

PART II

REVISED REGULATIONS OF SASKATCHEWAN

CHAPTER O-8.1 REG 1

The Ozone-depleting Substances Control Act, 1993

Section 14

Order in Council 568/93, dated July 20, 1993.

(Filed July 20, 1993)

Title

1 These regulations may be cited as *The Ozone-depleting Substances Control Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Ozone-depleting Substances Control Act, 1993*;
- (b) “**CFC**” means a chlorofluorocarbon;
- (c) “**Code of Practice**” means the publication prepared by Environment Canada entitled ‘Code of Practice for the Reduction of CFC Emissions from Refrigeration and Air Conditioning Systems’ (EPS 1/RA/1) March, 1991, as amended from time to time;
- (d) “**disposable pressurized container**” means a pressurized container designed to be used only once;
- (e) “**Halon**” means a bromofluorocarbon;
- (f) “**HCFC**” means a hydrochlorofluorocarbon;
- (g) “**installation**” means the attaching of two or more components by welding or by fittings in circumstances where the potential exists for the release of an ozone-depleting substance;
- (h) “**minister**” means the member of the Executive Council to whom for the time being the administration of the Act is assigned;
- (i) “**recycle**” means the reuse or return of any recovered ozone-depleting substance to any refrigeration or fire extinguishing equipment;
- (j) “**sterilant**” means a gas mixture containing an ozone-depleting substance, used to sterilize equipment, things or materials.

Ozone-depleting substances

3 For the purposes of clause 3(1)(i) of the Act, the following are prescribed as ozone-depleting substances:

- (a) CFC-111, also known as methyl chloroform or trichloroethane, or any isomer of it;
- (b) R-500, a mixture of 75% CFC-12 and 25% hydrofluorocarbon-152a, or any isomer of it;
- (c) R-502, a mixture of 51% CFC-115 and 49% HCFC-22, or any isomer of it;
- (d) any isomer of CFC-11, also known as fluorotrichloromethane;
- (e) any isomer of CFC-12, also known as dichlorodifluoromethane;
- (f) any isomer of CFC-113, also known as 1,1,2-trichloro-1,2,2-trifluoroethane;
- (g) any isomer of CFC-114, also known as 1,2-dichloro-1,1,2,2-Tetrafluoroethane;
- (h) any isomer of CFC-115, also known as 1-chloro-1,1,2,2,2-Pentafluoroethane;

- (i) HCFC-22, also known as Chlorodifluoromethane, or any isomer of it;
- (j) HCFC-123, also known as 2,2-Dichloro-1,1,1-trifluoroethane, or any isomer of it;
- (k) HCFC-141b, also known as 1,1-Dichloro-1-Fluoroethane, or any isomer of it;
- (l) HCFC-142b, also known as 1-Chloro-1,1-Difluoroethane, or any isomer of it;
- (m) any isomer of HALON-1211, also known as Bromochlorodifluoromethane;
- (n) any isomer of HALON-1301, also known as Bromotrifluoromethane;
- (o) any isomer of HALON-2402, also known as Dibromotetrafluoroethane.

Code adopted

4 For the purposes of clause 14(1)(i) of the Act, the Code of Practice is adopted.

Fire extinguishers

5 On and after the coming into force of these regulations, no person shall:

- (a) manufacture, offer for sale, or sell any portable hand held fire extinguisher containing ozone-depleting substances to which the Act applies unless for the purpose of recovering and recycling those substances;
- (b) use halons for the testing of fire extinguishing equipment;
- (c) dispose of a fire extinguisher containing a halon without first recovering the halon for recycling.

Foam insulation and furniture foam

6 On and after January 1, 1995, no person shall manufacture, offer for sale, or sell rigid foam insulation or flexible furniture foam made using an ozone-depleting substance mentioned in clauses 3(1)(a) to (h) of the Act or clauses 3(a) to (h) of these regulations.

Pressurized Containers

7 On and after the coming into force of these regulations, no person shall manufacture, offer for sale or sell any pressurized canister weighing less than 10 kilograms that contains an ozone-depleting substance to which the Act applies.

Disposable pressurized containers

8 On and after the coming into force of these regulations, every person using or supplying disposable pressurized containers shall recover or recycle all residual ozone-depleting substances to which the Act applies prior to the destruction or disposal of the containers.

Sterilant gas mixtures

9 On and after January 1, 1995, no person shall use an ozone-depleting substance to which the Act applies in sterilant gas mixtures, in whole or in part.

Air conditioning equipment

10 On and after the coming into force of these regulations, every person who installs, services, repairs, charges or recharges an air conditioning system or refrigeration equipment shall do so in accordance with the procedures outlined in the Code of Practice.

