureau de normalisation du Québec; (*certifié conforme à une norme BNQ*)

"compost" means a solid mature product resulting from a managed process of bio-oxidation of a solid heterogeneous organic substrate including a complete thermophilic phase; (*compost*)

"de-inking sludge" means sludge resulting from a de-inking process; (*résidu de désencrage*)

"digestate" means a residue resulting from the biological treatment of putrescible organic materials by microorganisms in the absence of oxygen; (*digestat*)

"domestic wastewater treatment system" means a device for the treatment of non-industrial wastewater, in particular grey water, toilet effluents and process water from a drinking water production facility, other than a municipal wastewater treatment works referred to in the Regulation respecting municipal wastewater treatment works (chapter Q-2, r. 34.1); (*système de traitement des eaux usées d'origine domestique*)

"dried" means a biosolid or a digestate that is the result of a thermal treatment and having a dryness value greater than or equal to 92%; (*séché*)

"dwelling" means a construction intended for human habitation that is connected to individual or collective systems for the supply of drinking water and the treatment of wastewater; (*habitation*)

"efficiency" means the index, in percentage, showing the average reaction rate of liming material particles with the soil, based on the fineness of the particles and determined using one of the methods prescribed by BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" [BNQ (2015)]; (*efficacité*)

"fertilizing residual material" or "FRM" means residual materials used to separately or simultaneously maintain or improve plant nutrition as well as the physical and chemical properties and biological activity of the soil, excluding livestock waste when it is reclaimed on a raising site or a spreading site in accordance with the Agricultural Operations Regulation; (*matière résiduelle fertilisante ou MRF*)

"foreign matter" means matter greater than 2 mm in size, either organic or inorganic, such as metal, glass or synthetic polymers such as plastic and rubber, resulting from human intervention; (*corps étranger*)

"forest development activity" means a forest development activity within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1); (*activité d'aménagement forestier*)

"generator" means any person who generates or imports fertilizing residual materials in Québec for reclamation; (*générateur*)

"green waste" means bark, leaves, grass, trimmings, organic residues from the cultivation of plants or mushrooms, shavings, wood chips, sawdust and macrophytes; (*résidu vert*)

"growing season" means the period during which meteorological conditions are favourable to the growth of plants; (*saison de croissance des cultures*)

"invasive exotic species" means a plant, animal or microorganism (virus, bacteria or fungus) introduced outside its natural range that rapidly colonizes new sites or regions and can form dominant populations, the establishment and spread may pose a threat to the environment, biodiversity, human health or society; (*espèce exotique envahissante*)

"liming material" or "LM" means a material referred to in the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" published on 25 February 2021, that is a liming product of industrial or municipal sources composed primarily of calcium or magnesium, generally in the form of oxides, hydroxides, carbonates or silicates, used primarily to improve or maintain the quality of soil as a plant growing medium by raising its pH; (*amendement calcique ou magnésien ou ACM*)

"livestock waste" means animal urine and fecal matter, including bedding used as absorbents, contaminated water and precipitation water that came into contact with animal urine and fecal matter, from activities to which the Agricultural Operations Regulation (chapter Q-2, r. 26) applies; (*déjections animales*)

"Minister" means the Minister responsible for the administration of the Environment Quality Act; (*ministre*)

"municipal biosolid" means a biosolid resulting from the treatment of wastewater from a municipal wastewater treatment works within the meaning of the second paragraph of section of the Regulation respecting municipal wastewater treatment works (chapter Q-2, r. 34.1) or from a domestic waste water disposal system covered by the Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22), including filter media consisting of plant matter; (*biosolide municipal*)

"neutralizing value" or "NV" means a product's capacity to neutralize soil acidity, expressed as a calcium carbonate equivalent percentage ($CaCO_3$) or %CCE; (*pouvoir neutralisant ou PN*)

"non-agricultural animal waste" means animal urine and fecal matter, including bedding used as absorbents, contaminated water and precipitation water that came into contact with animal urine and fecal matter, from activities to which the Agricultural Operations Regulation (chapter Q-2, r. 26) does not apply; (*déjections non agricoles*)

"paper mill biosolid" means a biosolid resulting from the treatment of pulp and paper mill process wastewater; (*biosolide papetier*)

"paper mill biosolid having undergone acid treatment" means a biosolid resulting from acid treatment if the pH of the biosolid has been reduced to a value less than or equal to 3; (*biosolide papetier ayant reçu un traitement acide*)

"parcel" means a parcel within the meaning of section 3 of the Agricultural Operations Regulation; (*parcelle*)

"PFAS" means perfluoroalkylated and polyfluoroalkylated substances referred to in Table 7 of Schedule I; (*SPFA*)

"pre-compost" means a solid product resulting from a managed process of bio-oxidation of a solid heterogeneous organic substrate including a complete thermophilic phase; (*précompost*)

"promoter of the reclamation project" means a person who plans or organizes the reclamation of a FRM, in particular the delivery, storage or spreading of that fertilizing residual material on a raising site, a spreading site, or a site where a forest development activity is carried out, whether or not that person is the operator of the site; (*promoteur du projet de valorisation*)

"public place" means any of the following places:

(1) "educational institution": any institution providing preschool, elementary or secondary education and governed by the Education Act (chapter I-13.3) or by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14), a private educational institution governed by the Act respecting private education (chapter E-9.1), an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1), a general and vocational college, a university, a research institute, a superior school or an educational institution of which more than one-half of the operating expenditures are paid out of the appropriations voted by the National Assembly, and for the purposes of this Code, childcare centres and day care centres governed by the Educational Childcare Act (chapter S-4.1.1) are considered to be educational institutions; (*établissement d'enseignement*)

(2) "correctional facility": any facility used for the detention of persons and governed by the Act respecting the Québec correctional system (chapter S-40.1); (*établissement de détention*)

(3) "health and social services institution": a facility maintained by Santé Québec or by any institution governed by the Act respecting the governance of the health and social services system (chapter G-1.021), the

Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5) and, for the purposes of this Code, any other place where lodging services are provided for senior citizens or for any users entrusted by a public institution governed by any of the Acts; (*établissement de santé et de services sociaux*)

(4) "tourist establishment": an establishment which offers to the public restaurant services or sleeping accommodations, including the rental of camping spaces. Tourist information offices, museums, ski stations, holiday camps, outdoor recreation areas, public beaches, rest areas, golf courses, marinas and sites with guided tourist visits are considered to be tourist establishments; (*établissement touristique*)

(5) businesses;

(6) parks and public gardens;

(7) places of worship;

(8) places of leisure, sport and culture; (*lieu public*)

"raising site" means a raising site within the meaning of section 3 of the Agricultural Operations Regulation; (*lieu d'élevage*)

"rendering plant biosolid" means a biosolid resulting from the treatment of dismembering plant wastewater within the meaning of section 1.1.1 of the Regulation respecting food (chapter P-29, r. 1); (*biosolide d'équarrissage*)

"sharp foreign matter" means foreign matter greater than 5 mm in size having a shard, blade or point capable of cutting or puncturing skin; (*corps étranger tranchant*)

"slaughterhouse biosolid" means a biosolid resulting from the treatment of slaughterhouse wastewater; (*biosolide d'abattoir*)

"spreading site" means a spreading site within the meaning of section 3 of the Agricultural Operations Regulation; (*lieu d'épandage*)

"TEQ" means a 2,3,7,8-tetrachlorodibenzodioxin toxic equivalent, according to the toxic equivalency factors for polychlorinated dibenzodioxins and polychlorinated dibenzofurans congeners and isomers set out in Schedule II to the Regulation respecting pulp and paper mills (chapter Q-2, r. 27); (*EQT*)

"type of fertilizing residual material" or "type of FRM" means a group of FRMs referred to in Table 8 of Schedule I. (*type de matière résiduelle fertilisante ou type de MRF*)

3. For the purposes of this Code,

(1) the terms relating to wetlands and bodies of waters have the meaning assigned by section 4 of the Regulation respecting activities in wetlands, bodies of water and sensitive areas (chapter Q-2, r. 01); and

(2) a distance is calculated horizontally

(*a*) from the boundary of the littoral zone, for a watercourse or lake;

(*b*) from the boundary, for a wetland; and

(*c*) from the top of the bank, for a ditch.

4. This Code applies to the following FRMs:

(1) a municipal biosolid containing, as calculated using the equation (Al + 0.5 Fe), as applicable,

(*a*) less than 125,000 mg of aluminum (Al) and iron (Fe) per kilogram on a dry basis;

(*b*) more than 25% organic matter on a dry basis and less than 150,000 mg of aluminum (Al) and iron (Fe) per kilogram on a dry basis;

(2) green waste;

(3) a paper mill biosolid;

(4) de-inking sludge;

(5) a LM referred to in item *e* of the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" (2021) and having a neutralizing value equal to or greater than 25%;

(6) ash referred to in items *f* and *g* of the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" (2021);

(7) an agri-food biosolid;

(8) a slaughterhouse biosolid;

(9) a rendering plant biosolid;

(10) agri-food residue;

(11) aquatic animal residue;

(12) milk, whey, permeate or filtrate from the dairy industry, a whey by-product or white water from cheese making;

(13) compost;

(14) pre-compost;

(15) digestate;

(16) leachate from a composting facility;

(17) a LM referred to in the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" (2021), other than a residue referred to in items *e*, *f*, *g* and *r*, and having a neutralizing value equal to or greater than 25%;

(18) a residue, other than wood ash, whose minimum guaranteed total content, calculated as a percentage, of nitrogen (N), phosphorus (as P_2O_5) and potassium (as K_2O) is 5% on a wet basis, and having an organic matter content less than or equal to 15% on a wet basis;

(19) gypsum ($CaSO_4$) from the recycling of drywall or anhydrite from aluminium smelters;

(20) ammonium sulfate $(NH_4)_2SO_4$ from the biomethanation or composting process of organic residues;

(21) biochar;

(22) a residue studied in an agronomic study carried out by an educational institution or by a public research centre or a research consortium referred to in section 1029.8.1 of the Taxation Act (chapter I-3) showing, as the case may be,

(*a*) that use of the residue improves the productivity or quality of plants or soil in the agro-environmental conditions of Québec or in comparable conditions; or

(*b*) that the residue is not toxic and increases biomass production growth on a dry basis when compared to non-amended soil;

(23) a residue having a neutralizing value equal to or greater than a calcium carbonate equivalent of 25% on a dry basis;

(24) a residue having a multiple valorization index (MVI) equal to or greater than 1, calculated using the following equation:

MVI = Dryness/100 x [TOM/15 + NP/25 + (N total + Total phosphorus + Extractable potassium)/2]

where

Dryness = total solid content, expressed as a percentage;

TOM = total organic matter content (total volatile solids at 550 °C), expressed as a percentage, on a dry basis; or, for vegetable or animal oils or fats and other concentrated fatty substances, the organic matter content is set at 0%;

NV = neutralizing value, expressed as a calcium carbonate equivalent percentage on a dry basis;

N total = total Kjeldahl nitrogen (TKN) content, expressed as a percentage, on a dry basis;

Total phosphorus = total phosphorus content, expressed as a P_2O_5 percentage on a dry basis;

Extractable potassium = total extractable potassium content, expressed as a K_2O percentage on a dry basis.

Research work for the agronomic study referred to in subparagraph 22 of the first paragraph must have been carried out in accordance with an experimental protocol that specifies

(1) the objectives of the research work;

(2) the experimental equipment;

(3) the sampling plan and, if applicable, the experimental device to support research findings by way of statistical analyses conducted in accordance with best practices;

(4) the variables measured; and

(5) the implementation schedule.

CHAPTER II
CLASSIFICATION OF FRMS

DIVISION I
CLASSIFICATION CRITERIA

5. In order to determine their environmental risk and then regulate their use, FRMs are classified in accordance with this Chapter, for each of the following elements:

(1) their chemical parameters (C), as Classes C1 and C2;

(2) their microbiological parameters (P), as Classes P1 and P2;

(3) their olfactory characteristics (O), as Classes O1, O2 and O3;

(4) their foreign matter content (E), as Classes E1 and E2;

(5) in the case of FRMs identified in list 2 of Schedule II, their preventive investigative parameters (I), as Classes I1 and I2.

A FRM is designated as "out of class" (OC) in the following cases:

(1) it is in none of the classes referred to in subparagraphs 1 to 5 of the first paragraph;

(2) the content of one of the chemical parameters is greater than that set out in Table 11 of Schedule I.

The level of supervision associated with the use of FRMs is determined, from the most restrictive to the least restrictive class, in the following order:

(1) the OC designation;

(2) classes having the figure "3";

(3) classes having the figure "2"; and

(4) classes having the figure "1".

6. The classification of a FRM according to its chemical parameters is determined in accordance with Table 1 or 2 of Schedule I.

A FRM is classed C1 when the arithmetic mean of the content analysis results, for each chemical parameter, is less than or equal to the maximum content for Class C1 set out in Table 1 of Schedule I.

A FRM is classed C2 when

(1) the arithmetic mean of the content analysis results, for each chemical parameter, is less than or equal to the maximum content for Class C2 set out in Table 1 of Schedule I; and

(2) the arithmetic mean of the content analysis results, for at least one of the chemical parameters, is greater than the maximum content of Class C1 set out in Table 1 of Schedule I.

7. A FRM designated as C-OC according to the criteria set out in Table 1 of Schedule I may be classed C2 if, for each chemical parameter, the ratio of the arithmetic mean of the neutralizing value or P_2O_5 content analysis results, as applicable, to the arithmetic mean of the content analysis results for the chemical parameter, is greater than the corresponding ratio set out in Table 2 of Schedule I.

8. The classification of a FRM according to its microbiological parameters is determined on the basis of the criteria set out in Table 3 of Schedule I.

9. The classification of a FRM according to its olfactory characteristics is determined in accordance with Table 4 of Schedule I or using the sniffing method set out in Schedule III.

Despite the first paragraph, FRMs may be classified by olfactometry in accordance with NF EN 13725, Stationary source emissions - Determination of odour concentration by dynamic olfactometry and odour emission rate, published by the Association française de normalisation (AFNOR), by comparing with 1 pig slurry sample taken in accordance with Schedule III for FRMs that are classed O3 and those designated as O-OC.

10. The classification of a FRM according to its foreign matter content is determined in accordance with Table 5 of Schedule I or on the basis of the criteria in Table 6 of Schedule I.

Despite the first paragraph, the classification of leaves according to their foreign matter content may be determined on the basis of the criteria in Table 6 of Schedule I only if the leaves have first been sorted by a treatment station for dead leaves.

11. The classification of a FRM according to its preventive investigative parameters is determined in accordance with Table 7 of Schedule I.

A FRM is classed I1 when the content analysis results, for each preventive investigative parameter, is less than or equal to the maximum content for Class I1 set out in Table 7 of Schedule I.

A FRM is classed I2 when

(1) the content analysis results, for each preventive investigative parameter, is less than or equal to the maximum content for Class I2 set out in Table 7 of Schedule I; and

(2) the content analysis results, for at least one of the preventive investigative parameters, is greater than the maximum content of Class I1 set out in Table 7 of Schedule I.

Municipal biosolids from outside Québec are presumed to be Class I-OC, unless another classification is determined based on the results of the analyses of the preventive investigative parameters conducted in accordance with this Regulation.

12. A blend of FRMs is classified by assigning, for each element referred to in the first paragraph of section 5, the most restrictive C, P, O, E or I Class from among the classes determined for each FRM making up the blend.

In the case of chemical parameters and preventive investigative parameters, classification may also be made on the basis of the chemical parameter content of each FRM making up the blend and the proportion of each FRM in the blend.

If one or more FRMs is mixed with livestock waste or non-agricultural animal waste on a raising site or a spreading site, the blend is classified by assigning it, for the chemical parameters, the olfactory characteristics and the foreign matter content, the most restrictive C, O, E or I Class, as applicable, from among the classes determined for each FRM making up the blend and by assigning it Class P2 for the microbiological parameters.

13. Any screening required under Table 5 of Schedule I for the classification on the basis of the foreign matter content must be performed by having the liquid matter flow under low pressure or by gravity through a rigid screen with maximum 1.27 cm parallel bar spacing and frequent rejection of the retained foreign matter, or be performed using equipment or technology capable of achieving equivalent results.

14. No person may apply a process for reducing the size of foreign matter in a FRM for the purpose of obtaining Class E1 or E2 classification according to Table 5 or 6 of Schedule I.

15. To be reclaimed by spreading exclusively on a raising site or a spreading site, compost or pre-compost may be classed C2-P2-O2-E2 when

(1) the compost or pre-compost results from a composting activity authorized under section 22 of the Act or exempted from authorization under section 31.0.12 of the Act that is carried out on a raising site or a spreading site;

(2) the compost or pre-compost has reached a temperature of 40 °C for 5 consecutive days during composting, as certified by a register of temperature readings of the pile;

(3) the maximum volume of residual materials present on the composting site is less than or equal to 1,000 m^3 at all times; and

(4) the compost or pre-compost is generated exclusively from the FRMs referred to in the first paragraph of section 291.20 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), made by section 17 of the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, made by Order in Council 189-2025 dated 26 February 2025, to which at least one of the following types of waste is added:

(*a*) carcasses or parts of animals (goats, sheep, pigs or poultry) that died at the farm;

(*b*) eggs or egg waste;

(*c*) FRMs classed E1 or E2 and C1 or C2 by their generator in accordance with this Code.

Compost or pre-compost referred to in list 2 of Schedule II may be classed I2 if the FRMs referred to in the list that make up the compost or pre-compost were classed I1 by the generator in accordance with this Code and the conditions set out in subparagraphs 1 to 4 of the first paragraph are complied with.

DIVISION II
SAMPLING AND ANALYSES

§1. Rules applicable to sampling and the interpretation of results

16. The analyses based on a sampling of a FRM performed in compliance with this Code must deal with the following parameters:

(1) for all FRMs,

(*a*) the parameters referred to in Table 8 of Schedule I;

(*b*) when required under Table 3 of Schedule 1 for the purpose of assigning Class P,

i. salmonella;

ii. *E. coli* bacteria;

iii. the oxygen uptake rate or any other measure of stability or maturity;

(*c*) the foreign matter parameters in Table 6 of Schedule I.

(2) for the LMs and FRMs that contain such LMs, the parameters referred to in Table 10 of Schedule I;

(3) for the FRMs referred to in list 2 of Schedule II, the preventive investigative parameters in Table 7 of Schedule I.

