Ozone Layer Protection Regulations

made under Section 112 of the
Environment Act
S.N.S. 1994-95, c. 1
Order in Council 95-293 (April 11, 1995), N.S. Reg. 54/95

Citation

1 These regulations may be cited as the "Ozone Layer Protection Regulations".

Definitions

2 In these regulations

(a) "Act" means the Environment Act;

(b) "Administrator" means a person appointed pursuant to Section 3 of these regulations, and includes an acting Administrator;

(c) "approved environmental awareness course" means an environmental awareness course approved by the Minister respecting ozone-depleting substance control in the refrigeration and air conditioning industry;

(d) "Code of Practice" means a publication produced by Environment Canada entitled "Code of Practice for the Reduction of Chlorofluorocarbon Emissions from Refrigeration and Air Conditioning Systems", (EPS 1/RA/1), as amended from time to time;

(e) "disposable pressurized container" means a pressurized container designed to be used only once;

(f) "dispose" means to dismantle, break up, or abandon;

(g) "equipment" means a device, system, or mechanical installation located in mobile and stationary air conditioning units, refrigerating units, freezing units, and heat pump units which is designed to operate using an ozone-depleting substance, but does not include fire extinguishing equipment;

(h) "fire extinguishing equipment" means a fire extinguishing unit or system, whether portable or fixed, that contains an ozone-depleting substance;

(i) "foaming agent" means a substance that is added to a plastic during the process of manufacturing flexible or rigid insulation foam so that gas cells are formed throughout the plastic;

(j) "halon" means a bromofluorocarbon listed in Section 2 of Schedule "A";

(k) "leak test" means a procedure performed on equipment to determine whether or not an ozone-depleting substance is being released to the environment;

(l) "ozone" means the allotropic form of oxygen containing three atoms in the molecule and located in the upper atmosphere known as the stratosphere;

(m) "ozone-depleting potential" means, with respect to a substance, the quotient obtained by dividing the mass of stratospheric ozone that would be destroyed by a unit mass of the substance if it were

introduced into the environment, by the mass of stratospheric ozone that would be destroyed by the same unit mass of fluorotrichloro-methane if it were introduced into the environment;

(n) "ozone-depleting substance" means a substance or mixture of substances listed in Schedules "A" and "B", including their isomers;

(o) "reclaim" means to return a recovered ozone-depleting substance to its original minimum specifications as verified by laboratory analysis;

(p) "recover" means to collect an ozone-depleting substance in a container outside the system from which it was removed;

(q) "recycle" means the restoration of a recovered ozone-depleting substance to a higher level of purity by operations such as filtering, drying, and cleaning, but does not include testing the product to verify its purity;

(r) "reuse" means to return a recovered ozone-depleting substance to equipment, including fire extinguishing equipment, without any prior cleaning;

(s) "servicing" means the act of repairing, maintaining, charging, recharging, or adjusting a component of equipment or fire extinguishing equipment, where the component or part contains an ozone-depleting substance;

(t) "vehicle" means any vehicle propelled or driven otherwise than by muscular power whether or not the vehicle is registered pursuant to the Motor Vehicle Act, and includes an aircraft;

(u) "vessel" means a conveyance of a kind used on water and includes any accessory to the vessel.

Administrator

3 The Minister may appoint an Administrator to administer these regulations.

Release prohibited

4 (1) Subject to subsection (2), no person shall release or permit the release into the atmosphere of an ozone-depleting substance from

(a) equipment or any part thereof;

(b) fire extinguishing equipment except during fire fighting;

(c) a container used in the supply, recovery, recycling, reclamation, transport or storage of an ozone-depleting substance; or

(d) an ozone-depleting substance recovery, recycling or reclamation system.

(2) Subsection (1) does not apply to a release from a purging device until after January 1, 1996, after which date no person shall operate

(a) an air purge device, or

(b) a system for purging non-condensible gases from a centrifugal chiller,

which by design would release or permit the release into the atmosphere of more than 0.8 kg of an ozone-depleting substance per kilogram of air.

(3) No person shall dispose of equipment or fire extinguishing equipment that contains an ozone-depleting substance without first ensuring that the ozone-depleting substance is recovered.

