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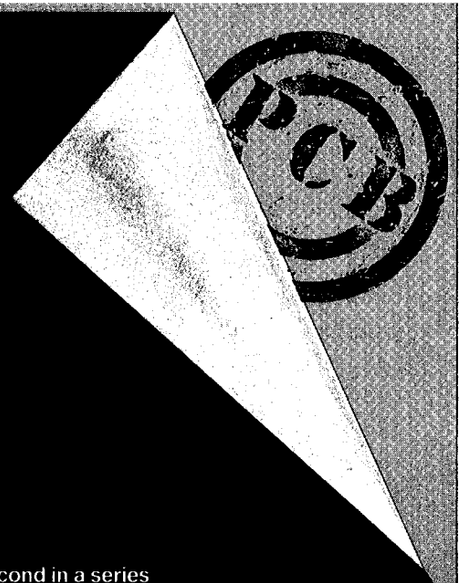

Second in a series

CONTROLLING PCBs
Management of PCBs in Canada

Canadian Council of Resource and Environment Ministers

Management of PCBs in Canada

Federal Legislation

The Environmental Contaminants Act was proclaimed in 1976 and was enacted to permit control of chemicals entering and contaminating the environment. Under the Act, the following regulations have been established to control the use and dispersal of polychlorinated biphenyls (PCBs):

- *Chlorobiphenyl Regulations No. 1 (1977);*
- *Chlorobiphenyl Regulations No. 1, amendment (1980);*
- *Chlorobiphenyl Regulations No. 2 (Product) (1985);*
- *Chlorobiphenyl Regulations No. 3 (Release) (1985).*

- *Chlorobiphenyl Regulations No. 1 (September 1, 1977).*
  This regulation restricts the use of PCBs to electrical transformers and capacitors and to heat transfer equipment, hydraulic equipment, electromagnets and vapour diffusion pumps that were designed to use PCBs and that were already in service; and it prohibits PCB use in all equipment, machinery and products manufactured or imported thereafter, except for electrical capacitors and electrical transformers and associated switchgear.

- *Chlorobiphenyl Regulations No. 1, amendment (July 1, 1980).*
  This amendment restricts PCB use to existing electrical and mechanical equipment by prohibiting the import or manufacture of *any* PCB-filled equipment; prohibits the operation of PCB-filled electromagnets over food or feed; and prohibits the use of PCBs as a new filling or make-up fluid in any equipment.

- *Chlorobiphenyl Regulations No. 2 (August 1, 1985).*
  This regulation sets a maximum concentration of 50 parts per million by weight of chlorobiphenyls that may be contained in specified electrical and mechanical equipment designed to use chlorobiphenyls at the time the equipment is imported, manufactured or knowingly offered for sale.

- *Chlorobiphenyl Regulations No. 3 (August 1, 1985).*
  This regulation sets 50 parts per million by weight as the maximum concentration of PCBs that may be released into the environment in the course of a commercial, manufacturing or processing activity — except for an application to a road surface for

which the maximum concentration is 5 parts per million. This regulation also sets a maximum quantity of 1 gram per day that may be released during the operation, servicing, maintenance, decommissioning, transportation or storage of specified equipment, such as electrical capacitors manufactured in or imported into Canada before July 1980. It should be noted that such releases to the environment may be further controlled by other statutes, as for example, by the federal *Fisheries Act* or provincial legislation.

The Transportation of Dangerous Goods Act

The regulations under the federal *Transportation of Dangerous Goods Act* came into effect on July 1, 1985. They increased levels of control and safety in the transport of dangerous goods, including PCBs. Regulations require that interprovincial or international movement of PCB material and other dangerous goods be manifested using bills of lading with specific information. Under the Act, *Protective Direction No. 1* was issued, to make mandatory the use of rigid, leakproof containers to transport PCBs or articles containing PCBs. Articles which cannot be contained in this manner must be drained of PCBs. The container must be secured to the transport vehicle.

Each province has implemented parallel legislation to control the highway movement of PCBs and other dangerous goods within the province. Manifests are also required for these movements.

Other Federal Initiatives

In 1977, an inventory and labelling program was initiated by Environment Canada to identify and keep track of equipment containing PCBs in excess of 1 kilogram such as transformers and capacitors. Recently, labelling has been expanded to include equipment containing low levels of PCBs, such as PCB-contaminated mineral oil transformers.

Environment Canada also initiated a PCB interdepartmental and intergovernmental inspection program which is primarily directed at the identification and inspection of PCB equipment that is being used in the food and feed industries.

Provincial Legislation

The degree to which PCBs are controlled through legislation varies from province to province. Regulations and guidelines primarily address proper handling, transportation and storage, and occupational safety. Where provincial regulations have not been introduced, federal guidelines have often been promoted.

In British Columbia, PCBs are controlled by regulations under the *Waste Management Act* and industrial health and safety regulations under the *Workers' Compensation Act.*

Alberta has proclaimed the *Hazardous Chemicals Act* and PCBs have been identified as a hazardous waste. Regulations on storage of hazardous wastes have also been introduced and the province has established a licensing scheme for commercial storage facilities for PCBs.

In Saskatchewan, PCBs are listed under the *Environmental Spill Control Regulations* of the *Environmental Management and Protection Act.*

In Manitoba, PCBs are designated as a dangerous good under the *Dangerous Goods Handling and Transportation Act.*

Ontario manages PCBs using regulations under the *Environmental Protection Act* and is the only province with a regulation specific to the management of PCB wastes.

Quebec lists PCBs in the *Liquid Waste Regulation* and the *Solid Waste Regulation* of the *Environmental Quality Act,* and in the *Transport of Waste Regulation* of the *Transport Act.* Hazardous waste regulations have recently been introduced which make specific reference to PCBs.

Each Atlantic province has legislation that could be used to control PCBs but no specific regulations exist at this time.