

**Guidance Document**

**Title:** Enforcement and Compliance Guide for the *Halocarbon Regulations (NLR 41/05)*

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**Approved By:**

  
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**Halocarbons**  
**GD-PPD-001.01**

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## **SUBJECT**

Enforcement and Compliance Guide to support Service NL and the Department of Environment and Conservation (NLENVC) with respect to the *Halocarbon Regulations (NLR 41/05)*

## **OBJECTIVE**

To define the responsibilities for the employees of Service NL and NLENVC relating to the *Halocarbon Regulations (NLR41/05)*

## **BACKGROUND**

Ozone-depleting substances are often called halocarbons as they generally contain carbon, a halogen (e.g. chlorine, fluorine, bromine) and sometimes hydrogen. Specifically, they are called chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), hydrobromofluorocarbons (HBFCs) or halons. These substances are mainly used in the refrigeration, air-conditioning and fire extinguishing sectors.

As one of the early signatories to the Montreal Protocol on Substances that Deplete the Ozone Layer in 1987, Canada has made significant progress in reducing the emissions of ozone-depleting substances through control measures implemented by federal, provincial and territorial governments, changes in technologies and voluntary actions by industry.

Newfoundland and Labrador regulates the use of ozone depleting substances and some of the alternative substances through the *Halocarbon Regulations (NLR41/05)*. The *Halocarbon Regulations (NLR41/05)* are compatible with regulations in many other provincial governments and address measures set out in the Canadian Council of Ministers of the Environment (CCME) 2001 *National Action Plan for the Environmental Control of Ozone-Depleting Substances (ODS) and their Halocarbon Alternatives* and *Canada's Strategy to Accelerate the Phase-out of CFC and Halon Uses and to Dispose of the Surplus Stocks*.

On September 19, 1997 the *Ozone Depleting Substance Regulation (NLR 120/97)* was enacted under the Environment Act (O.C.97-635). On May 19, 2005 the *Ozone Depleting Substances Regulations (NLR 120/97)* was repealed and replaced with the *Halocarbon Regulations (41/05)*.

The *Halocarbon Regulations (41/05)* apply primarily to the refrigeration, air conditioning and fire extinguishing sectors that use equipment containing halocarbons. Servicing of equipment that contains halocarbons is also subject to the *Halocarbon Regulations (41/05)*.

## **DEFINITIONS**

CCME: Canadian Council of Ministers for the Environment

NLENVC: Newfoundland and Labrador Department of Environment and Conservation

## **LEGISLATION**

*Halocarbon Regulations (NLR 41/05)* under the *Environmental Protection Act (O.C.2005-229)*

## **DOCUMENT SPECIFIC SECTION**

Responsibilities under the *Halocarbon Regulations NLR41/05* are managed between NLENVC and Service NL.

Personnel with NLENVC are responsible for the following:

1. developing policies, guidelines, procedures and amendments to the regulation consistent with initiatives and commitments undertaken through the CCME and the Federal Provincial Working Group for Ozone Depleting Substances and their Halocarbon Alternatives;
2. interpreting the regulations;
3. maintaining databases of reported releases, registered wholesalers and certified persons.

Personnel with Service NL are responsible for the following:

1. responding to complaints of violations; ✓
2. notifying NLENVC of any release reports, violations and/or convictions; ✓
3. enforcing the regulations and relevant policies;
4. conducting site visits and documentation reviews upon request;
5. conducting and reporting on investigations and inspections;
6. collecting evidence and recommending the laying of charges for violations.

Whenever personnel with Service NL suspect a violation of the regulation or is seeking interpretation of the regulation, they should contact the Pollution Prevention Division of the NLENVC at:

(709)729-4273 (t)  
(709)729-2556 (t)  
1-800-563-6181 (t)

Release reports can be directed to:

(709)729-4273 (t)  
(709)729-6969 (f)  
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