

This document provides compliance guidance to producers of hazardous and special products (HSP) regarding what is required to be reported to the Authority under the Hazardous and Special Products Regulation ([O. Reg 449/21](#)).

The HSP Regulation designates the following 13 materials under Ontario's individual producer responsibility regulatory framework: oil filters, oil containers, antifreeze, pesticides, solvents, paints and coatings, non-refillable pressurized containers, refillable pressurized containers, refillable propane containers, fertilizers, mercury-containing barometers, thermometers and thermostats.

Note that the examples provided under each material category in this document are not intended to be an exhaustive list. Please contact the Compliance and Registry Team at registry@rprra.ca or 1-833-600-0530 for further assistance regarding the requirement to report HSP materials.

Consumer Definition

The *Resource Recovery and Circular Economy Act, 2016* (RRCEA) defines "consumer" as a person who obtains a material for the person's own use. "Person" is not defined in the RRCEA. However, s. 87 of the *Legislation Act, 2006* provides that in every Act and regulation, "person" includes a corporation. Therefore, the reference to "person" in the definition of "consumer" in the RRCEA is not limited to individuals, often called the residential sector, but includes corporations, often called the Industrial, Commercial, and Institutional (IC&I) sector. A consumer therefore includes an individual or a corporation that obtains the material for personal, household, or business use.

Unless a regulation under the RRCEA defines consumer, the definition of consumer in the RRCEA must be used. The HSP Regulation does not define consumer and the RRCEA definition of consumer must be used.

Oil Filters

An oil filter is defined as a fluid filter, other than a gasoline filter.

A producer of oil filters is required to report:

- the weight of oil filters supplied separately or as part of a product to consumers
 - producers can report actual weights OR rely on the conversion factors in the [HSP Supply Data Verification Procedure](#) to calculate the weight associated with the oil filters.

A producer of oil filters is not required to report the weight of primary packaging, which is reported under the Blue Box Regulation ([O.Reg 391/21](#)).

Below are examples of oil filters included and not included:

| Included | Not included |
|--|---|
| Coolant filters Diesel fuel filters Diesel fuel filters used at retail/commercial pump islands Household furnace fuel filters Plastic & paper element style filters Spin-on style filter or element-style fluid filter that is sold separately or as part of a product, that is used in hydraulic, transmission or internal combustion engine applications Oil filters Storage tank fuel filters Sump type automatic transmission filters | Air filter Gasoline fuel filters Household furnace air filters Sock-type filters |

Oil filter producer exemptions:

A producer of oil filters is exempt from registration, collection, management, and promotion and education requirements if the average weight of supply in respect of the previous three calendar years is 3.5 tonnes or less. Producers not required to register are still required to keep records as set out in section 54 of the HSP Regulation.

Oil Containers

An oil container is defined as a container that is used for the supply of new lubricating oil and that has a capacity of 30 litres or less.

Lubricating oil means petroleum-derived or synthetic crankcase oil, engine oil, hydraulic fluid, transmission fluid, gear oil, heat transfer fluid or other oil or fluid used for lubricating machinery or equipment.

A producer of oil containers is required to report:

- the weight of empty oil containers that contained oil that was supplied to consumers
 - producers can report actual weights OR rely on the conversion factors in the [HSP Supply Data Verification Procedure](#) to calculate the weight associated with the oil containers.

A producer of oil containers is not required to report:

- the weight of oil supplied within the container, or
- the weight of oil containers with a capacity greater than 30 litres.

