

**BRITISH COLUMBIA USED OIL
MANAGEMENT ASSOCIATION**

**RETURN COLLECTION FACILITY
INFRASTRUCTURE GRANT PROGRAM**

July 2019

1 DEFINITIONS

- 1.1 **Antifreeze** means all automotive antifreeze.
- 1.2 **Antifreeze Containers** means all empty containers with a capacity of 30 liters or less that are manufactured and used for the purpose of containing antifreeze.
- 1.3 **Antifreeze Materials** means, collectively, Antifreeze and Antifreeze Containers.
- 1.4 **Applicant** means an applicant to BCUOMA who applies for a Grant under this Program by submitting an Application Form.
- 1.5 **Application Form** means the Return Collection Facility (RCF) Infrastructure Grant Application.
- 1.6 **BCUOMA** mean British Columbia Used Oil Management Association.
- 1.7 **Collector** means a government-approved carrier registered with BCUOMA that picks up Used Oil and Antifreeze Materials from Return Collection Facilities and/or Generators and delivers them to a Processor registered with BCUOMA.
- 1.8 **DIY** means do-it-yourself consumers who purchase their own Lubricating Oil, Antifreeze and Filters and service their own vehicles and equipment. These consumers include private motorists, farmers and small commercial generators such as fishers and loggers.
- 1.9 **Filter** means all spin-on or element style fluid filters that are used in hydraulic, transmission or internal combustion engine applications including all oil, oil-air separator, diesel fuel, coolant, storage tank, and household furnace oil filters, sump tank automatic transmission filters, plastic/paper filters and diesel fuel filters used at retail and commercial pump islands, but does not include gasoline fuel filters, air filters, household furnace air filters and sock-type filters.
- 1.10 **Generator** means a user of Oil Materials and/or Antifreeze Materials who, through normal application of these materials, generates Used Oil and Antifreeze Materials.
- 1.11 **Grant** means any incentive, infrastructure or funding payable to the Applicant under this Program, as the context may require.
- 1.12 **Ineligible Used Oil and Antifreeze Material** means used Oil Materials and Antifreeze Materials that are not eligible for incentive payments under the BCUOMA Program Manual Return Collection Facility (RCF) Operators.
- 1.13 **Lubricating Oil** means all petroleum-derived or synthetic crankcase oils, engine oils, hydraulic fluids, transmission fluids, gear oils, heat transfer fluids or other oils or fluids used for lubricating purposes in machinery or equipment.

- 1.14 **Oil Containers** means all empty containers with a capacity of 30 liters or less that are manufactured and used for the purpose of containing Lubricating Oil.
- 1.15 **Oil Materials** means, collectively, Lubricating Oil, Oil Containers and Filters.
- 1.16 **Processor** means a government-approved receiver of one or more Used Oil and Antifreeze Materials, which processes these materials into saleable products. Processors must have a demonstrated capability to manufacture value-added recycled products that meet one of the following criteria:
- a) delisting of the Used Oil and Antifreeze Materials as hazardous waste;
 - b) approved industry standards (e.g. ASTM, CSA, CGSB); or
 - c) regulatory standards or code of practice.
- NOTE: Landfilling, road oiling and used oil furnaces are not acceptable processes.
- 1.17 **Producer** means a producer as defined in the Regulation, as may be amended from time to time.
- 1.18 **Program** means this RCF Infrastructure Grant Program, as may be amending from time to time.
- 1.19 **Regulation** means the *Recycling Regulation* (BC Reg 449/2004) as may be amended from time to time.
- 1.20 **Residual** means that portion of Oil Material and/or Antifreeze Material that remains after the consumer of the material has no further use for it.
- 1.21 **Return Collection Facility** or **RCF** means a facility that is registered as an RCF with BCUOMA or a facility that has verbally agreed with BCUOMA to collect Used Oil and Antifreeze Material at no charge from the DIY consumer.
- 1.22 **Stewardship Program** means an approved plan as defined in the Regulation, as may be amended from time to time.
- 1.23 **Used Oil and Antifreeze Material** is the by-product of Oil Materials and/or Antifreeze Materials following their ordinary use, including Residuals, but does not include Ineligible Used Oil and Antifreeze Material.
- 1.24 **Used Oil Storage Unit Specifications** is the BCUOMA used oil storage unit document, as may be amended from time to time, attached hereto as Appendix A.

