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# **Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations (EIHWHRMR) User Guide**

Cat. No.: En14-235/2016E-PDF  
ISBN: 978-0-660-04710-2

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## Table of Contents

BACKGROUND .....	1
1.0 INTRODUCTION.....	2
2.0 GENERAL INFORMATION.....	2
3.0 INTERPRETATION AND DEFINITIONS .....	7
4.0 GENERAL PROVISIONS .....	7
5.0 NOTIFICATION .....	9
6.0 ONLINE NOTIFICATION AND PERMIT SYSTEM .....	30
7.0 APPROPRIATE AUTHORITIES .....	38
8.0 CONTRACTS AND INSURANCE .....	39
9.0 SUMMARY OF CONDITIONS ON EXPORTS, IMPORTS AND TRANSITS .....	42
10.0 MOVEMENT DOCUMENT .....	56
11.0 SUMMARY OF CONDITIONS ON RETURNS .....	63
12.0 CONFIRMATION OF DISPOSAL OR RECYCLING.....	67
13.0 PRE-APPROVED FACILITIES .....	68
14.0 WASTE EXPORT REDUCTIONS PLANS .....	68
15.0 ENVIRONMENTALLY SOUND MANAGEMENT CRITERIA.....	70
16.0 PELES .....	70
17.0 ANNEXES .....	71

## Background

In Canada, all three levels of government contribute to environmental protection and have a role to play in waste management:

- municipal governments are responsible for establishing collection, recycling, and disposal programs within their jurisdictions
- provincial/territorial governments establish measures and criteria for licensing hazardous-waste generators, carriers, and treatment facilities, in addition to controlling movements of wastes within their jurisdictions
- the Federal Government regulates transboundary movements of hazardous wastes and hazardous recyclable materials, in addition to negotiating international agreements

Through domestic regulations under the authority of the *Canadian Environmental Protection Act, 1999* (CEPA 1999), the federal government implements the terms of international agreements to which Canada is a party. Implementing the terms of these agreements demonstrates the intention to protect Canada's environment and the health of Canadians from risks posed by unregulated traffic in hazardous wastes and hazardous recyclable materials.

Canada is party to three international agreements regarding the transboundary movement of hazardous wastes and hazardous recyclable materials:

- [the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, 1989](#)
- [the Organisation for Economic Co-operation and Development \(OECD\) Decision of Council on the Control of Transfrontier Movements of Wastes Destined for Recovery Operations C\(92\)39/Final, March 1992, Revised C\(2001\)107/Final](#)
- [the Canada-USA Agreement Concerning the Transboundary Movement of Hazardous Wastes, 1986, as amended in 1992](#)

In signing these international agreements, Canada made a commitment to develop national legislation to promote the environmentally sound management of hazardous wastes and hazardous recyclable materials. This led to the development of Export and Import of Hazardous Waste Regulations (EIHWR), which came into force on November 26, 1992, under the former CEPA. The revised *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations* (the Regulations) revoked and replaced the EIHWR in November 2005.

The EIHWR required modification because a number of changes have occurred both domestically and internationally since 1992. Among these was the entry into force of CEPA 1999, which included new authorities with respect to hazardous wastes and hazardous recyclable materials that did not exist under the former CEPA. By implementing these new authorities and modernizing the former control

regime, the EIHWHRMR help Canada adapt to its evolving international obligations, and contribute to the protection of the environment and human health.

## **1.0 Introduction**

### ***What is the purpose of this guide?***

This guide is designed to help people who are involved in international movements of hazardous wastes and hazardous recyclable materials in Canada understand and implement the requirements of the Regulations. It will be useful to anyone who generates, handles, transports, treats, recycles, stores, or disposes of hazardous wastes or hazardous recyclable materials where international shipments are involved.

### ***How do I use this guide?***

This guide is divided into 17 sections, each dealing with a different aspect of the Regulations. Each section provides answers to the most common questions about the various provisions of the Regulations; however, in the event of a discrepancy between this guide and the Regulations, the Regulations take precedence.

## **2.0 General Information**

### **2.1 What is the purpose of the Regulations?**

The purpose of the Regulations is to:

- protect Canada's environment and the health of Canadians from the risks posed by the transboundary movement of hazardous wastes and hazardous recyclable materials through exports from, imports into, and transits through Canada, and
- implement Canada's international obligations.