(4) Subsection (3) does not apply

(a) to residual amounts of ozone-depleting substances contained in the oil supply of equipment following the completion of a recovery procedure, or

(b) to flexible or rigid insulation foams attached to equipment.

Working with an ozone-depleting substance

5 (1) On or after July 1, 1995, no person shall

(a) service, install or dismantle equipment or a component of equipment that is in contact with or controls the containment of an ozone-depleting substance; or

(b) reclaim, recover, recycle or reuse an ozone-depleting substance,

unless that person has successfully completed an approved environmental awareness course or is working under the direct supervision of a person who has successfully completed an approved environmental awareness course.

(2) Any person who installs, repairs, or services equipment or fire extinguishing equipment, or does any other work on equipment or fire extinguishing equipment shall recover and either reuse, recycle, reclaim or store any ozone-depleting substance that would otherwise be released into the atmosphere.

(3) No person shall recharge or add an ozone-depleting substance to equipment unless that person

(a) conducts a leak test in accordance with the procedure set out in the Code of Practice or a procedure established or approved by the Minister; and

(b) if the leak test reveals a leak, has first effectively repaired the leak.

Fire protection equipment

6 (1) Subject to subsection (2), no person shall import, manufacture, install, offer for sale, sell or buy new fire extinguishing equipment that contains or is intended to contain an ozone-depleting substance with an ozone-depletion potential greater than 0.05.

(2) Subsection (1) does not apply in the following circumstances:

(a) the use of fire extinguishing equipment for fire protection in an aircraft;

(b) the use of fire extinguishing equipment for fire protection in a military tactical vehicle or vessel; or

(c) the sale of fire extinguishing equipment for the purpose of recovering and recycling of halon contained in the extinguisher.

(3) No person shall use halon to test fire extinguishing equipment.

Pressurized containers

7 (1) Subject to subsections (2) and (3), no person shall import, manufacture, offer for sale, sell, supply or lease a pressurized container which contains 10 kg or less of an ozone-depleting substance listed in Schedule "A", either alone or in a mixture.

(2) Subsection (1) does not apply to a pressurized container which is used to contain the following:

(a) a prescription drug;

(b) a topical anaesthetic;

(c) a bronchial dilator;

(d) a veterinary powder wound spray;

(e) a cytospray; or

(f) a spermicidal contraceptive foam.

(3) Subsection (1) does not apply to a pressurized container containing azeotropic mixtures listed in Section 1 of Schedule "A".

(4) On or after July 1, 1995, no person shall offer for sale, sell, supply or lease an ozone-depleting substance in a disposable pressurized container for the purpose of charging equipment or fire extinguishing equipment.

Sale of ozone-depleting substances

8 (1) On or after July 1, 1995, no person shall offer for sale, sell, supply or lease an ozone-depleting substance to a person for the purpose of servicing equipment unless

(a) the recipient produces information to show

(i) that the recipient has successfully completed an approved environmental awareness course, or

(ii) where the recipient is a commercial business, that a person employed by the business has successfully completed an approved environmental awareness course; and

(b) the vendor or supplier records the information produced in clause (a) and keeps the information for a period of 2 years from the date of the sale or transaction.

Labelling

9 No person shall

(a) install equipment that does not have a label indicating the type of ozone-depleting substance and oil it contains; or

(b) service equipment with an ozone-depleting substance or oil that is different from the substance indicated on the original label,

unless that person affixes a prominent and permanent label on the equipment which clearly indicates the type of ozone-depleting substance and oil contained in the system and the date of the installation or service.

Flexible and rigid insulation foam

10 (1) No person shall manufacture, import, offer for sale, sell, supply, lease or apply flexible or rigid insulation foam which uses as a foaming agent an ozone-depleting substance listed in Schedule "A".

(2) Subsection (1) does not apply to flexible or rigid insulation foam manufactured prior to the effective date of these regulations.

Packaging and wrapping ban

11 No person shall import, manufacture, offer for sale, sell, supply or lease packaging or wrapping that contains an ozone-depleting substance listed in Schedule "A".

