



Province of Saskatchewan


Order in Council 531/2013

Approved and Ordered: 11 September 2013



Lieutenant Governor

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, makes *The Used Petroleum and Antifreeze Products Collection Regulations*, in accordance with the attached Schedule.



President of the Executive Council

(For administrative purposes only.)

Recommended by: Minister of Environment

Authority: *The Environmental Management and Protection Act, 2002, section 81*

JAG SA -
29-08-13

SCHEDULE to OC 531/2013

PART I
Title and Interpretation

Title

1 These regulations may be cited as *The Used Petroleum and Antifreeze Products Collection Regulations*.

Interpretation

2(1) In these regulations:

- (a) **“Act”** means *The Environmental Management and Protection Act, 2002*;
- (b) **“antifreeze”** means ethylene or propylene glycol used as an engine coolant but does not include antifreeze used for plumbing, windshield washers, lock de-icing, fuel line or aircraft de-icing;
- (c) **“container”** means a container with a capacity of 50 litres or less that is manufactured for the purpose of holding oil, diesel exhaust fluid or antifreeze;
- (d) **“diesel exhaust fluid”** means an aqueous urea solution consisting of urea and de-ionized water the purpose of which is to lower diesel engine exhaust emissions;
- (e) **“diesel fuel filter”** means any spin-on or element style diesel fuel filter used in diesel engine applications;
- (f) **“first seller”** means the person who first sells oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze in Saskatchewan and includes a person who brings oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze into Saskatchewan for use in a commercial enterprise;
- (g) **“oil”** means any petroleum or synthetic oil that is recoverable for other uses and that is used for the purposes of insulation, lubrication, hydraulics or heat transfer and includes vegetable oil used for lubricating purposes;
- (h) **“oil filter”** means any spin-on or element style oil filter that is used in hydraulic, transmission or internal combustion engine applications;
- (i) **“permanent collection depot”** means a permanent collection depot that complies with section 13;
- (j) **“product management program”** means a program that provides for the collection, transportation and final treatment of used oil, used oil filters, used diesel fuel filters, used antifreeze and containers;

(k) “**retailer**” means a person who sells or offers for sale oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze to the public;

(l) “**used antifreeze**” means antifreeze that through use, storage or handling can no longer be used for its original purpose;

(m) “**used diesel fuel filter**” means a diesel fuel filter that through use, storage or handling can no longer be used for its original purpose;

(n) “**used oil**” means oil that through use, storage or handling can no longer be used for its original purpose;

(o) “**used oil filter**” means an oil filter that through use, storage or handling can no longer be used for its original purpose.

(2) For the purposes of the Act and these regulations, oil, oil filters, diesel exhaust fluid, diesel fuel filters, antifreeze and containers are prescribed products.

PART II

Product Management Program Required

Product management programs

3(1) No first seller shall sell, distribute or offer for sale, either directly or indirectly, oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze in Saskatchewan unless:

(a) the first seller operates a product management program approved by the minister; or

(b) the first seller enters into an agreement with a person who operates on the first seller’s behalf a product management program approved by the minister.

(2) No first seller who operates a product management program shall fail to operate the product management program in accordance with these regulations.

(3) No person who has entered into an agreement to operate a product management program on a first seller’s behalf shall fail to operate the product management program in accordance with these regulations.

(4) No first seller who has entered into an agreement to have a product management program operated on the first seller’s behalf shall fail to ensure that the product management program is being operated in accordance with these regulations.

Restriction on purchases of oil, oil filters, diesel exhaust fluid, diesel fuel filters and antifreeze

4 No person shall purchase oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze from a first seller if that person knows that the first seller has not complied with section 3.

PART III
Approval

Application for approval

5(1) A first seller who operates or who intends to operate a product management program or on whose behalf a product management program is or is to be operated shall:

(a) apply to the minister for approval of:

(i) a product management program; or

(ii) an amendment to an approved product management program; and

(b) submit any information or material that the minister requests and considers relevant to the application.

(2) The minister may require a first seller to submit further information or material if any information or material submitted pursuant to clause (1)(b) is, in the opinion of the minister:

(a) insufficient; or

(b) of a nature that does not allow the minister to evaluate the product management program or amendment to the approved product management program for which approval is requested.

