



Members Manual Prince Edward Island

In response to
***the Materials Stewardship and Recycling Regulations –
Environmental Protection Act***

Making every drop count

(Version of April 1st, 2015)

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Letter from the General Manager

On behalf of Société de gestion des huiles usagées de l'Atlantique - Atlantic Used Oil Management Association, division Prince Edward Island (UOMA PE), we extend a warm maritime welcome to all for joining our efforts to « make every drop count » in the management of post-consumer oil and glycol products in Prince Edward Island.

UOMA PE has an approval from Dept. of Communities, Land and Environment of Prince Edward Island 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 PE, describes the UOMA PE Product Management Program it administers for its Members, and highlights the important points arising from the Prince Edward Island Regulation as cited as Materials Stewardship and Recycling – Environmental Protection Act (EC2014-349).

The Manual is not intended as an exhaustive document on the respective obligations of UOMA PE 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 Materials Stewardship and Recycling Regulations – Environmental Protection Act); should the Minister of the Prince Edward Island Department of Communities, Land and Environment, 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,



Jean Duchesneau
General Manager
UOMA PE

Definitions

The following words and expressions mean or designate:

- (i) **Act:** means the Prince Edward Island *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, as amended or replaced and the regulations made thereunder;
- (ii) **Approval:** means the Approval entered between Dept. of Environment Labour and Justice Prince Edward Island and UOMA PE, recognizing UOMA PE as an agent 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:** means in respect of an oil, oil filter or glycol product sold, offered for sale or otherwise distributed in or into the province,
 - (a) a manufacturer of the oil, oil filter or glycol product,
 - (b) a distributor of the oil, oil filter or glycol product in or into the province,
 - (c) where the oil, oil filter or glycol product is imported into the province, the first person to sell the oil, oil filter or glycol product in or into the province;
- (iv) **Collection Facility** means an establishment or facility registered with UOMA PE to receive the used products described in the Regulation at no cost;
- (v) **Collector** means an enterprise registered with UOMA PE to pick up the products governed by the Regulation from Generators or Collection Facilities and deliver them to a Processor registered with UOMA PE;
- (vi) **Container** means a container with a capacity of 50 litres or less, after use, made of plastic or other material, including aerosol containers, as described in the Regulation;
- (vii) **Environmental Handling Charge** means the fee paid to UOMA PE by its Members, as established by UOMA PE;
- (viii) **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;
- (ix) **Filter:** "oil filter" means
 - (a) a spin-on style or element style fluid filter that is used in hydraulic, transmission or internal combustion engine applications, and
 - (b) an oil filter, a diesel fuel filter, a storage tank fuel filter and a household furnace oil filter other than a gasoline filter.
- (x) **Generator** means the user of lubricating oils, antifreeze (glycol), oil and antifreeze (glycol) containers including aerosol lubricant containers and brake cleaners in the normal course of business or as a private consumer;

- (xi) **Lubricating Oil** means an oil of mineral, synthetic or vegetable origin, and any other oil as designated in the Regulation or in a Product Addendum;
- (xii) **Mandatory Contributor** means an entity which, although not subject to the Regulation, is a Member of UOMA PE, both in its own name and on behalf of the enterprises that it represents - including municipalities - which must be registered with UOMA PE, reports the quantities of products described in the Agreement that are offered on the Prince Edward Island market, and pays the System-related fees on behalf of the enterprises and municipalities that are subject to the Regulation;
- (xiii) **Member**:
 - (a) a manufacturer of the oil, oil filter or glycol product
 - (b) a distributor of the oil, oil filter or glycol product in or into the province,
 - (c) where the oil, oil filter or glycol product is imported into the province, the first person to sell the oil, oil filter or glycol product in or into the province;

Note: Mandatory Contributors that join UOMA PE in accordance with their own internal bylaws are also Members.