Below are examples of oil containers included and not included:

| Included | Not included |
|--|--|
| Aerosol propelled lubricant Chain oil Circulating oil or turbine oil Compressor oil Conveyor lube Crankcase oil Drawing, stamping and shaping oil Dripless lube Electrical insulating oil Engine Oil Engine oil/ 2-cycle engine oil Food grade white mineral oil Form release oil Gasoline Gear oil Hydraulic fluid Machine tool and slideway lubricant Marine cylinder oil Marine engine oil for vessels operating domestically Metal working oil Mineral heat transfer fluid Natural gas compressor oil Paper machine oil Pneumatic system oil Polyol ester fluids Power steering fluid Process oil Quenching oil Refrigeration system oil Re-refined oil Rock drill oil Rustproof oil Saw guide oil Synthetic crankcase oil Textile oil Transmission fluid Vegetable oil for lubrication | 3-in-1 multi-purpose oil Base oil/ re-refined base oil Brake fluid Cleaning/flushing fluids for motors/equipment Cooking oil Dedusting oil Diesel fuel treatment Ethylene glycol heat transfer fluid Glycol-based heat transfer fluid Grease Gun oil Hydraulic jack oil Hydraulic oil dye Kerosene Oil additive Oil treatment Penetrating oil Phosphate ester hydraulic fluid Polyglycol synthetic compressor oil Propylene glycol heat transfer fluid Sewing machine oil Silicone heat transfer fluid Synthetic aromatic hydrocarbon heat transfer fluid Undercoating Urethane coating Water glycol hydraulic fluid Windshield washer fluid Winter start fluid |

Note: 3-in-1 multi-purpose oil and penetrating oil should be reported under solvents.

Oil container producer exemptions:

A producer of oil containers is exempt from registration, collection, management, and promotion and education requirements if the average weight of supply in respect of the previous three calendar years is 2 tonnes or less. Producers not required to register are still required to keep records as set out in section 54 of the HSP Regulation.

Antifreeze

Antifreeze is defined as a product containing ethylene or propylene glycol that is used or intended for use as a vehicle engine coolant.

A producer of antifreeze **is required to report:**

- the weight of antifreeze supplied to consumers
 - producers reporting factory-fill antifreeze can report actual weights OR use the weight conversion factors created by Used Oil Management Association of Canada (UOMA) in accordance with the [HSP Supply Data Verification Procedure](#).
- the weight of the primary packaging with a capacity of 30 litres or 30 kilograms, or less
 - producers can report actual weights OR rely on the conversion factors in the [HSP Supply Data Verification Procedure](#) to calculate the weight associated with the antifreeze and its container.

A producer of antifreeze **is not required to report:**

- primary packaging for antifreeze with a capacity greater than 30 litres or 30 kilograms, or
- the weight of primary packaging consisting of corrugated and boxboard boxes, plastic film, shrink wrap or printed materials, which are reported under the Blue Box Regulation ([O.Reg 391/21](#)).

Below are examples of antifreeze included and not included:

| Included | Not included |
|--|--|
| Antifreeze supplied in bulk Antifreeze supplied with a new vehicle (i.e., factory fill) Concentrated antifreeze Premixed antifreeze | Air brake antifreeze Antifreeze not containing ethylene or propylene glycol Fuel (gasoline & diesel) antifreeze Lock de-icer Plumbing antifreeze Products marketed as industrial heat transfer fluid Vehicle windshield antifreeze |

Antifreeze producer exemptions:

A producer of antifreeze is exempt from registration, collection, management, and promotion and education requirements if the average weight of supply in respect of the previous three calendar years is 20 tonnes or less. Producers not required to register are still required to keep records as set out in section 54 of the HSP Regulation.

Pesticides

Pesticides are defined as a pesticide, fungicide, herbicide or insecticide that is registered under the [Pest Control Products Act \(Canada\)](#), that is designated as “DOMESTIC” class under the [Pest Control Products Regulations \(SOR/2006-124\)](#), and is required to bear the signal word “DANGER” or “WARNING” and the signal word “POISON” together with the related precautionary symbols set out in Schedule 3 of the Regulation.

A producer of pesticides is required to report:

- the weight of pesticides, including the primary packaging with a capacity of 30 litres or 30 kilograms or less, supplied to consumers
 - producers can report actual weights OR rely on the conversion factors in the [HSP Supply Data Verification Procedure](#) to calculate the weight associated with the pesticides.