The Regulations set out the conditions for the export, import, and transit of hazardous wastes and hazardous recyclable materials shipped across the Canadian border. This helps to ensure that shipments of wastes and recyclable materials entering into, leaving, or passing through Canada can be tracked and controlled by Environment Canada, with the assistance of other government agencies.

The Regulations also ensure that exports of Canadian hazardous wastes and hazardous recyclable materials have been consented to by the receiving country before any shipment takes place. Not every country considers the same types of

waste or recyclable materials to be hazardous. Before exporting any type of waste or recyclable material, you should first determine if the countries to which you want to export and through which you want to transit the waste or material have national laws that in any way prohibit, restrict, or control the import or transit of the waste or material you are planning to export.

The [Basel Convention Export and Import Control Tool](#) is a searchable database providing you with quick access to specific information for the countries of export, import, and transit, such as their national definitions of hazardous waste and import restrictions. If the export or transit of the waste or material is prohibited in the receiving country or any of the transit countries, you cannot send your shipment to those countries. If there are laws restricting or controlling the import or transit of the waste or material, you must submit a notification to Environment Canada of your intent to export. Environment Canada will contact the competent authority of the countries to seek their consent before you begin the export. In the case of imports into Canada, the provincial governments provide authorization for recycling or disposal operations at authorized facilities in their provinces.

The Regulations are administered by the Waste Reduction and Management Division (WRMD) of Environment Canada. All documents required by the Regulations should be sent to WRMD (Annex D).

The main goals of the Regulations include:

- promoting environmental responsibility among all those concerned before, during, and after the international movement of hazardous wastes and hazardous recyclable materials,
- allowing the governments of the countries of import, export, and transit to control which hazardous wastes or hazardous recyclable materials enter or leave their respective borders,
- ensuring, by requiring liability insurance coverage, that any transportation accident involving an international movement of hazardous wastes or hazardous recyclable materials will be properly cleaned up, and
- ensuring that generators take responsibility for the transportation and handling of their hazardous wastes or hazardous recyclable materials from the site of generation to the site of final disposal or recycling.

## **2.2 How do the Regulations and CEPA 1999 work together?**

Neither the CEPA 1999 waste authorities nor the conditions of the Regulations can be used exclusively; rather the two must be applied together in order to ensure compliance.

CEPA 1999 builds on the government's authority to enact regulations governing the export, import, and transit of hazardous wastes and hazardous recyclable

materials. It includes a number of provisions for the transboundary movement of hazardous wastes and hazardous recyclable materials.

Section 185 of CEPA 1999 requires that the Minister be notified of any intended international shipment of hazardous wastes or hazardous recyclable materials. An international movement may consist of an export from Canada, an import into Canada, a transit through Canada, or a transit through a country other than Canada.

The notification requirements are set out in the Regulations, and include such information as:

- the nature and quantity of the hazardous waste or hazardous recyclable material involved,
- the addresses and sites of the exporters, importers, and carriers,
- the proposed disposal or recycling operations of the hazardous waste or hazardous recyclable material,
- proof of written contracts between the exporters and importers, and
- proof of insurance coverage.

With this information, Environment Canada is able to determine whether the proposed shipment of hazardous wastes or hazardous recyclable materials complies with regulations for the protection of human health and the environment.

If the notification requirements set out in the Regulations are met, Environment Canada notifies the authorities in the jurisdiction of destination. If any authority (including those in any transit countries) objects to the proposed shipment, the shipment cannot proceed until the objection is lifted. A permit may be granted following a review of the notice and approval from the authorities in the jurisdiction of destination.

Every shipment of hazardous wastes or hazardous recyclable materials must be accompanied by a copy of the movement document and permit (and any other required permit), and must be shipped according to the requirements set out in both the Regulations and the *Transportation of Dangerous Goods Regulations* (TDGR). The appropriate documents must also be deposited at Canada Customs.

The Canadian importer or Canadian exporter of the hazardous wastes or hazardous recyclable materials must return a completed copy of the movement document to Environment Canada within three working days of the delivery of a shipment. The disposal or recycling must take place within the time specified in the Regulations, and the Canadian importer or Canadian exporter must ensure that a statement is sent to Environment Canada within 30 days of this operation, certifying that it has been completed in accordance with the permit.

If, after the international shipment has begun, the wastes or materials cannot be disposed of or recycled in the manner stated in the permit, the appropriate authorities must be notified and alternate arrangements made with the consent of the countries involved. If no such arrangements can be made, the shipment may be returned after a new permit has been issued for the purposes of a return.