2 PROGRAM PURPOSE

- 2.1 Under the Regulation all Producers (including Generators) are required to either comply with the Regulation or join an organization administering a Stewardship Program that complies with the Regulation. This Program is a Stewardship Program developed by BCUOMA that complies with and is approved under the Regulation.
- 2.2 The purpose of this Program is to:

- a) ensure that there are sufficient RCFs across British Columbia for DIY consumers to take back their Used Oil and Antifreeze Materials for processing at no charge to the DIY consumer;
 - b) require the responsible environmental handling and disposal of Used Oil and Antifreeze Material through the exercise of active product stewardship, which includes landfill diversion and recycling of Used Oil and Antifreeze Materials using environmentally acceptable options; and
 - c) support the responsible collection, transportation, storage, processing, and disposal of Used Oil and Antifreeze Material, having regard to general conservation, public education, the reduction of waste, and use of economic, efficient and environmentally conscious methods of handling and disposing of Used Oil and Antifreeze Material.
- 2.3 This Program will not support or fund any use or disposal of Ineligible Used Oil and Antifreeze Material, including Oil Materials used in road oiling, landfilling or such other uses or materials that from time to time may be prohibited by any applicable legislation, bylaw, regulation or enactment.
- 2.4 BCUOMA is not a regulatory authority and will not become involved in, own or control any RCF, or companies or businesses which are RCF operators. BCUOMA will solely provide an administrative function which will encourage increased collection and recycling activity within the province of British Columbia through the administration of incentive-based programs such as this Program.

3 RCF INFRASTRUCTURE GRANT

- 3.1 Grants shall be paid by BCUOMA to Applicants in the sole discretion of BCUOMA and in accordance with this Program.
- 3.2 Grants shall be used to receive or fund RCF infrastructure in accordance with this Program.
- 3.3 Monetary Grants are paid to Applicants by BCUOMA with an approved application and an invoice is sent within 60 days of delivery.
- 3.4 BCUOMA may withhold, delay or reduce any particular Grant if there is a breach of any term, condition or provision of this Program or if an Applicant is not in compliance with any requirement of this Program or reasonable requirement of BCUOMA.
- 3.5 BCUOMA may withhold, delay or reduce any particular Grant if BCUOMA determines that an audit of the supporting information for the claim is required before payment can be made.
- 3.6 Any Grant that is paid by BCUOMA in error or under any false or misleading claim are held in trust by the payee for the benefit of BCUOMA and are to be returned to BCUOMA immediately upon request.

- 3.7 Grants paid by BCUOMA to Applicants under this Program are in the public interest and are in no way consideration for a supply by the Applicant.

4 GRANT ELIGIBILITY

- 4.1 In order to be eligible to receive a Grant from BCUOMA, Applicants must meet the following requirements:
- a) have an approved RCF Registration from BCUOMA; and
 - b) must agree to act in accordance with the BCUOMA Program Manual for Return Collection Facility (RCF) Operators.
 - c) must agree to act in accordance with the BCUOMA Program Manual for Return Collection Facility (RCF) Infrastructure and RCF Infrastructure Application Form Terms and Conditions.