Despite the first paragraph,

(1) a FRM may be classed C1 or E1 if, due to its generation process or the nature of the inputs of that process, the FRM is exempt from a chemical contaminant referred to in Table 1 and Table 10 of Schedule I or from foreign matter referred to in Table 6 of Schedule I; and

(2) a salmonella analysis is not required for the materials referred to in subparagraph 12 of the first paragraph of section 4 when the FRMs are used in a Class P2 blend.

17. When more than 2 samples are analyzed for a chemical parameter or an Escherichia coli bacteria count parameter for a same FRM pursuant to section 16, the limit value prescribed for the parameter must be met in a proportion of at least 2 out of 3 samples to determine the class applicable.

18. When a chemical parameter of a type of FRM must be analyzed under Table 8 and Table 10 of Schedule I and the content of that parameter is not detected, the value of the content of that chemical parameter is 50% of the detection threshold of the analysis method used.

When a chemical parameter of a type of FRM need not be analyzed under Table 8 of Schedule I, the content of that chemical parameter is considered to be negligible, unless an analysis of the chemical parameter has been conducted.

19. When a preventive investigative parameter of a type of FRM must be analyzed under list 2 of Schedule II and Table 7 of Schedule I and the content of that parameter is not detected, the value of the content of that preventive investigative parameter is 0.

20. The minimum number of samples from a FRM, other than municipal pond biosolids, generated or stored on a generation site to be taken and analyzed for the parameters prescribed by section 16 per 12-month period is determined in Table 9 of Schedule I, except in the following cases:

(1) for analysis of dioxin and furan content, a single sample may be taken per 24-month period if, during the 36 consecutive months immediately preceding the sampling, the following conditions are met:

(*a*) the analysis results obtained from the samples taken during that period in accordance with Table 9 of Schedule I remain below the maximum dioxin and furan content indicated in Table 1 of Schedule I for the class of the FRM;

(*b*) the generation process of the FRM remains unchanged;

(2) for analysis of dioxin and furan content, or analysis of the content of one of the chemical parameters referred to in Table 10 of Schedule I, sampling may be conducted on the basis of the frequency set out in the certification protocol under BNQ 0419-910 "Liming Materials from Industrial Processes – Certification Protocol" in the case of a LM or a FRM that contains such a LM;

(3) for analysis of the content of the chemical parameters for the purpose of assigning Class C, the number of samples may be reduced to 50% of the requirements of Table 9 of Schedule I, rounding up to the superior unit, if the following conditions are met:

(*a*) the FRM results from a continuous generation process;

(*b*) for 24 consecutive months immediately preceding the sampling, the analysis results obtained using the samples taken in accordance with Table 9 of Schedule I during that period remain below the maximum content for the class of the FRM indicated in Table 1 of Schedule I;

(*c*) the process remains unchanged since the sampling referred to in subparagraph *b* was done.

The number of samples taken in accordance with section 23 may be taken into account in the minimum number of samples required under the first paragraph.

21. The samples for analysis must be composite and representative of the overall normal operating conditions for the generation of the FRM.

Despite the first paragraph, in the case of continuous FRM production, the samples used for analyses of the microbiological parameters must be instantaneous.

22. Regarding the FRM samples taken, the generator of the FRM must, for each sample and each parameter to be analyzed, enter the following information and documents in a register:

(1) the quantity of FRMs used to determine the number of samples to be analyzed in accordance with section 20, expressed in tonnes on a dry basis;

(2) the number of samples analyzed in accordance with section 20;

(3) the type of FRM production (continuous or discontinuous);

(4) the sampling method, including the type of sample (composite or instantaneous), the number of samples taken per sampling and date of sampling;

(5) the analysis certificates for any result justifying a lower sampling rate provided for in any of subparagraphs 1 to 3 of the first paragraph of section 20;

(6) for each chemical, microbiological, foreign matter or preventive investigative parameter analyzed, the values of the sample with the highest value and the sample with the lowest value;

(7) the arithmetic mean of values for chemical parameters and preventive investigative parameters, as well as the resulting Class C and Class I referred to in section 5;

(8) the geometric mean of analysis results for the *Escherichia coli* bacteria parameter, as well as the resulting P Class referred to in section 5;

(9) the proportion of samples for which analysis results show an absence of salmonella, as applicable, and the resulting Class P referred to in section 5;

(10) the foreign matter content analysis results and the resulting Class E referred to in section 5 as well as the proportion of samples for which the foreign matter analysis result is less than or equal to one piece of sharp foreign matter per 500 ml of FRM.

The generator of the FRM must keep the information and documents referred to in the first paragraph for a minimum period of 5 years following the date of their registration. The information and documents must also be furnished to the Minister on request, within the time specified by the Minister.

23. The generator of a FRM must assign a person referred to in section 24 to take at least one FRM sample and verify, through analyses prescribed by section 16, the compliance with the criteria set out in Tables 1, 2, 6, 7, 10 and 13 of Schedule I for all the chemical, microbiological, foreign matter and preventive investigative parameters necessary for the classification of FRMs, with an explanation of the various options, depending on the activity concerned, within the time and in the cases indicated below:

(1) in the 12 months preceding an application for authorization for an activity referred to in the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), amended by the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, made by Order in Council 189-2025 dated 26 February 2025, for the following FRMs:

(*a*) a FRM from a pulp and paper mill whose quantity generated in a calendar year is greater than 500 tonnes on a wet basis;

(*b*) a municipal biosolid from a mechanized station whose quantity generated in a calendar year is greater than 500 tonnes on a wet basis;

(*c*) a FRM whose quantity generated in a calendar year is greater than 5,000 tonnes on a wet basis;

(*d*) a FRM whose quantity stored by the generator of the FRM, including the quantity generated in the calendar year, is greater than 5,000 tonnes on a wet basis;

(2) in the 12 months preceding the filing of a declaration of compliance for an activity referred to in the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, for the following FRMs:

(*a*) a FRM whose quantity generated in a calendar year is equal to or greater than 500 tonnes but less than 5,000 tonnes on a wet basis;

(*b*) a FRM whose quantity stored by the generator of the FRM, including the quantity generated in a calendar year, is equal to or greater than 500 tonnes but less than 5,000 tonnes on a wet basis;

(3) in the 6 months preceding the filing of a declaration of compliance for an activity referred to in the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, for the following FRMs:

(*a*) a FRM whose quantity generated in the calendar year is equal to or greater than 5,000 tonnes on a wet basis;

(*b*) a FRM whose quantity stored by the generator of the FRM, including the quantity generated in a calendar year, is equal to or greater than 5,000 tonnes on a wet basis.

The sampling provided for in the first paragraph does not apply to municipal pond biosolids and to municipal biosolids from a domestic wastewater treatment system.

24. The sampling used for the analyses referred to in section 23 must be done by one of the following persons, in the order indicated, whether or not they are present in Québec:

(1) a person accredited or certified by the Minister under section 118.6 of the Act for the sector, the type of production and the type of FRM to be sampled;

(2) a person accredited by the Minister under section 118.6 of the Act, even if the sector, the type of production and the type of FRM for which the person is accredited differ from those of the FRM sampled.

25. Further to the sampling and analyses conducted in accordance with section 23, the science officer of the person referred to in section 24 must file a dated and signed verification report that contains the following information and send it to the generator of the FRM:

(1) the name and contact information of the generator of the FRM;

(2) a description and location of the sampling site;

(3) the date and time of sampling;

(4) the type of FRM production (continuous or discontinuous);

(5) the type of FRM generated;

(6) the quantity of FRMs generated or stored on the generation site in a calendar year, expressed in tonnes on a dry basis;

(7) the sampling method, including the type of sampling and the number of samples taken per sampling;

(8) the unique user identification number of each sample;

(9) the interpretation of the results of each sample for the chemical, microbiological and foreign matter parameters required under section 23 or the applicable BNQ standard;

(10) in the case of the FRMs referred to in list 2 of Schedule II, the interpretation of the results of each sample for the preventive investigative parameters required under section 23;

(11) if a calculation is necessary to determine the value of a parameter, the data used for the calculation, with the units of measurement;

(12) a description of the generation process of the FRM and a description of its conditioning, if applicable;

(13) the name and contact information of the person accredited or certified under section 118.6 of the Act who is the signatory to the verification report;

(14) when it results from an analysis, the class applicable to the FRM and an explanation of the various options retained, if applicable, in accordance with Tables 1 to 6, 7 and 11 of Schedule I, to obtain the class, the class applicable to the samples required under section 23;

(15) the classification of the FRM pursuant to section 28.

The generator of the FRM must keep the verification report for a minimum period of 5 years following the date of signing and furnish it to the Minister on request, within the time specified by the Minister.

§2. Rules applicable to sample analyses

26. Analysis of the samples taken pursuant to this Code must be conducted by one of the following laboratories, in the order indicated, depending on whether or not they are present in Québec:

(1) a laboratory accredited by the Minister under section 118.6 of the Act;

(2) a laboratory accredited under ISO/IEC 17025 - General requirements for the competence of testing and calibration laboratories, published jointly by the International Organization for Standardization and the International Electrotechnical Commission;

(3) a laboratory accredited by the Minister under section 118.6 of the Act to analyze similar parameters to those of the FRM sampled.

27. Every analysis conducted for the purposes of this Code must be attested by an analysis certificate dated and signed by a person authorized for that purpose.

The generator of the FRM must keep the analysis certificate for a minimum period of 5 years following the date of signing.

The analysis certificate must be furnished to the Minister on request, within the time specified by the Minister.

28. When sampling is required under section 23, the person referred to in section 24 must classify a FRM as Class C, P and E in accordance with Tables 12, 13 and 14 of Schedule I by interpreting the analysis results obtained from the samples taken in accordance with subdivision 1.

For the parameters in Table 10 of Schedule I, the FRM is designated as OC if the result for the sample taken under section 23 is greater than the threshold provided for in Table 11 of the Schedule.

29. For the purpose of classifying a FRM pursuant to section 28, the generator of the FRM may perform a resampling by assigning a person referred to in section 24 to do so by taking 2 separate samples in accordance with section 23.

All analysis results are taken into account, and the class assigned to the FRM is that corresponding to a proportion of at least 2 out of 3 results.

CHAPTER III
FRM STORAGE AND SPREADING

DIVISION I
GENERAL

30. Except in the case of activities exempted from an authorization referred to in subdivision 5 of Division I.1 of Chapter IV of Title III of Part II of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), made by section 17 of the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, made by Order in Council 189-2025 dated 26 February 2025, the reclamation of FRMs on a raising site, a spreading site or a site where a forest development activity is carried out must be done in compliance with an agro-environmental reclamation plan prepared in accordance with Chapter IV of this Code.

If a reclamation activity is not covered by an agro-environmental reclamation plan prepared in accordance with Chapter IV, the recommendations referred to in sections 34, 61 to 63, 78, 79 and 83 must be kept by the operator for a minimum period of 5 years and furnished to the Minister on request, within the time specified by the Minister.

31. The operator of a site where a forest development activity is carried out in a private forest who reclaims FRMs must be the owner or lessee of the site. If the operator is a lessee, the lease must confirm that the owner of the site authorizes the reclamation of FRMs on the site.

The promoter of a project for the reclamation of FRMs on a raising site, a spreading site, or a site where a forest development activity is carried out in a private forest must have a written agreement with the operator of the site where the FRMs are stored or spread.

Each party to a lease referred to in the first paragraph or to an agreement referred to in the second paragraph must have in their possession a copy of the lease or agreement and keep it for a minimum period of 5 years following the date of expiry of the lease or agreement.

A copy of the title of ownership, lease or agreement, as applicable, must be furnished to the Minister on request by the party to whom the request is made, within the time specified by the Minister.

32. The generator of a FRM must produce a description sheet of the FRM that contains the following information:

(1) the type of FRM;

(2) the contact information of the site where the FRM is generated;

(3) a description of the generation process of the FRM;

(4) the classification of the FRM determined in accordance with Chapter II;

(5) a confirmation that the waste has been screened in accordance with section 13 or Table 5 of Schedule I, if applicable;

(6) the presence of any of the following types of wastes:

(*a*) animal carcasses, specifying whether they are mammal or poultry carcasses not originating from domestic food waste or from the preparation, consumption or

distribution of food and beverages, and specifying the presence of any slaughterhouse waste, rendering plant waste, various livestock waste or egg waste;

(*b*) human feces, municipal biosolids or domestic wastewater;

(*c*) livestock waste;

(*d*) waste from a type of waste referred to in subparagraph *a*, *b* or *c* or for which there is a possibility of contamination by such waste;

(7) in the case of biosolids from an industrial wastewater treatment system that collects domestic wastewater, an indication whether the domestic wastewater represents more than 0.1% of the total matter, evaluated on a dry basis;

(8) the average values of the analysis results entered in the register in accordance with section 22, on a dry basis and on a wet basis, with regard to the following parameters when an analysis of those parameters is required under Table 8 of Schedule I or the applicable BNQ standard:

(*a*) the dryness value;

(*b*) the total Kjeldahl nitrogen (TKN) content;

(*c*) the ammoniacal nitrogen ($N\text{-}NH_4$) content;

(*d*) the total phosphorus content, expressed as P_2O_5;

(*e*) the total potassium content, expressed as K_2O;

(*f*) the organic matter content;

(*g*) the neutralizing value;

(*h*) the efficiency;

(*i*) the carbon/nitrogen ratio;

(*j*) the pH;

(*k*) calcium (Ca);

(*l*) magnesium (Mg);

(*m*) total sulphur (S);

(*n*) sulphate (SO_4^{2-});

(*o*) the maximum aggregate size;

(9) an indication that the FRM consists exclusively of inputs that comply with lists 1.1 and 1.2 of Schedule II to this Code.

The generator of the FRM must furnish a copy of the sheet to the promoter of the reclamation project and to the operator of the raising site, the spreading site or the site where a forest development activity is carried out who stores or spreads the FRM.

The compliance of the sheet in the first paragraph must be confirmed by an agronomist or a forest engineer, as applicable, who cannot be the same person as the signatory to the sampling verification report referred to in section 25 for the same FRM.

The generator of the FRM must keep the sheet for a minimum period of 5 years and furnish it to the Minister on request, within the time specified by the Minister.

The description sheet of the FRM referred to in the first paragraph is not required for a FRM intended for the carrying out of an activity exempted from authorization referred to in subdivision 5 of Division I.1 of Chapter IV of Title III of Part II of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), made by section 17 of the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, made by Order in Council 189-2025 dated 26 February 2025, except the activity referred to in section 291.17 of that Regulation.

33. The generator of a FRM must keep all the information and documents that were used to produce the FRM sheet referred to in section 32 for a minimum period of 5 years.

The information and documents must be furnished to the Minister on request, within the time specified by the Minister.

34. Wastewater may be added to a FRM only on the recommendation of an agronomist or a forest engineer for the purpose of achieving the dryness value necessary for handling and spreading the FRM.

The wastewater added must be from the following sources only, as applicable:

(1) an agri-food process, except wastewater from a slaughterhouse, a rendering plant or a meat processing plant;

(2) a system for washing fruits or vegetables or an activity for the cultivation of non-aquatic plants or mushrooms in a building or greenhouse eligible for a declaration of compliance or exempted from authorization, as applicable, under section 135, 136, 157 or 158 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (Q-2, r. 17.1), provided the wastewater and the proposed spreading meet the conditions set out in those sections;

(3) an activity for the cultivation of cannabis by an operator in a building or greenhouse over a maximum total area of 50,000 m^2.

The wastewater must be classified using the same criteria as for an agri-food biosolid, and it must be included for the classification of the resulting blend.

35. No person may mix FRMs if one of the FRMs is designated as OC.

Despite the first paragraph, FRMs designated as C-OC for the chemical parameters of arsenic, cobalt, chromium, copper, molybdenum, nickel, selenium and zinc may be mixed if the resulting blend is not itself designated as C-OC.

DIVISION II
STORAGE

§1. — General

36. When the operator of a raising site, a spreading site or a site where a forest development activity is carried out requires the services of a third party to act as promoter of a reclamation project, the third party is responsible for the application of the provisions set out in this Division for the activity for which their services are required.

Subject to sections 37, 40 and 50, subparagraph 3 of the first paragraph of section 52, and section 54, this Division does not apply to field storage of FRMs for 24 hours or less.

37. The storage of a FRM in a storage facility, or its field storage, must take place at the following minimum distances from a dwelling or a public place, using the most restrictive distance that applies to the FRM:

(1) 500 m if the FRM is classed O3;

(2) 100 m if the FRM is classed P2;

(3) 75 m if the FRM is classed O2;

(4) 100 m if the FRM is classed I2.

Subparagraphs 1 to 3 of the first paragraph do not apply to a dwelling belonging to the operator.

38. A FRM referred to in the first paragraph of section 37 may be stored within distances shorter than those required by subparagraphs 1 and 3 of that paragraph in the following cases:

(1) the storage facility is equipped with a permanent watertight cover;

(2) the owner and, if applicable, the lessee of the dwelling, or the owner and, if applicable, the administrator of the public place situated at a distance less than that referred to in subparagraph 1 or 3, consent in writing; the agreement must include, in particular,

(*a*) the period for which the agreement is valid, which may not exceed 2 years;

(*b*) the new distances agreed upon;

(*c*) the risks of odour nuisance or bioaerosol dispersion involved in reducing the distance;

(*d*) the measures to be implemented to minimize those risks;

(*e*) the signature of every owner and lessee of the dwelling or every owner and administrator of the public place, the agronomist or forest engineer who signed the agro-environmental reclamation plan prepared in accordance with Chapter IV, and the operator of the raising site, the spreading site, or the site where a forest development activity is carried out; and

(*f*) the date of the agreement.

The storage of a FRM in a storage facility may also take place at a lesser distance than that provided for under subparagraph 2 of the first paragraph of section 37 if the storage facility is equipped with a permanent watertight cover, or if an agreement is entered into in accordance with subparagraph 2 of the first paragraph and

(1) the storage facility was the subject of an authorization to store Class P2 FRMs before 1 November 2025; and

(2) the location of the facility at that distance was the subject of such an agreement before 1 November 2025 by the owner and, if applicable, the lessee of the dwelling or the owner and, if applicable, the administrator of the public place.

For the purposes of the first and second paragraphs, a new agreement must be entered into in writing when there is a change of owner, lessee or administrator of a public place.

The promoter of the reclamation project must keep the agreement referred to in subparagraph 2 of the first paragraph or in the second paragraph for a minimum period of 5 years following the date of its expiry.

