

The Used Oil Collection Regulations

being

[Chapter E-10.2 Reg 8](#) (effective June 26, 1996).

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.

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CHAPTER E-10.2 REG 8

The Environmental Management and Protection Act

TITLE AND INTERPRETATION

Title

1 These regulations may be cited as *The Used Oil Collection Regulations*.

Interpretation

2(1) In these regulations:

- (a) “**Act**” means *The Environmental Management and Protection Act*;
- (b) “**container**” means a container with a capacity of 30 litres or less that is manufactured for the purpose of holding oil;
- (c) “**first seller**” means the person who first sells oil or oil filters in Saskatchewan and includes a person who brings oil or oil filters into Saskatchewan for use in a commercial enterprise;
- (d) “**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;
- (e) “**oil filter**” means any spin-on or element style oil filter that is used in hydraulic, transmission or internal combustion engine applications;
- (f) “**permanent collection depot**” means a permanent collection depot that complies with section 13;
- (g) “**product management program**” means a program that provides for the collection, transportation and final treatment of used oil, used oil filters and containers;
- (h) “**retailer**” means a person who sells or offers for sale oil or oil filters to the public;
- (i) “**used oil**” means oil that through use, storage or handling can no longer be used for its original purpose;
- (j) “**used oil filter**” means an oil filter that through use, storage or handling can no longer be used for its original purpose;
- (k) “**year**” means the period commencing on January 1 and ending on December 31 of the same year.

(2) For the purposes of the Act and these regulations, oil, oil filters and containers are prescribed as prescribed products.

PRODUCT MANAGEMENT PROGRAM REQUIRED

Product management programs

3(1) No first seller shall sell, distribute or offer for sale, either directly or indirectly, oil or oil filters 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.

12 Jly 96 cE-10.2 Reg 8 s3.

Restriction on purchases of oil and oil filters

4 No person shall purchase oil or oil filters from a first seller if that person knows that the first seller has not complied with section 3.

12 Jly 96 cE-10.2 Reg 8 s4.

APPROVAL

Application for approval

5(1) The first seller who operates or who wishes 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 in Form A of Part I of the Appendix 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 where any information and 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 product management program for which approval is requested.

12 Jly 96 cE-10.2 Reg 8 s5.

Approval by minister

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

- (a) approve the product management program or the amendment to the 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) Where the minister is not satisfied that the product management program or the amendment to the 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 product management program; and
- (b) provide the applicant with written notification of the refusal and the reasons for the refusal.

12 Jly 96 cE-10.2 Reg 8 s6.

Approval not transferable

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

12 Jly 96 cE-10.2 Reg 8 s7.

REQUIREMENTS FOR PRODUCT MANAGEMENT PROGRAMS

Level of service

8 Every product management program must:

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

12 Jly 96 cE-10.2 Reg 8 s8.

Alternative to permanent collection depot

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

12 Jly 96 cE-10.2 Reg 8 s9.

Product management program re oil

10(1) Every permanent collection depot and every alternative return option in a product management program approved for oil must:

- (a) accept used oil, 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, regardless of origin, without charge.

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

12 Jly 96 cE-10.2 Reg 8 s10.

Product management program re oil filters

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

12 Jly 96 cE-10.2 Reg 8 s11.

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 oil from drums.

12 Jly 96 cE-10.2 Reg 8 s12.

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 and used oil filters 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 having a minimum total volume of 2,000 litres;
 - (c) for used oil filters, use storage receptacles having a minimum capacity of 0.4 cubic metres;
 - (d) be secure against unauthorized access;
 - (e) for containers, use storage receptacles having a minimum capacity of two cubic metres; and
 - (f) 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.

12 Jly 96 cE-10.2 Reg 8 s13.

Collection day option requirements

14(1) Where 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 zone in which the option is chosen.

12 Jly 96 cE-10.2 Reg 8 s14.

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 or oil filters.

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

12 Jly 96 cE-10.2 Reg 8 s15.

REPORTING

First seller of oil to provide report

16 On or before April 1 in each year, a first seller of oil, 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 sold;
- (b) the weight of containers collected;
- (c) the weight of containers in storage;
- (d) the volume of used oil and weight of used oil filters collected in each zone;
- (e) the volume of used oil and weight of used oil filters in storage in each zone;
- (f) the location of 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.

12 Jly 96 cE-10.2 Reg 8 s16.

First seller of oil filters to provide report

17 On or before April 1 in each year, a first seller of oil 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 sold;
- (b) the volume of used oil and weight of used oil filters collected in each zone;
- (c) the volume of used oil and weight of used oil filters in storage in each zone;
- (d) the location of 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.

12 Jly 96 cE-10.2 Reg 8 s18.

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.

12 Jly 96 cE-10.2 Reg 8 s18.

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 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.

12 Jly 96 cE-10.2 Reg 8 s19.

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 where 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 of the amendment, suspension or cancellation.