5 APPLICATION

- 5.1 To apply for this Program, Applicants must complete and submit an Application Form to BCUOMA. All requirements outlined in the Application Form shall be supplied by the Applicant and shall be complete. Approval of the Applicant is made in BCUOMA's sole discretion.
- 5.2 Applicants will be evaluated and approved or denied based on the following criteria:
- a) organization type including quality, efficiency and stability of the organization;
 - b) recycling services including products being accepted and breadth of services;
 - c) hours of operation that the organization is open to the public; and
 - d) current level of service in area and the anticipated benefit that new infrastructure would have on the service level standard.
- 5.3 As Grant payments are made electronically, Applicants seeking a monetary Grant must attach a void cheque or Electronic Funds Transfer Form to their Application Forms.
- 5.4 BCUOMA maintains the right to require further or more complete information from any Applicant applying for a Grant under this Program.
- 5.5 Incomplete Application Forms shall not be considered for approval by BCUOMA.
- 5.6 Approval of the Applicant for a Grant by BCUOMA is in no way an approval of the Applicant by BCUOMA for anything other than for this Program.
- 5.7 Any Grant under this Program cannot be transferred upon the sale, assignment or transfer of the business of an Applicant. Any change to the ownership structure or control of the Applicant automatically results in a suspension or cancellation of the Grant unless prior written notice has been received by BCUOMA and a new Application Form has been submitted and accepted by BCUOMA.

6 RCF SPECIFICATIONS AND CONDITION

- 6.1 The RCF infrastructure must adhere to the Used Oil Storage Specifications.
- 6.2 Applicants who receive a Grant must maintain and operate their RCF in:
- a) a fully functional, clean, tidy, sanitary and safe condition;
 - b) accordance with the Canadian Council of Ministers of the Environment *Code of Practice for Used Oil Management in Canada*;
 - c) accordance with the British Columbia Ministry of Environment *Hazardous Waste Legislation Guide*; and
 - d) accordance with any local, municipal, regional, provincial or federal applicable legislation, bylaw, regulation or enactment, including but not limited to applicable local building codes, fire and safety codes and Workers' Compensation Board requirements
- 6.3 BCUOMA may inspect the condition of the RCF, without notice, during the Applicant's hours of operation.
- 6.4 Applicants who receive a Grant in the form of a modified sea container should be aware of location and operational considerations which may be required for the proper installation, set-up and use of the container. A list of some of the considerations are included in the attached Appendix B.

7 RELATIONSHIP

- 7.1 This Program is for Grants only. Approval of an Applicant for a Grant does not create a partnership, agency, joint venture, service provider or employer/employee relationship between BCUOMA and the Applicant and the Applicant shall not represent itself as such, including in any agreement with a third party.

8 NO LIABILITY

- 8.1 BCUOMA administers this Program for the purposes described herein, and BCUOMA shall not be liable for any loss, damage or claim as a result of any Grant payment or non-payment, approval or non-approval or non-acceptance of an Applicant, for any reason whatsoever. For greater certainty, BCUOMA shall not be liable for any loss, damage, claim, cost, expense, liability or charge for any cause attributable to any DIY consumer, Applicant or an Applicant's personnel, Collector or Processor or in relation to any Used Oil and Antifreeze Material, including without limitation, the generation, storage, transportation, processing or use thereof.

9 INDEMNITY

- 9.1 In consideration of receiving a Grant under this Program, each Applicant who is approved for a Grant by BCUOMA is and shall be liable for, and does hereby indemnify and hold harmless BCUOMA, BCUOMA's directors, officers, employees and agents from and against any and all liabilities, actions, causes of action,

damages, claims, losses, costs, penalties, demands, suits, proceedings and expenses whatsoever (including without limitation, the full amount of all legal fees and expenses of a solicitor and his own client basis and consultants' fees and expenses) which may be paid by, incurred by or asserted against any Applicant as the case may be arising out of:

- a) the death or bodily injury of any agent, employee, customer business invitee or business visitor of the Applicant;
- b) the damage, loss or destruction of any real or personal property owned or leased by the Applicant;
- c) the violation by the Applicant of any laws, legislation or regulations;
- d) any error, act or omission, or conduct or misconduct (whether negligent or otherwise) which is in breach of this Program by the Applicant;
- e) any legal or administrative action, proceeding, investigation, demand, claim, or notice of any third party, including without limitation any governmental authority, against any Applicant pursuant to or under any environmental laws; or
- f) any release or alleged or potential release of any hazardous substance, Used Oil or Antifreeze Material, Residual or contaminant into the environment.