The agreement must be furnished to the Minister on request, within the time specified by the Minister.

39. The following FRMs must be maintained at a pH equal to or greater than 10 at all times:

(1) a limed slaughterhouse biosolid;

(2) a limed rendering plant biosolid;

(3) a Class O3 FRM that has undergone a treatment referred to in paragraph *e* of Table 4 of Schedule I; or

(4) a Class O2 FRM referred to in paragraph *h* of Table 4 of Schedule I.

The promoter of the reclamation project must measure the pH of the FRM at least once every 7 days. The measurement must be taken from the layer between 0 and 20 cm from the top of the residue.

The promoter of the reclamation project must enter the pH measurements taken in accordance with the second paragraph in a register and keep them for a minimum period of 5 years. The promoter of the reclamation project must furnish the register to the Minister on request, within the time specified by the Minister.

40. The storage of FRMs designated as OC is prohibited, except

(1) a municipal biosolid resulting from primary treatment designated as P-OC, generated in Québec, and that is stored for the purpose of meeting the criteria for Class P1 or Class P2 in accordance with section 42;

(2) FRMs designated as C-OC for the chemical parameters of arsenic, cobalt, chromium, copper, molybdenum, nickel, selenium and zinc for their reclamation in a blend referred to in the second paragraph of section 35;

(3) FRMs designated as C-OC and having a dioxin and furan content greater than 50 ng TEQ/kg but less than 100 ng TEQ/kg or having a cadmium content greater than 10 mg/kg but less than 15 mg/kg, which may be reclaimed on a site where a forest development activity is carried out.

41. The promoter of the FRM reclamation project must, for each storage facility and each field pile of FRMs, enter the following information in a storage register:

(1) the name of the municipality in which the storage facility or field pile is situated;

(2) the number and date of issue of the authorization or the number and date of transmission of the declaration of compliance for the FRM storage activity;

(3) for each input of FRM,

(*a*) the date;

(*b*) the type of FRM;

(*c*) the name and contact information of the generator of the FRM;

(*d*) the quantity added, by weight or volume;

(*e*) the C-P-O-E-I classification, if applicable;

(*f*) in the case of field pile storage, the name of the operator of the place of destination of the FRM;

(4) for each instance where a FRM is removed from the storage facility or field pile,

(*a*) the date;

(*b*) in the case of a storage facility, the name of the operator of the place of destination of the FRM and the number and date of issue of the authorization or the number and date of transmission of the declaration of compliance for the FRM spreading activity;

(*c*) the quantity removed, by weight or volume;

The promoter of the reclamation project must keep the information entered in the register for a minimum period of 5 years after, as applicable,

(1) the date on which the storage facility was fully drained;

(2) the date on which the field pile was fully removed;

(3) in the case of a FRM certified as compliant with a BNQ standard, the date of the last delivery indicated on the slip.

The information entered in the register must be furnished to the Minister on request, within the time specified by the Minister.

42. A municipal biosolid resulting from primary treatment that is stored for the purpose of meeting the criteria for Class P1 or Class P2 must

(1) when it is stored in a pile, have a dryness value of at least 25% when the pile is created; and

(2) have an average *Escherichia coli* bacteria content less than 10,000,000 *E. coli* per gram of suspended matter when leaving the municipal wastewater treatment facility.

If a biosolid referred to in the first paragraph is field stored during the growing season, it must be encapsulated in accordance with section 58, not later than 48 hours after its delivery, if the total volume of the piles is greater than 500 m^3 at all times.

§2. Storage facility

43. A FRM storage facility must have the capacity to store, without overflow, all of the FRMs stored there.

44. The promoter of the reclamation project must take every measure to prevent or stop any overflow or leakage of the FRMs stored in a storage facility.

The promoter of the reclamation project must remove FRMs from a storage facility before there is any overflow of the FRMs stored there.

45. The promoter of the project for the reclamation of an activity taking place over a period of 24 months or more must fully drain the FRM storage facility at least once per 24-month period.

The promoter of the reclamation project is not required to fully drain the storage facility if the promoter has kept the quantity of stored FRM below 25% of the facility's capacity for 7 consecutive days for each 12-month period.

46. Every storage facility used to store a FRM on a raising site or a spreading site must comply with the standards applicable to livestock waste storage facilities set out in the Agricultural Operations Regulation (chapter Q-2, r. 26).

47. A storage facility used to store a FRM on a raising site or a spreading site must have been the subject of a technical report on containment capability signed by an engineer showing that all the existing storage facilities covered by the application for authorization under section 291.3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), made by section 17 of the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, made by Order in Council 189-2025 dated 26 February 2025, whether or not situated on the site covered by the application, comply with the standards applicable to such facilities set out in the Agricultural Operations Regulation (chapter Q-2, r. 26).

The promoter of the reclamation project must keep the technical report for a minimum period of 5 years following the date of signing and send it to the Minister on request, within the time specified by the Minister.

48. The storage of the following FRMs is prohibited in a storage facility that contains a residue with a pH less than 10:

(1) a Class O2 FRM referred to in paragraph *h* of Table 4 of Schedule I;

(2) a Class O3 FRM referred to in paragraph *e* of Table 4 of Schedule I;

(3) a limed slaughterhouse biosolid; and

(4) a limed rendering plant biosolid.

Despite the first paragraph, on the recommendation of an agronomist or a forest engineer, a FRM referred to in the first paragraph may, for hygienization or deodorizing purposes, be mixed with a residue with a pH less than 10 but greater than 7.

The blending referred to in the second paragraph must be followed within 2 hours by liming at a pH equal to or greater than 12 for at least 2 hours, and by maintaining a pH equal to or greater than 11.5 for at least 22 hours.

49. The promoter of the reclamation project must enter the pH measurements taken in accordance with the third paragraph of section 48 in a register and keep them for a minimum period of 5 years. The promoter of the reclamation project must send the register to the Minister on request, within the time specified by the Minister.

§3. Field pile

50. Field storage of FRMs must take place at the following minimum distances:

(1) 60 m from a watercourse or lake, a marsh, a pond or a peatland;

(2) 30 m from a swamp;

(3) 15 m from a ditch;

(4) 100 m from a rock outcrop;

(5) 100 m from the location of a pile of a fertilizing residual material having a carbon/nitrogen ratio less than 25 or from any residue containing such FRM removed at any time in the last 12 months.

51. A pile of FRM must be in the field for a maximum period of 12 months following the date on which the FRM is first brought in.

52. Field storage of FRMs is prohibited in the following cases:

(1) in areas where parcels of land are cultivated in the littoral zone;

(2) in the case of a FRM, other than compost, having a carbon/nitrogen ratio less than 25, on snow-covered soil or on land with a slope greater than 5%;

(3) if the FRMs are liquid or have a dryness value of less than 20%;

(4) in a high-velocity flood zone;

(5) outside the growing season, except if the FRM, as applicable,

(*a*) has a dryness value greater than 30%;

(*b*) is a biosolid or a digestate and is encapsulated; or

(*c*) is a paper mill biosolid;

(6) during the summer period, if the FRM is an aquatic animal residue.

Despite subparagraph 3 of the first paragraph, FRMs having a dryness value greater than 15% but less than 20% may be field stored if they have a maximum slump of 150 mm, calculated in accordance with Schedule V.

Despite the second paragraph, the field storage of more than 500 m^3 of FRMs on a raising site, a spreading site or a site where a forest development activity is carried out is prohibited if the dryness value of the FRMs is less than 20%.

53. Outside the growing season, a field pile of FRMs must be covered so as to prevent any water infiltration or be encapsulated, except in the following cases:

(1) the total pile volume on the raising site, the spreading site, or the site where a forest development activity is carried out is less than 500 m^3 at all times for each type of FRM;

(2) the pile is surrounded by a filtering berm at least 30 cm thick consisting of at least one of the following materials:

(*a*) peat;

(*b*) compost certified as compliant with CAN/BNQ 0413-200 "Organic Soil Conditioners – Composts";

(*c*) compost having a dryness value equal to or greater than 35%, whose manufacture is authorized under section 22 of the Act or which is covered by a declaration that the activities are compliant under section 31.0.6 of the Act;

(3) the FRM is a paper mill biosolid having one of the following characteristics:

(*a*) its carbon\nitrogen ratio is equal to or greater than 25;

(*b*) its dryness value is equal to or greater than 25%;

(*c*) it has undergone acidic bacterial lysis treatment and its dryness value is equal to or greater than 20%;

(4) the FRM is ash having a dryness value equal to or greater than 50%;

(5) the FRM has a combined total nitrogen and total P_2O_5 content less than 1% on a dry basis;

(6) the FRM is a Class P1 compost having a dryness value equal to or greater than 25%.

The berm referred to in subparagraph 2 of the first paragraph must consist of a FRM of the same class or of a less restrictive class than that of the FRM surrounded by the berm.

54. The setting up of a field pile of FRMs must meet the following conditions:

(1) water from the pile must not reach any surface water;

(2) runoff water must not reach the pile.

55. A FRM that is a dried biosolid, gypsum, or a blend of FRMs containing one of those materials, must at all times be stored in a way that protects it from precipitations or covered with impermeable canvas fixed in such a way as to prevent any rewetting, if the storage period is more than 30 days from the date on which the FRM is first brought in.

56. A FRM stored in a pile that is a dried digestate or a blend of FRMs containing such a digestate must at all times be stored in a way that protects it from precipitations or covered with impermeable canvas fixed in such a way as to prevent any rewetting, if the field storage period is more than 60 days from the date on which the FRM is first brought in.

57. A FRM stored in a pile that is a LM must at all times be stored in such a way as to prevent dispersion by the wind.

58. Encapsulation must consist of a non-compacted layer that is at least 30 cm thick of one of the following FRMs:

(1) compost certified as compliant with CAN/BNQ 0413-200 "Organic Soil Conditioners – Composts";

(2) compost having a dryness value equal to or greater than 35%, whose manufacture is authorized under section 22 of the Act or which is covered by a declaration of compliance under section 31.0.6 of the Act;

(3) de-inking sludge or a paper mill biosolid having a carbon/nitrogen ratio greater than 60.

Encapsulation must also consist of a FRM of the same class or of a less restrictive class than that of the encapsulated FRM.

DIVISION III
SPREADING

§1. General

59. The operator of a raising site or a spreading site is responsible for the application of the provisions set out in this Division with regard to the site.

In addition to the provisions set out in this Division, the spreading of FRMs on a raising site or a spreading site must be done in accordance with the Agricultural Operations Regulation (chapter Q-2, r. 26).

60. The operator of a site where a forest development activity is carried out is responsible for the application of the provisions set out in this Division with regard to the site.

The spreading of FRMs on a site where a forest development activity is carried out may only be done for the purpose of fertilization, in accordance with this Division.

61. The spreading of FRMs must have been recommended by an agronomist in the case of a raising site or a spreading site, or by a forest engineer in the case of a site where a forest development activity is carried out, with regard to the following elements:

(1) the inputs of fertilizing elements in the FRM spread;

(2) the characteristics of the FRM;

(3) the plant species concerned by fertilization and the plant species previously cultivated;

(4) the inputs having an effect on the pH of the soil, if applicable;

(5) the inputs of organic matter, if applicable;

(6) the areas concerned;

(7) the spreading method and the spreading dosage;

(8) the spreading period;

(9) the quantity of FRMs to be reclaimed during that period;

(10) for a spreading activity on a site where a forest development activity is carried out, the wood harvest cycle.

62. The spreading of FRMs having any of the following characteristics must have been recommended by an agronomist or a forest engineer, depending on the site concerned, and received justification for its use for each cultivated parcel receiving the FRMs:

(1) a pH less than 3.5 or greater than 10;

(2) sodium content greater than 10,000 mg/kg on a dry basis;

(3) manganese content greater than 3,000 mg/kg on a dry basis;

(4) boron content greater than 200 mg/kg on a dry basis.

63. The spreading of a FRM classed as C2 for its copper and zinc content must have been recommended by an agronomist or a forest engineer in the agro-environmental reclamation plan, depending on the site concerned, with regard to best management practices for copper and zinc for each cultivated parcel receiving any of the following FRMs:

(1) a municipal biosolid;

(2) compost originating entirely or in part from municipal biosolids;

(3) a biomethanation digestate originating entirely or in part from municipal biosolids;

(4) a digestate originating entirely or in part from pig slurry.

64. Every recommendation referred to in sections 61 to 63 for the spreading of a FRM must be based on a soil analysis performed by a laboratory accredited by the Minister under section 118.6 of the Act.

The analysis must not have been made more than 5 years prior to the fertilization year.

The operator and the owner of the site concerned must have in their possession a copy of the analysis certificate issued by the laboratory and keep it for a minimum period of 5 years following the date of signing. They must send the analysis certificate to the Minister on request, within the time specified by the Minister.

65. If the FRM to be reclaimed has a phosphorus (P_2O_5) content greater than 0.25% on a dry basis and is to be spread on a raising site or a spreading site, a statement that the site has the capacity to receive the phosphorus load must be produced, signed and dated by, as applicable,

(1) the agronomist who signed the agro-environmental fertilization plan, when such a plan is required under section 22 of the Agricultural Operations Regulation (chapter Q-2, r. 26);

(2) the agronomist who signed the agro-environmental reclamation plan prepared in accordance with Chapter IV if the plan referred to in subparagraph 1 is not required.

In the case referred to in subparagraph 2 of the first paragraph, the agronomist who signed the agro-environmental reclamation plan must keep the statement for a minimum period of 5 years following the date of the end of the reclamation project.

The statement referred to in the first paragraph must be furnished to the Minister on request, within the time specified by the Minister.

66. The operator of a raising site, a spreading site or a site where a forest development activity is carried out must enter the following information in a spreading register:

(1) the type of FRM used;

(2) the name and contact information of the generator of the FRM;

(3) the class applicable to the FRM;

(4) for each spreading activity:

(*a*) the dosage;

(*b*) the area concerned;

(*c*) the method used; and

(*d*) the dates on which the spreading activity was carried out.

The information entered in the register referred to in the first paragraph must be kept

(1) by the operator of the raising site or the spreading site for a minimum period of 5 years following the end of the last spreading period; and

(2) by the operator of a site where the forest development activity is carried out for a minimum period of 20 years following the last spreading date entered in the register.

The information entered in the register referred to in the first paragraph must be furnished to the Minister on request, within the time specified by the Minister, by the person concerned referred to in the second paragraph.

§2. Prohibitions

67. The spreading of the following FRMs is prohibited:

(1) a FRM or a blend of FRMs designated as OC according to one or more of the classification criteria described in section 5;

(2) a FRM or a blend of FRMs that is not homogeneous;

(3) a FRM containing viable parts of an invasive exotic species that are likely to be propagated by the carrying out of the spreading activity;

(4) a FRM containing varnished, painted, stained or treated wood, engineered wood or oriented strandboard, plywood or particleboard.

Subparagraph 4 of the first paragraph does not apply to FRMs referred to in item *g* of the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" (2021).

68. The spreading of the following FRMs is prohibited on soil that has received at least one spreading of pig slurry in the 5 years immediately preceding the spreading if the soil has a copper content, using the Mehlich-3 extraction procedure, greater than 9.0 mg/kg on a dry basis or a zinc content, using the Mehlich-3 extraction procedure, greater than 14 mg/kg on a dry basis:

(1) a municipal biosolid;

(2) compost originating entirely or in part from municipal biosolids;

(3) a digestate originating entirely or in part from municipal biosolids;

(4) a digestate originating entirely or in part from pig slurry having a copper content greater than 400 mg/kg on a dry basis, or whose zinc content is greater than 700 mg/kg on a dry basis.

69. On a site where a forest development activity is carried out, the spreading of FRMs is prohibited in the littoral zone and in wetlands.

The first paragraph does not apply to the spreading of a FRM in a forested swamp if the spreading of that FRM in that environment is authorized under subparagraph 4 of the first paragraph of section 22 of the Act and is carried out in accordance with the conditions prescribed by the authorization.

70. On a site where a forest development activity is carried out, the spreading of FRMs having a carbon/nitrogen ratio less than 15 is prohibited

(1) on mature forest stands;

(2) on natural stands of hardwood undergoing regeneration by periodic partial cutting; and

(3) on semi-mature stands other than fast-growing tree species.

Subparagraph 1 of the first paragraph does not apply to residues referred to in the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" (2021), except liming de-inking sludge from the manufacture of de-inked pulp.

71. In addition to the prohibitions set out in section 29.1 of the Agricultural Operations Regulation (chapter Q-2, r. 26), the spreading of a Class P2 or Class I2 FRM is prohibited

(1) on a crop intended for human consumption or on a pasture; and

(2) on soil having an organic matter content greater than 30% on a dry basis of the total of the soil components.

72. In addition to the prohibitions set out in section 29.1 of the Agricultural Operations Regulation (chapter Q-2, r. 26), the spreading of a Class E2 FRM is prohibited

(1) on a pasture;

(2) on a parcel used to cultivate root vegetables, tubers and bulbs; and

(3) on a meadow, except before seeding or at the end of the crop cycle.

73. The spreading of leaves from a bulk or paper bag leaf collection that have not been through a green waste sorting centre is prohibited on a raising site, a spreading site, or a site where a forest development activity is carried out.

§3. Minimum distances

74. In addition to the special distances prescribed by sections 76 to 79 for certain classes of FRMs, the spreading of FRMs on a raising site or a spreading site must take place in accordance with section 30 of the Agricultural Operations Regulation (chapter Q-2, r. 26).

75. In addition to the other special distances prescribed by sections 76 to 79 for certain classes of FRMs, the spreading of FRMs on a site where a forest development activity is carried out must take place at least 1 m from ditches referred to in subparagraphs 2 to 4 of the first paragraph of section 103 of the Municipal Powers Act (chapter C-47.1) and, where there is a slope, the distance must include a width of at least 1 m at the top of the slope.

FRMs must also be spread in such manner as to prevent FRMs and runoff water containing FRMs from reaching the littoral zone and wetlands.

The second paragraph does not apply to a forested swamp if the spreading of that FRM in that environment is carried out as part of a forest development activity in accordance with an authorization issued under subparagraph 4 of the first paragraph of section 22 of the Act.

