Update on Refrigerant Handling Regulations (Ozone Depleting Substances, (ODS)) May 2011
Effective January 2011, Ontario Regulation 463/10
Made under the
ENVIRONMENTAL PROTECTION ACT
OZONE DEPLETING SUBSTANCES AND OTHER HALOCARBONS

The Ontario Ministry of the Environment has amalgamated 5 different regulations pertaining to ozone depleting substances. One of these regulations (O. Reg. 189/94) concerned Refrigerants.
The 5 Regulations are as follows:

- O. Reg. 356/90
- O. Reg. 717/94
- O. Reg. 718/94
- O. Reg. 413/94
- O. Reg. 189/94

All 5 regulations have been revoked and replaced with the new regulation **On Reg 463/10**

For a current copy of Ontario Regulation 463/10, please go to the following website:
http://www.e-laws.gov.on.ca/html/source/regs/english/2010/elaws_src_regs_r10463_e.htm

The highlights of the regulation, **as they pertain to the ICI sector**, are listed below:

- **Fines** upon conviction for a person releasing a Class I ODS, Class II ODS or Halocarbon into the natural environment or into the environment of a building, may range from **$5,000 to $4,000,000 per day**
- Refrigerants subject to this regulation include: Class I ODS, Class II ODS or Halocarbon
- **When completing records, paper work or documentation, you must include the refrigerant Class name,** such as: CFC-12, HCFC-22, HFC-134a, HFC-410A

- Class I refrigerants include Chloro Fluor Carbons (CFC's), any of the halons, carbon tetrachloride, methyl chloroform and hydrobromofluorocarbons (HBFC's). The Class I refrigerants include any mixture including any of these substances or any isomer (different molecular arrangement) of these substances
- Class I CFC's include, but are not limited to: CFC-11, CFC-12, CFC-13, CFC-113, CFC-114, CFC-115, CFC-500, CFC- 502, CFC-503

- Class II refrigerants include Hydro Chloro Fluoro Carbons (HCFC's) and any mixture containg any HCFC's as well any isomers of HCFC's
- Class II HCFC's include, but are not limited to: HCFC-22, HCFC-123, HCFC-124, HCFC-401, HCFC-409, etc.
- Halocarbon refrigerants include any Fluorocarbon (FC), HydroFluoroCarbon (HFC's) or any mixture that may contain any of these substances or any isomer of these substances.
- Halocarbon HFC's include but are not limited to: HFC-23, HFC-32, HFC-125, HFC-134a, HFC-404A, HFC-407A, HFC,407C, HFC-410A, HFC-507, HFC-508, etc.

- *Natural refrigerants and pure hydro carbons are not subject to this regulation*

- No one is allowed to discharge any Class I (ODS), Class II (ODS) or Halocarbon into the natural environment or into the environment of a building. *(for the few exceptions to this, please read the regulation carefully)* (once a customer has been notified that a system is leaking, they are responsible to have the equipment repaired or the refrigerant recovered/isolated from leaking)

- Refrigerant losses of 100 kg or greater must be reported immediately to the MOE by the person responsible for the discharge (customer if loss occurred before you arrived at the site or technician when servicing if they caused the leak)

- All low pressure chillers must have high efficiency purges

- Only certified persons may service or test refrigerant containing equipment (313A or 313D apprentice or C of Q and valid Ontario ODP certificate)

- You must have immediate access to refrigerant recovery equipment

- No one may add Class I, Class II or Halocarbon refrigerants for the purpose of leak testing *(ICI and residential sectors)*

- Upon finding a leak(s) within a system, you are responsible of immediately tagging the equipment with a notice and immediately notifying the customer of the leaks. *(onus of responsibility to have the leaks repaired or refrigerant recovered/isolated is now in the customer's hands)*

- A refrigerant leak test notice must include your name, date of test, ODP certificate # with expiry date, your employer's name/address, results of the leak test and a statement that no refrigerant is to be added until the leak(s) is/are repaired. No one can remove a leak test tag unless they are replacing with a new notice.

- Anyone who services or tests refrigerant containing equipment must keep records of anything pertaining to refrigerant purchases, refrigerant leak tests, refrigerant leakage rates, reason for refrigerant loss from a system/container, refrigerant addition/installation, leak repairs and refrigerant type/quantities used.

- Copies of all records and notices are to be kept for two years from date of test/service/installation, etc.

- Refrigeration Systems of greater than 22 kilowatts (6.25 tons) capacity may not have Class I (CFC's) installed/added into them.

- Low pressure chillers may not have Class I CFC's added unless the equipment meets the accepted exemptions according to the regulations

- **Class I CFC containing equipment of greater than 22 kilowatts and Class I CFC containing chillers, will not be allowed to operate on or after January 1, 2012. *They must be either replaced or converted to non Class I (CFC) refrigerants in order to operate.***

- All containers and systems that are being decommissioned must have notices on them stating that there is no refrigerant remaining, along with date, name, ODP #/expiry date and employer

- No containers may go to a dump or land fill site (containers must be recycle/refillable) containers must be tested every 5 years
- ONLY ODP certified persons may transfer refrigerant to and from containers/equipment
- Containers must be identifiable with regards to refrigerant type, quantity, refillable/recyclable, cannot be deposited at a dump or landfill site and deposit amount
- As of January 1, 2012 any recaptured Class I (CFC's) must be returned to a wholesaler (at no return cost to you)
- As of July 1, 2012 recovered Class I (CFC's) become hazardous wastes
- Out of Province ODP cards are valid providing the certificate holder satisfies the requirements of section 34
- **You must renew your ODP certificate within every 5 years.** Failure to renew requires taking a full day course and successfully completing the exam.
- Renewal forms are available on line at www.ualocal787.org or at www.jtac787.org

  Or at the JTAC office (and from your employer). Please fill these forms out and fax to the JTAC at least 8 weeks prior to expiry of your existing certificate. Failure to renew requires taking the full day refrigerant handling certification course and successfully completing the exam.
- Federal Halocarbon Regulations continue to apply at facilities that are under Federal jurisdiction. (abide by Federal Halocarbon Regulation 2003 available on line at the following site: http://laws-lois.justice.gc.ca/eng/regulations/SOR-2003-289/page-1.html
- Federal jurisdiction includes but not limited to the following: banks, post office, RCMP, airports, VIA Rail, armed forces bases, telecommunication facilities and remote telecommunication sites. **If you are not sure of the jurisdiction as to whether it is Ontario or Federal, then you must clarify. Regardless, you must adhere to both regulations when working on Federal jurisdiction equipment.**
- Contact info for the Provincial and Federal departments below:

Ontario Spills Action Centre for emergency release reporting: 1-800-268-6060
Contact for follow up reports and requests
Director:
Operations Division
135 St. Clair Ave. W.
14th floor
Toronto ON M4W 1P5
Tel: (416) 314 – 6378
Fax: (416) 314 – 6396
Fax: (416) 314 – 6409

Investigations & Enforcement Branch
5775 Yonge Street
8th floor
North York ON M2M 4J1
Tel: (416) 326 – 6700
Fax: (416) 326 - 5256

Written notices regarding low pressure chillers:
Written notices can be submitted to:
Assistant Director, West Central Region
Ministry of the Environment
Ellen Fairclough Building
119 King Street West, 12th Floor
Hamilton ON L8P 4Y7

Federal Jurisdiction:
Manager, Emergencies and Enforcement Division
Information Management Section
Environment Canada
Environmental Protection Branch-Ontario Region
4905 Dufferin Street, 2nd Floor
Downsview, Ontario
M3H 5T4
Ph: (416) 739-5869
Fax: (416) 739-4903