



Atlantic Used Oil
Management Association

Members Manual Nova Scotia

**In response to
the Solid Waste-Resource Management Regulations
(amendment)
made under Section 102 Environment Act.
(O.I.C. 2019 – 29)**

Making every drop count

(Version of January 1st, 2020)

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Letter from the General Manager

On behalf of the Atlantic Used Oil Management Association, division Nova Scotia (UOMA NS), we extend a warm maritime welcome to all for joining our efforts to « Working together for the planet » in the management of post-consumer oil and glycol products in Nova Scotia.

UOMA NS has an approval from the Nova Scotia Environment to fulfill the obligations of the Regulation on behalf of its Members.

This Manual is designed to inform you about several aspects of your membership: it presents UOMA NS, describes the UOMA NS Product Management Program it administers for its members, and highlights the important points arising from the Nova Scotia Regulation as cited as the Solid Waste-Resource Management Regulations (amendment) made under Section 102 of the *Environment Act* (O.I.C. 2019-29).

The Manual is not intended as an exhaustive document on the respective obligations of UOMA NS and its Members because, as you will discover, the information contained in the Membership Agreement is very complete and could constitute a guide itself. In addition, at the end of the Schedule to the Membership Agreement, you will find a PRODUCT ADDENDUM (to be signed subsequent to the signing of the Membership Agreement in relation to the Solid Waste-Resource Management Regulations, (amendment) made under Section 102 of the Environment Act (O.I.C. 2019-29); should Nova Scotia Environment and Local Government, or any other successor Minister or Department add new products, Members will not have to sign a whole new Membership Agreement because they will only have to sign the ADDENDUM.

To make it easier for you to read and understand this Manual, I suggest that you pay a special attention to the definitions and explanations on the following pages.

On behalf of the Board of Directors of UOMA Atlantic and on my own behalf, I assure you of our total commitment to our common objectives.

Sincerely,



Luc Gagnon
General Manager
UOMA NS

Definitions

The following words and expressions mean or designate:

- (i) **Act** means the Nova Scotia Environment Act (O.I.C. 2019 – 29), as amended or replaced and the regulations made thereunder;
- (ii) **Approval** means the Approval entered between Nova Scotia Environment and UOMA NS, recognizing UOMA NS as a body authorized to implement and manage a Product Stewardship Plan on behalf of its Members for the purposes of the applicable legislation and regulations;
- (iii) **Brand Owner:**
 - a person who is the owner or licensee of the intellectual property rights to oil, glycol, oil filters or product containers sold, offered for sale or otherwise distributed in or into the Province,
 - a manufacturer or distributor of oil, glycol, oil filters or product containers sold, offered for sale or otherwise distributed in or into the Province,
 - for oil, glycol, oil filters or product containers imported into the Province, the first person to sell or offer for sale the oil, glycol, oil filters or product containers in the Province;
- (iv) **Collection Facility** means an establishment or facility registered with UOMA NS to receive the used products described in the Regulation at no cost;
- (v) **Collector** means an enterprise registered with UOMA NS to pick up the products governed by the Regulation from Generators or Collection Facilities and deliver them to a Processor registered with UOMA NS;
- (vi) **Environmental Handling Charge** means the contribution paid to UOMA NS by its Members, as established by UOMA NS;
- (vii) **Environmental Handling Charges Schedule** means the amounts of Environmental Handling Charges that must be disbursed quarterly on the Products, and all conditions pertaining thereto, the whole as described in Schedule 1 hereof, which Schedule may be amended from time to time, as stipulated in the Membership Agreement;
- (viii) **Filter** “oil filter” means
 - a spin-on style or element style fluid filter that is used in hydraulic, transmission or internal combustion engine applications,
 - an oil filter, a diesel fuel filter, a storage tank fuel filter and a household furnace

oil filter other than a gasoline filter;

