

*The
Used Petroleum
and Antifreeze
Products Stewardship
Regulations*

being

[Chapter E-10.22 Reg 7](#) (effective January 1, 2018).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

1	Title	9	Review of product stewardship program
2	Definitions	10	Changes to product stewardship program
3	Prescribed products	11	Amendment, suspension or cancellation
4	Product stewardship programs	12	Annual reporting
5	Requirements for product stewardship programs	13	Prohibition
6	Level of service	14	RSS c E-10.21 Reg 6 repealed
7	Products to be accepted at collection depots	15	Transitional
8	Requirements for collection depots	16	Coming into force

CHAPTER E-10.22 REG 7

The Environmental Management and Protection Act, 2010

Title

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

Definitions

2 In these regulations:

“**Act**” means *The Environmental Management and Protection Act, 2010*;

“**antifreeze**” means ethylene or propylene glycol used as an engine coolant but does not include antifreeze used for the following:

- (a) plumbing;
- (b) windshield washers;
- (c) lock de-icing;
- (d) fuel lines;
- (e) aircraft de-icing;

“**approval**” means approval of a product stewardship program by the minister pursuant to subsection 5(3);

“**collection depot**” means a collection depot that complies with section 8;

“**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;

“**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;

“**diesel fuel filter**” means any spin-on or element style diesel fuel filter used in diesel engine applications;

“**first seller**” means a person who:

- (a) is a manufacturer or distributor of, or owner or licensee of intellectual property rights in, oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze that is sold, offered for sale or otherwise distributed into or in Saskatchewan;
- (b) is a vendor of oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze outside of Saskatchewan and who, as an ordinary part of the vendor’s business, solicits and sells oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze to consumers in Saskatchewan;

**USED PETROLEUM AND
ANTIFREEZE PRODUCTS STEWARDSHIP**

E-10.22 REG 7

(c) imports oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze into Saskatchewan for resale in Saskatchewan;

(d) purchases oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze outside of Saskatchewan for use in Saskatchewan;

“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;

“oil filter” means any spin-on or element style oil filter that is used in hydraulic, transmission or internal combustion engine applications;

“product stewardship program” or **“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;

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

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

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

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

15 Dec 2017 c E-10.22 Reg 7 s2.

Prescribed products

3 The following are prescribed products for the purposes of clause 46(a) of the Act:

- (a) oil;
- (b) oil filters;
- (c) diesel fuel filters;
- (d) antifreeze;
- (e) containers.

15 Dec 2017 c E-10.22 Reg 7 s3.

Product stewardship programs

4(1) No first seller shall fail to:

- (a) operate a product stewardship program approved by the minister; or
- (b) enter into an agreement with a person to operate, on the first seller’s behalf, a product stewardship program approved by the minister.

(2) No first seller who operates a product stewardship program shall fail to operate the product stewardship program in accordance with:

- (a) the program as approved by the minister; and
- (b) these regulations.

(3) No person who has entered into an agreement to operate a product stewardship program on a first seller's behalf shall fail to operate the product stewardship program in accordance with:

- (a) the program as approved by the minister; and
- (b) these regulations.

(4) No first seller who has entered into an agreement to have a product stewardship program operated on the first seller's behalf shall fail to ensure that the product stewardship program is being operated in accordance with:

- (a) the program as approved by the minister; and
- (b) these regulations.

15 Dec 2017 c E-10.22 Reg 7 s4.

Requirements for product stewardship programs

5(1) A first seller who operates or intends to operate a product stewardship program, or a person who operates or intends to operate a product stewardship program on a first seller's behalf, shall:

- (a) apply to the minister for approval of the program, in a form acceptable to the minister; and
- (b) submit any additional information or material to the minister that the minister requests and considers relevant to the application.

(2) The minister shall not approve a product stewardship program unless the product stewardship program:

- (a) contains details of the management structure of the product stewardship program; and
- (b) provides details respecting all of the following:
 - (i) the composition of the board of directors of the product stewardship program, including details satisfactory to the minister that there will be, in the minister's opinion, sufficient Saskatchewan representation;
 - (ii) the creation of an advisory committee to the operator of the product stewardship program;
 - (iii) the role of the advisory committee in relation to the operation of the program;
 - (iv) the manner in which Saskatchewan interests will be represented on the advisory committee;
 - (v) the manner in which used oil, used oil filters, used diesel fuel filters, used antifreeze and containers will be collected in all areas of Saskatchewan;
 - (vi) recycling options for used oil, used oil filters, used diesel fuel filters, used antifreeze and containers, listed in descending order of preference;