Effective date

12 These regulations shall come into force on, from and after April 11, 1995.

Schedule "A" - Ozone-depleting substances
- Chlorofluorocarbons ("CFCs")
Section 1
(1) CFC-11, also known as fluorotrichloromethane
(2) CFC-12, also known as diclorodifluoromethane
(3) CFC-13, also known as chlorotrifluoromethane
(4) CFC-111, also known as pentachlorofluoroethane
(5) CFC-112, also known as tetrachlorofluoroethane
(6) CFC-113, also known as 1,1,2-trichloro-1,2,2, trifluoroethane
(7) CFC-114, also known as 1,2-dichloro-1,1,2,2-tetrafluoroethane
(8) CFC-115, also known as 1-chloro-1,1,2,2,2-pentafluoroethane
(9) CFC-211, also known as heptachlorofluoropropane
(10) CFC-212, also known as hexachlorodifluoropropane
(11) CFC-213, also known as pentachlorotrifluoropropane
(12) CFC-214, also known as tetrachlorotetrafluoropropane
(13) CFC-215, also known as trichloropentafluoropropane
(14) CFC-216, also known as dichlorohexafluoropropane
(15) CFC-217, also known as chloroheptafluoropropane

Azeotropic Mixtures
(16) CFC-500 (CFC-12/HFC-132a, 73.8/26.2 wt. %)
(17) CFC-501 (CFC-12/HCFC-22, 25.0/75.0 wt. %)
(18) CFC-502 (HCFC-22/CFC-115, 48.8/51.2 wt. %)
(19) CFC-503 (CFC-13/HCFC-23, 59.9/40.1 wt. %)
(20) CFC-504 (HFC-32/CFC-115, 48.2/51.8 wt. %)
(21) CFC-505 (CFC-12/HCFC-31, 78/22 wt. %)
(22) CFC-506 (HCFC-31/CFC-114, 55.1/44.9 wt. %)

Section 2 - Halons
(1) Halon-1211, also known as bromochlorodifluoromethane
(2) Halon-1301, also known as bromotrifluoromethane
(3) Halon-2402, also known as dibromotetrafluoroethane

Schedule "B" - Ozone-depleting substances
- Hydrochlorofluorocarbons ("HCFCs")

(1) HCFC-21, also known as dichlorofluoromethane
(2) HCFC-22, also known as chlorodifluoromethane
(3) HCFC-31, also known as chlorofluoromethane
(4) HCFC-121, also known as tetrachlorofluoroethane
(5) HCFC-122, also known as trichlorodifluoroethane
(6) HCFC-123, also known as dichlorotrifluoroethane
(7) HCFC-124, also known as chlorotetrafluoroethane
(8) HCFC-131, also known as trichlorofluoroethane
(9) HCFC-132, also known as dichlorodifluoroethane
(10) HCFC-133, also known as chlorotrifluoroethane
(11) HCFC-141, also known as dichlorofluoroethane
(12) HCFC-142, also known as chlorodifluoroethane
(13) HCFC-221, also known as hexachlorofluoropropane
(14) HCFC-222, also known as pentachlorodifluoropropane
(15) HCFC-223, also known as tetrachlorotrifluoropropane
(16) HCFC-224, also known as trichlorotetrafluoropropane
(17) HCFC-225, also known as dichloropentafluoropropane
(18) HCFC-226, also known as chlorohexafluoropropane
(19) HCFC-231, also known as pentachlorofluoropropane
(20) HCFC-232, also known as tetrachlorodifluoropropane
(21) HCFC-233, also known as trichlorotrifluoropropane
(22) HCFC-234, also known as dichlorotetrafluoropropane
(23) HCFC-235, also known as chloropentafluoropropane
(24) HCFC-241, also known as tetrachlorofluoropropane
(25) HCFC-242, also known as trichlorofdifluoropropane
(26) HCFC-243, also known as dichlorotrifluoropropane
(27) HCFC-244, also known as chlorotetrafluoropropane
(28) HCFC-251, also known as trichlorofluoropropane
(29) HCFC-252, also known as dichlorodifluoropropane
(30) HCFC-253, also known as chlorotrifluoropropane
(31) HCFC-261, also known as dichlorofluoropropane
(32) HCFC-262, also known as chlorodifluoropropane
(33) HCFC-271, also known as chlorofluoropropane

Please send comments to: regofregs@gov.ns.ca

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