76. The spreading of Class P2 FRMs must take place at the following minimum distances:

(1) from a ditch in a non-agricultural area, a property line or a road,

(*a*) 5 m if the FRM is, as applicable,

i. in a solid state; or

ii. in a liquid state and spread using spreading equipment that meets the requirements prescribed by section 86, both for agricultural activities and for forest development activities, or spread using spreading equipment with a drop pipe; and

(*b*) 10 m in other cases;

(2) from a dwelling, other than the operator's dwelling, or a public place,

(*a*) 50 m if the FRM is, as applicable,

i. in a solid state; or

ii. in a liquid state and spread using spreading equipment that meets the requirements prescribed by section 86, both for agricultural activities and for forest development activities, or spread using spreading equipment with a drop pipe; and

(*b*) 100 m in other cases.

77. The spreading of Class I2 FRMs must take place at the following minimum distances:

(1) 10 m from a ditch in a non-agricultural area, a property line or a road;

(2) 100 m from a dwelling or a public place.

78. The spreading of Class O3 FRMs must take place at the following minimum distances from a dwelling, other than the operator's dwelling, or a public place:

(1) 250 m if the FRM is, as the case may be,

(*a*) spread using spreading equipment that meets the requirements prescribed by section 86, both for agricultural activities and for forest development activities, or spread using spreading equipment with a drop pipe;

(*b*) worked into the soil within 6 hours after being spread, on the conditions determined by an agronomist;

(2) 500 m in other cases.

Despite subparagraph 1 of the first paragraph, the minimum distance for spreading may be less than 250 m if an agronomist recommends it in the agro-environmental reclamation plan, provided that the FRM is worked into the soil within 3 hours after being spread, on the conditions set out in the plan.

79. The spreading of Class O2 FRMs must take place at the following minimum distances from a dwelling, other than the operator's dwelling, or a public place:

(1) 37.5 m if the FRM is, as applicable,

(*a*) in a liquid state and spread using spreading equipment that meets the requirements prescribed by section 86, both for agricultural activities and for forest development activities, or spread using spreading equipment with a drop pipe; or

(*b*) the FRM is worked into the soil within 6 hours after being spread, on the conditions determined by an agronomist;

(2) 75 m in other cases.

Despite subparagraph 1 of the first paragraph, the minimum distance for spreading may be less than 37.5 m if an agronomist recommends it in the agro-environmental reclamation plan, provided that the FRM is worked into the soil within 3 hours after being spread, on the conditions set out in the plan.

80. FRMs may be spread within distances shorter than those prescribed by sections 78 and 79, except distances determined by an agronomist, if the owner or lessee of the dwelling or the owner or administrator of the public place consent in writing.

The agreement referred to in the first paragraph must include, in particular,

(1) the period for which it is valid, which may not exceed 2 years;

(2) the new distances agreed upon;

(3) the risks of odour nuisance involved in reducing the distance;

(4) the measures to be implemented to minimize those risks;

(5) the signature of every owner and lessee of the dwelling or every owner and administrator of the public place, the agronomist or forest engineer who signed the agro-environmental reclamation plan, and the operator of the raising site, the spreading site, or the site where a forest development activity is carried out; and

(6) the date of the agreement.

The operator must keep the agreement for a minimum period of 5 years and furnish it to the Minister on request, within the time specified by the Minister.

§4. Conditions for spreading

81. The total quantity of a Class C2 or Class I2 FRM spread on a raising site or a spreading site must never exceed the equivalent of an arithmetic mean of 4.4 tonnes on a dry basis, per hectare per year, calculated over a period of 3 consecutive years preceding the spreading activity, including the year of the growing season during which the activity is carried out.

The total quantity of Class C2 or Class I2 FRMs spread on a site where a forest development activity is carried out must never exceed

(1) before plantation, 66 tonnes on a dry basis per hectare; or

(2) on an established plantation, 22 tonnes on a dry basis per hectare.

Despite the second paragraph, the total quantity of a Class C2 or Class I2 FRM spread on a site where a forest development activity is carried out must never exceed the quantity obtained by multiplying the number of years in the wood harvest cycle by the annual mean of 4.4 tonnes on a dry basis per hectare.

Despite section 67, a FRM designated as OC and having a dioxin and furan content greater than 50 ng TEQ/kg but less than 100 ng TEQ/kg or having a cadmium content greater than 10 mg/kg but less than 15 mg/kg may be reclaimed on a site where a forest development activity is carried out, on the conditions set out in the second and third paragraphs.

82. The spreading of a Class P2 or Class I2 FRM on any site must be followed by the following restriction periods:

(1) a period of at least 36 months before a crop intended for human consumption can be harvested on the site, except if the harvested portion grows without coming into contact with the soil, in which case the period is reduced to 14 months;

(2) a period of at least 12 months before the site can become a pasture or sod can be harvested;

(3) a period of at least 12 months before the public can access the site;

(4) a period of at least 30 days before a crop intended for animal consumption can be harvested on the site.

83. On a site where a forest development activity is carried out, FRMs must at all times be spread on soil that is neither frozen nor covered with snow.

In addition, FRMs may be spread only during the growing season.

Despite the second paragraph, FRMs may be spread outside the growing season if the agronomist or forest engineer who prepared the agro-environmental reclamation plan recommends a different spreading period in the plan.

84. On soil without plant cover, a FRM must be worked into the soil less than 48 hours after being spread, except if

(1) the FRM has a carbon/nitrogen ratio greater than 30 and a total P_2O_5 content less than 0.25% on a dry basis;

(2) the FRM is used as mulch;

(3) the parcel is direct sowed; and

(4) the parcel is perpetually under cultivation.

85. FRMs must be spread on land with a slope of less than 9%, or less than 5% if the FRM is liquid or has a dryness value of less than 15%.

The first paragraph does not apply to slopes that have no direct hydraulic connection with ditches and other surface water referred to in the Agricultural Operations Regulation (chapter Q-2, r. 26).

86. The spreading of FRMs on a raising site or a spreading site with mobile or stationary spreading equipment that projects FRMs at a distance of more than 25 m is prohibited.

On a raising site or a spreading site, liquid FRMs and FRMs having a dryness value of less than 15% during spreading must be spread with low-trajectory broadcast equipment whose exit point put into place to project FRMs is at a maximum height of 1.2 m above the ground and that projects the FRMs over a distance of not more than 5.5 m to reach the ground.

Despite the second paragraph, liquid FRMs and FRMs having a dryness value of less than 15% during spreading that are classed O3 must be spread with low-ramp equipment or other low-trajectory broadcast equipment whose exit point put in place to project FRMs is at a maximum height of 1 m above the ground and that projects the FRMs over a distance of not more than 2 m to reach the ground.

87. The total volume of liquid FRMs and FRMs having a dryness value of less than 15% during spreading that are spread on any site must never exceed 100 m^3 per hectare per day.

CHAPTER IV
AGRO-ENVIRONMENTAL RECLAMATION PLAN

88. The agro-environmental reclamation plan must include the following information and documents:

(1) the description sheet referred to in section 32 for each FRM spread;

(2) the recommendations referred to in sections 34, 48, 61 to 63, 78, 79 and 83, if applicable;

(3) if applicable, the storage conditions for meeting the requirements prescribed by Division II of Chapter III, including the location of the storage areas;

(4) a location plan, with geospatial data, that includes the information prescribed by section 89;

(5) if applicable, the statement that the site has the capacity to receive the phosphorus load referred to in section 65;

(6) if applicable, the odour mitigation measures in the odour management plan referred to in section 90;

(7) if the activity involves a Class P2 FRM, an information program to prevent risks to health that includes

(*a*) the recommendations on the individual protective equipment required to handle the FRM; and

(*b*) the recommendations on the hygiene measures to be observed.

The agro-environmental reclamation plan must be signed by an agronomist or a forest engineer, depending on the site concerned, who cannot be the same person as the signatory to the sampling verification report referred to in section 25 for the FRM used.

89. The location plan contained in an agro-environmental reclamation plan must include the following information:

(1) the boundaries of the storage areas and spreading areas, if applicable;

(2) the boundaries and cadastral designation for the lots of the site where the storage or spreading activity is to be carried out;

(3) the location of the water withdrawals and the boundaries of the intermediate bacteriological and virological protection zones for groundwater withdrawals and the boundaries of the inner protection zone for surface water withdrawals made for human consumption or food processing purposes, delimited in accordance with the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);

(4) the minimum distances from dwellings, public places, ditches, wetlands and bodies of water prescribed by this Code;

(5) the areas of the land where the slope leads to restrictions on storage described in section 52 or restrictions on spreading described in section 85.

The plan must cover a radius of 300 m from the boundaries of the site of the proposed storage or spreading activity, subject to the following:

(1) for an activity eligible for a declaration of compliance under the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), amended by the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, made by Order in Council 189-2025 dated 26 February 2025, in which case the location plan must cover at least 100 m from the boundaries of the site of the proposed activity;

(2) for an activity using a Class O3 FRM, in which case the location plan must cover at least 500 m from the boundaries of the site of the proposed activity.

90. The agronomist or forest engineer who signed the agro-environmental reclamation plan, depending on the site concerned, must prepare an odour management plan if a storage activity in a watertight facility is authorized under section 22 of the Act, in the following cases:

(1) the storage activity is authorized for a period of 5 years and involves a Class O2 liquid FRM;

(2) the storage activity is authorized for a period of more than 24 months and involves a Class O3 FRM.

The agronomist or the forest engineer referred to in the first paragraph is also responsible for implementing the plan if an occurrence of nuisance odour is discovered by or reported to the agronomist or forest engineer.

The odour management plan must include the various mitigation measures to be implemented to reduce the impact of odour on the surroundings while the activity is being carried out. The plan must contain, in particular, one of the mitigation measures provided for in Schedule IV.

The promoter of the reclamation project in the case of a storage activity and the operator in the case of a spreading activity must keep the odour management plan for a minimum period of 5 years following the date of the end of the reclamation project and furnish it to the Minister on request, within the time specified by the Minister.

91. The agro-environmental reclamation plan must be kept by the promoter of the reclamation project and the operator of the raising site, spreading site or site where a forest development activity is carried out, depending on the activity concerned, and by the owner of the site, for the following period, as applicable:

(1) in the case of an activity for the reclamation of FRMs on a raising site or a spreading site, for a minimum period of 5 years following the date of the end of the implementation of the plan;

(2) in the case of an activity for the reclamation of FRMs on a site where a forest development activity is carried out, for a minimum period of 20 years following the date of the end of the implementation of the plan.

The agro-environmental reclamation plan must be furnished to the Minister on request, within the time specified by the Minister.

92. The agronomist or forest engineer who signed the agro-environmental reclamation plan must enter in a register the odour-related reports received following the publication or broadcasting of the notices referred to in sections 96 and 97 and the installation of the signs referred to in sections 98 and 99 in the following cases:

(1) the reclamation activity involves more than 2,000 tonnes on a wet basis of a Class O2 FRM at all times, on a single site in a municipality;

(2) the reclamation activity involves a Class O3 FRM.

The register must include the following information:

(1) the date and time of the report;

(2) the subject of the report;

(3) a description of the corrective measure implemented, if applicable, specifying the date and time.

The agronomist or forest engineer who signed the agro-environmental reclamation plan must keep the information entered in the register for a minimum period of 5 years following the date of the end of the reclamation project and furnish it to the Minister on request, within the time specified by the Minister.

93. The agronomist or forest engineer who signed the agro-environmental reclamation plan must notify the Minister of any odour-related report in writing within 2 working days after receiving it, and inform the Minister of the corrective measure implemented, if applicable.

94. If the olfactory class of a FRM was determined using the sniffing method set out in Schedule III, the agronomist or the forest engineer who signed the agro-environmental reclamation plan must take the measures indicated in Schedule IV to mitigate the impact of odour, in the following cases:

(1) at least 3 separate odour-related reports have been made in the same year in connection with the storage or spreading of a FRM;

(2) at least one odour-related report has been made each year for a FRM, for 3 consecutive years.

If a new odour-related report is made after the implementation of the measures referred to in the first paragraph, the reclamation activities must cease and the agronomist or forest engineer must again evaluate the odour class by having the FRM undergo one of the following tests:

(1) an olfactometry test in accordance with NF EN 13725, Stationary source emissions - Determination of odour concentration by dynamic olfactometry and odour emission rate, published by the Association française de normalisation (AFNOR), by comparing with 1 pig slurry sample taken in accordance with Schedule III, to assign Class O3;

(2) a sniffing test using the method provided for in Schedule III.

The activities for the reclamation of the FRM may resume only on the conditions applicable to the most restrictive odour class obtained for the FRM based on the results of the test performed in accordance with the second paragraph or Table 4 of Schedule I.

The agronomist or forest engineer must, as soon as possible, notify the Minister in writing of the implementation of the measures provided for in the first paragraph, the tests performed in accordance with the second paragraph, and the results obtained.

95. An agronomist or a forest engineer, depending on the site concerned, must ensure that the recommendations of the agro-environmental reclamation plan are carried out and, at the end of the spreading activity, file a report on the activity in which they state their observations and, if applicable, their recommendations.

The report must be sent to the operator or the promoter of the reclamation project not later than 31 January of the year following the year in which the activity was carried out.

The operator or the promoter of the reclamation project must keep the report for a minimum period of 5 years from the date of signing and furnish it to the Minister on request, within the time specified by the Minister.

CHAPTER V
NOTICE AND SIGN

96. For a forest development activity carried out on land in the domain of the State or in a private forest, an operator who proposes to spread a FRM over more than 100 ha in the same administrative region in the same year must, before spreading begins, publish or broadcast, by any appropriate means, a notice describing the spreading, in the territory where it is to be carried out.

The notice must include the following information:

(1) the name and contact information of the resource person, that is, the owner of the site, the promoter of the reclamation project or the operator of the territory in which the spreading is to be carried out;

(2) the nature and purpose of the spreading and the place where the spreading is to be carried out;

(3) the time period in which the spreading will be carried out;

(4) the restrictions on access to the sites where the FRM was spread and on consumption of plants from the sites;

(5) except in the case of a private forest, the name and contact information of the holder of the forestry permit issued under the Sustainable Forest Development Act (chapter A-18.1) responsible for the spreading;

(6) the contact information of the agronomist or forest engineer responsible for the odour management plan, or that of the agronomist or forest engineer's representative.

The operator of the land in the domain of the State or the private forest or, if applicable, the holder of the forestry permit referred to in subparagraph 5 of the second paragraph responsible for carrying out the spreading activity, may not conduct the activity until the notice referred to in that paragraph has been published or broadcast.

The operator of the land in the domain of the State or the private forest must keep a copy of the publication of the notice referred to in the first paragraph for a minimum period of 5 years and furnish it to the Minister on request, within the time specified by the Minister.

97. The promoter of the reclamation project in the case of a FRM storage activity, or the operator of the raising site, the spreading site or the site where the forest development activity is carried out in the case of a FRM spreading activity, must, at least 7 working days before the activity begins, send a notice to the following persons and in the following cases:

(1) if the activity involves more than 2,000 tonnes, on a wet basis, of a Class O2 FRM, to the lessee and the owner of any dwelling, other than the operator's dwelling, or to the owner and the administrator of any public place, situated less than 75 m from the place where the activity is to be carried out;

(2) if the activity involves a Class O3 FRM, to the lessee and the owner of any dwelling, other than the operator's dwelling, or to the owner and the administrator of any public place, situated less than 500 m from the place where the activity is to be carried out.

The promoter or the operator must also, at least 2 working days before the beginning of such an activity involving more than 2,000 tonnes, on a dry basis, of a Class O2 FRM or a Class O3 FRM on the same site in a municipality, send a written notice to that municipality.

The notices referred to in the first and second paragraphs must include the information prescribed by the second paragraph of section 96, as well as the information concerning the operations necessary for storage and spreading that may result in the emission of odour, in particular periods during which any FRM is handled and spread.

The promoter of the reclamation project or the operator must keep copies of the notices for a minimum period of 5 years and furnish them to the Minister on request, within the time specified by the Minister.

98. The promoter of the reclamation project and the operator of a raising site, a spreading site or a site where a forest development activity is carried out, as applicable, must post, at each passable road leading to a site where a FRM storage or spreading activity is to be carried out, a sign placed so as to be visible at all times, measuring at least 21.59 cm by 27.97 cm and including the following information:

(1) a description of the FRMs and their classification;

(2) the name and contact information of the person responsible for the storage or spreading activities or the person's representative;

(3) the telephone number of the appropriate regional branch of the Ministère du Développement durable, de l'Environnement et des Parcs of the region in which the activity is carried out;

(4) the contact information of the agronomist or forest engineer responsible for the odour management plan, or that of the agronomist or forest engineer's representative.

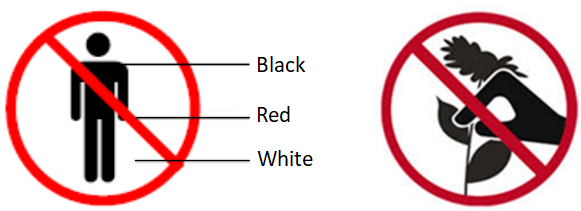
The first paragraph does not apply to the following FRMs if the quantity to be spread per year over the spreading site is less than 150 m^3:

(1) compost or a LM certified as compliant with CAN/BNQ 0413-200 "Organic Soil Conditioners – Composts" or BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes";

(2) a FRM classed as P1 and O1.

99. During the spreading of a Class P2 FRM on a site where a forest development activity is carried out that is land in the domain of the State or a private forest, the sign posted pursuant to section 98 must also

(1) display the following pictograms;



(2) contain the wording "Interdiction d'accès public et de cueillette jusqu'au:", followed by the date on which the prohibition ends, which must be later than 12 months after the end of the spreading.

The sign must be visible and must remain posted for the entire spreading period and for the duration of the prohibition.

CHAPTER VI
FRMS INTENDED FOR DOMESTIC USE

100. Only the following FRMs may be distributed for domestic use:

(1) FRMs certified as compliant with a BNQ standard;

(2) FRMs classed C1-P1-O1-E1 or C1-P1-O2-E1 by the generator and free from the following materials or from any material that results from the following materials:

(*a*) municipal biosolids, human feces, and any residue that contains municipal biosolids or human feces;

(*b*) all or part of mammal or poultry carcasses, except those from food waste, consist of plant or animal organic matter, of domestic origin or originating from the preparation, consumption or distribution of food and beverages;

(3) wood chips free from the following materials:

(*a*) varnished, painted, stained or treated wood, engineered wood or oriented strandboard, plywood or particleboard, as well as any wood from construction and demolition material sorting centres;

(*b*) viable parts of invasive exotic species that are likely to be propagated by the carrying out of the activity;

(*c*) nails and other metal or plastic materials;

(4) FRMs conditioned and sold in containers or packaging of 50 litres or less in accordance with the Fertilizers Act (R.S.C., 1985, c. F-10);

(5) compost produced in accordance with section 265 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1).