E-10.22 REG 7 USED PETROLEUM AND
ANTIFREEZE PRODUCTS STEWARDSHIP

- (vii) the policies and procedures to be followed by any person processing used oil, used oil filters, used diesel fuel filters, used antifreeze and containers collected pursuant to the program;
 - (viii) the manner in which the program will be funded;
 - (ix) the quality control and assurance aspects of the program, including tracking and auditing mechanisms;
 - (x) the public education or public awareness and communication strategy for the program;
 - (xi) the management of contracts with collectors, processors and other third party contractors, including the policies and procedures to be followed to ensure that all contracted parties comply with all municipal, provincial and federal legislation;
 - (xii) the manner in which the program will manage greenhouse gas emissions related to the collection, transportation and final treatment of used oil, used oil filters, used diesel fuel filters, used antifreeze and containers.
- (3) If the minister is satisfied that a proposed product stewardship program complies with the Act and these regulations and is otherwise in the public interest, the minister may approve the product stewardship program on any terms and conditions that the minister considers appropriate.
- (4) The minister shall cause notice of the approval of any product stewardship program to be published on the ministry's website and to be made public in any other manner that the minister considers appropriate.

15 Dec 2017 c E-10.22 Reg 7 s5.

Level of service

- 6** Every person who operates a product stewardship program shall ensure that the product stewardship program:
- (a) has at least 1 collection depot in each oil zone identified in Table 1 of the Appendix; and
 - (b) has an educational and informational component that states the environmental and economic benefits of the product stewardship program.

15 Dec 2017 c E-10.22 Reg 7 s6.

Products to be accepted at collection depots

- 7(1)** Every collection depot in a product stewardship program must:
- (a) accept used oil, regardless of origin, up to a maximum of 500 litres per delivery, without charge;
 - (b) accept used antifreeze, regardless of origin, up to a maximum of 100 litres per delivery, without charge;

- (c) accept containers, regardless of origin, without charge;
 - (d) accept used oil filters or used diesel fuel filters, regardless of origin, without charge.
- (2) A person operating a product stewardship 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.

15 Dec 2017 c E-10.22 Reg 7 s7.

Requirements for collection depots

- 8(1) Every collection depot in a product stewardship program must:
- (a) have attendants at the site while the site is open;
 - (b) have educational information respecting the product stewardship program readily available for the public;
 - (c) have equipment capable of transferring used oil or used antifreeze from drums;
 - (d) operate for a minimum of 10 hours per week and during that period be capable of accepting containers, used oil, used oil filters, used diesel fuel filters and used antifreeze;
 - (e) for used oil, use a storage tank that has a minimum total volume of 2,000 litres;
 - (f) for used oil filters or used diesel fuel filters, use storage receptacles that are manufactured to prevent liquids from leaking out of the receptacle;
 - (g) for used antifreeze, use storage receptacles that have a minimum total volume of 400 litres;
 - (h) be secure against unauthorized access;
 - (i) for containers, use storage receptacles that are manufactured to prevent liquids from leaking out of the receptacle; and
 - (j) display a sign that includes the hours of operation and the products accepted.
- (2) A collection depot is to be open during hours that fall between 7:00 a.m. and 7:00 p.m.

15 Dec 2017 c E-10.22 Reg 7 s8.

USED PETROLEUM AND
ANTIFREEZE PRODUCTS STEWARDSHIP

E-10.22 REG 7

Review of product stewardship program

9 Every 5 years after the date of the approval of the product stewardship program, every person who operates a product stewardship program shall review the approved program and:

- (a) request approval from the minister of any proposed amendments to the approved product stewardship program; or
- (b) notify the minister in writing that no amendments to the approved product stewardship program are proposed.

15 Dec 2017 c E-10.22 Reg 7 s9.

Changes to product stewardship program

10 No person operating a product stewardship program shall make any changes to the program without obtaining the minister's prior written approval of the proposed changes.

15 Dec 2017 c E-10.22 Reg 7 s10.

Amendment, suspension or cancellation

11(1) Subject to subsection (2), if, in the minister's opinion, a product stewardship program is not being operated in accordance with the Act, these regulations or the terms and conditions of the approval, or if, in the minister's opinion, it is in the public interest to do so, the minister may:

- (a) amend the approval by imposing new or additional terms and conditions; or
- (b) suspend or cancel the approval.

(2) Before amending, suspending or cancelling an approval pursuant to subsection (1), the minister shall provide the person who operates the product stewardship program with:

- (a) written notice of the minister's intended action and the reasons for that intended action; and
- (b) an opportunity to make written representations to the minister, within 30 days after the written notice mentioned in clause (a) is served or a longer period set by the minister, as to why the intended action should not be taken.

(3) The minister is not required to give an oral hearing to any person to whom a notice has been provided pursuant to subsection (2).

(4) After considering the representations mentioned in subsection (2), the minister shall:

- (a) issue a written decision, with reasons for the decision; and
- (b) serve a copy of the decision on the person operating the product stewardship program.

