



PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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CHAPTER E-9
ENVIRONMENTAL PROTECTION ACT
LEAD-ACID BATTERY REGULATIONS

Pursuant to section 25 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, Council made the following regulations:

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|---|-----------------------------------|
| 1. In these regulations | Definitions |
| (a) "Act" means the <i>Environmental Protection Act</i> R.S.P.E.I. 1988, Cap. E-9; | Act |
| (b) "lead-acid battery" means a device consisting of one or more cells each containing the essentials for producing voltage electricity and designed and used for the storage of electrical energy through chemical reactions involving lead and acids; | lead-acid battery |
| (c) "new" means unused or reconditioned and a battery shall be deemed new until immediately after its purchase at a retail sale; | new |
| (d) "recycling" means the practice of collecting, storing, reconditioning and shipping of lead-acid batteries; | recycling |
| (e) "recycling facility" means a facility where all components of a lead-acid battery are recovered for reuse in the manufacture of secondary products; | recycling facility |
| (f) "secure area" means a contained, restricted, designated area where lead-acid batteries are stored. (EC26/93) | secure area |
| 2. No person shall dispose of any lead-acid battery including those which are not suitable for exchange at a retail outlet within the province except | Disposal of batteries |
| (a) by transportation to an out-of-province recycling facility; | |
| (b) by delivery to a private recycling facility within Prince Edward Island that is licensed under section 6; or | |
| (c) otherwise as permitted by these regulations. (EC26/93) | |
| 3. A person selling or offering for retail sale lead-acid batteries shall | Retailer to accept used batteries |
| (a) at the point of transfer, during normal business hours accept used lead-acid batteries from customers in a quantity, at least equal to the number of new lead-acid batteries purchased; | |
| (b) if a used lead-acid battery is not exchanged at the time of sale, collect a \$5 deposit on the new battery. | |

Deposit	(2) The deposit shall be returned to the customer when the customer delivers a used lead-acid battery, with proof of purchase of the new battery, within 30 days of the date of sale.
<i>Idem</i>	(3) All deposits not returned to customers in exchange for lead-acid batteries shall accrue to the benefit of the retailer.
Notice	(4) A written notice, measuring at least 21.5 cm by 28 cm and in the form set out in the Schedule, shall be posted in an easily viewable location on the premises of the retailer. (EC26/93)
Storage and removal	<p>4. Any person selling a new or used lead-acid battery shall</p> <p>(a) provide a secure area for storage of used lead-acid batteries that is designed and constructed so that a contaminant cannot enter sewers, watercourses, groundwater or otherwise be discharged into the environment;</p> <p>(b) establish a written schedule for collection and removal of lead-acid batteries at intervals not exceeding 3 months. (EC26/93)</p>
Contract	5. A person may contract with a licensed lead-acid battery recycling facility to carry out collections in compliance with section 4. (EC26/93)
Licensing of lead-acid battery recycling facility	6. (1) No person shall engage in recycling without first obtaining a license from the Minister.
Application	<p>(2) Any person may make application for a license by submitting to the Minister</p> <p>(a) an application for a license on a form specified by the Minister;</p> <p>(b) an application fee of \$20.</p>
Review	(3) The Minister will review the application and may request additional information.
Issue of license	(4) A license will be granted if the Minister finds that the proposed operation will recycle lead-acid batteries safely and properly.
Conditions	(5) The Minister may attach terms or conditions to the issue of a license.
Revocation	(6) The Minister may revoke a license at any time upon finding that the holder of the license has not operated safely and properly or has caused or is likely to cause contamination or is in violation of these regulations.
Expiration	(7) A license shall expire annually on December 31.
Storage	(8) Any person storing or recycling new or used lead-acid batteries shall provide a secure area for storage of used lead-acid batteries that is designed and constructed so that a contaminant cannot enter sewers,

watercourses, groundwater or otherwise be discharged into the environment.

(9) Any person having a valid junk dealers license issued under the *Junk Dealers Act* R.S.P.E.I. 1988, Cap. J-4 is exempt from subsections (1) and (2) but is otherwise required to comply with these regulations. (EC26/93)

Junk dealers do not
need license

7. Every person importing new lead-acid batteries shall submit, in writing to the Minister, by January 31 of each year, the total number of new lead-acid batteries that the person imported into the province in the previous calendar year. (EC26/93)

Record of
importation

8. Any person who causes contamination or violates any provision of these regulations or fails to comply with any condition of a license or fails to fulfil any obligation imposed on the person by these regulations is guilty of an offence and is liable on summary conviction to the penalties specified in section 32 of the Act. (EC26/93)

Penalties

SCHEDULE
NOTICE
USED LEAD-ACID BATTERIES
ACCEPTED

1. Provincial law requires us to accept motor vehicle or other lead-acid batteries for recycling in exchange for new batteries purchased.
2. A deposit of \$5 must be charged for each new lead-acid battery that is not exchanged with a used lead-acid battery.
3. It is illegal to dump, bury or incinerate a lead-acid battery.
4. Recycle your used lead-acid batteries.

(EC26/93)