If the FRMs referred to in subparagraphs 1 and 2 of the first paragraph are also referred to in list 2 of Schedule II, they are also classed I1.

The FRMs referred to in subparagraph 2 of the first paragraph must consist exclusively of inputs that comply with lists 1.1 and 1.2 of Schedule II to this Code.

101. Every person distributing a FRM referred to in subparagraphs 1 to 3 of the first paragraph of section 100 for domestic use must give the person who receives the FRM an information sheet including the instructions for its use, except for compost or wood chips, as well as the following recommendations:

(1) the use of the FRM on a crop intended for human consumption is not advisable if the FRM contains or results from one of the following materials:

(*a*) municipal biosolids and every residue that contains municipal biosolids;

(*b*) all or part of mammal or poultry carcasses, except those from food waste, consisting of plant or animal organic matter, of domestic origin or originating from the preparation, consumption or distribution of food and beverages;

(2) if the FRM is classed O2 for odour, it should be worked into the soil immediately after it is applied;

(3) if the FRM is putrescible and has a dryness value greater than 80%, it should be protected from moisture until it is used.

The distributor must keep a copy of the sheet for a minimum period of 5 years and furnish it to the Minister on request, within the time specified by the Minister.

CHAPTER VII
MONETARY ADMINISTRATIVE PENALTIES

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

(1) to keep the information and documents referred to in the first paragraph of section 22 for the period prescribed by the second paragraph of that section or to furnish them to the Minister in accordance with that paragraph;

(2) to keep the verification report referred to in the first paragraph of section 25 for the period prescribed by the second paragraph of that section;

(3) to furnish the Minister with the verification report in accordance with the second paragraph of section 25;

(4) to attest an analysis by a certificate in accordance with the first paragraph of section 27;

(5) to keep the certificate referred to in the first paragraph of section 27 for the period prescribed by the second paragraph of that section;

(6) to furnish the Minister with the certificate in accordance with the third paragraph of section 27;

(7) to keep the recommendations for the period prescribed by the second paragraph of section 30 or to furnish them to the Minister in accordance with that paragraph;

(8) to be the owner or lessee of the site where a forest development activity is carried out and to have a lease confirming that the owner of the site authorizes the activity on the site, in accordance with the first paragraph of section 31;

(9) to have a written agreement with the operator of the site where FRMs are stored or spread, in accordance with the second paragraph of section 31;

(10) to have in their possession a copy of the lease or agreement referred to in the first and second paragraphs respectively of section 31 in accordance with the third paragraph of that section, and to keep it for the period prescribed by that paragraph;

(11) to furnish the Minister with a copy of the title of ownership, lease or agreement in accordance with the fourth paragraph of section 31;

(12) to furnish a copy of the FRM sheet referred to in the first paragraph of section 32 in accordance with the second paragraph of that section;

(13) to keep the FRM sheet for the period prescribed by the fourth paragraph of section 32 or to furnish it to the Minister in accordance with that paragraph;

(14) to keep the information and documents that were used to produce the FRM sheet for the period prescribed by the first paragraph of section 33;

(15) to furnish the Minister with the information and documents that were used to produce the FRM sheet in accordance with the second paragraph of section 33;

(16) to keep the agreement referred to in the first, second or third paragraph of section 38 for the period prescribed by the fifth paragraph of that section;

(17) to furnish the Minister with the agreement in accordance with the fifth paragraph of section 38;

(18) to keep the information entered in the register referred to in the third paragraph of section 39 for the period prescribed therein or to furnish it to the Minister in accordance with that paragraph;

(19) to keep the information entered in the register referred to in the first paragraph of section 41 for the period prescribed by the second paragraph of that section;

(20) to furnish the Minister with the information entered in the register in accordance with the third paragraph of section 41;

(21) to keep the technical report referred to in the first paragraph of section 47 for the period prescribed by the second paragraph of that section or to furnish it to the Minister in accordance with that paragraph;

(22) to keep the information entered in the register referred to in section 49 for the period prescribed therein or to furnish it to the Minister in accordance with that section;

(23) to have in their possession a copy of the analysis certificate issued by the laboratory and to keep it for the period prescribed by the third paragraph of section 64, or to furnish it to the Minister in accordance with that paragraph;

(24) to keep the statement referred to in the first paragraph of section 65 for the period prescribed by the second paragraph of that section;

(25) to furnish the Minister with the statement in accordance with the third paragraph of section 65;

(26) to keep the information entered in the register referred to in the first paragraph of section 66 for the period prescribed by the second paragraph of that section;

(27) to furnish the Minister with the information entered in the register in accordance with the third paragraph of section 66;

(28) to have an agreement that includes the elements prescribed by the second paragraph of section 80;

(29) to keep the agreement for the period prescribed by the third paragraph of section 80 or to furnish it to the Minister in accordance with that paragraph;

(30) to have an agro-environmental reclamation plan signed by a person referred to in the second paragraph of section 88;

(31) to keep the odour management plan referred to in the first paragraph of section 90 for the period prescribed by the fourth paragraph of that section or to furnish it to the Minister in accordance with that paragraph;

(32) to keep the agro-environmental reclamation plan for the period prescribed by the first paragraph of section 91;

(33) to furnish the Minister with the agro-environmental reclamation plan in accordance with the second paragraph of section 91;

(34) to keep the information entered in the register for the period prescribed by the third paragraph of section 92 or to furnish it to the Minister in accordance with that paragraph;

(35) to notify the Minister of any odour-related reports in accordance with section 93;

(36) to notify the Minister of the measures, tests and results referred to in the fourth paragraph of section 94, in accordance with that paragraph;

(37) to send the report referred to in the first paragraph of section 95 to the operator or the promoter of the reclamation project in accordance with the second paragraph of that section;

(38) to keep the report referred to in the first paragraph of section 95 for the period prescribed by the third paragraph of that section;

(39) to furnish the report to the Minister in accordance with the third paragraph of section 95;

(40) to keep a copy of the publication of the notice referred to in the first paragraph of section 96 for the period prescribed by the fourth paragraph of that section or to furnish it to the Minister in accordance with that paragraph;

(41) to keep copies of the notices for the period prescribed by the fourth paragraph of section 97 or to furnish them to the Minister in accordance with that paragraph;

(42) to keep a copy of the sheet referred to in the first paragraph of section 101 for the period prescribed by the second paragraph of that section or to furnish it to the Minister in accordance with that paragraph;

(43) to send a declaration or to furnish information or a document required under this Code, or to comply with the time limits and procedure established for the filing or sending thereof, in cases where no monetary administrative penalty is otherwise provided for.

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

(1) to enter in a register the information and documents referred to in the first paragraph of section 22;

(2) to enter in a register the measurements referred to in the third paragraph of section 39;

(3) to enter in a register the information referred to in the first paragraph of section 41;

(4) to use a facility to store a FRM on a raising site or a spreading site that has been the subject of a technical report on containment capability in accordance with the first paragraph of section 47;

(5) to enter in a register the measurements referred to in section 48 in accordance with section 49;

(6) to comply with the period of validity referred to in the second paragraph of section 64 for the soil analysis on which every recommendation must be based;

(7) to enter in a register the information referred to in the first paragraph of section 66;

(8) to enter in a register the information referred to in the second paragraph of section 92, in the cases provided for in the first paragraph of that section;

(9) to publish or broadcast a notice describing spreading activities in accordance with the first paragraph of section 96;

(10) to comply with the content of the notice prescribed by the second paragraph of section 96;

(11) to comply with the period referred to in the third paragraph of section 96 during which spreading activities may not take place;

(12) to send a notice to the persons referred to in the first paragraph of section 97 in the cases provided for therein;

(13) to send a written notice to the municipality, in the cases provided for in the second paragraph of section 97 in accordance with that paragraph;

(14) to comply with the content prescribed by the third paragraph of section 97 for the notices referred to in the first and second paragraphs of that section;

(15) to comply with the content of the notice prescribed by the first paragraph of section 98.

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

(1) to perform any screening in accordance with section 13;

(2) to perform analyses of FRM samples in accordance with the parameters prescribed by section 16;

(3) to take and analyze samples in accordance with section 20;

(4) to use samples that comply with the requirements prescribed by section 21 for the analyses;

(5) to file a report and furnish it to the generator in accordance with the first paragraph of section 25;

(6) to have samples analyzed by a laboratory referred to in section 26;

(7) to classify a FRM in accordance with section 28;

(8) to comply with the conditions for resampling prescribed by section 29;

(9) to produce a description sheet of the FRM in accordance with the first paragraph of section 32;

(10) to have the compliance of the FRM description sheet confirmed in accordance with the third paragraph of section 32;

(11) to measure the pH of the FRM in accordance with the second paragraph of section 39;

(12) to comply with the maximum period prescribed by section 51 during which a pile of FRM must be in the field;

(13) to store or cover a FRM referred to in section 55 in accordance with that section;

(14) to store or cover a FRM referred to in section 56 in accordance with that section;

(15) to protect or store a FRM referred to in section 57 in accordance with that section;

(16) to comply with the conditions for encapsulation prescribed by section 58;

(17) to have a recommendation for the spreading of FRMs that complies with the elements provided for in section 61, in accordance with that section;

(18) to have a recommendation for the spreading of FRMs having any of the characteristics referred to in section 62, in accordance with that section;

(19) to have a recommendation for the spreading of any of the FRMs referred to in section 63, in accordance with that section;

(20) to base any of the recommendations referred to in sections 61 to 63 on a soil analysis performed by an accredited laboratory, in accordance with the first paragraph of section 64;

(21) to produce a statement on the conditions set out in the first paragraph of section 65;

(22) to comply with the content prescribed by the first paragraph of section 88 for an agro-environmental reclamation plan;

(23) to comply with the content prescribed by the first paragraph of section 89 for a location plan;

(24) to cover the radius prescribed by the second paragraph of section 89 for a location plan, in the cases referred to in that paragraph;

(25) to prepare an odour management plan in the cases prescribed by the first paragraph of section 90;

(26) to comply with the content prescribed by the third paragraph of section 90 for an odour management plan;

(27) to ensure the follow-up of the recommendations of the agro-environmental reclamation plan and to file a report in accordance with the first paragraph of section 95;

(28) to give an information sheet to the person who receives a FRM for domestic use in accordance with the first paragraph of section 101.

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

(1) to assign a person referred to in section 24 to make the verifications prescribed by section 23 within the time prescribed by that section;

(2) to assign a person referred to in section 24 to resample as prescribed by section 29;

(3) to store a FRM in accordance with the conditions set out in the first paragraph of section 39;

(4) to encapsulate a field-stored municipal biosolid in accordance with the second paragraph of section 42;

(5) to use a storage facility whose capacity complies with the conditions set out in section 43;

(6) to remove FRMs from a storage facility before there is any overflow in accordance with the second paragraph of section 44;

(7) to fully drain a FRM storage facility on the conditions set out in section 45;

(8) to lime the blend referred to in the second paragraph of section 48 in accordance with the third paragraph of that section;

(9) to cover or encapsulate a field pile of FRMs in accordance with section 53;

(10) to spread FRMs on soil that is neither frozen nor covered with snow in accordance with the first paragraph of section 83;

(11) to comply with the spreading period prescribed by the second paragraph of section 83;

(12) to comply with the spreading period recommended in accordance with the third paragraph of section 83;

(13) to comply with the maximum projection distance prescribed by the first paragraph of section 86 for the spreading of FRMs with mobile or stationary spreading equipment;

(14) to spread the FRMs referred to in the second paragraph of section 86 with low-trajectory broadcast equipment in accordance with that paragraph;

(15) to spread the FRMs referred to in the third paragraph of section 86 with low-ramp equipment or other low-trajectory broadcast equipment in accordance with that paragraph;

(16) to post a sign in accordance with the first paragraph of section 98;

(17) to have the sign display the pictograms and contain the wording prescribed by the first paragraph of section 99;

(18) to ensure that the sign is visible and remains posted in accordance with the second paragraph of section 99.

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

(1) to comply with the conditions prescribed by section 15 for the reclamation on a raising site or a spreading site of the compost or pre-compost referred to in that section;

(2) to reclaim FRMs in compliance with an agro-environmental reclamation plan, in accordance with the first paragraph of section 30;

(3) to store a FRM at the minimum distances prescribed by the first paragraph of section 37 or at a minimum distance agreed upon in accordance with the first, second or third paragraph of section 38, on the conditions set out therein;

(4) to take every measure necessary to prevent or stop any overflow or leakage of FRMs stored in a storage facility, in accordance with the first paragraph of section 44;

(5) to set up a field pile of FRMs in accordance with section 54;

(6) to spread FRMs on a site where a forest development activity is carried out for the purpose of fertilization only, in contravention of section 60;

(7) to spread Class O3 FRMs in compliance with the minimum distances prescribed by the first paragraph of section 78 or the minimum distances recommended in accordance with the second paragraph of that section, on the conditions set out;

(8) to spread Class O2 FRMs in compliance with the minimum distances prescribed by the first paragraph of section 79 or the minimum distances recommended in accordance with the second paragraph of that section, on the conditions set out;

(9) to spread FRMs in compliance with the distances consented to in an agreement in accordance with the first paragraph of section 80;

(10) to comply with the maximum quantity provided for in the first paragraph of section 81 for a Class C2 or I2 FRM spread on a raising site or a spreading site;

(11) to comply with the maximum quantity provided for in the second or third paragraph of section 81 for a Class C2 or I2 FRM spread on a site where a forest development activity is carried out;

(12) to comply with the conditions set out in the fourth paragraph of section 81 to reclaim a FRM designated as OC and referred to in that paragraph on a site where a forest development activity is carried out;

(13) to work a FRM into soil without plant cover within the time prescribed by section 84;

(14) to comply with the total volume prescribed by section 87 of liquid FRMs and FRMs having a dryness value of less than 15% that may be spread on any site;

(15) to comply with the time limit prescribed by section 117 for the spreading of the FRMs referred to therein.

107. A monetary administrative penalty of $1,500 in the case of a natural person and $7,500 in other cases may be imposed on every person who

(1) applies a process for reducing the size of foreign matter in a FRM, in contravention of section 14;

(2) adds wastewater to a FRM without complying with the conditions prescribed by section 34;

(3) mixes FRMs in contravention of the first paragraph of section 35 or without complying with the conditions prescribed by the second paragraph of that section;

(4) stores FRMs designated as OC in contravention of section 40;

(5) stores a municipal biosolid that does not comply with the conditions prescribed by the first paragraph of section 42;

(6) stores a FRM referred to in the first paragraph of section 48 without complying with the conditions prescribed by the first and second paragraphs of that section;

(7) field stores FRMs in contravention of the conditions set out in the third paragraph of section 52;

(8) spreads a FRM referred to in section 68 on soil having the characteristics mentioned in that section;

(9) spreads a FRM referred to in the first paragraph of section 70 on stands mentioned in that paragraph;

(10) spreads Class P2 FRMs without complying with the minimum distances prescribed by section 76;

(11) spreads Class I2 FRMs without complying with the minimum distances prescribed by section 77;

(12) spreads a Class P2 or Class I2 FRM without complying with the restriction periods prescribed by section 82;

(13) distributes for domestic use FRMs that do not comply with the conditions set out in section 100;

(14) field stores FRMs in contravention of the conditions set out in the third paragraph of section 119.

108. A monetary administrative penalty of $2,000 in the case of a natural person and $10,000 in other cases may be imposed on every person who fails

(1) to field store FRMs in compliance with the minimum distances prescribed by section 50;

(2) to comply with the prohibition on field storing FRMs in the cases prescribed by the first paragraph of section 52;

(3) to comply with the maximum slump referred to in the second paragraph of section 52, in the case prescribed therein;

(4) to comply with the prohibition on spreading the FRMs referred to in section 67;

(5) to comply with the prohibition on spreading FRMs in the littoral zone and in wetlands provided for in the first paragraph of section 69;

(6) to comply with the prohibition on spreading a Class P2 or Class I2 FRM on a crop, a pasture or soil provided for in section 71;

(7) to comply with the prohibition on spreading a Class E2 FRM on a pasture, a parcel or a meadow provided for in section 72;

(8) to comply with the prohibition on spreading leaves on a raising site, a spreading site, or a site where a forest development activity is carried out provided for in section 73;

(9) to comply with the minimum distances prescribed by the first paragraph of section 75 for spreading FRMs on a site where a forest development activity is carried out;

(10) to spread FRMs in such manner as to prevent FRMs and runoff water containing FRMs from reaching the areas referred to in the first paragraph of section 75, in contravention of the second paragraph of that section;

(11) to spread FRMs on a slope that complies with the percentages prescribed by the first paragraph of section 85;

(12) to implement the odour management plan referred to in the first paragraph of section 90 in accordance with the second paragraph of that section;

(13) to take measures to reduce the impact of odours in the cases prescribed by the first paragraph of section 94;

(14) to cease the reclamation activities and re-evaluate the odour class in the case prescribed by the second paragraph of section 94, in accordance with that paragraph;

(15) to comply with the conditions prescribed by the third paragraph of section 94 to resume the activities for the reclamation of the FRM;

(16) to comply with the prohibition prescribed by the first paragraph of section 119;

(17) to comply with the maximum slump referred to in the second paragraph of section 119, in the case prescribed therein.

CHAPTER VIII
PENAL SANCTIONS

109. Every person who contravenes the second paragraph of section 22 or 25, section 27, the second paragraph of section 30, section 31, the second or fourth paragraph of section 32, section 33, the fourth or fifth paragraph of section 38, the third paragraph of section 39 in respect of the period for which the information must be kept and the requirement to furnish it to the Minister, the second or third paragraph of section 41, the second paragraph of section 47, section 49 in respect of the period for which the measurements must be kept and the requirement to furnish them to the Minister, the third paragraph of section 64, the second or third paragraph of section 65 or 66, the second or third paragraph of section 80, the second paragraph of section 88, the fourth paragraph of section 90, section 91, the third paragraph of section 92, section 93, the fourth paragraph of section 94, the second or third paragraph of section 95, the fourth paragraph of section 96 or 97 or the second paragraph of section 101 commits an offence and is liable, in the case of a natural person, to a fine of $1,000 to $100,000 and, in other cases, to a fine of $3,000 to $600,000.