Approval by minister

6(1) If the minister is satisfied that the product management program or the amendment to the approved product management program complies with the Act and these regulations, the minister shall:

(a) approve the product management program or the amendment to the approved product management program;

(b) impose any terms and conditions on the approval that the minister considers appropriate; and

(c) provide the applicant with written notification of the approval.

(2) No first seller shall fail to comply with any term or condition imposed on the approval.

(3) If the minister is not satisfied that the product management program or the amendment to the approved product management program complies with the Act and these regulations, the minister shall:

(a) refuse to approve the product management program or the amendment to the approved product management program; and

(b) provide the applicant with written notification of the refusal and the reasons for the refusal.

Approval not transferable

7 An approval of a product management program is not transferable.

PART IV

Requirements for Product Management Programs

Level of service

8 Every product management program must:

- (a) have at least one permanent collection depot in each oil zone identified in Table 1 of the Appendix;
- (b) provide at least one permanent collection depot or one alternative return option mentioned in section 9 in each oil zone identified in Table 2 of the Appendix; and
- (c) have an educational and informational component.

Alternative to permanent collection depot

9 If a product management program is not required to have a permanent collection depot in a particular oil zone, the product management program is to include one of the following alternative return options for that oil zone:

- (a) collection days in accordance with section 14;
- (b) return-to-retail drop-off in accordance with section 13;
- (c) at door pick-up;
- (d) any combination of clauses (a) to (c);
- (e) any other return option approved by the minister.

Product management program re oil, diesel exhaust fluid and antifreeze

10(1) Every permanent collection depot and every alternative return option in a product management program approved for oil, diesel exhaust fluid or antifreeze must:

- (a) accept used oil or used antifreeze, regardless of origin, up to a maximum of 500 litres per delivery, without charge;
- (b) accept containers, regardless of origin, without charge;
- (c) accept used oil filters or used diesel fuel filters, regardless of origin, without charge.

(2) A person operating a product management program may refuse to accept any used oil or used antifreeze that he or she believes, on reasonable grounds, is mixed with any substance that prevents the used oil or used antifreeze from being recovered for other uses.

Product management program re oil filters and diesel fuel filters

11 Every permanent collection depot and every alternative return option in a product management program approved for oil filters or diesel fuel filters must accept used oil filters and used diesel fuel filters, regardless of origin, without charge.

Requirements for all return sites

12 Every return site that is part of a permanent collection depot or part of any alternative return option must:

- (a) have attendants at the site while the site is open;
- (b) have educational information and material respecting the product management program readily available for the public; and
- (c) have equipment capable of transferring used oil or used antifreeze from drums.

Collection depot and retail drop-off requirements

13(1) Unless otherwise authorized by the minister, every permanent collection depot and every return-to-retail drop-off site must:

- (a) operate and be capable of accepting containers, used oil, used oil filters, used diesel fuel filters and used antifreeze for a minimum of 10 hours per week, with at least four of those hours being on Saturday;
 - (b) for used oil, use a storage tank that has a minimum total volume of 2,000 litres;
 - (c) for used oil filters or used diesel fuel filters, use storage receptacles that:
 - (i) have a minimum capacity of 0.4 cubic metres; and
 - (ii) are manufactured to prevent liquids from leaking out of the receptacle;
 - (d) for used antifreeze, use storage receptacles that have a minimum total volume of 400 litres;
 - (e) be secure against unauthorized access;
 - (f) for containers, use storage receptacles that have a minimum capacity of two cubic metres and manufactured to prevent liquids from leaking out of the receptacle; and
 - (g) display a sign that includes the hours of operation and the products accepted and states that the location is a permanent collection depot or return-to-retail drop-off.
- (2) When a permanent collection depot or return-to-retail drop-off site is open, it is to be open during hours that fall between 7:00 a.m. and 7:00 p.m.

Collection day option requirements

14(1) If collection days are part of a product management program, the return site must be held at a location stated in the approval of the program.

(2) If collection days are the only alternative return option chosen in a product management program, there must be a minimum of two collection days, at least four months apart, per year for each oil zone in which the option is chosen.

Educational material and consumer information

15(1) Every first seller shall ensure that educational information and material is prepared and provided to each retailer of its oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze.