(5) Notwithstanding subsection (2), if the minister considers that it is necessary in order to protect the public interest, the minister may immediately amend, suspend or cancel an approval without giving the person mentioned in subsection (2) an opportunity to make written representations, but the minister shall give that person an opportunity to make written representations within 15 days after the date on which the minister takes any of those actions.

(6) The minister shall cause notice of the suspension or cancellation of any product stewardship program to be published on the ministry's website and to be made public in any other manner that the minister considers appropriate.

15 Dec 2017 c E-10.22 Reg 7 s11.

Annual reporting

12(1) In this section, “**reporting period**” means:

- (a) the period commencing on January 1 in one year and ending on December 31 of that year; or
 - (b) if a product stewardship program has not been operated for the period set out in clause (a), the period commencing on the date on which the minister approved the program and ending on December 31 of that year.
- (2) On or before May 1 in each year, every person who operates a product stewardship program shall prepare and send to the minister a written annual report that describes the activities of the product stewardship program during the previous reporting period, and that contains the information mentioned in subsection (3).
- (3) A written report mentioned in subsection (2) must include:
- (a) the volume of oil, diesel exhaust fluid or antifreeze sold;
 - (b) the number of oil filters or diesel fuel filters sold;
 - (c) the volume of used oil or used antifreeze collected;
 - (d) the weight of used oil filters or used diesel fuel filters collected;
 - (e) the weight of containers collected;
 - (f) the location of alternative facilities where return options are offered;
 - (g) the types of educational information made available and the strategies adopted under the educational and informational component of the product stewardship program;
 - (h) the total amount of recycling fees collected to fund the program in Saskatchewan;
 - (i) the amount spent to operate the program in Saskatchewan;
 - (j) the amount paid out as recycling incentives, if any;
 - (k) the costs incurred to administer the program;
 - (l) the amount spent on public education or public awareness and communication; and
 - (m) any other information that the minister may reasonably require.

15 Dec 2017 c E-10.22 Reg 7 s12.

USED PETROLEUM AND
ANTIFREEZE PRODUCTS STEWARDSHIP

E-10.22 REG 7

Prohibition

13 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.

15 Dec 2017 c E-10.22 Reg 7 s13.

RSS c E-10.21 Reg 6 repealed

14 *The Used Petroleum and Antifreeze Products Collection Regulations* are repealed.

15 Dec 2017 c E-10.22 Reg 7 s14.

Transitional

15 Notwithstanding any other provision of these regulations, if a product management program was approved pursuant to *The Used Petroleum and Antifreeze Products Collection Regulations*, as those regulations existed on the day before the day on which these regulations come into force, and the approval for that product management program is valid and not under suspension or cancellation on the day on which these regulations come into force:

- (a) the product management program is deemed to be an approved product stewardship program for the purposes of these regulations until June 30, 2018; and
- (b) the product management program may be dealt with pursuant to these regulations as if it had been approved pursuant to these regulations, and is subject to the same terms and conditions that were imposed pursuant to *The Used Petroleum and Antifreeze Products Collection Regulations* and that were in place on the day before the day on which these regulations came into force.

15 Dec 2017 c E-10.22 Reg 7 s15.

Coming into force

16(1) Subject to subsection (2), these regulations come into force on January 1, 2018.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2018, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

15 Dec 2017 c E-10.22 Reg 7 s16.

USED PETROLEUM AND
ANTIFREEZE PRODUCTS STEWARDSHIP

E-10.22 REG 7

Appendix

TABLE 1

[Clause 6(a)]

Oil Zones

OIL ZONE	ZONE DESCRIPTION
1	Rural Municipalities: 1, 2, 3, 31, 32, 33, 61, 63
2	Rural Municipalities: 4, 5, 6, 34, 35, 36, 64, 65
3	Rural Municipalities: 7, 8, 37, 38, 66, 67, 68, 96, 97, 98
4	Rural Municipalities: 9, 10, 39, 40, 69, 70, 99, 100
5	Rural Municipalities: 11, 12, 42, 43, 44, 71, 72, 73, 74, 101, 102, 103, 104
6	Rural Municipalities: 45, 46, 75, 76, 105
7	Rural Municipalities: 17, 18, 19, 49, 77, 78, 79, 108, 109
8	Rural Municipalities: 51, 110, 111, 141, 142, 171
9	Rural Municipalities: 229, 230, 231, 232
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
13	Rural Municipalities: 94, 95, 124, 125, 154, 155
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
17	Rural Municipalities: 221, 222, 223, 224, 250, 251, 252, 253
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
27	Rural Municipalities: 301, 303, 304, 305, 331, 333, 334, 335
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

**USED PETROLEUM AND
E-10.22 REG 7 ANTIFREEZE PRODUCTS STEWARDSHIP**

OIL ZONE	ZONE DESCRIPTION
34	Rural Municipalities: 561, 588, 622
35	Rural Municipalities: 494, 496, 555
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

15 Dec 2017 cE-10.22 Reg 7.