Manufacture and sale

11 On and after January 1, 1994, no person shall manufacture, offer for sale or sell products that:

- (a) contain or are made from ozone-depleting substances to which the Act applies; and
- (b) are used as:
 - (i) release agents for plastic or elastomeric moulds;
 - (ii) protective spray for photographic applications;
 - (iii) cleaning solvents for commercial use on electronic equipment.

Release of ozone-depleting substances

12 On and after the coming into force of these regulations, no person shall knowingly release or cause to be released into the atmosphere an ozone-depleting substance to which the Act applies from any air conditioning system, refrigeration equipment or fire extinguishing equipment.

Recovering and recycling ozone-depleting substances

13(1) On and after the coming into force of these regulations, every person installing, removing, servicing, repairing, charging or recharging an air conditioning system, refrigeration equipment or fire extinguishing equipment shall:

- (a) have available at the job site operational equipment or apparatus capable of recovering and containing any ozone-depleting substances; and
- (b) recover or recycle any ozone-depleting substance to which the Act applies either alone or in a mixture that would otherwise be released into the atmosphere.

(2) Any equipment required for the purposes of clause (1)(b) must meet the standards set out in the Code of Practice for that equipment.

Certification

14(1) The minister may certify, and assign a certification number to, any person who has successfully completed a course previously approved by the minister in the proper recovery, recycling and handling procedures for sealed systems as defined in the Code of Practice.

(2) On and after the coming into force of these regulations, no person other than a person certified pursuant to subsection (1) shall purchase any ozone-depleting substance to which the Act applies for the purpose of servicing, repairing, charging, recharging or installing any air conditioning, fire extinguishing or refrigeration equipment.

(3) On and after the coming into force of these regulations, no person shall offer for sale, sell or transfer to any person, other than a person certified pursuant to subsection (1), an ozone-depleting substance to which the Act applies in a pressurized container for the purpose of servicing, repairing, charging, recharging or installing any air conditioning system, refrigeration equipment or fire extinguishing equipment.

Code to be followed

15 On and after the coming into force of these regulations, every person installing, servicing or repairing any air conditioning system or refrigeration equipment and charging or recharging any such equipment with an ozone-depleting substance to which the Act applies shall do so in accordance with the Code of Practice.

Recording

16 On and after the coming into force of these regulations, every person who repairs or services an air conditioning system or refrigeration equipment that uses an ozone-depleting substance to which the Act applies shall:

- (a) maintain a record of the work performed indicating:
 - (i) the date and type of service or repair provided;
 - (ii) the quantity of refrigerant recovered from or loaded into the system or equipment, including recycled refrigerant;
- (b) leave a copy of the record prepared pursuant to clause (a) with the owner or operator of the air conditioning system or refrigeration equipment;
- (c) make the records available to the minister on request for a period of two years from the date of the service or repair.

Labelling

17 On and after the coming into force of these regulations, no person shall sell or offer for sale a new air conditioning system, new refrigeration equipment, new heat pump or new fire extinguishing equipment that uses an ozone-depleting substance to which the Act applies unless the system or equipment or heat pump has a prominent and permanent label:

- (a) identifying the ozone-depleting substance and the amount used in the system or equipment; and
- (b) advising that only certified persons shall perform any service, repair or recharge to the system or equipment that could result in the release of an ozone-depleting substance.

Transportation and storage

18 On and after the coming into force of these regulations, every container in which an ozone-depleting substance to which the Act applies is stored or transported must bear a clearly legible and conspicuous warning label stating the name of the substance.

Leak testing and flushing

19(1) Subject to subsection (2), on and after the coming into force of these regulations, no person shall use, or cause to be used, an ozone-depleting substance to which the Act applies for leak testing or flushing of an air conditioning system or refrigeration equipment.

(2) The ozone-depleting substances mentioned in clauses 3(i) to (l) of these regulations may be used for flushing, but only if they are recovered and recycled or reclaimed and are not mixed with any other prescribed ozone-depleting substances.

Discarding

20 On and after the coming into force of these regulations, prior to discarding any equipment, device, item or system containing an ozone-depleting substance to which the Act applies, the ozone-depleting substance must be removed and contained in accordance with the Code of Practice.

Emergency releases

21 Nothing in the Act or these regulations prohibits the release of ozone-depleting substances from stationary air conditioning or stationary refrigeration systems in the event of an explosion, fire, natural disaster or other emergency.

Exemptions

22 In addition to the exemptions mentioned in subsection 3(2) of the Act, the Act and these regulations do not apply to ozone-depleting substances that are made or used for:

- (a) prescription drugs;
- (b) cytosprays;
- (c) spermicidal contraceptive foams; and
- (d) fire extinguishers intended for use on aircraft or in mining operations.

Coming into force

23 These regulations come into force on the day on which they are filed with the Registrar of Regulations.