(2) Every first seller shall ensure that the educational information and material:

(a) contains details about the locations where collection options and return options are offered, the collection options and return options offered at those locations and the hours of operation of those locations; and

(b) states the environmental and economic benefits of the product management program.

(3) Every retailer who sells oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze of a first seller shall ensure that the educational information and material mentioned in subsection (2):

(a) is displayed by the retailer in a manner visible to the public at either the point of display or the point of sale of the oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze; and

(b) is available for the public free of charge.

(4) Every first seller that is a retailer shall:

(a) display the educational information and material mentioned in subsection (2) in a manner visible to the public at either the point of display or the point of sale of the oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze; and

(b) make the educational information and material mentioned in subsection (2) available for the public free of charge.

PART V Reporting

First seller of oil, diesel exhaust fluid or antifreeze to provide report

16 On or before April 1 in each year, a first seller of oil, diesel exhaust fluid or antifreeze, or a person operating a product management program on the first seller's behalf, shall provide an annual report to the minister describing the activity of the product management program during the previous year, including:

(a) the volume of oil, diesel exhaust fluid or antifreeze sold;

(b) the weight of containers collected;

(c) the weight of containers in storage;

- (d) the volume of used oil or used antifreeze and weight of used oil filters or used diesel fuel filters collected in each oil zone;
- (e) the volume of used oil or used antifreeze and weight of used oil filters or used diesel fuel filters in storage in each oil zone;
- (f) the location of alternative facilities where return options are offered; and
- (g) the types of educational information and material made available and the strategies adopted under the educational and informational component of the product management program.

First seller of oil filters or diesel fuel filters to provide report

17 On or before April 1 in each year, a first seller of oil filters or diesel fuel filters, or a person operating a product management program on the first seller's behalf, shall provide an annual report to the minister describing the activity of the product management program during the previous year, including:

- (a) the number of oil filters or diesel fuel filters sold;
- (b) the volume of used oil or used antifreeze and weight of used oil filters or used diesel fuel filters collected in each oil zone;
- (c) the volume of used oil or used antifreeze and weight of used oil filters or used diesel fuel filters in storage in each oil zone;
- (d) the location of alternative facilities where return options are offered; and
- (e) the types of educational information and material made available and the strategies adopted under the educational and informational component of the product management program.

Financial statements

18 On or before April 1 in each year, every first seller that operates a product management program and every person operating a product management program on the first seller's behalf shall provide to the minister an annual audited financial statement of the product management program for the previous year.

**PART VI
General**

Prohibition

19 Unless otherwise authorized by the Act or any other Act, no person shall dispose of or discharge used oil, used oil filters, used diesel fuel filters, used antifreeze or containers by:

- (a) spreading them on roads;
- (b) placing them in landfills;

- (c) pouring them in sewers;
- (d) dumping them;
- (e) open burning;
- (f) using deep well injection; or
- (g) using any other method.

Amendment, suspension or cancellation

20(1) Subject to subsection (2), the minister may amend an approval of a product management program by imposing new or additional terms and conditions or suspend or cancel an approval of a product management program if the product management program is not operated in compliance with the terms and conditions of the approval or does not comply with the Act or these regulations.

(2) Before amending, suspending or cancelling an approval pursuant to subsection (1), the minister shall give the first seller who operates the product management program or on whose behalf the product management program is operated an opportunity to be heard at least 30 days before the proposed amendment is made or the approval is suspended or cancelled.

(3) Notwithstanding subsection (2), if the minister is of the opinion that it is necessary and in the public interest to immediately amend, suspend or cancel an approval, the minister may amend, suspend or cancel the approval without giving the first seller an opportunity to be heard.

(4) If the minister amends, suspends or cancels an approval pursuant to subsection (3), the minister shall give the first seller who operates the product management program or on whose behalf the product management program is operated an opportunity to be heard within 15 days after the amendment, suspension or cancellation.

R.S.S. c.E-10.2 Reg 8 repealed

21 *The Used Oil Collection Regulations* are repealed.