110. Every person who contravenes the first paragraph of section 22, the third paragraph of section 39 in respect of the requirement to enter the information in a register, the first paragraph of section 47, section 49 in respect of the requirement to enter the measurements in a register, the second paragraph of section 64, the first paragraph of section 66, the first or second paragraph of section 92, the first, second or third paragraph of section 96 or 97 or the first paragraph of section 98 as it pertains to the content of the notice commits an offence and is liable, in the case of a natural person, to a fine of $2,000 to $100,000 and, in other cases, to a fine of $6,000 to $600,000.

111. Every person who contravenes section 13, 16, 20 or 21, the first paragraph of section 25 or section 26 or 28, fails to comply with the conditions for resampling prescribed by section 29, contravenes the first or third paragraph of section 32, the second paragraph of section 39, the first paragraph of section 41, section 51, 55, 56, 57, 58, 61, 62 or 63, the first paragraph of section 64, 65 or 88, section 89, the first or third paragraph of section 90 or the first paragraph of section 95 or 101 commits an offence and is liable, in the case of a natural person, to a fine of $2,500 to $250,000 and, in other cases, to a fine of $7,500 to $1,500,000.

112. Every person who fails to assign a person referred to in section 24 in contravention of section 23 or 29, or contravenes the first paragraph of section 39, the second paragraph of section 42, section 43, the second paragraph of section 44, section 45, the third paragraph of section 48, section 53, 83 or 86, the first paragraph of section 98 or section 99, commits an offence and is liable, in the case of a natural person, to a fine of $4,000 to $250,000 and, in other cases, to a fine of $12,000 to $1,500,000.

113. Every person who contravenes section 15, the first paragraph of section 30, the first paragraph of section 37, the first, second or third paragraph of section 38, the first paragraph of section 44, section 54, 60, 78 or 79, the first paragraph of section 80 or section 81, 84, 87 or 117 commits an offence and is liable, in the case of a natural person, to a fine of $5,000 to $500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment and, in other cases, to a fine of $15,000 to $3,000,000.

114. Every person who contravenes section 14, 34, 35, 40, the first paragraph of section 42, the first or second paragraph of section 48, the third paragraph of section 52, section 68, the first paragraph of section 70, section 76, 77, 82 or 100, or the third paragraph of section 119 commits an offence and is liable, in the case of a natural person, to a fine of $8,000 to $500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment and, in other cases, to a fine of $25,000 to $3,000,000.

115. Every person who contravenes section 50, the first or second paragraph of section 52, section 67, the first paragraph of section 69, section 71, 72 or 73, the first or third paragraph of section 75, the first paragraph of section 85, the second paragraph of section 90, the first, second or third paragraph of section 94, or the first or second paragraph of section 119 commits an offence and is liable, in the case of a natural person, to a fine of $10,000 to $1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment and, in other cases, to a fine of $30,000 to $6,000,000.

CHAPTER IX
TRANSITIONAL

116. Any FRM that has been classified according to olfactory characteristics before 1 November 2025 using the sniffing method or the olfactometry test prescribed by the document Guide sur le recyclage des matières résiduelles fertilisantes: Critères de référence et normes réglementaires, published in 2015 by the Ministère du Développement durable, de l'Environnement et des Parcs, is considered to have been classed in accordance with this Code.

117. Any FRM for which no PFAS analysis has been conducted in accordance with this Code and evidenced by an analysis certificate must be spread not later than 31 October 2026 and is considered to be classed as followed for preventive investigative parameters, according to the type of FRM:

(1) municipal biosolids are Class I2;

(2) every other FRM referred to in list 2 of Schedule II is Class I1.

118. Despite paragraph 1 of section 50, until 31 October 2027, field storage of FRMs may take place at a minimum distance of 50 m from a watercourse or lake, a marsh, a pond or a peatland.

119. Despite subparagraph 3 of the first paragraph of section 52, for the following periods, field storage of FRMs is prohibited if the FRMs are liquid or have a dryness value of less than

(1) 15%, from 1 November 2025 to 31 October 2027;

(2) 18%, from 1 November 2027 to 31 October 2030.

Despite subparagraph 2 of the first paragraph, FRMs having a dryness value greater than 15% but less than 18% may be field stored if they have a maximum slump of 150 mm, calculated in accordance with Schedule V.

Despite the first and second paragraphs, the field storage of more than 500 m^3 of FRMs is prohibited on a raising site, a spreading site or a site where a forest development activity is carried out if the dryness value of the FRMs is less than 20%.

CHAPTER X
FINAL

120. This Code comes into force on 1 November 2025.

SCHEDULE I
(Sections 2, 5 to 11, 13, 14, 16, 18 to 20, 23, 25, 28, 32, 39, 48 and 94)

CLASSIFICATION OF A FRM

Table 1. Classification criteria for FRMs according to chemical parameters

Chemical parameters	Units of measurement	Maximum content for the class	
		C1	C2
Arsenic (As)	mg/kg on a dry basis	13	41
Cobalt (Co)	mg/kg on a dry basis	34	150
Chromium (Cr)	mg/kg on a dry basis	210	1,000
Copper (Cu)	mg/kg on a dry basis	400	1,000
Molybdenum (Mo)	mg/kg on a dry basis	10	20
Nickel (Ni)	mg/kg on a dry basis	62	180
Selenium (Se)	mg/kg on a dry basis	2.0	14
Zinc (Zn)	mg/kg on a dry basis	700	1,850
Cadmium (Cd)	mg/kg on a dry basis	3.0	10
Mercury (Hg)	mg/kg on a dry basis	0.8	4
Lead (Pb)	mg/kg on a dry basis	120	300
Dioxins and furans	ng TEQ/kg on a dry basis	17	50

Table 2. Criteria for Class C2 according to chemical parameter ratios

	Minimum ratios for Class C2		
Chemical parameters	Base neutralizing value	Phosphorus pentoxide (P_2O_5) base (applicable only for FRMs to be spread on a spreading site or on a raising site)	
		for FRMs other than municipal biosolids containing > 50,000 mg (Al + 0.5 Fe)/kg on a dry basis	for municipal biosolids containing > 50,000 mg (Al + 0.5 Fe)/kg on a dry basis
	Ratio FRM neutralizing value/FRM chemical parameter content	Ratio FRM P_2O_5 content/FRM chemical parameter content	
	(% CCE / mg/kg) (dry matter)	(% / mg/kg) (dry matter)	
Arsenic (As)	> 0.67	> 0.024	> 0.048
Chromium (Cr)	> 0.047	> 0.001	> 0.002
Cobalt (Co)	> 0.33	> 0.007	> 0.014
Copper (Cu)	> 0.066	> 0.001	> 0.002
Molybdenum (Mo)	> 2.5	> 0.050	> 0.100
Nickel (Ni)	> 0.28	> 0.006	> 0.012
Selenium (Se)	> 3.6	> 0.07	> 0.14
Zinc (Zn)	> 0.027	> 0.0005	> 0.0010
Cadmium (Cd)	> 2.5	n/a	n/a
Mercury (Hg)	> 10.0	n/a	n/a

Lead (Pb)	> 0.10	n/a	n/a
Dioxins and furans	n/a	n/a	n/a

CCE: Calcium carbonate equivalent

P_2O_5: Phosphorus pentoxide. The analysis must be conducted in the form of P total and the result must be expressed in the form of P_2O_5.

Neutralizing value: on a dry basis.

Table 3. Classification criteria for FRMs for Classes P1 and P2

Types of FRMs	P1 Criteria	P2 Criteria
Paper mill biosolids **or** **De-inking waste**	No municipal or domestic wastewater is discharged into the industrial wastewater treatment system; **or** Such discharge accounts for 0.1% or less of total industrial water matter, evaluated on a dry basis **and** Salmonella not detected[1]	No municipal or domestic wastewater is discharged into the industrial wastewater treatment system **or** Such discharge accounts for 0.1% or less of total industrial water matter, evaluated on a dry basis
Compost	Salmonella not detected[1] **and** One of the following maturity and stability requirements is met: • oxygen uptake rate less than or equal to 400 mg of oxygen (O_2)/kg volatile solids/hour using the analysis method in Part I, “Respirometric Method”, of CAN/BNQ 0413-220; • oxygen uptake rate less than or equal to 450 mg of oxygen (O_2)/kg volatile solids/hour using the analysis method in Part II, “Modified Biochemical Oxygen Demand (BOD) Respiration Method”, of CAN/BNQ 0413-220; • carbon dioxide (CO_2) evolution rate less than or equal to 4 mg of carbon in the form of CO_2/g organic matter/day using the analysis method described in TMECC 05.08-B; • temperature rise of compost above ambient temperature is less than or equal to 8°C using the analysis method described in TMECC 05.08-D;	n/a

	• another requirement concerning the maturity and stability criteria set out in CAN/BNQ 0413-200 “Organic Soil Conditioners – Composts”.	
Pre-compost	n/a	Organic matter was maintained at a temperature greater than 55°C for one of the following periods, depending on the composting system used: • 3 consecutive days in the case of closed thermophilic equipment or a forced-aeration static-pile system; • 15 days with 5 turnings in the case of turned windrow composting; **and** Oxygen uptake rate less than or equal to 800 mg of oxygen (O_2)/kg volatile solids/hour using the analysis method set out in CAN/BNQ 0413-220 “Organic Soil Conditioners – Composts – Determination of Respiration Rate”, in Part I, “Respirometric Method”, or Part II, “Modified Biochemical Oxygen Demand (BOD) Respiration Method” **and** *E. coli* bacteria content less than 2,000,000 CFU/g on a dry basis
Municipal biosolids **or** **Digestate** **or** **Various FRMs contaminated by any of the following:** ○ **human feces in a proportion greater than 0.1% of the FRM, evaluated on a dry basis** ○ **animal waste** ○ **non-agricultural waste** ○ **slaughterhouse waste**	Salmonella not detected[1] **and** one of the following treatments: • Thermal treatment with one of the following options upon leaving the dryer: - the wet-bulb temperature of the gas released upon leaving the dryer is greater than 80°C; - the dried FRM reached a temperature of at least 80°C upon leaving the dryer; The FRM is then protected from moisture;	One of the following requirements is met: • Liming treatment at a pH equal to or greater than 12 for a minimum of 2 hours and maintained at a pH equal to or greater than 11.5 for a minimum of 22 hours; • *E. coli* bacteria content less than 2,000,000 CFU/g on a dry basis and aerobic biological treatment and oxygen uptake rate less than or equal to 1,500 mg of oxygen (O_2)/kg volatile solids/hour. The oxygen uptake rate must be measured in accordance with one of the two methods specified in CAN/BNQ 0413-220 for the maturity and stability requirements concerned, unless the FRM is in a

○ **dismembering plant waste** ○ **animal carcasses** ○ **various animal wastes** ○ **egg waste**	• Alkaline treatment meeting the following requirements: - FRM maintained at a pH equal to or greater than 12 for a minimum of 72 consecutive hours; - FRM maintained at a temperature greater than 52°C for a minimum of 12 consecutive hours; - the dryness of the materials at the end of treatment is equal to or greater than 50% d.m. • Treatment recognized on the basis of the approach described in Annex E in CAN/BNQ 0413-400, to reduce pathogen content.	liquid state, in which case the method "EPA 1683 Specific Oxygen Uptake Rate in Biosolids" must be used; • The waste is worked into the soil in less than 6 hours and one of the following measures is met with regard to microbiological parameters: - *E. coli* bacteria content less than 2,000,000 CFU/g on a dry basis; - Salmonella not detected[1]; • *E. coli* bacteria content less than 2,000,000 CFU/g on a dry basis and biological activated sludge treatment, and sludge age is at least 20 days; • Class O1 or Class O2 FRM and one of the following measures is met with regard to microbiological parameters: - *E. coli* bacteria content less than 2,000,000 CFU/g on a dry basis; - Salmonella not detected[1]; • Class O1 municipal pond biosolid and confirmation by the purification station of the pond pump out date previous to the pump out from which the biosolid originates. For a biosolid from a blend of biosolids from various ponds in the same purification station, use the pump out date for the pond with the most recent previous pump out date.
Residues referred to in *a*, *c*, *d, e, j* to *p,* and *s* to *u* of the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" (2021)	Absence of contamination by one of the following materials: • Human feces in a proportion greater than 0.1%, evaluated on a dry basis; • Animal waste; • Non-agricultural waste.	n/a
Green waste	Absence of contamination by one of the following materials: • Human feces in a proportion greater than 0.1% of the FRM, evaluated on a dry basis • Animal waste; • Non-agricultural waste; • Slaughterhouse waste;	n/a

	• Rendering waste; • Animal carcasses; • Various animal wastes; • Egg waste.	
Various non-contaminated FRMs **or** **FRM referred to in *q* of the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" (2021)**	Salmonella not detected[1] **and** Absence of contamination by one of the following materials: - Human feces in a proportion greater than 0.1% of the FRM, evaluated on a dry basis; - Animal waste; - Non-agricultural waste; - Slaughterhouse waste; - Rendering waste; - Animal carcasses; - Various animal wastes; - Egg waste, other than the FRM referred to in *q* of the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" (2021).	n/a
FRMs resulting from thermal processes referred to in *b*, *f*, *g*, *h* and *i* of the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" (2021) **or** **Biochar** **or** **FRMs resulting from a thermal combustion process**	Thermal combustion process	n/a

CFU: colony forming units

1. Salmonella not detected in at least 2 out of 3 samples from a composite sample for FRMs resulting from discontinuous processes, or 2 out of 3 grab samples for FRMs resulting from continuous processes, for a minimum test portion of 25 g.

Table 4. Classification of FRMs according to olfactory characteristics

Classes	Types of FRMs
O1	(*a*) Non-putrescible residues referred to in the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" (2021); (*b*) Compost; (*c*) Dead leaves, bark, wood waste from cutting and trimming of trees or bushes, wood chips, shavings and sawdust; (*d*) Biochar; (*e*) Paper mill biosolids and de-inking sludge having a carbon/nitrogen ratio equal to or greater than 70; (*f*) Pure de-inking sludge or de-inking sludge mixed with paper mill biosolids and having a neutralizing value equal to or greater than a calcium carbonate equivalent of 30% on a dry basis and a dryness value equal to or greater than 40% at all times; (*g*) Municipal pond or paper mill biosolids for which the period between the previous total or partial pump out and the pump out producing the biosolids, plus any time spent in a sludge drying bed or a dewatering bag, is at least 4 years; (*h*) Dried digestate protected from moisture and originating entirely or in part from municipal biosolids.
O2	(*a*) Municipal pond or paper mill biosolids for which the period between the previous total or partial pump out and the pump out producing the biosolids, plus any time spent in a sludge drying bed or a dewatering bag, is less than 4 years; (*b*) Municipal biosolids from mechanized stations, dried and moisture protected; (*c*) Digestate, other than digestate dewatered using a centrifuge; (*d*) Municipal biosolids from a domestic wastewater treatment system; (*e*) Pure de-inking sludge or de-inking sludge mixed with paper mill biosolids and having a neutralizing value equal to or greater than a calcium carbonate equivalent of 30% on a dry basis and an average annual dryness value equal to or greater than 35%;

	(*f*) Paper mill biosolids having a carbon/nitrogen ratio equal to or greater than 50 but less than 70 and originating from a process other than a kraft or sulfate process; (*g*) Paper mill biosolids having undergone acid treatment; (*h*) Class O3 FRMs, other than those referred to in paragraph *f* of Class O3, having undergone liming treatment at a pH equal to or greater than 12 for at least 2 hours and maintained at a pH equal to or greater than 11.5 for at least 22 hours; (*i*) Paper mill biosolids from a kraft or sulfate process that uses a stripping tower prior to an aerated effluent treatment system; (*j*) Pre-compost.
O3	(*a*) Other municipal biosolids; (*b*) Paper mill biosolids having a carbon/nitrogen ratio equal to or greater than 50 but less than 70 and originating from a kraft or sulfate process; (*c*) Paper mill biosolids having a carbon/nitrogen ratio less than 50, not having undergone acid treatment and not from a kraft or sulfate process; (*d*) Untreated aquatic animal residues; (*e*) Limed slaughterhouse biosolids and limed rendering plant biosolids having undergone treatment at the plant meeting the following requirements: i. Liming at a pH equal to or greater than 12 for at least 2 hours, and maintained at a pH equal to or greater than 11.5 for at least 22 hours; ii. Calcium equal to or greater than 10% on a dry basis; (*f*) Green waste, other than Class O1 green waste; (*g*) Agri-food biosolids; (*h*) Milk, whey, permeate or filtrate from the dairy industry, whey by-products or white water from cheese making; (*i*) Potato residues and other residues from the processing of vegetables and fruits.

O-OC	(*a*) Rendering plant biosolids after primary treatment; (*b*) Slaughterhouse biosolids after primary treatment; (*c*) Paper mill biosolids from a kraft or sulfate process having a carbon/nitrogen ratio less than 50 and having not been treated to remove odours; (*d*) Municipal biosolids from an anaerobic digester dewatered using centrifuges.