12 Jly 96 cE-10.2 Reg 8 s20.

Transitional

21(1) A person who is a first seller on the day these regulations come into force shall, within 150 days of the coming into force of these regulations, comply with clause 5(1)(a).

(2) Section 3 does not apply to a first seller mentioned in subsection (1):

(a) during the 150-day period mentioned in subsection (1); or

(b) if the 150-day period mentioned in subsection (1) has expired while an application for approval is pending before the minister, until the minister approves or refuses to approve the application.

12 Jly 96 cE-10.2 Reg 8 s21.

Implementation

22(1) A product management program operated by or on behalf of a first seller mentioned in section 21 must be implemented:

(a) in at least 50% of the zones identified in Tables 1 and 2 of Part II of the Appendix within 18 months after the coming into force of these regulations;

(b) in at least 75% of the zones identified in Tables 1 and 2 of Part II of the Appendix within 30 months after the coming into force of these regulations; and

(c) in 100% of the zones identified in Tables 1 and 2 of Part II of the Appendix within 42 months after the coming into force of these regulations.

(2) A product management program that is approved between the coming into force of these regulations and 18 months after the coming into force of these regulations must be implemented:

(a) in at least 50% of the zones identified in Tables 1 and 2 of Part II of the Appendix within 18 months after the coming into force of these regulations;

(b) in at least 75% of the zones identified in Tables 1 and 2 of Part II of the Appendix within 30 months after the coming into force of these regulations; and

(c) in 100% of the zones identified in Tables 1 and 2 of Part II of the Appendix within 42 months after the coming into force of these regulations.

(3) A product management program that is approved between 18 and 30 months after the coming into force of these regulations must be implemented:

(a) at the time it commences operation, in at least 50% of the zones identified in Tables 1 and 2 of Part II of the Appendix;

(b) in at least 75% of the zones identified in Tables 1 and 2 of Part II of the Appendix within 30 months after the coming into force of these regulations; and

(c) in 100% of the zones identified in Tables 1 and 2 of Part II of the Appendix within 42 months after the coming into force of these regulations.

- (4) A product management program that is approved between 30 and 42 months after the coming into force of these regulations must be implemented:
- (a) at the time it commences operation, in at least 75% of the zones identified in Tables 1 and 2 of Part II of the Appendix; and
 - (b) in 100% of the zones identified in Tables 1 and 2 of Part II of the Appendix within 42 months after the coming into force of these regulations.
- (5) A product management program that is approved more than 42 months after the coming into force of these regulations must be implemented, at the time it commences operation, in 100% of the zones identified in Tables 1 and 2 of Part II of the Appendix.

12 Jly 96 cE-10.2 Reg 8 s22.

Appendix

PART I

FORM A

[Clause 5(1)(a)]



Saskatchewan
Environment and
Resource
Management

Application for Approval to Operate or Amend a Product Management Program

In accordance with *The Used Oil Collection Regulations*, I hereby apply for approval to _____ a product management program.
(operate/amend)

General Information

1. Date of Application _____
Year Month Day

2. Name of Applicant _____

3. Indicate:

(a) Corporation Name (if different from name given in paragraph 2) _____

Address of Registered Office in Saskatchewan _____

City/Town _____ Postal Code _____ Telephone # _____

Power of Attorney in Saskatchewan

(if registered office not in Saskatchewan)

E-10.2 REG 8**USED OIL COLLECTION**

(b) Business Name (if different from(a)) _____

Business address (if different from (a)) _____

City/Town _____ Province/State ____ Postal Code _____

(c) Nature of Business _____
(manufacturer, distributor, wholesaler, retailer, user)

4. Name of contact person _____ Telephone _____

5. Supply a list, including the brands, of oil and oil filters sold.

6. Will the Product Management Program be carried out by self or contracted party? _____

7. If contracted party indicate:

(a) Business name _____

Address _____ City/Town _____

Province/State _____ Postal Code _____ Telephone # _____

(b) Name of Contact Person _____

(c) Zones to be serviced by contracted party _____

If contracting with more than one party please provide a list that includes the information above for each contracted party.

Product Management Program Details:

8. Provide details of the set up for permanent collection depots, including physical characteristics and operational procedures.

9. If planning to use collection options other than permanent collection depots in some zones, provide details of physical characteristics and operational procedures and identify which zones these other types of collection services will occur in.

10. Provide a list of planned end-use locations for used oil, oil filters and containers.

11. Describe features of the program and methods that will be used to achieve phase-in targets. (eg. incentives, handling charges, tender process, return to retail, educational initiatives, etc.)

I hereby certify that the information provided on this application is complete and accurate.

Signature and Title

USED OIL COLLECTION

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PART II

TABLE 1
[Clause 8(a)]

PERMANENT COLLECTION DEPOT ZONES

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

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

12 Jly 96 cE-10.2 Reg 8.