

ONTARIO REGULATION 212/02
made under the
ENVIRONMENTAL PROTECTION ACT

REPORTING REQUIREMENTS — SULPHUR LEVELS IN GASOLINE

Definitions

1. In this Regulation,

“blend” and “blender” have the same meanings as in the federal regulation;

“blending facility” means a facility in Ontario at which blending occurs, and includes a cargo tanker, a railway car, a boat, a marine vessel and any other type of mobile blending facility;

“federal registration information” means information submitted under subsection 7 (1) of the federal regulation;

“federal regulation” means the *Benzene in Gasoline Regulations* (SOR/97-493) made under the *Canadian Environmental Protection Act*;

“federal report” means a report submitted under section 8 of the federal regulation;

“gasoline” means complying gasoline as defined in the federal regulation;

“manufacturer” has the same meaning as in the federal regulation;

“primary supplier” means,

(a) the manufacturer,

(i) with respect to gasoline manufactured at a refinery located in Ontario,

- (ii) with respect to gasoline manufactured at a refinery located elsewhere in Canada, if the manufacturer carries on business in Ontario and the gasoline may be used or sold in Ontario,
- (b) the importer, with respect to gasoline imported into Ontario from outside Canada, and
- (c) the blender, with respect to gasoline blended in Ontario;

“quarter” means a period of three consecutive months that begins on January 1, April 1, July 1 or October 1 of any year;

“refinery” has the same meaning as in the federal regulation;

“supply” means,

- (a) to manufacture at a refinery located in Ontario,
- (b) to manufacture at a refinery located elsewhere in Canada, if the manufacturer carries on business in Ontario and the gasoline manufactured at the refinery may be used or sold in Ontario,
- (c) to blend in a blending facility located in Ontario, or
- (d) to import into Ontario from outside Canada gasoline for use or sale in Ontario.

Registration

2. (1) Every primary supplier who is required to submit federal registration information shall submit the information set out in Schedule 1 to the Director,

- (a) on or before September 1, 2002, if the federal registration information is submitted on or before that date;
- (b) on the same day as the federal registration information is submitted, if that day is after September 1, 2002.

(2) A primary supplier who has submitted the information set out in Schedule 1 to the Director shall submit an updated version of that information within five days after any change.

(3) Information submitted under subsection (1) or (2) shall be signed by an authorized official of the primary supplier and shall be submitted in the form and manner determined by the Director.

Quarterly reports

3. (1) Every primary supplier shall submit a report containing the information set out in Schedule 2 to the Director,

- (a) for each quarter of the years 2001 and 2002 for which the primary supplier is required to submit a federal report;
- (b) for each quarter of 2003, if the primary supplier is required to submit a federal report for that year or for that quarter; and
- (c) for each quarter of 2004, if the primary supplier is required to submit a federal report for that year or for that quarter.

(2) A report submitted under subsection (1) shall be signed by an authorized official of the primary supplier and shall be submitted in the form and manner determined by the Director.

(3) Except as subsection (4) provides, the primary supplier shall submit the report within 45 days after the last day of the quarter to which it relates.

(4) The primary supplier shall submit the reports for all four quarters of 2001 and the first two quarters of 2002 on or before September 1, 2002.

(5) The primary supplier shall submit a separate report,

- (a) for each refinery;
- (b) for each non-mobile blending facility;
- (c) for each type of mobile blending facility (for example, cargo tankers or railway cars); and
- (d) for the point or points of importation into Ontario from outside Canada.

(6) In a report that relates to the second, third or fourth quarter of the year, it is not necessary to complete items 6 and 7 of Schedule 2.

Sampling and analysis

4. In preparing reports for submission under subsection 3 (1), the primary supplier,

- (a) shall use the same methods for sampling and analysis as in preparing federal reports; and
- (b) may rely on, and is not required to duplicate, the actual operations of sampling and analysis that are used to prepare the corresponding federal reports.

Records

5. A primary supplier who is required to submit a report under subsection 3 (1) shall, until the third anniversary of the date the report is submitted,

- (a) retain all records on which the report is based; and
- (b) on request, make them available to the Director for inspection.

Schedule 1**PRIMARY SUPPLIER REGISTRATION**

Subsection 2 (1)

1. Company name and address.
2. Type of primary supplier (*check one or more*)
 - manufacturer - refinery in Ontario
 - manufacturer - refinery elsewhere in Canada
 - blender
 - importer
3. Name and location of each refinery.
4. Name and location of each blending facility. (*For mobile blending facilities such as cargo tankers or railway cars, indicate only type and number.*)
5. If the primary supplier is a blender, typical blending material(s) for gasoline blended at each facility.
6. Usual point and mode of importation for gasoline that is imported into Ontario from outside Canada.
7. Name, title, telephone number, fax number and e-mail address of authorized official who signs.

Schedule 2**QUARTERLY REPORT****Subsection 3 (1)**

1. Company name and address.
2. Type of primary supplier (*check one or more*)
 - manufacturer - refinery in Ontario
 - manufacturer - refinery elsewhere in Canada
 - blender
 - importer
3. Name and location of refinery, blending facility or point of importation into Ontario from outside Canada.
4. Average sulphur level, as a percentage of the gasoline by weight, of all gasoline supplied during the quarter.
5. If the primary supplier supplied more than 400 cubic metres of gasoline in the previous calendar year, an estimate of sulphur level, as a percentage of the gasoline by weight, of each of the following grades of gasoline supplied during the quarter:
 - i. Regular.
 - ii. Mid-grade, if the primary supplier manufactured that grade at a refinery.
 - iii. Premium.
6. Average sulphur level, as a percentage of the gasoline by weight, of all gasoline supplied during the previous calendar year.
7. If the primary supplier supplied more than 400 cubic metres of gasoline in the previous calendar year, average sulphur level, as a percentage of the gasoline by weight, of each of the following grades of gasoline supplied during that year and during each quarter of that year:
 - i. Regular.

- ii. Mid-grade, if the primary supplier manufactured that grade at a refinery.
- iii. Premium.

(Include items 6 and 7 only in report on first quarter.)

- 8. Name, title, telephone number, fax number and e-mail address of authorized official who signs.