Coming into force

22(1) Subject to subsection (2), these regulations come into force on January 1, 2014.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2014, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

USED PETROLEUM AND ANTIFREEZE PRODUCTS COLLECTION

APPENDIX

TABLE 1
[Clause 8(a)]

PERMANENT COLLECTION DEPOT ZONES

OIL ZONE	ZONE DESCRIPTION
2	Rural Municipalities: 4, 5, 6, 34, 35, 36, 64, 65
3	Rural Municipalities: 7, 8, 37, 38, 66, 67, 68, 96, 97, 98
5	Rural Municipalities: 11, 12, 42, 43, 44, 71, 72, 73, 74, 101, 102, 103, 104
7	Rural Municipalities: 17, 18, 19, 49, 77, 78, 79, 108, 109
8	Rural Municipalities: 51, 110, 111, 141, 142, 171
10	Rural Municipalities: 106, 107, 135, 136, 137, 138, 139, 165, 166, 167, 168, 169
11	Rural Municipalities: 131, 132, 133, 134, 161, 162, 163, 164, 191, 193, 194
12	Rural Municipalities: 126, 127, 128, 129, 130, 157, 158, 159, 160, 189, 190, 219, 220
14	Rural Municipalities: 91, 92, 93, 121, 122, 123, 151
15	Rural Municipalities: 152, 153, 181, 183, 184
16	Rural Municipalities: 156, 185, 186, 187, 216, 217, 218, 246, 247, 248
18	Rural Municipalities: 225, 226, 254, 255, 256, 283, 284, 285, 315
19	Rural Municipalities: 228, 257, 286, 287, 288
20	Rural Municipalities: 259, 260, 261, 290, 292, 319, 320, 321, 322
21	Rural Municipalities: 350, 351, 352, 379, 380, 381, 382, 409, 410, 411, 440
22	Rural Municipalities: 316, 317, 318, 346, 347, 349, 376, 377, 378
23	Rural Municipalities: 313, 314, 343, 344, 345, 372, 373, 402, 403, 404, 405, 434
24	Rural Municipalities: 279, 280, 281, 282, 310, 312, 341, 342
25	Rural Municipalities: 276, 277, 278, 307, 308, 309, 336, 337, 338, 366, 367
26	Rural Municipalities: 211, 213, 214, 215, 241, 243, 244, 245, 271, 273, 274, 275
28	Rural Municipalities: 394, 395
29	Rural Municipalities: 397, 398, 399, 426, 427, 428, 429, 430, 458, 459
30	Rural Municipalities: 339, 340, 368, 369, 370, 371, 400, 401
31	Rural Municipalities: 431, 460, 461, 463, 464, 490, 491, 493, 520, 521
32	Rural Municipalities: 406, 408, 435, 436, 437, 438, 439, 466, 467, 468, 469, 470, 497, 498
33	Rural Municipalities: 442, 471, 472, 499, 501, 502
34	Rural Municipalities: 561, 588, 622

USED PETROLEUM AND ANTIFREEZE PRODUCTS COLLECTION

OIL ZONE	ZONE DESCRIPTION
36	Rural Municipalities: 456, 457, 486, 487, 488
37	WEST: LONG-104, EAST: Northern Saskatchewan Administration District Eastern Boundary, NORTH: LAT-60, SOUTH: Northern Saskatchewan Administration District Southern Boundary
38	WEST: LONG-107, EAST: LONG-104, NORTH: LAT-60, SOUTH: Northern Saskatchewan Administration District South Boundary
39	WEST: LONG-110, EAST: LONG-107, NORTH: LAT-60, SOUTH: Northern Saskatchewan Administration District South Boundary

TABLE 2
[Clause 8(b)]

ALTERNATIVE RETURN OPTION ZONES

OIL ZONE	ZONE DESCRIPTION
1	Rural Municipalities: 1, 2, 3, 31, 32, 33, 61, 63
4	Rural Municipalities: 9, 10, 39, 40, 69, 70, 99, 100
6	Rural Municipalities: 45, 46, 75, 76, 105
9	Rural Municipalities: 229, 230, 231, 232
13	Rural Municipalities: 94, 95, 124, 125, 154, 155
17	Rural Municipalities: 221, 222, 223, 224, 250, 251, 252, 253
27	Rural Municipalities: 301, 303, 304, 305, 331, 333, 334, 335
35	Rural Municipalities: 494, 496, 555