- (xiv) **Membership Agreement** means this Membership Agreement entered into between the Member and UOMA PE, including any Product Addendum or other addendum or schedule made in accordance with the terms and conditions of the Membership Agreement;
- (xv) **Minister and Department**: means, as the case may be, the Minister of the Prince Edward Island Department of the Environment, Labour and Justice, or any other successor Minister or Department;
- (xvi) **Processor** means a business registered with UOMA PE to reclaim products governed by the Regulation;
- (xvii) **Products**: means all the products put on the market in Prince Edward Island, acquired and made by the Members and mentioned in the Division 4 Oil and Glycol Products of the Regulation as well as by the Approval;
- (xviii) **Product Addendum** means a supplemental agreement whereby UOMA PE 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) **Reclaim Incentive** means the financial contribution disbursed by UOMA PE to registered Processors of plastic oil and antifreeze (glycol) containers, who decontaminate them to render them fit for reuse or reduce them into pellets for transformation into finished goods, in recognition of the fact that this activity is not yet profitable;
- (xx) **Return Incentive** means the financial contribution disbursed by UOMA PE to registered Collectors for recovery of Products governed by the Regulation;

- (xxi) **Regulation:** means the Regulation as cited as the *Materials Stewardship and Recycling* under the Prince Edward Island Regulation Environmental Protection Act R.S.P.E.I.1988, Cap. E-9 and
- (xxii) **UOMA** means Société de gestion des huiles usagées de l'Atlantique – Atlantic Used Oil Management Association a body created to implement and manage the Prince Edward Island Oil and Glycol Stewardship Program in accordance with applicable legislation and regulations called in the Members' Manual UOMA PE.

UOMA PE

Société de gestion des huiles usagées de l'Atlantique – Atlantic Used Oil Management Association (UOMA) is a private non-profit organization bringing together Brand Owners of lubricating oil, antifreeze (glycol) or filters of these products in Prince Edward Island. UOMA PE 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 PE provides its Members with the services required by the Regulation:

- Implementation of a recovery system for used oils, used antifreeze (glycol), used oil and antifreeze (glycol) containers that hold 50 litres or less including all type of lubricant aerosol and brake cleaner containers, and used filters, in cooperation with the Collectors registered with UOMA PE.;
- 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 PE's activities are governed by the Regulation and the Oil and Glycol Stewardship Program and are described in detailed reports to its Members and to the Dept. of Environment, Labour and Justice.

The system set up by UOMA PE is based on financial incentives paid to the Collectors to encourage them to recover UOMA PE Products throughout Prince Edward Island. The incentives are usually sufficient not only to cover the amounts that were charged to Generators by Collectors before the advent of UOMA PE, but even to allow Collectors to offer money to the Generators.

UOMA PE 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 PE program

The program that UOMA PE 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 Prince Edward Island - 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 PE 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 PE Members

- Sign the UOMA PE Membership Agreement and attach a cheque made out to UOMA PE 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 PE (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 PE 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 PE 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 audits for Members, Collectors and Processors;
- the financial indemnity paid annually to Prince Edward Island Department of Environment, Labour and Justice.

5. Collection Facilities

One of UOMA PE's priorities is the development of Collection Facilities throughout the province. For this purpose, UOMA PE 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

To encourage recovery of the products governed by the Regulation, UOMA PE has instituted a system of Recovery Incentives disbursed to Collectors who are registered with UOMA PE. Such Incentives are based on the volumes collected from Generators of used products in Prince Edward Island and delivered to Processors registered with UOMA PE. The Incentive level also considers the geography, population density and the present and potential volumes of used products.

UOMA PE 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 PE website (www.uoma-atlantic.com), you will find the map of the Incentive zones in Prince Edward Island and a brief description of each zone. In this same section (Collectors section of the UOMA PE website), you will also find the list of Prince Edward Island municipalities, indicating the zone that each one falls into. (Starting the program there will be only one zone).

7. UOMA PE Annual Report

UOMA PE submits a detailed report of its activities to Prince Edward Island Department of Environment, Labour and Justice 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.