### 2.3 How are the Regulations set up?

The Regulations are divided into six parts:

- **Part I** – general provisions regarding the notice
- **Part II** – conditions for exports
- **Part III** – conditions for imports
- **Part IV** – conditions for transits
- **Part V** – conditions for returns
- **Part VI** – miscellaneous matters

Ten schedules form part of the Regulations:

- **Schedule 1** – Disposal Operations for Hazardous Waste
- **Schedule 2** – Recycling Operations for Hazardous Recyclable Material
- **Schedule 3** – Hazardous Wastes and Hazardous Recyclable Materials
  
- **Schedule 4**
  - **Part 1** – Hazardous Wastes and Hazardous Recyclable Materials from Non-Specific Sources
  - **Part 2** – Hazardous Wastes and Hazardous Recyclable Materials from Specific Sources
- **Schedule 5** – Environmentally Hazardous Substances
- **Schedule 6** – Hazardous Constituents Controlled under Leachate Test and Regulated Limits
- **Schedule 7**
  - **Part 1** – Acute Hazardous Waste and Hazardous Recyclable Material Chemicals
  - **Part 2** – Hazardous Waste and Hazardous Recyclable Material Chemicals
- **Schedule 8** – Excluded Materials
- **Schedule 9** – Movement Document
- **Schedule 10** – Persistent Organic Pollutants

Schedules 1 and 2 specify the disposal and recycling operations that are subject to the Regulations. These operations are meant to implement the disposal and recycling operations set out under both the Basel Convention and Organization for Economic Co-operation and Development (OECD) Decision C(2001)107/Final.



Schedules 3, 4, and 7 list hazardous wastes and hazardous recyclable materials that are subject to the Regulations. The identification numbers must be provided as part of the notification under the Regulations.

Schedules 5 and 6 list constituents that may be contained in waste or material at concentrations that would render them hazardous. The identification numbers must be provided as part of the notification under the Regulations.

Schedule 10 lists the names of persistent organic pollutants (POPs) and the triggers for the declaration of POPs within a hazardous waste or hazardous recyclable material.<sup>1</sup>

## **2.4 Who is affected by the Regulations?**

The Regulations affect all persons and organizations involved in some aspect of the import, export, or transit of hazardous wastes or hazardous recyclable materials in Canada. The Regulations define the responsibilities of exporters, importers, and carriers.

## **2.5 Which authorities are involved?**

The Regulations are administered by Environment Canada. The competent authority for all Canadian imports, exports, and transits is the Environment Canada's Waste Reduction and Management Division, which is also the contact point for the competent authorities in other countries. Canadian companies wishing to import or export hazardous waste or hazardous recyclable material do not need to contact the provincial and foreign authorities directly during the notification process; rather, Environment Canada will contact them and forward the response to the notifier.

The role of Environment Canada includes:

- developing the Regulations and any subsequent amendments,
- processing all export, import, and transit notices and accompanying documents,
- acting as an intermediary between notifiers and the authorities in the provinces/territories and in other countries where the waste will be sent for recycling or disposal,
- issuing permits to export, import, or transit, and
- enforcing regulatory compliance by CEPA 1999 inspectors.

Two other federal agencies are involved in the compliance and administration of the Regulations. One is Transport Canada, since shipments may be subject to the

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<sup>1</sup> This information is required for Canada to meet its obligations under the Stockholm Convention. The management of waste POPs is a joint effort involving the secretariats of both the Stockholm and Basel Conventions.

TDGR; the other is the Canada Border Services Agency (CBSA), which helps to control hazardous wastes and hazardous recyclable materials crossing the border by ensuring that the proper documents accompany each shipment.

The shipment of hazardous wastes or hazardous recyclable materials must also conform to provincial/territorial laws and regulations. All imports into Canada are subject to provincial/territorial review and confirmation that the wastes, materials, and facilities involved are authorized for a particular disposal or recycling operation (the licensing of disposal and recycling facilities is a provincial/territorial responsibility). The provinces/territories may also have their own environmental legislation relating to the transportation of dangerous goods and waste management, including recyclables.

As with any shipment of hazardous wastes or hazardous recyclable materials, the appropriate local authorities, such as the police or emergency-response officials, may be involved if a transportation accident occurs.

## **3.0 Interpretation and Definitions**

### **3.1 References to Definitions**

The Regulations set out important interpretations and definitions, among them the definitions of hazardous waste and hazardous recyclable material. These definitions are outlined in detail in the [Guide to Classification](#). Other important definitions are set out in Section 4 of the Regulations, and are included in Annex A of this guide.

