Environmental Protection Act  
Loi sur la protection de l’environnement

ONTARIO REGULATION 271/91

GASOLINE VOLATILITY

**Consolidation Period:** From February 13, 1997 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: 45/97.

Legislative History: 45/97.

This Regulation is made in English only.

Interpretation

**1.**In this Regulation,

“late summer” means the 1st day of June to the 14th day of September, inclusive;

“motor gasoline” means gasoline used or intended for use as motor fuel;

“North” means that part of Ontario not within the Southern Ontario corridor;

“Northern summer” means the 1st day of June to the 31st day of August, inclusive;

“Northern volatility limit” means 72 kiloPascals;

“Southern Ontario corridor” means,

(a) the part of Ontario that is bounded on the north by a straight line drawn through the city halls of the towns of Grand Bend and Arnprior, and

(b) where the line described in clause (a) runs across a local municipality, the entire local municipality;

“summer” means the 15th day of May to the 14th day of September, inclusive;

“volatility limit” means 62 kiloPascals. O. Reg. 271/91, s. 1; O. Reg. 45/97, s. 1.

Refining

**2.**(1)  No person who refines gasoline shall cause or permit any motor gasoline to leave the refinery in summer if the motor gasoline has a vapour pressure exceeding the volatility limit. O. Reg. 271/91, s. 2 (1).

(2)  With respect to motor gasoline that is transported to the North, subsection (1) applies,

(a) only in Northern summer; and

(b) with the Northern volatility limit instead of the volatility limit. O. Reg. 45/97, s. 2.

(3)  A person who refines gasoline and causes or permits motor gasoline to leave the refinery in summer shall comply with section 5 (Testing and Reporting). O. Reg. 271/91, s. 2 (3).

Importing

**3.**(1)  No person who imports into Ontario motor gasoline that has a vapour pressure exceeding the volatility limit shall cause or permit, in summer,

(a) a transfer of possession of the motor gasoline; or

(b) a transfer of the motor gasoline from one container to another. O. Reg. 271/91, s. 3 (1).

(2)  With respect to motor gasoline that is transported to the North, subsection (1) applies,

(a) only in Northern summer; and

(b) with the Northern volatility limit instead of the volatility limit. O. Reg. 45/97, s. 3 (1).

(3)  A person who imports motor gasoline into Ontario and causes or permits a transfer of its possession or its transfer from one container to another, in summer, shall comply with section 5 (Testing and Reporting). O. Reg. 271/91, s. 3 (3).

(4)  Subsections (1) and (2) do not apply to prevent the mixing of or adding to imported motor gasoline such that the product is motor gasoline that has a vapour pressure equal to or less than the volatility limit or the Northern volatility limit, as the case may be. O. Reg. 271/91, s. 3 (4); O. Reg. 45/97, s. 3 (2).

Mixing

**4.**(1)  No person shall, in late summer, cause or permit the mixing of or adding to gasoline or components of gasoline, such that the product is motor gasoline that has a vapour pressure exceeding the volatility limit.

(2)  No person who causes or permits the mixing of or adding to gasoline or components of gasoline shall, in late summer, cause or permit any of the motor gasoline product to leave the site where it was mixed or added to if it has a vapour pressure exceeding the volatility limit. O. Reg. 271/91, s. 4 (1, 2).

(2.1)  For the purposes of subsections (1) and (2), the Northern volatility limit applies instead of the volatility limit,

(a) to motor gasoline that is transported to the North; and

(b) in the North, so long as the motor gasoline is not transported to the Southern Ontario corridor. O. Reg. 45/97, s. 4 (1).

(3)  A person who, in late summer, causes or permits the mixing of or adding to gasoline or components of gasoline, such that the product is motor gasoline shall comply with section 5 (Testing and Reporting). O. Reg. 271/91, s. 4 (3).

(4)  Subsection (3) does not apply if the only mixing or adding to is the mixing of two or more motor gasolines and the person causing or permitting the mixing has reason to believe that none of such motor gasolines has a vapour pressure exceeding the volatility limit or the Northern volatility limit, as the case may be. O. Reg. 271/91, s. 4 (4); O. Reg. 45/97, s. 4 (2).

Testing and Reporting

**5.**(1)  The person required by section 2, 3 or 4 to comply with this section shall cause the vapour pressure of every batch of motor gasoline to be determined and recorded by a laboratory,

(a) which is accredited for the determination of vapour pressure by a laboratory accreditation program approved by the Director and sponsored by an organization under the auspices of the Standards Council of Canada; and

(b) which both determines vapour pressure and makes a record of its determinations in a manner consistent with the accreditation program.

(2)  The person required by section 2, 3 or 4 to comply with this section shall keep each record prepared under subsection (1) for at least two years.

(3)  The person required by section 2, 3 or 4 to comply with this section shall prepare a summary of the test records for each of the periods from the 15th day of May to the 14th day of June, the 15th day of June to the 14th day of July, the 15th day of July to the 14th day of August and the 15th day of August to the 14th day of September.

(4)  A summary shall contain the information required by the Director and shall be submitted to the Director by the end of the second month covered by it.

(5)  Subsection (1) does not apply to a person required to comply with this section by subsection 3 (3) (Importer Testing) if,

(a) the refiner of the motor gasoline has had the vapour pressure of the motor gasoline determined in accordance with a procedure referred to in section 6 by a laboratory described in clauses (l) (a) and (b);

(b) the person obtains from the refiner,

(i) a copy of the record of the vapour pressure determination, and

(ii) written assurance that the refiner will keep the original record for at least two years and will make it available, upon request, to the person or a provincial officer for inspection; and

(c) the person complies with subsections (3) and (4).

(6)  Subsections (3) and (4) do not apply to a person required to comply with this section by subsection 3 (3) (Importer Testing) if the batch does not exceed 25,000 litres. O. Reg. 271/91, s. 5.

Test Methodology

**6.**The vapour pressure of motor gasoline shall be determined in accordance with,

(a) procedure D323-89 of the American Society for Testing and Materials as set out in the 1990 Annual Book of ASTM Standards, Vol. 05.01;

(b) procedure D4814-89 of the American Society for Testing and Materials as set out in the 1990 Annual Book of ASTM Standards, Vol. 05.03;

(c) emergency procedure ES-15-90 of the American Society for Testing and Materials; or

(d) another procedure acceptable to the Director. O. Reg. 271/91, s. 6.

Absolute Limits

**7.**The volatility limit in this Regulation is absolute and is not subject to correction for tolerances of a testing procedure. O. Reg. 271/91, s. 7.

[Back to top](#Top)