

Fact Sheet on the Amendments to the NB Ozone Depleting Substances Regulation

The New Brunswick ***Ozone Depleting Substances Regulation*** (N.B. Reg. 97-132) – *Clean Air Act* has been amended, and these amendments will come into force on June 30, 2008.

The changes will address outstanding objectives set out in the Canadian Council of Ministers of the Environment (CCME) National Action Plan (NAP), and also improve program delivery.

The following is an overview of the amendments to the Regulation:

1. Regulation's Name

The new regulation will be called the ***Ozone Depleting Substances and Other Halocarbons Regulation***.

2. Commencement / Coming into Force

The coming into force / commencement date of the new regulation: June 30, 2008.

3. Regulating Other Halocarbons

The new regulation will exert control on Other Halocarbons, such as hydrofluorocarbons (HFC's) and perfluorocarbons (PFC's), in a similar manner as Ozone Depleting Substances (CFC's, HCFC's, Halons, Chlorocarbons) are regulated. This will include: release prevention, product stewardship, leak testing, permit requirements for the sale and purchase of these substances, and requirements for the technicians to be certified to handle these substances and to service equipment containing these substances.

4. Extended Producer Responsibility

Anyone supplying regulated substances (ODS & Other Halocarbons) will be required under the new regulation to take back regulated substances from any person regardless of where the regulated substance being returned was acquired.

Product suppliers will also be required to participate in a product stewardship program to ensure the environmentally responsible handling of returned substances, and end-of-life disposal.

5. Commercial Chlorofluorocarbon (CFC) Phase-out – Refill Bans

CFC refill bans will be introduced for:

- Mobile refrigeration systems - effective 1 year after the regulation comes into force.
- Commercial and industrial refrigeration systems - effective 1 year after the regulation comes into force.
- Chillers will be required to be converted or replaced with non-CFC systems at their next overhaul. The Minister will have the authority to allow for a one time refill on a case by case basis.

6. Chiller Purge Efficiency

The new regulation will include a new “chiller purge unit” efficiency standard (less than 0.1 kg of regulated substance purged per kg of air purge to the environment). This requirement will become effective upon the regulation coming into force.

7. Release Reporting

The new regulation will require that all releases of ozone depleting substances and other halocarbons greater than twenty-five (25) kilograms be reported verbally to the Department and the Canadian Coast Guard within 24 hours of the discovery of the release, followed by a written report to the Minister within 14 days following the release.

This requirement will become effective upon the regulation coming into force.

8. Servicing of Fire Suppression Systems

The new regulation will require compliance with the Underwriters’ Laboratories of Canada publications ULC/ORD-C1058.5-1993 “*Halon Recovery and Reconditioning Equipment*” and ULC/ORD-C1058.18-1993 “*The Servicing of Halon Systems*”.

This requirement will become effective upon the new regulation coming into force.

9. Halon Phase-Out

The owner of portable fire extinguishers or fire suppression systems containing Class I ozone depleting substances (e.g. halon) will be required to submit an inventory of such equipments to the Department no later than March 31, 2009 and no later than March 31 of every second year following March 31, 2009.

Effective January 1, 2012, the making, manufacturing, offering for sale, sale, leasing, supplying, installation, or the possession of a fire extinguisher and a fire suppression system that contains or is intended to operate or operates using halon will be prohibited.

10. Leak Testing of Mobile Refrigeration Systems

Leak testing and repair requirements for mobile refrigeration systems have been reinstated - effective upon the new regulation coming into force.

11. Leak Test Labeling

The leak test reporting requirement has been removed and replaced with an equipment labeling requirement - effective upon the new regulation coming into force.

12. Conversion/Retrofit Labeling

Any equipment subject to conversion/retrofit will be required to be labeled, to ensure that individuals servicing the equipment are made adequately aware of such modifications.

Equipment converted from using a regulated substance to using a non-regulated substance will be required to be labeled to indicate the nature of the new substance contained within.

Equipment converted from using a non-regulated substance to using a regulated substance will also be required to be labeled to indicate the nature of the new substance contained within.

This requirement is effective upon the regulation coming into force.

13. Limited and Conditional Certification

The certification program has been changed to allow terms and conditions to be imposed on ODS certificates. Such terms and conditions will clearly identify the types of activities (repairs, testing, recharging, etc.) that a technician may undertake. The intent will be to restrict the activities of certificate holders to their field of expertise provided through their apprenticeship training.

This requirement is effective upon the new regulation coming into force.

14. Permits

The maximum validity period for permits to purchase and permits to sell ODS and other halocarbons has been extended to two years from the former one-year maximum validity period.

The fee for a permit to purchase or for a permit to sell remains at \$25 per permit per year, or \$50 for a two year permit.

Additional Information

If you require more detailed information please contact:

Project Assessment and Approvals Branch
Department of Environment
P.O. Box 6000, Fredericton, NB
E3B 5H1

Tel: (506) 444-4599
Fax: (506) 457-7805
Email: information-env@gnb.ca

This fact sheet is also available on the Department of Environment web site at www.gnb.ca/environment,
key subject: Environmental Protection - Air.

The ***Ozone Depleting Substances and Other Halocarbons Regulation*** will soon be available on-line
at www.gnb.ca/0062/regs/c-5-2reg.htm