A producer of pesticides is not required to report:

- pesticides supplied in a container with a capacity greater than 30 litres or 30 kilograms, or
- the weight of primary packaging consisting of corrugated and boxboard boxes, plastic film, shrink wrap or printed materials, which are reported under the Blue Box Regulation ([O.Reg 391/21](#)).

Below are examples of pesticides under the HSP Regulation:

| Included | Not included |
|--|---|
| Aerosol pesticides Liquid pesticides Solid pesticides | Ant traps Antimicrobial products Commercial, agricultural, and restricted classifications registered under the Pest Control Products Act (Canada) Diatomaceous earth Disinfectants Insect repellents intended for personal use Insecticidal soaps Pet products Pool chemicals Products regulated under the Food and Drugs Act (Canada) Sanitizers |

Pesticide producer exemptions:

A producer of pesticides is exempt from registration, collection, management, and promotion and education requirements if the average weight of supply in respect of the previous three calendar years is 1 tonne or less. Producers not required to register are still required to keep records as set out in section 54 of the HSP Regulation.

Solvents

A solvent is defined as a product that is a liquid intended to be used to dissolve or thin a compatible substance and that meets one or both of the following criteria:

1. It is comprised of 10 per cent or more of water-immiscible liquid hydrocarbons, including halogen-substituted liquid hydrocarbons.
2. It is flammable, i.e., a material that will ignite and burn at a low temperature or that could cause spontaneous combustion in contact with other materials in the regular domestic waste stream¹.
- **Flammability Criteria:** CSA Standard Z752-03 (referenced in the HSP Regulation) explains what flammable materials are. There are two categories, described below².
 - **Category 1:** Two types of flammable materials come under Category 1.
 - Liquids that:
 - have a flashpoint of less than 37.8°C;
 - have a fire point (i.e., will support combustion); and
 - contain water-immiscible liquids that have a flashpoint of less than 37.8°C.
 - Materials that will promote spontaneous combustion when mixed with certain classes of organic matter (e.g., cotton rags).
 - **Category 2:** Two types of flammable materials come under Category 2 as well, as listed below. Additionally, this category refers to flammable materials packaged in containers of 1 L or less.
 - Liquids that:
 - have a flash point of less than 37.8°C;
 - have a fire point; and
 - contain more than 50% water-miscible liquids that have a flashpoint of less than 37.8°C.
 - Materials designed to go to a sewage treatment system during normal use as products.

A producer of solvents is required to report:

- the weight of solvents, including the container with a capacity of 30 litres or 30 kilograms or less, supplied to consumers
 - producers can report actual weights OR rely on the conversion factors in the [HSP Supply Data Verification Procedure](#) to calculate the weight associated with the solvent and its container.

A producer of solvents is not required to report:

- solvents supplied in containers with a capacity greater than 30 litres or 30 kilograms, or
- the weight of primary packaging consisting of corrugated and boxboard boxes, plastic film, shrink wrap or printed materials, which are reported under the Blue Box Regulation ([O.Reg 391/21](#)).

¹ Source: Clause 4.2, CSA Z752-03 (R2013), Definition of Household Hazardous Waste. ©2003 Canadian Standards Association

² Source: Clause 7.2, CSA Z752-03 (R2013), Definition of Household Hazardous Waste. ©2003 Canadian Standards Association

Below are examples of solvents included and not included:

| Included | Not included |
|---|--------------|
| <p>3-in-1 multi-purpose oil Acetone Aerosol solvents Automotive body resin solvents Contact cement thinners Degreasers Ethanol Isopropanol Lacquer thinners Linseed oil Methanol Methyl ethyl ketone Methylene chloride Mineral spirits Naphtha Paint strippers Penetrating oil Products marketed as paint thinners Toluene Turpentine Xylene</p> | <p>Fuels</p> |

Note: Window cleaners and household cleaning products may be obligated depending on the use and ingredients. Please contact the Registry Support Team at registry@rpra.ca for further guidance.

