

## Draft Regulation

Petroleum Products Act  
(R.S.Q., c. P-29.1)

### Petroleum products

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Petroleum Products Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation replaces the Regulation respecting petroleum products and equipment, made by Order in Council 753-91 dated 29 May 1991. The purpose of the draft Regulation is to establish the standards of quality that are to apply to petroleum products defined in the Regulation and to determine the methods, conditions and procedure for taking samples and analyzing petroleum products.

The draft Regulation is consequential to the enactment of chapter 10 of the Statutes of 2005 which transfers the responsibilities of the Minister of Natural Resources and Wildlife regarding petroleum equipment to the Régie du bâtiment du Québec, and those dealing with the environmental aspect associated with the use of certain petroleum equipment to the Minister of Sustainable Development, Environment and Parks.

The draft Regulation has minor impact on certain enterprises, in particular on small and medium-sized businesses, since the quality standards established for various petroleum products by the Canadian General Standards Board that the draft Regulation makes applicable are virtually identical to the standards in the Regulation respecting petroleum products and equipment.

Further information on the draft Regulation may be obtained by contacting Alain Lefebvre, Director, Direction générale du développement des hydrocarbures, Ministère des Ressources naturelles et de la Faune, 5700, 4<sup>e</sup> Avenue Ouest, bureau A 401, Québec (Québec) G1H 6R1; telephone: 418 627-6385, extension 8252; fax: 418 528-0690.

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to Daniel Bienvenue, Associate Deputy Minister, Secteur de l'énergie et des mines, Ministère des Ressources naturelles et de la Faune, 5700, 4<sup>e</sup> Avenue Ouest, bureau B 401, Québec (Québec) G1H 6R1.

PIERRE CORBEIL  
*Minister of Natural Resources and Wildlife*

## Petroleum Products Regulation

Petroleum Products Act  
(R.S.Q., c. P-29.1, ss. 5 and 96; 2005, c. 10, ss. 6 and 16)

### CHAPTER I INTERPRETATION

**1.** The standards of the Canadian General Standards Board to which this Regulation refers include subsequent amendments and later editions of the standards published by that organization.

Despite the foregoing, amendments and editions published after (*insert the date of coming into force of this Regulation*) apply only 90 days after the last day of the month of publication of the French text of the amendments or editions.

**2.** In this Regulation,

“aviation fuel” means a light or medium petroleum distillate for use as motor fuel in aircraft engines; (*carburant d’aviation*)

“biodiesel fuel” means an oxygenated ester- or ether-based fuel derived from vegetable oils or animal fats, or produced by the hydrogenation of biomass; (*carburant biodiesel*)

“diesel fuel” means a medium petroleum distillate for use as motor fuel in a compression ignition engine; (*carburant diesel*)

“diesel fuel containing biodiesel fuel” means a blend of diesel fuel and biodiesel fuel in different proportions for use as motor fuel in a compression ignition engine; (*carburant diesel contenant du carburant biodiesel*)

“fuel ethanol” means ethyl alcohol having the chemical formula C<sub>2</sub>H<sub>5</sub>OH produced from renewable materials and sold either as a product to be blended directly with gasoline or for use as an input in the reformulation of gasoline or the making of ethyl tertiary-butyl ether, an oxygenate made by combining ethanol and isobutylene and sold as a product to be added to gasoline; (*éthanol-carburant*)

“fuel oil” means a homogeneous blend of hydrocarbon compounds for use as fuel; (*mazout*)

“gasoline” means a light petroleum distillate for use as motor fuel in an engine with electrical ignition; (*essence*)

“gasoline containing fuel ethanol” means a blend of gasoline and fuel ethanol for use as motor fuel in an engine with electrical ignition. (*essence contenant de l'éthanol-carburant*)

## CHAPTER II STANDARDS APPLICABLE TO PETROLEUM PRODUCTS

### DIVISION I CLASSES OF PETROLEUM PRODUCTS

**3.** For the purposes of this Regulation, petroleum products are classified as follows:

- (1) motor fuels; and
- (2) fuel oils.

The class of motor fuels consists of gasoline, gasoline containing fuel ethanol, diesel fuel, diesel fuel containing biodiesel fuel and aviation fuel.

### DIVISION II MOTOR FUELS

#### §1. Gasoline

**4.** Gasoline is of the following types:

- (1) type 1: regular unleaded gasoline;
- (2) type 2: mid-grade unleaded gasoline;
- (3) type 3: premium unleaded gasoline; and
- (4) type 4: premium high octane unleaded gasoline.

**5.** Type 1 to 4 gasoline is motor fuel that has no lead or phosphorus compounds added and that is suitable for use in spark ignition engines under a wide range of climatic conditions. It may contain methyl tertiary-butyl ether or other aliphatic ethers.

It must comply with Canadian General Standards Board standard CAN/CGSB 3.5-2004 Unleaded Automotive Gasoline.

#### §2. Gasoline containing fuel ethanol

**6.** Gasoline containing fuel ethanol is motor fuel that has no lead or phosphorus compounds added and that is suitable for use in spark ignition engines under a wide range of climatic conditions.

It must comply with Canadian General Standards Board standard CAN/CGSB 3.511-2005 Oxygenated Unleaded Automotive Gasoline Containing Ethanol.

#### §3. Diesel fuel

**7.** Diesel fuel is of the following types:

- (1) type 1: regular sulphur diesel fuel;
- (2) type 2: low-sulphur diesel fuel; and
- (3) type 3: ultra low-sulphur diesel fuel.

**8.** Type 1 diesel fuel is fuel suitable for high speed diesel engines operating at speeds generally higher than 1,200 r/min.