Table 5. Classification of FRMs according to foreign matter content

Types of FRMs	**Classes**	**Conditions to meet**
Agri-food biosolids	E1	Screening
Slaughterhouse and rendering plant biosolids	E1	Screening
Paper mill biosolids	E1	The paper mill biosolid is not the result of waste paper or cardboard pulping
De-inking sludge	E1	Equipment is present to remove foreign matter on the generation site
FRMs from the condensation of gaseous waste	E1	n/a
Municipal biosolids from mechanized stations	E1	Screening
Municipal biosolids – from a non-first stage treatment pond	E1	Screening
Municipal biosolids – from a first stage treatment pond	E2	Screening
Municipal biosolids from a domestic wastewater treatment system	E2	Screening
Fly ash	E1	n/a

Bottom ash	E2	n/a
Digestate from municipal biosolids	E1	Screening has been performed on the municipal biosolid or digestate
Dead leaves	E2	The leaves are from an autumn bulk or paper bag collection
Fertigation water	E1	Equipment is present to retain foreign matter 2 mm or more in size
Bark	E1	The bark is not from a construction or demolition material sorting centre
Digestate from continuous slurry production processes – from source-separated organic residues and similar residues	E2	Screening has been performed on the input ready to undergo biomethanation or the digestate
Milk residue	E1	The residue has not been packaged for retail and is handled in bulk
Agri-food residue	E1	The residue has not been packaged for retail and is handled in bulk

Table 6. Classification criteria for FRMs according to foreign matter content and foreign matter parameters to be analyzed, pursuant to section 16

Foreign matter parameters	**Maximum contents for Class E1**	**Maximum contents for Class E2**
Sharp foreign matter greater than 5 mm in size	1 unit or less per 500 ml	n/a
Foreign matter - longer than 25 mm - larger than 3 mm	2 units or less per 500 ml	n/a
Total foreign matter greater than 2 mm in size	0.5% on a dry basis	1.0% on a dry basis

Table 7. Classification criteria for FRMs according to preventive investigative parameters

Preventive investigative parameters		CAS numbers	Maximum contents for the class in µg/kg on a dry basis	
			I1	I2
Perfluorooctane sulfonate (PFOS)		45298-90-6 (anion) 1763-23-1 (acid R-SO3H)	11	50
Perfluorooctanoic acid (PFOA)		45285-51-6 (anion) 335-67-1 (acid R-COOH)	8	38
Sum of PFAS ($\sum_{PFAS}$)*	Perfluoro-n-butanoic acid (PFBA)	45048-62-2 (anion) 375-22-4 (acid R-COOH)	120	600
	Perfluoro-n-pentanoic acid (PFPeA)	45167-47-3 (anion) 2706-90-3 (acid R-COOH)		
	Perfluoro-n-hexanoic acid (PFHxA)	92612-52-7 (anion) 307-24-4 (acid R-COOH)		
	Perfluoro-n-decanoic acid (PFDA)	73829-36-4 (anion)		

		335-76-2 (acid R-COOH)		
	Perfluorodecane sulfonate (PFDS)	126105-34-8 (anion) 335-77-3 (acid R-SO3H)		
	1H,1H,2H,2H-perfluorooctane sulfonate (6:2 fluorotelomer sulfonate) (6:2 FTS)	425670-75-3 (anion) 27619-97-2 (acid R-SO3H)		
	3-perfluoropentyl propanoic acid (5:3 FTCA)	1799325-94-2 (anion) 914637-49-3 (acid R-COOH)		
	3-perfluoroheptyl propanoic acid (7:3 FTCA)	1799325-95-3 (anion) 812-70-4 (acid R-COOH)		
	N-methyl perfluorooctane sulfonamidoacetic acid (NMeFOSAA)	2355-31-9		
	N-ethyl perfluorooctane sulfonamidoacetic acid (NEtFOSAA)	2991-50-6		
	2H-perfluoro-2-octenoic acid (FHUEA)	70887-88-6		
* That parameter is calculated on the basis of the sum of the PFAS identified in the next column, without taking into account PFOS and PFOA values.				

Table 8. Parameters to be analyzed according to the type of FRM, pursuant to section 16

	Types of FRMs, composed of FRMs grouped according to their similarity (designated according to the applicable subparagraph of the first paragraph of section 4)															
Parameter	**Unit of measurement**	**1**	**2**	**3 and 4**	**5**	**6**	**7**	**8 and 9**	**10**	**11**	**12**	**13, 14, 15 and 16**	**17**	**18 and 19**	**21**	**20, 22, 23 and 24[9]**
Dryness value	% on a wet basis	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Total kjeldahl nitrogen (TKN)	mg/kg on a dry basis	x	x	x			x	x	x	x	x	x		x	x(10)	x
Ammoniacal nitrogen ($N\text{-}NH_4$)		x	x(1)	x			x	x	x(1)	x	x	x		x	x(10)	x
Total phosphorus, expressed as P_2O_5		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Total potassium, expressed as K_2O		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Organic matter	% on a dry basis	x	x	x		x	x	x	x	x	x	x		x	x	x
Neutralizing value	% CCE on a dry basis	x(2)		x(2)	x	x	x(2)	x(2)		x(2)	x(2)	x(2)	X(12)	x(2)	x	x(2)
Efficiency	%			x(8)	x								x			x(2)
Carbon/nitrogen ratio	n/a	x	x	x			x	x	x	x	x	x		x	x(10)	x
pH		x(2)		x(2)	x	x	x(2)	x(2)	x	x(2)	x(2)	x(2)	x	x	x	x
Calcium (Ca)	mg/kg on a dry basis	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Magnesium (Mg)	mg/kg on a dry basis	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Total sulphur (S)	% on a dry basis			x	x	x							x	x	x	x
Sulphate (SO_4^2)	mg/kg on a dry basis													x		x
Aluminum (Al)	mg/kg on a dry basis	x		x(3)			x(3)	x(3)		x		x(6)		x	x(6)	x
Arsenic (As)		x		x	x	x						x	x	x	x	x
Boron (B)		x		x(4)	x(4)	x(4)						x(6)	x	x	x(4.6)	x
Cadmium (Cd)		x		x	x	x						x	x	x	x	x
Chromium (Cr)		x		x	x	x						x	x	x	x	x
Cobalt (Co)		x		x	x	x						x	x	x	x	x
Copper (Cu)		x		x	x	x	x	x(5)		x		x	x	x	x	x
Iron (Fe)		x		x(3)			x(3)	x(3)		x		x(6)		x	x(6)	x
Manganese (Mn)		x				x						x(6)		x	x	x
Mercury (Hg)		x		x	x	x				x		x	x	x	x	x
Molybdenum (Mo)		x		x	x	x					x	x	x	x	x	x
Nickel (Ni)		x		x	x	x					x	x	x	x	x	x
Lead (Pb)		x		x	x	x						x	x	x	x	x

	Types of FRMs, composed of FRMs grouped according to their similarity (designated according to the applicable subparagraph of the first paragraph of section 4)															
Parameter	**Unit of measurement**	**1**	**2**	**3 and 4**	**5**	**6**	**7**	**8 and 9**	**10**	**11**	**12**	**13, 14, 15 and 16**	**17**	**18 and 19**	**21**	**20, 22, 23 and 24[9]**
Selenium (Se)		x		x	x	x				x		x	x	x	x	x
Sodium (Na)		x		x	x	x	x	x	x	x		x(6.11)	x	x	x	x
Zinc (Zn)		x		x	x	x				x		x	x	x	x	x
Dioxins and furans	ng TEQ/kg on a dry basis	x(7)		x(7)		x(7)						x(7)	x(7)	x(7)	x(7)	x(7)

Analysis is required for x-marked parameters

CCE: Calcium carbonate equivalent

%htmx: Weight percentage of sample on a wet basis passing through one or more sieves with mesh openings of 20 mm and 12.5 mm in accordance with the ASTM C136 method with sieved as-received test portion

TEQ: 2,3,7,8-tetrachlorodibenzodioxin toxic equivalent

(1) Analysis not required for waste with a carbon/nitrogen ratio greater than or equal to 70.
(2) Analysis required for alkaline treated fertilizing residuals, de-inking waste, and FRMs containing ground mollusc or crustacean shells.
(3) Analysis required for FRMs from an aluminum salts or iron process and for mechanically dewatered FRMs with those salts added. The analysis must be conducted after those salts are added.
(4) Analysis required for FRMs from paperboard manufacturing or any other process with boron added.
(5) Analysis required for biosolids and other pig slaughterhouse waste and rendering plant biosolids and other rendering waste.
(6) Analysis required for FRMs originating entirely or in part from a FRM for which analysis of the parameter is required.
(7) Analysis required for every FRM listed below, originating from a residue listed below, or for which there is a possibility of contamination from the compounds, in particular due to the blending of residues or the generation process:

biosolids from a pulp and paper making process using a chlorine oxidizing compound in pulping, bleaching or wastewater treatment;

municipal pond biosolids to be classed C1;

municipal biosolids or digestate dried by direct contact with incinerator combustion gas;

FRMs, including wastewater, in particular from a textile mill or tannery;

Residues referred to in *d*, *g*, *i*, *l*, *m* and *s* of the scope of BNQ 0419-090 “Inorganic Soil Conditioners – Liming Materials from Industrial Processes” (2021).

(8) Analysis required for de-inking waste or FRMs containing de-inking waste.
(9) FRMs not already referred to in paragraphs 1 to 19 and 21.
(10) Analysis not required if the biochar originates from wood or bark only.
(11) Analysis required for FRMs originating entirely or in part from source-separated organic residues as defined in Schedule II.
(12) The method for the determination of the neutralizing value must take into account the sulphites in the FRM.

Table 9. Minimum number of samples to be taken for analysis pursuant to section 20

Quantity generated or stored on a generation site in a calendar year (tonnes, on a dry basis), per FRM	Minimum number of samples according to the nature of the parameter to be analyzed			
	Dioxins and furans and foreign matter	Salmonella and *E. coli*	PFOS, PFOA and $\sum_{PFAS}$	Other parameters
0 – 300	1	2	1	2
301 - 1,500	2	4	1	4
1,501 - 15,000	3	6	1	6
> 15,000	4	12	1	12

Table 10. Chemical organic parameters to be analyzed for certain residues referred to in the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" (2021) and the FRMs containing them pursuant to section 16

	Residues referred to in the scope of BNQ 0419-090 "Inorganic Soil Conditioners – Liming Materials from Industrial Processes" (2021)		
Categories of parameters	Ash or biochar from treated wood or from construction, renovation and demolition wood referred to in item *g* of the scope	Ash or biochar from wood waste from wood-panel manufacturing plants referred to in item *g* of the scope	Kiln dust from the manufacture of Portland cement referred to in item *i* of the scope
1- Chlorobenzene	X		X
2- Semi-volatile organic compounds	X		X

3- Polycyclic aromatic hydrocarbons - list 1 of Table 11 of Schedule I	X		X
4- Polycyclic aromatic hydrocarbons - list 2 of Table 11 of Schedule I	X		X
5- Phenolic compounds - list 1 of Table 11 of Schedule I	X		X
6- Phenolic compounds - list 2 of Table 11 of Schedule I	X		X
7- Volatile organic compounds - list 1 of Table 11 of Schedule I	X		X
8- Volatile organic compounds - list 2 of Table 11 of Schedule I	X		
9- Formaldehyde	X	X	
Analysis is required for X-marked parameters.			

Table 11. Maximum authorized content of the organic chemical parameters referred to in Table 10

Chemical parameter	Maximum content, in mg/kg (on a dry basis)
1-CHLOROBENZENES	
1,2,4-Trichlorobenzene	2
Hexachlorobenzene	2
2-SEMI-VOLATILE ORGANIC COMPOUNDS	
Bis(2-chloroethyl) ether	6
Bis(2-chloroisopropyl) ether	7.2
4-Bromophenyl phenyl ether	15
Bis (2-Chloroethoxy) methane	7.2
2,6-Dinitrotoluene	0.7
2,4-Dinitrotoluene	140
2,4,6-Trinitrotoluene	0.4
Nitrobenzene	14
2,4-Dinitrophenol	1
n-Nitrosodi-n-propylamine	14
Hexachlorocyclopentadiene	2.4
Hexachloroethane	30
Di-n-butylphthalate (dibutyl phthalate)	28
Butylbenzylphthalate	28
Bis(2-ethylhexyl) phthalate	28
Diethylphthalate	28

Di-n-octylphthalate	28
Dimethylphthalate	28
3-POLYCYCLIC AROMATIC HYDROCARBONS - LIST 1	
Acenaphthene	3.4
Anthracene	3.4
Benzo(a)anthracene	1
Dibenzo(a,h)anthracene	1
Chrysene	1
Fluorene	3.4
Fluoranthene	3.4
Benzo(b,j,k)fluoranthene	1
Naphthalene	5
2-Chloronaphthalene	5.6
Phenanthrene	5
Benzo(g,h,i)perylene	1
Indeno(1,2,3-cd)pyrene	1
Pyrene	8.2
Benzo(a)pyrene	1
4-POLYCYCLIC AROMATIC HYDROCARBONS - LIST 2	
Acenaphthylene	3.4
Benzo(c)phenanthrene	1
7,12-Dimethylbenzo(a)anthracene	1
1-Methylnaphthalene	1
2-Methylnaphthalene	1
1,3-Dimethylnaphthalene	1

2,3,5-Trimethylnaphthalene	1
3-Methylcholanthrene	1
Dibenzo(a,l)pyrene	1
Dibenzo(a,i)pyrene	1
Dibenzo(a,h)pyrene	1
5-PHENOLIC COMPOUNDS - LIST 1	
o-Cresol	1
m-Cresol	1
p-Cresol	1
Phenol	1
2-Chlorophenol	0.5
2,4 + 2,5-Dichlorophenol	0.5
2,4,6-Trichlorophenol	0.5
2,4-Dimethylphenol	1
2-Nitrophenol	1
4-Nitrophenol	1
Pentachlorophenol	0.5
6-PHENOLIC COMPOUNDS - LIST 2	
3-Chlorophenol	0.5
4-Chlorophenol	0.5
2,3-Dichlorophenol	0.5
2,6-Dichlorophenol	0.5
3,4-Dichlorophenol	0.5
3,5-Dichlorophenol	0.5
2,3,4-Trichlorophenol	0.5

2,3,5-Trichlorophenol	0.5
2,3,6-Trichlorophenol	0.5
2,4,5-Trichlorophenol	0.5
3,4,5-Trichlorophenol	0.5
2,3,4,5-Tetrachlorophenol	0.5
2,3,4,6-Tetrachlorophenol	0.5
2,3,5,6-Tetrachlorophenol	0.5
7-VOLATILE ORGANIC COMPOUNDS - LIST 1	
1,2-Dichlorobenzene	1
1,3-Dichlorobenzene	1
1,4-Dichlorobenzene	1
Hexachlorobutadiene	5.6
8-VOLATILE ORGANIC COMPOUNDS - LIST 2	
Benzene	0.5
Chlorobenzene	1
Ethylbenzene	5
1,1-Dichloroethane	5
1,2-Dichloroethane	5
1,1,1-Trichloroethane	5
1,1,2-Trichloroethane	5
1,1,2,2-Tetrachloroethane	5
1,1-Dichloroethene	5
cis-1,2-Dichloroethene	5
Trans-1,2-Dichloroethene	5
Trichloroethene	5

1,1,2,2-Tetrachloroethylene	5
Chloroform	5
Dichloromethane	5
1,2-Dichloropropane	5
cis-1,3-Dichloropropene	5
Trans-1,3-Dichloropropene	5
Styrene	5
Carbon tetrachloride	5
Toluene	3
Vinyl chloride	0.4
Xylene	5
9-FORMALDEHYDE	
Formaldehyde	50

Table 12. Criteria for designating a FRM as Class C on the basis of the results of the analyses required under sections 20 and 23 for the purposes of section 28

Class C on the basis of the results of the analyses conducted under section 20 for each parameter	Class C on the basis of the results of the analyses conducted under section 23 for each parameter	FRM designated as Class C for the purposes of reclamation
C1	C1	C1
C2	C1	C2
C2	C2	C2
C1	C2	C2
C1	C-OC	C-OC
C2	C-OC	C-OC
C-OC	C1 or C2	C-OC

Table 13. Criteria for designating a FRM as Class P on the basis of the results of the analyses required under sections 20 and 23 for the purposes of section 28

Class P on the basis of the results of the analyses conducted under section 20	**Characteristics or results of the analyses of the sample taken under section 23**	**FRM designated as Class P for the purposes of reclamation**
P1	Absence of salmonella (not necessary for ash and other residue for which there is no analysis requirement); **And** 1. Compost: O_2 assimilation rate ≤ 400 mg/kg of organic matter/hour **Or** 2. Residue from thermal drying: dryness value > 90% d.m.; 3. Residue not contaminated by human or animal feces 4. Biosolid or digestate treated with lime with pH ≥ 12 and ≥ 50% d.m.; 5. Liming de-inking sludge not contaminated by domestic wastewater.	P1
P2	≤ 2,000,000 *E. Coli*/g	P2
P-OC	P1 or P2	P-OC

Table 14. Designation of a FRM as Class E on the basis of the results of the analyses required under sections 20 and 23 for the purposes of section 28

Class E on the basis of the results of the analyses conducted under section 20 for each parameter	Class E on the basis of the results of the analyses conducted under section 23 for each parameter	FRM designated as Class E for the purposes of reclamation
E1	E1	E1
E1	E2	E2
E2	E2	E2
E2	E1	E2
E1	E-OC	E-OC
E2	E-OC	E-OC
E-OC	E1 or E2	E-OC

SCHEDULE II
(Sections 5, 15, 16, 19, 25, 32, 100 and 117)

LISTS

Lists 1.1 and 1.2. Inputs permitted for use in compost, pre-compost or a digestate whose reclamation is an activity eligible for a declaration of compliance or an activity exempted from authorization under the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), amended by the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, made by Order in Council 189-2025 dated 26 February 2025

For the purposes of these lists,

"biomedical waste" means biomedical waste referred to in the Regulation respecting biomedical waste (chapter Q-2, r. 12); (*déchets biomédicaux*)

"hazardous materials" means hazardous materials referred to in the Regulation respecting hazardous materials (chapter Q-2, r. 32); (*matières dangereuses*)

"inedible meat" means inedible meat designated in section 7.1.1 of the Regulation respecting food (chapter P-29, r. 1); (*viandes non comestibles*)

"non-contaminated wood" means wood containing no varnished, painted, stained, treated or engineered wood, or wood contained in oriented strand board, plywood or particle board; (*bois non contaminé*)

"rumen contents" means the partially digested stomach contents of ruminants; (*contenu de panse*)

"source-separated organic residues" means organic material of plant or animal origin resulting mainly from the preparation, consumption and distribution of food and beverages separated on the site where the fertilizing residual materials are produced; (*résidus organiques triés à la source*)

"specified risk material" means specified risk material within the meaning of the Guidance on Specified Risk Material published by the Canadian Food Inspection Agency. (*matériel à risque spécifié*)

1.1. Exhaustive list of basic inputs for composting and biomethanation processes

Origin	Input
Food and agri-food	(*a*) Agri-food waste from animals, plants or mushrooms; (*b*) Source-separated organic residues; (*c*) Milk residue; (*d*) Agri-food wastewater; (*e*) Plant or animal oil and grease; (*f*) Residue from feed rations;
Plant matter	(*g*) Natural Christmas trees; (*h*) Non-contaminated wood; (*i*) Forest waste; (*j*) Whole plants, parts of plants or green waste; (*k*) Organic matter growing medium (for example, peat moss or coco fibre);
Biosolids	(*l*) Agri-food; (*m*) Slaughterhouse; (*n*) Rendering plant; (*o*) Municipal; (*p*) Paper mill; (*q*) Aquaculture;
Residues of animal origin	(*r*) Rumen contents; (*s*) Livestock waste, non-agricultural animal waste or human feces, including those containing litter made of residue referred to in this list; (*t*) Aquatic animal residue; (*u*) Inedible meat and other carcasses or parts of dead animals, except specified risk material; (*v*) Hatchery waste (dead chicks, downgraded or expired eggs, and shells);
Biological treatment outputs	(*w*) Compost, pre-compost or a digestate generated only from inputs referred to in this list;
Other residues	(*x*) The following residual materials, up to a total of 5% of the input volume: i. Source-separated residual gypsum. In the case of gypsum from drywall panels, there must be no paint or asbestos, and the cardboard must have been removed beforehand; ii. Plant matter attached to soil that meets the limit values defined in Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37) and has a plant mass content below 50%; iii. Liming materials certified as compliant with BNQ 0419-090 “Inorganic Soil Conditioners – Liming Materials from Industrial Processes”, or classified in accordance with this Code and not designated as “out of class”;

Origin	Input
	(*y*) De-inking sludge; (*z*) Paper and cardboard with no plastic film or waterproof coating, when the composting activity is carried out in the territory of the urban agglomeration of Îles-de-la-Madeleine or in a territory referred to in the first paragraph of section 112 of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19), by a municipality from that urban agglomeration or by a person referred to in the third paragraph of section 112 of the Regulation, and the paper and cardboard are residual materials generated in those territories.