Solvent producer exemptions:

A producer of solvents is exempt from registration, collection, management, and promotion and education requirements if the average weight of supply in respect of the previous three calendar years is 3 tonnes or less. Producers not required to register are still required to keep records as set out in section 54 of the HSP Regulation.

Paints and Coatings

Paints and coatings are defined as latex, oil, or solvent-based architectural coatings and include paints and stains, whether tinted or untinted, non-pesticide marine paints, and aerosol paints for automotive, craft, and industrial applications.

Architectural coating means paint or coating intended for interior or exterior surfaces of residential, commercial, institutional, or industrial structures, including any components of or attachments to those structures, such as driveways, indoor or outdoor furniture, appliances, floors, cabinets, and doors.

A producer of paints and coatings is required to report:

- the weight of paints and coatings, including the container with a capacity of 30 litres or 30 kilograms or less, supplied to consumers
 - producers can report actual weights OR rely on the conversion factors in the [HSP Supply Data Verification Procedure](#) to calculate the weight associated with the paints and coatings and its container.

A producer of paints and coatings is not required to report:

- paints and coatings supplied in containers with a capacity greater than 30 litres or 30 kilograms, or
- the weight of primary packaging consisting of corrugated and boxboard boxes, plastic film, shrink wrap or printed materials, which are reported under the Blue Box Regulation ([O.Reg 391/21](#)).

Below are examples of paints and coatings included and excluded:

| Included | Not included |
|---|---|
| Aerosol paint | Caulking |
| Automotive paints in aerosol | Non-aerosol automotive paint |
| Cabinet paint | Non-aerosol craft paint |
| Door paint | Non-aerosol paint for industrial applications |
| Floor paint | Paints or wood preservatives registered as a pesticide under the Pest Control Products Act (Canada) |
| Furniture paint | Polishes and waxes |
| Interior and exterior paints and stains (tinted and untinted) | Sealant |
| Non-pesticide marine paint | Spackling compound |
| Organic coatings | Stucco |
| Primers | Traffic or line marking paint |
| Sealers | |

Paints and coatings producer exemptions:

A producer of paints and coatings is exempt from registration, collection, management, and promotion and education requirements if the average weight of supply in respect of the previous three calendar years is 10 tonnes or less. Producers not required to register are still required to keep records as set out in section 54 of the HSP Regulation.

Non-Refillable Pressurized Containers

A non-refillable pressurized container is defined as a pressurized container that is used for the supply of a gas product, including propane, but cannot be refilled.

A producer of non-refillable pressurized containers is required to report:

- the weight of empty non-refillable pressurized containers supplied to consumers
 - producers can report actual weights OR rely on the conversion factors in the [HSP Supply Data Verification Procedure](#) to calculate the weight associated with the non-refillable pressurized containers.

A producer of non-refillable pressurized containers is not required to report:

- the weight of the gas product supplied within the container, or
- the weight of other packaging materials which are reported under the Blue Box Regulation ([O.Reg 391/21](#)).

Below are examples of non-refillable pressurized containers included and not included:

| Included | Not included |
|---|--|
| <p>Acetylene cylinders CO₂ welding gas cylinders Helium cylinders Nitrogen cylinders Paintball CO₂ cylinders Propane cylinders Refrigerant (e.g., Freon) cylinders</p> <p>Cylinders may be seamless, welded or insulated.</p> | <p>Aerosol containers Butane lighters Cylinders that must be punctured for use, such as a small CO₂ cylinder Cylinders that use gas only as a propellant for another product Fire extinguishers Isocyanate resins Pressurized containers with a water capacity greater than 109 litres Reservoir tanks intended for use with an air compressor</p> |

Non-refillable pressurized containers producer exemptions:

A producer of non-refillable pressurized containers is exempt from registration, collection, management, and promotion and education requirements if the average weight of supply in respect of the previous three calendar years is 3 tonnes or less. Producers not required to register are still required to keep records as set out in section 54 of the Regulation.

Refillable Pressurized Containers

A refillable pressurized container is defined as a pressurized container that is used for the supply of a gas product and can be refilled.