10 TERMINATION

- 10.1 BCUOMA may cease funding to an Applicant without cause by written notice to the Applicant and, upon termination the Applicant is entitled to be compensated in accordance with the terms of this Program such that any amounts due under this Program up to the effective date of the termination will remain payable to Applicant.
- 10.2 An Applicant's participation in this Program may be terminated by mutual consent of the parties evidenced in writing.
- 10.3 In the event that an Applicant suffers any damages of any kind whatsoever resulting from the termination of its Grant under this Program the only claim of any kind that the Applicant may make against BCUOMA is for liquidated damages in the sum of one (\$1.00) dollar.

APPENDIX A

Used Oil Storage

There are a variety of storage systems available and each location will have specific needs to be met. Some questions to consider when applying for an Infrastructure Grant;

- How much product will I be handling each month?
- What frequency of service will my collector provide?
- Will the materials be handled/managed by staff or clients?
- How much physical space do I have available?
- Would a bulk tank or 205 litre drums work best on my site?
- What size tank will I need? 1100 L/250 G or 2200 L/500 G
- Does the collection company have easy access to service the storage area?
- Will a self-contained modified sea container work on my site?
 - 6ft or 10ft or 20 ft length?
 - Bulk tank or drum storage inside the sea container?
 - Easy delivery access (no overhead restrictions)?
 - Easy servicing access?

Used oil storage tanks (double walled)

Capacity	Diameter	Length	Weight
1100 L/250 G*	38"	60"	550 lbs.
2200 L/500 G	50"	72"	980 lbs.



Modified Sea Containers designed for used oil storage



Examples of 20 ft seacan 8'(w) x 20'(l) x 8'6 (h) steel shell with 1,350 liters secondary spill containment



Examples of 6 ft HC seacan 7' (w) x 6' (l) x 8' (h) steel shell with 356 liters secondary spill containment



Example of 10 ft seacan 8'(w) x 10'(l) x 8' 6" (h) steel shell with 660 liters secondary spill containment

Used oil Storage shelter

Drum funnel

Four drum pallet

Two drum roll top



Figure 3. Sheltered Chain Link Containment Sheds

4 Drum lockers

4 Drum Hazmat Locker



APPENDIX B

1. Operational Considerations:
 - a) The shipping container and contents must be identified in a Fire Safety Plan and shared with the local fire department.
 - b) The shipping container shall be marked with the emergency contact information in lettering visible from 10 meters (m). The emergency contact shall be someone who is able to provide first responders with information regarding the contents of the shipping container.
 - c) A means of grounding the building will be established.
 - d) No combustible materials may be placed near the container.
 - e) The storage of open containers shall be prohibited in the shipping container.
 - f) Compressed gases shall not be installed in the shipping containers.
 - g) Oil spilled in the containment area shall be drained promptly to prevent odours and a fire hazard.
 - h) Drums/barrels shall be fitted with a simple pop-up gauge to indicate when it is almost full.

2. Location Considerations:
 - a) A minimum distance of 6 m shall be maintained from any fire or emergency access or egress from adjacent facilities.
 - b) The container doors shall generally face away from other buildings.
 - c) All ventilation openings shall not be obstructed inside and outside of the shipping container by stored material, buildings, concrete barriers, etc. and must be kept clean of internal and external debris.
 - d) A minimum distance of 3 m shall be maintained from any adjacent non-combustible structure. A larger distance (determined by the engineer) will be required from combustible structures
 - e) The container doors must be positioned such that they face away from any means of road access to the container for fire personnel.
 - f) Shipping containers shall not be installed under power lines.
 - g) The 4-drum hazmat locker shall be located in a well-ventilated area/room.