1.2. Non-exhaustive list of residue not permitted for use as inputs in compost, pre-compost or a digestate whose reclamation is an activity eligible for a declaration of compliance or an activity exempted from authorization under the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), amended by the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, made by Order in Council 189-2025 dated 26 February 2025

—Asbestos and any material containing asbestos;
—Biosolid or leachates from a wastewater treatment system of establishments regulated by the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19);
—Residue from the cleaning of storm sewers and combined sewers;
—Residue from industrial catch basins;
—Biomedical waste;
—Car wash wastewater;
—Concrete cutting wastewater;
—Artificial vitreous fibres;
—Specified risk material;
—Hazardous materials;
—Mixed residual materials and residue separated from mixed residual materials;
—Residue from construction, renovation and demolition (other than gypsum referred to in paragraph *x* of list 1.1).

List 2. FRMs referred to for their preventive investigative parameters

(*a*)	Municipal biosolids from a municipal wastewater treatment works within the meaning of the Regulation respecting municipal wastewater treatment works (chapter Q-2, r. 34.1);
(*b*)	Paper mill biosolids;
(*c*)	De-inking sludge;
(*d*)	Any other FRM resulting from the treatment process of mixed materials, such as outputs from a mechanical-biological sorting process applied to deposits of non-source-separated materials, or outputs from the treatment of residual materials resulting from construction or demolition work;
(*e*)	Any pre-compost, compost or digestate that contains a FRM referred to in this list;
(*f*)	Any ash from a FRM referred to in this list.

SCHEDULE III
(Sections 9 and 94)

SNIFFING METHOD FOR THE CLASSIFICATION OF FRMS ACCORDING TO THEIR OLFACTORY CHARACTERISTICS (CLASS O)

General

This method classifies FRMs according to their olfactory characteristics pursuant to section 9 or 94 of this Code. It proposes to resort to panellists who sniff materials within a particular framework in order to classify them according to their odour.

A maximum of 10 FRMs may undergo the same sniffing test, evenly spread over two half days.

The odour class assigned to a FRM in accordance with this method remains valid for that FRM only if the conditions under which it is generated remain unchanged.

Solid dairy cattle manure and feeder pig slurry must be used as reference materials for the classification of a FRM according to its olfactory characteristics.

If the sniffing test is performed for the sole purpose of assigning Class O1 to a FRM, only dairy cattle manure is required. If the sniffing test is performed for the sole purpose of assigning a Class other than O1 or O2 to a FRM, only feeder pig slurry is required.

Sampling of FRMs and livestock waste

Before the FRM is sampled, it must have been stored for 2 to 8 weeks, or for any other period making it possible for the FRM to achieve the worst-case scenario with regard to odour emissions.

The FRM samples must be taken between 1 May and 31 October, unless the FRM has been protected from the cold or stored in a container or an isolated building and its temperature has been measured at various depths on a weekly basis. The temperatures measured must be between 18 °C and 23 °C to show that the FRM sample is representative of a FRM that has not been aged or that retains its representativeness of the worst-case scenario with regard to odour emissions.

The solid dairy cattle manure samples must be taken from a pile. Depending on the sampling period, the samples must be taken from outside the frozen part of the pile and the crust, if applicable.

The feeder pig slurry samples must be taken from a slurry pit.

For livestock waste used as reference material, the following samples must be taken:

(1) 2 solid dairy cattle manure samples, taken from dairy cattle aged 2 to 4 months and originating from 2 different agricultural operations;

(2) 2 feeder pig slurry samples originating from 2 different agricultural operations.

The FRM and livestock waste samples must be taken within 21 days before the date of the sniffing test by a person having experience in that area, in accordance with section 21.

If the samples are taken more than 24 hours before the sniffing test, they must be kept in a refrigerator but not frozen.

Analysis of FRMs to be classified and livestock waste used as reference

Physiochemical analyses of the following elements must be conducted on each FRM and livestock waste sample:

(1) the dry matter content, expressed as a percentage;

(2) the organic matter content (loss-on-ignition), expressed as a percentage;

(3) the total Kjeldahl nitrogen (TKN) content, expressed in kilograms per tonne;

(4) the ammoniacal nitrogen ($N\text{-}NH_4$) content, expressed in kilograms per tonne;

(5) the carbon/nitrogen (C/N) ratio.

Preparation of samples

Each FRM and livestock waste sample must be split into 20 sub-samples to be used in the sniffing test.

The sub-samples must be placed in identical closed containers that meet the following conditions:

(1) they are odourless;

(2) they have a large opening;

(3) they are amber or opaque in colour;

(4) their capacity is between 250 ml and 500 ml;

(5) they have a lid.

The sub-sample containers must be filled to half their volume.

The containers must be labelled according to the type of material, but in a way that prevents panellists from identifying their contents, for example FRM 1, FRM 2, Manure 1, Manure 2, Slurry 1 or Slurry 2.

The sub-samples must be at room temperature during the sniffing test. Their temperature must be taken and entered in the report.

Premises

The premises selected to perform the sniffing test must be at a comfortable temperature, free from odours, ventilated and well aerated.

The room must be free from any source of noise or light that may negatively affect the sniffing in progress.

The room must be furnished with 10 sniffing stations that include a table, a chair, the sub-samples to be tested, a water sub-sample, and the material required for the test.

Composition of the panel

The generator of the FRM and the person in charge of the sniffing test may not be part of the panel.

The person in charge of the sniffing test must create a panel composed of 10 participants and divided into 2 sub-panels, as follows:

(1) 5 employees of the Ministère du Développement durable, de l'Environnement et des Parcs, whose contact information was sent to the person in charge of the test by the regional branch concerned following a written notice by the person informing the branch that a sniffing test was to be performed;

(2) 5 other participants, with a maximum of 3 of those participants being linked to the person in charge of the sniffing test.

Each panellist must be able to objectively evaluate the odours and must not suffer from hyperosmia or anosmia. Each panellist must also be familiar with the odour of cattle manure, feeder pig slurry and FRMs.

Each panellist must follow the following code of conduct:

(1) at least 30 minutes before the sniffing test, and while the test is being performed, refrain from consuming any substance likely to affect sensory perception, such as tobacco, food, a liquid other than water, chewing gum or candy;

(2) take care not to interfere with your own sensory perception or that of the other panellists, for example through a lack of personal hygiene or by using perfume, deodorant, body lotion or other beauty products;

(3) make sure not to have a condition that impacts their olfactory perception, such as cold or allergy symptoms, and to remove oneself from the sniffing test, if applicable;

(4) refrain from speaking with the other panellists about their findings and results during the sniffing test;

(5) be unaware of which FRMs are to be tested;

(6) be a non-smoker.

Results bulletin

Results bulletins in keeping with the model shown below must be distributed to the panellists so that they can assign an odour rating, on a scale of 0 to 10, to each of the sub-samples in the containers. The 0 rating corresponds to the water sub-sample, whereas the 10 rating corresponds, if applicable, to an extremely intense and unpleasant odour to which the instinctive reaction would be to avoid any future exposure to that odour at that level of intensity.

Model:

Series of containers (1 or 2): _____
Name of panellist: _____
Employer: _____

Identification (FRs not visible and randomly distributed)	Label number	Odour rating										
		0	1	2	3	4	5	6	7	8	9	10
Slurry 2												
FR 3												
Manure 2												
FR 2												
FR 1												
Slurry 1												
Manure 1												
Signature of panellist:												

Note: A 0 rating corresponds to pure water and a 10 rating corresponds to extremely malodorous waste.

A results bulletin must be completed for each series of containers.

The name of the panellist and the series of sniffing performed by the panellist must be indicated on the bulletin.

Conduct of the sniffing test

The person in charge of the sniffing test must welcome the panellists and give them an instruction sheet, the results bulletins, a lead pencil and an eraser. The person in charge must read out the instruction sheet and answer the questions of the panellists.

Each panellist must sniff 2 series of sub-samples consisting of

(1) 2 dairy cattle waste sub-samples;

(2) 2 feeder pig slurry sub-samples;

(3) 1 sub-sample per FRM; and

(4) 1 odourless water sub-sample.

The instruction sheet must specify the procedure involving the following steps:

(1) put on clean, waterproof gloves;

(2) take the water sub-sample container, open it, sniff it and close it;

(3) take another container, from left to right, and then

(*a*) open it;

(*b*) create turbulence by doing slight rotary motions for a minimum of 5 seconds;

(*c*) with the sub-sample 10 cm away from the nose, sniff it for a maximum of 15 seconds;

(*d*) select an odour rating, on a scale of 0 to 10, and close the container;

(*e*) enter the odour rating in the appropriate space on the results bulletin;

(4) wait at least 30 seconds;

(5) repeat the steps referred to in subparagraphs 2 to 4 for each container from the same series;

(6) in case of doubt about which odour rating to assign, sniff one or more containers again, following the same procedure, and place the containers from left to right in ascending or descending order of odour rating;

(7) give the results bulletins to the person in charge.

There must be a pause of at least 30 minutes between each series.

A maximum of 5 FRMs may undergo sniffing tests in one half-day period.

After the sniffing test, the person in charge must

(1) compile the results;

(2) prepare a sniffing test report in accordance with this method;

(3) assign an odour class; and

(4) send the report to the Minister as soon as it is completed.

Sniffing test report

The person in charge of the sniffing test must produce a sniffing test report that contains the following information:

(1) the name and contact information of the person in charge of the sniffing test;

(2) a description of the various materials undergoing sniffing, in particular

(*a*) their origin;

(*b*) their general characteristics;

(*c*) their inputs; and

(*d*) their process;

(3) the sampling methods for each material;

(4) the name, contact information and qualifications of the samplers;

(5) the sampling point and sampling date for each sample;

(6) the name, contact information and employment of each panellist;

(7) the date of the sniffing test and the contact information of the place where it was performed;

(8) the temperature of the premises and of the materials being sniffed;

(9) the raw and synthesized data from the panel for each sub-sample sniffed;

(10) the interpretation of the results, including a demonstration that the conditions concerning representativeness were complied with;

(11) the odour class assigned to each FRM on the basis of the assignation criteria;

(12) a declaration by the person in charge attesting that the sniffing test was performed in accordance with this Schedule.

The promoter of the reclamation project must keep the sniffing test report for a minimum period of 5 years.

Interpretation of the results and conditions concerning representativeness

For the sniffing test to be acceptable, the following 3 representativeness criteria must be complied with and demonstrated by the person in charge:

(1) if the average results of the 2 sub-panels for a given FRM diverge by 2 units or more, one of the following measures must be taken:

(*a*) invalidate the results for that FRM;

(*b*) establish classes on the basis of the sub-panel with the most restrictive results;

(2) for livestock waste, the odour rating accepted for solid dairy cattle manure must be lower than the odour rating for feeder pig slurry by at least 2 units, and a non-parametric Wilcoxon statistical test must demonstrate that odour ratings are statistically significantly different at threshold $\alpha = 0.05$;

(3) for FRMs, the physicochemical characteristics of the sample must appear normal in comparison with the annual average, using the standard deviation, or they represent the worst-case scenario with regard to odour emissions.

Despite the first paragraph, the promoter has until 12 months following the sniffing test to demonstrate that the criterion referred to in subparagraph 3 of the first paragraph was complied with. Until that demonstration is made, the odour class assigned to the FRM is temporary.

Criteria for assigning the odour class

If the odour class assigned to a FRM further to a sniffing test is less restrictive than the odour class assigned to that FRM pursuant to Table 4 of Schedule I, that class is henceforth assigned to it.

If the class assigned to a FRM further to a sniffing test is more restrictive than the class assigned to that residual pursuant to section 9, the class determined by Table 4 of Schedule I has priority.

The person in charge of the sniffing test designates a FRM as Class O1 in the following cases:

(1) the average odour rating obtained is lower than that of the solid dairy cattle manure by at least 2 units;

(2) the average odour rating obtained is 2.0 or lower.

The person in charge of the sniffing test designates a FRM as Class O2 in the following cases:

(1) the average odour rating obtained is lower than that of the solid dairy cattle manure by less than 2 units;

(2) the odour rating is higher than that of the solid dairy cattle manure by less than 2 units but lower than that of the feeder pig slurry by at least 2 units.

The person in charge of the sniffing test designates a FRM as Class O3 if the average odour rating is not O1 or O2 and it is lower than or equal to that of the feeder pig slurry.

The person in charge of the sniffing test designates a FRM as OC if its rating is not O1, O2 or O3.

SCHEDULE IV
(Sections 90 and 94)

ADDITIONAL MITIGATION MEASURES TO MINIMIZE THE IMPACT OF ODOUR FROM A FRM

This Schedule presents the additional mitigation measures that may be taken by the agronomist or forest engineer who signed the agro-environmental reclamation plan to reduce the impact of odour.

Measures applicable to the storage of FRMs

The storage of a FRM referred to in this Schedule may take place in accordance with the following measures:

(1) avoid storing FRMs in the axis of the prevailing wind towards nearby dwellings;

(2) select a site close to windbreaks or a wooded strip;

(3) select a site where there are no nearby dwellings situated downward thereof, other than the operator's dwelling;

(4) reduce the duration of storage;

(5) use a permanent watertight cover or impermeable canvas fixed in such a way as to prevent any dispersion;

(6) encapsulate the FRM in accordance with section 58;

(7) install a floating organic mat consisting of straw, compost, peat or sawdust, at least 10 cm thick and covering more than 98% of the surface of the storage facility, not more than 6 hours after receiving or handling the FRMs;

(8) lime at a pH equal to or greater than 12 and maintain a pH greater than 10 at all times;

(9) encourage liquid management for FRMs stored in watertight structures.

Measures applicable to the spreading of FRMs

The spreading of a FRM referred to in this Schedule may be carried out in accordance with the following measures:

(1) apply the minimum distance from the strictest Class O after that of the FRM to be spread;

(2) take into account meteorological conditions, such as temperature and wind direction;

(3) plan the spreading within working hours;

(4) immediately work the FRMs into the soil;

(5) avoid spreading during the summer;

(6) spread the FRMs using boom spreaders with drop pipes.

Measures applicable to the generation of FRMs

The generation of a FRM referred to in this Schedule may be carried out in accordance with the following measures:

(1) add an additional treatment to increase the dryness value, stabilization and hygienization of the FRM;

(2) implement a program focusing on the reduction and reuse at source of potentially malodorous waste by targeting the main emitters;

(3) validate with the suppliers of the products and equipment the effects of the changes planned in the plant;

(4) inform the promoter of the reclamation project of situations deemed to pose a risk with respect to odour;

(5) reduce the duration of storage for FRMs that are ready to leave their generation site.

Measures applicable to the management of the impact on the surroundings

The management of the impact on the surroundings of an activity related to FRMs referred to in this Schedule may be carried out in accordance with the following measures:

(1) establish an oversight committee on odour;

(2) use new routes when transporting the FRM;

(3) establish a plan for communication with nearby dwellings.

SCHEDULE V
(Sections 52 and 119)

SLUMP TEST

This method is used to calculate the maximum slump of a FRM. To do so, a FRM sample must be taken and must undergo the test described below:

1. Equipment

The test requires the following equipment:

(1) a steel cone that is chemically resistant to the FRM being tested and that meets the following requirements:

(*a*) 300 mm high;

(*b*) 200 mm in diameter at the base and 100 mm in diameter at the top;

(*c*) the base and the top are open and parallel to each other, at a right angle with the axis of the cone;

(*d*) the steel is at least 1.5 mm thick;

(*e*) the base has 2 tabs on which users can place one foot on each side;

(2) a steel rod with a rounded tip that meets the following requirements:

(*a*) rounded and straight;

(*b*) 600 mm long;

(*c*) diameter of 16 mm.

2. FRM moulding procedure

The test must be conducted at a temperature equal to or greater than 10 °C.

The cone must be moistened and placed on a flat, moist and impermeable surface. Holding the cone firmly in place using the tabs, fill the cone with the FRM being sampled, in three layers, with each layer representing one third of the volume of the cone; the first layer will be 70 mm high and the second layer will be 160 mm high.

After filling each layer, perforate the FRM 25 times using the steel rod, spacing the perforations evenly across the surface and penetrating all the way to the bottom of the layer being perforated.

For the first layer, you may need to tilt the rod slightly and make about half of the perforations near the edge of the cone before making vertical perforations by turning toward the centre.

For the last layer, the top of the cone must be covered by the FRM. When a perforation made with the steel rod causes the level of the FRM to sink below the top, more of the FRM must be added to maintain an excess of material over the top of the cone.

When the last layer has been perforated, any excess FRM must be removed from the base and levelled at the top of the cone.

The cone must then be withdrawn immediately by lifting it vertically, without making any lateral or twisting motions, in approximately 5 seconds.

The entire FRM moulding procedure, including the filling and withdrawal of the cone, must take place without interruption and be completed within 2 minutes.

3. Calculation of the slump

The maximum slump is then calculated by measuring the difference between the height of the cone and that of the demoulded FRM, rounded off to the nearest 10 mm.

If the FRM slumps to only one side, the test is invalid and must be redone using a new FRM sample. If this occurs after 2 consecutive tests, it is likely that the FRM does not have the plasticity and cohesion required to carry out the test.

Duplicate tests on 2 portions of the FRM sample should have a difference of not more than 10 mm.

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