- (ix) **Generator** means the user of lubricating oils, filters, glycols (antifreezes), oil, glycol (antifreeze) and diesel exhaust fluid containers of 50 litres or less (including cleaners for automotive parts and lubricant aerosol containers) in the normal course of business or as a private consumer;
- (x) **Glycol** means ethylene or propylene glycol used or intended for use as a vehicle or commercial engine coolant, but does not include any of the following:
- plumbing antifreeze,
 - windshield washer antifreeze,
 - lock de-icer and antifreeze,
 - gasoline and diesel fuel antifreeze;
- (xi) **Mandatory Contributor** means an entity which, although not subject to the Regulation, is a Member of UOMA NS, both in its own name and on behalf of the enterprises that it represents - including municipalities - which must be registered with UOMA NS, reports the quantities of products described in the Agreement that are offered on the Nova Scotia market, and pays the System-related fees on behalf of the enterprises and municipalities that are subject to the Regulation;
- (xii) **Member:**
- a person who is the owner or licensee of the intellectual property rights to oil, glycol, oil filters or product containers sold, offered for sale or otherwise distributed in or into the Province,
 - a manufacturer or distributor of oil, glycol, oil filters or product containers sold, offered for sale or otherwise distributed in or into the Province,
 - for oil, glycol, oil filters or product containers imported into the Province, the first person to sell or offer for sale the oil, glycol, oil filter or product containers in the Province;
- Note: Mandatory Contributors that join UOMA NS in accordance with their own internal bylaws are also Members.
- (xiii) **Membership Agreement** means this Membership Agreement entered into between the Member and UOMA NS, including any Product Addendum or other addendum or schedule made in accordance with the terms and conditions of the Membership Agreement;
- (xiv) **Minister and Department** means, as the case may be, the Minister of Environment of the Department of Nova Scotia Environment, or any other successor Minister or Department;

- (xv) **Oil means :**
- petroleum or synthetic derived crankcase oil, engine oil and gear oil, and hydraulic fluid, transmission fluid and heat transfer fluid, or
 - fluid used for lubricating purposes in machinery or equipment;
- (xvi) **Processor** means a business registered with UOMA NS to reclaim products governed by the Regulation;
- (xvii) **Products** means all the products put on the market in Nova Scotia, acquired and made by the Members and mentioned in the Nova Scotia Environment Act (O.I.C. 2019-29) as well as by the agreement;
- (xviii) **Product Addendum** means a supplemental agreement whereby UOMA NS and a Member identify any other Product that they agree to include in the Membership Agreement and any applicable conditions, as the case may be, (subsequent to the signing of this Agreement);
- (xix) **Product container** means a container with a capacity of 50 L or less manufactured for the purpose of holding glycol, oil or diesel exhaust fluid, and includes an aerosol container used to hold a cleaner for automotive parts;
- (xx) **Regulation** means the *Regulation as cited as the Solid Waste-Resource Management Regulations* made under Section 102 – Environment Act (O.I.C. 2019-29) filed February 6, 2019;
- (xxi) **Supplier** means a person who, in the course of doing business, supplies the Products.
- (xxii) **UOMA** means Atlantic Used Oil Management Association a body created to implement and manage the Nova Scotia Oil and Glycol Stewardship Plan in accordance with applicable legislation and regulations called in the Members' Manual UOMA NS.

UOMA NS

Atlantic Used Oil Management Association (UOMA) is a private non-profit organization bringing together Brand Owners of lubricating oils, glycols (antifreezes) or filters of these products in Nova Scotia. UOMA NS is incorporated and is governed by a Board of Directors

made up of directors from different economic sectors, elected or designated at a general meeting, (Bylaws article 4.1). On behalf of its members, the organization is responsible for recovering and reclaiming products governed by the Regulation as per its objectives, and for informing all stakeholders and the general public and making them aware of the issues. Its General Manager is Jean Duchesneau.

UOMA NS provides its Members with the services required by the Regulation:

- Implementation of a recovery system for used oils, used glycols (antifreezes), used filters, used oil, glycol (antifreeze) and diesel exhaust fluid containers that hold 50 litres or less including all types of automotive parts cleaner and lubricant aerosol containers, in cooperation with the Collectors registered with UOMA NS;
- Implementation of a reclamation system for recovered products, in cooperation with the Processors who give them a second life pursuant to applicable regulations;
- Implementation of a user awareness program in the industrial, commercial and private fields.

