



Product Stewardship (Oil) Amendment Regulations 2003 (No. 1)¹

Statutory Rules 2003 No. 47²

I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Product Stewardship (Oil) Act 2000*.

Dated 7 April 2003

PETER HOLLINGWORTH
Governor-General

By His Excellency's Command

DAVID KEMP
Minister for the Environment and Heritage

1 Name of Regulations

These Regulations are the *Product Stewardship (Oil) Amendment Regulations 2003 (No. 1)*.

2 Commencement

These Regulations are taken to have commenced on 1 July 2002.

3 Amendment of *Product Stewardship (Oil) Regulations 2000*

Schedule 1 amends the *Product Stewardship (Oil) Regulations 2000*.

Schedule 1 Amendment

(regulation 3)

[1] Schedule 1

substitute

Schedule 1 Re-refined base oil criteria

(regulation 4, table, item 1)

Note The purpose of the criteria in this Schedule is to ensure that re-refined base oil, for which a product stewardship benefit is payable, is of a quality that is not damaging to the health and safety of workers and users of the oil.

1 Mutagenicity

The oil must be non-carcinogenic, demonstrated by having a mutagenicity index of less than 1 using the Modified Ames Test (American Society for Testing and Materials test number E1687-98).

2 Poly-aromatic hydrocarbons

- (1) The oil must contain less than the following for each kilogram of oil:
 - (a) 10 mg of benzo(a)pyrene;
 - (b) 10 mg of dibenz(ah)anthracene;
 - (c) 100 mg of benz(a)anthracene;
 - (d) 100 mg of benzo(b)fluoranthene;
 - (e) 100 mg of benzo(k)fluoranthene;
 - (f) 100 mg of chrysene;
 - (g) 100 mg of indeno(123-cd)pyrene.
- (2) The total amount of poly-aromatic hydrocarbons mentioned in subclause (1) that the oil contains must be less than 400 mg for each kilogram of oil.
- (3) The total amount of all poly-aromatic hydrocarbons that the oil contains (including poly-aromatic hydrocarbons mentioned in subclause (1)) must be less than 1 000 mg for each kilogram of oil.
- (4) For the purpose of determining whether the criteria mentioned in subclauses (1), (2) and (3) are met, EPA test SW-846 Method 8270C must be used.

3 Polychlorinated biphenyls

The oil must contain less than 2.0 mg of polychlorinated biphenyls for each kilogram of oil, determined using EPA test SW-846 Method 8082 or American Society for Testing and Materials Method D4059.

4 Polychlorinated dibenzo-p-dioxins

The total amount of dioxins and furans that the oil contains must be less than 10 picograms Toxic Equivalent for each gram of oil, determined using EPA Method 1613A.

5 Total acid number

The oil must have a total acid number of less than 0.07 mg of potassium hydroxide for each gram of oil, determined using American Society for Testing and Materials Method D974-97.

6 Heavy metals

- (1) The oil must contain less than the following for each kilogram of oil:
 - (a) 5 mg of arsenic;
 - (b) 2 mg of cadmium;
 - (c) 10 mg of chromium;
 - (d) 100 mg of lead.
- (2) For the purpose of determining whether the criteria mentioned in subclause (1) are met, American Society for Testing and Materials Method D5185 must be used.

7 Appearance

The oil must have a clear and bright appearance.

8 References to tests or methods

In this Schedule, a reference to a test or a method followed by a number or a letter, or both, is a reference to the test or method so numbered or lettered, or both, as in force on 1 July 2002.

Notes

1. These Regulations amend Statutory Rules 2000 No. 199, as amended by 2000 No. 353.
2. Notified in the *Commonwealth of Australia Gazette* on 8 April 2003.