A producer of refillable pressurized containers is required to report:

- the weight of new, empty refillable pressurized containers supplied to consumers
 - producers can report actual weights OR rely on the conversion factors in the [HSP Supply Data Verification Procedure](#) to calculate the weight associated with the refillable pressurized containers.

A producer of refillable pressurized containers is not required to report:

- the weight of the gas product supplied within the container, or
- the weight of other packaging materials which are reported under the Blue Box Regulation ([O.Reg 391/21](#)).

Below are examples of refillable pressurized containers included and not included:

| Included | Not included |
|--|---|
| Beverage CO₂ cylinders CO₂ welding gas cylinders Helium cylinders Medical gas cylinders Nitrogen cylinders Paintball CO₂ cylinders Propane cylinders Refrigerant (e.g., Freon) cylinders Scuba diving oxygen tanks Cylinders may be seamless, welded, or insulated | Aerosol containers Cylinders that must be punctured for use, such as a small CO ₂ cylinder Pressurized containers with a water capacity greater than 109 litres Fire extinguishers Refillable propane containers Reservoir tanks intended for air compressors |

Note: refillable propane containers should be reported as Refillable Propane Containers (Category E) – see next section.

Refillable pressurized container producer exemptions:

A producer of refillable pressurized containers is exempt from registration, collection, management, and promotion and education requirements if the average weight of supply in respect of the previous three calendar years is 8 tonnes or less. Producers not required to register are still required to keep records as set out in section 54 of the HSP Regulation.

Refillable Propane Containers

A refillable propane container is defined as a pressurized container that can be refilled, has a water capacity of 109 litres or less and is used only for propane.

A refillable propane container producer is required to indicate whether gross annual revenue generated from products and services in Ontario in the previous calendar year is below or greater than 2 million dollars.

Below are examples of refillable propane containers included and not included:

| Included | Not included |
|--|---|
| BBQ propane tanks Cylinders for propane appliances Refillable camping cylinders | Cylinders used for other gases Propane containers that cannot be refilled Propane containers with a water capacity of greater than 109 litres |

Note: Propane containers that cannot be refilled should be reported as non-refillable pressurized containers.

Fertilizers

Fertilizers are defined as any substance or mixture of substances containing nitrogen, phosphorous, potassium or other plant food, manufactured, sold or represented for use as a plant nutrient and regulated under the [Fertilizers Act \(Canada\)](#).

A fertilizer producer is required to indicate whether gross annual revenue generated from products and services in Ontario in the previous calendar year is below or greater than 2 million dollars.

Below are examples of fertilizers included and not included:

| Included | Not included |
|--|---|
| N-P-K fertilizers Micronutrient fertilizers Plant growth regulators Microbial supplements | Fertilizer used for agricultural purposes Fertilizer used for commercial purposes Fertilizer containing inoculants, coated seeds or uncoated seeds Fertilizer supplied in a container with a capacity greater than 30 litres or 30 kilograms |

The primary packaging for fertilizers is reported under the Blue Box Regulation ([O.Reg 391/21](#)).

Mercury-containing Barometers, Thermometers, and Thermostats

Under the HSP Regulation,

- **barometer** means a barometer, intended for residential use, that contains mercury and may contain electronic components.
- **thermometer** means a thermometer intended for residential use to measure body or air temperature and that contains mercury and may contain electronic components.
- **thermostat** means a thermostat that contains mercury and may contain electronic components.

A barometer, thermometer, or thermostat producer is required to indicate whether gross annual revenue generated from products and services in Ontario in the previous calendar year is below or greater than 2 million dollars.

The primary packaging for barometers, thermometers, and thermostats is reported under the Blue Box Regulation ([O.Reg 391/21](#)).

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| Date | Revisions |
|---------------------|--|
| Issued October 2022 | N/A |
| October 12, 2022 | Removed dedusting oil and polyglycol synthetic compressor oil from the included column in the 'examples of oil containers' table |
| July 4, 2024 | Added traffic or line marking paint as not included under paints and coatings |