UOMA NS's activities are governed by the Regulation and the Stewardship Plan and are described in detailed reports to its Members and to Nova Scotia Environment.

The system set up by UOMA NS is based on financial incentives paid to the Collectors to encourage them to recover UOMA NS Products throughout Nova Scotia.

UOMA NS zones have been defined by working individually with the Collectors based on their experience: these are therefore natural commercial zones. The incentives are usually sufficient not only to cover the amounts that were charged to Generators by Collectors before the advent of UOMA NS, but even to allow Collectors to offer money to the Generators.

UOMA NS is funded by its Members for that purpose, as detailed in SCHEDULE 1 of the Membership Agreement.

Several verification processes have been created to ensure that the figures are accurate, starting with the Members, the Generators, the Collectors and the Processors.

The UOMA NS program

The program that UOMA NS created on behalf of its Members is based on extended producer responsibility. Its main aspects will be described in this section. All the section numbers and Schedule numbers refer to the Membership Agreement.

1. Objectives of the program

- Set up a Nova Scotia - wide program aimed at recovery and reclamation rates exceeding government objectives;
- Maintain the lowest operating and management costs;
- Ensure compliance with existing regulations.

2. Key elements of the program

- Collection of an Environmental Handling Charge from the Members on the sales volumes of the Products in order to fund and manage the program fairly;
- Payment of a Return Incentive to Collectors registered with UOMA NS to encourage greater recovery of the Products;
- Payment of a Return Incentive for plastic containers;
- Payment of incentives at the Collection Facilities;
- Deployment of a user information and awareness program.

3. Principal obligations of UOMA NS Members

- Sign the UOMA NS Membership Agreement and attach a cheque made out to UOMA to cover the \$200 membership fee plus HST. Produce the reports and disburse the Environmental Handling Charges due on a quarterly basis based on marketed values, unless otherwise authorized (3.3);
- Make an agreement between Members when one Member sells to another Member, to make it clear which one will produce the reports and make the remittances to UOMA NS (3.7);
- Pay special attention to subsection 3.4 with regard to missed or late payments;

- Keep records on the sales volumes for at least seven years for the purposes of UOMA NS compliance review to meet the requirements of the Regulation and the By-Laws;
- Posting and internalization as described in subsection 7.

4. Administrative systems

UOMA NS has set up adequate systems related to:

- collection of Environmental Handling Charges from the Members;
- payment of Recovery Incentives;
- payment of Reclamation Incentives;
- payment of incentives to the Collection Facilities;
- payments related to the user information and awareness program;
- the verifications for Members, Collectors and Processors;

5. Collection Facilities

One of UOMA NS's priorities is the development of Collection Facilities throughout the province. For this purpose, UOMA NS recognizes the contribution of every mechanical repair shop that registers by paying a registration bonus and remitting incentive payments on the filters generated and recovered.

6. Recovery Incentive zones

To encourage recovery of the products governed by the Regulation, UOMA NS has instituted a system of Recovery Incentives disbursed to Collectors who are registered with UOMA NS. Such Incentives are based on the volumes collected from Generators of used products in Nova Scotia and delivered to Processors registered with UOMA NS.

Nova Scotia is divided into many Incentive zones. These zones are based on geography, population density and the present and potential volumes of used products. The Incentive level also takes those factors into account.

UOMA NS also offers an Incentive to Processors of plastic containers, who decontaminate them for reuse or reduce them into pellets for transformation into finished goods. This Incentive recognizes that this activity is not currently profitable.

In Schedule II of the Collectors Agreement in the Collectors section of the UOMA NS website (www.uoma-atlantic.com), you will find the map of the Incentive zones in Nova Scotia and a brief description of each zone. In this same section (Collectors section of the UOMA NS website), you will also find the list of Nova Scotia municipalities, indicating the zone that each one falls into.

7. UOMA NS Annual Report

UOMA NS submits a detailed report of its activities to the Nova Scotia Environment and an annual report to its Members, presenting the results achieved in relation to the business plan. In addition, the Chair of the Board of Directors and the General Manager present a full report on activities and an audited financial report at the Annual General Meeting of the Members and answer any questions from Members who attend.