It must comply with Canadian General Standards Board standard CAN/CGSB 3.6-2000 Regular Sulphur Diesel Fuel.

**9.** Type 2 and 3 diesel fuels are fuels suitable for high speed diesel engines operating at speeds generally higher than 1,200 r/min but that require low-sulphur diesel fuel to limit air emissions.

They must comply with Canadian General Standards Board standard CAN/CGSB 3.517-2000 Automotive Low-Sulphur Diesel Fuel.

#### §4. Diesel fuel containing biodiesel fuel

**10.** Diesel fuel containing biodiesel fuel is low-sulphur diesel fuel containing a volume of biodiesel fuel in a range between 1 and 5%.

It is suitable for high speed diesel engines that require low-sulphur diesel fuel to limit air emissions.

It must comply with Canadian General Standards Board standard CAN/CGSB 3.520-2005 Automotive Low-Sulphur Diesel Fuel Containing Low Levels of Biodiesel Esters (B1-B5).

#### §5. Aviation fuel

**11.** Aviation fuel is of the following types:

- (1) type 1: aviation gasoline; and
- (2) type 2: aviation turbine fuel.

**12.** Type 1 aviation fuel is a light petroleum distillate used in internal combustion and spark ignition aircraft engines.

It must comply with Canadian General Standards Board standard CAN/CGSB 3.25-2004 Aviation Gasoline (Grades 80 and 100LL).

**13.** Type 2 aviation fuel consists of the following sub-types:

- (1) sub-type 1: kerosene;
- (2) sub-type 2: wide-cut aviation turbine fuel;
- (3) sub-type 3: high-flash aviation turbine fuel.

It is a medium petroleum distillate used in turbine engines.

**14.** Sub-type 1 aviation turbine fuel consists of grades JET A, JET A-1 and F-34 and must comply with Canadian General Standards Board standard CAN/CGSB 3.23-2002 Kerosene-Type Aviation Turbine Fuel.

**15.** Sub-type 2 aviation turbine fuel consists of grades JET B and F-40 and must comply with Canadian General Standards Board standard CAN/CGSB 3.22-2002 Wide-Cut Type Aviation Turbine Fuel.

**16.** Sub-type 3 aviation turbine fuel consists of grade F-44 and must comply with Canadian General Standards Board standard CAN/CGSB 3.24D-2002 High-flash Type Aviation Turbine Fuel.

### DIVISION III FUEL OILS

**17.** Fuel oil is of the following types:

- (1) type 0;
- (2) type 1;
- (3) type 2;
- (4) type 4;
- (5) type 5;
- (6) type 6.

**18.** Type 0 fuel oil is for heating appliances used in regions where the ambient temperature may reach  $-48^{\circ}\text{C}$  or lower.

**19.** Type 1 fuel oil is mainly used for sleeve-type and wick-type domestic burners and vapourizing pot-type and atomizing burners that cannot use type 2 fuel oil.

**20.** Type 2 fuel oil is used for domestic atomizing burners and is also suitable for medium-capacity commercial and industrial burners where ease of handling and availability justify its use.

**21.** Type 4 fuel oil is an industrial type of fuel for burner installations with or without preheating devices.

**22.** Type 5 fuel oil is a residual type of fuel oil for burner installations equipped with preheating devices requiring oil with lower viscosity than type 6 fuel oil.

**23.** Type 6 fuel oil is a high-viscosity residual oil for use in burner installations equipped with preheating devices.

**24.** All types of fuel oil referred to in section 17 must comply with Canadian General Standards Board standard CAN/CGSB 3.2-99 Heating Fuel Oil.

### CHAPTER III SAMPLES AND ANALYSES

**25.** Inspectors and persons authorized under section 87 of the Petroleum Products Act must comply with the sampling methods in the standards applicable to the various classes of petroleum products during an inspection of product quality.

**26.** An inspector or authorized person taking a sample of a petroleum product for analysis must pay the current price for the product.

**27.** After taking a sample, the inspector or authorized person must draw up a report containing

(1) the name and address of the owner of the petroleum equipment installation within the meaning of the Building Act (R.S.Q., c. B-1.1) that contains the petroleum product being analyzed;

(2) the date on which the sample was taken;

(3) the name and address of the site;

(4) identification of the tank from which the sample was taken;

(5) identification of the petroleum product;

(6) the name of the supplier of the petroleum product that made the last two deliveries;

(7) the date of the last two deliveries of the petroleum product to the operator and the quantity delivered each time; and

(8) the name of the carrier that made the last two deliveries.

The report must be signed by the inspector or authorized person that took the sample and by the owner or operator of the petroleum equipment installation containing the petroleum product being analyzed.

A copy of the report is to be given to the owner of the petroleum product installation containing the petroleum product being analyzed.

**28.** The inspector or authorized person must forward the sample of the petroleum product to an analytical laboratory.

The inspector or authorized person is to receive the conclusions of the laboratory and draw up, if necessary, the notice of correction referred to in section 92 of the Petroleum Products Act.

#### CHAPTER IV OFFENCES

**29.** Every person who contravenes any of the provisions of sections 5, 6, 8, 9, 10, 12, 14, 15, 16 and 24 is liable to the fine in paragraph 2 of section 106 of the Petroleum Products Act.

**30.** An inspector or a person authorized under section 87 of the Petroleum Products Act who contravenes any of the provisions of sections 25 to 28 is liable to the fine in paragraph 1 of section 106 of the Petroleum Products Act.

#### CHAPTER V FINAL

**31.** This Regulation replaces the Regulation respecting petroleum products and equipment made by Order in Council 753-91 dated 29 May 1991.

**32.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.