### **3.2 Authorized Facilities and Authorized Carriers**

Authorization for facilities and carriers must be made in a form that is applicable and acceptable to the responsible jurisdiction, either through regulation, legislation, or permit. The regulatee must submit notification to Environment Canada containing the registration number issued by either the province/territory of import or the country of export/import. Some provinces/territories may exempt certain facilities from this requirement if the hazardous wastes or hazardous recyclables are not regulated by the jurisdiction in which the facilities are located. In such cases, the facilities are considered authorized.

## **4.0 General Provisions**

### **4.1 Which operations are considered disposal or recycling?**

Schedules 1 and 2 of the Regulations specify the processes that are considered disposal and recycling operations, respectively. Storage pending either of these

operations is also considered to be disposal or recycling for the purposes of the Regulations.

It is important to note that the operations described in these lists may not be environmentally acceptable practices in all countries or provinces. These operations are meant to implement the disposal and recycling operations identified under both the Basel Convention and Organization for Economic Co-operation and Development (OECD) Decision C(2001)107/Final.

The proposed Regulations do not control the export, import, or transit of products being returned to manufacturers, or the return of containers with residues for refill. They do, however, apply to residuals exported or imported for disposal or recycling.

#### 4.2 Can I ship hazardous waste or hazardous recyclable material to or from any country?

No. Consistent with the Basel Convention, hazardous waste cannot be disposed of or recycled in the Antarctic (south of 60° South latitude) or destined for a country that is not party to the Convention, unless Canada has an agreement with the country through a bilateral or multilateral agreement.

Use the following table to determine whether a shipment from a particular country may be allowed, if all of the other applicable conditions set out in the Regulations are met.

If you are a Canadian company considering exporting waste or recyclable materials to another country, be sure to read this [important notice](#).

<b>Table 1: Permitted shipments</b>			
<b>Shipment of hazardous wastes or hazardous recyclable material</b>	<b>Party to the Basel Convention</b>	<b>Party to OECD Decision C(2001)107/Final</b>	<b>Party to the Canada-USA Agreement</b>
Hazardous waste for disposal	May occur with permit	No. For recycling only	May occur with permit
Hazardous waste for recycling	May occur with permit	May occur with permit	May occur with permit

It is important to note that parties to the Basel Convention are made up of both OECD and non-OECD countries. See Annex B for a list of parties to the Basel Convention and Annex C for a list of OECD countries.

## 5.0 Notification

### 5.1 What is notification?

#### ***Section 185 of Canadian Environmental Protection Act, 1999 (CEPA 1999) and Sections 5 to 8 of the Regulations***

Notification is the process by which exporters, importers, and persons wishing to convey in transit notify the Minister of Environment Canada of their intentions to send or receive international shipments of hazardous wastes or hazardous recyclable materials. It serves as the application for a permit, without which no shipment can proceed.

Not every country considers the same types of waste or recyclable materials to be hazardous. Before exporting any type of waste or recyclable material, you should first determine if the countries to which you want to export and through which you want to transit the waste or material have national laws that in any way prohibit, restrict, or control the import or transit of the waste or material you are planning to export.

The [Basel Convention Export and Import Control Tool](#) is a searchable database providing you with quick access to specific information for the countries of export, import, and transit, such as their national definitions of hazardous waste and import restrictions. If the export or transit of the waste or material is prohibited in the receiving country or any of the transit countries, you cannot send your shipment to those countries. If there are laws restricting or controlling the import or transit of the waste or material, you must submit a notification to Environment Canada of your intent to export. Environment Canada will contact the competent authority of the countries to seek their consent before you begin the export.

The information required in the notice is outlined in section 8 of the Regulations. Although the Regulations do not prescribe the completion of a specific form, Environment Canada has developed an [Online Notification and Permit System](#) and paper [Administrative Notice forms](#) to facilitate the notification process for regulatees. Environment Canada reviews the notice to ensure that it is complete and meets the technical requirements of the Regulations before forwarding it to the appropriate provincial or foreign government authorities for consent.

While Environment Canada is the point of contact between the notifier and the competent authorities in the provincial/territorial or foreign governments, it cannot predict or control the length of time it will take these authorities to respond to a request for consent. Therefore, the length of time required to obtain a permit can vary greatly, and is affected by such factors as the type of waste or material, its destination, the disposal or recycling operation to be used, and the number of transit countries involved.

In general, the person submitting the notification should allow at least 60 days for the administrative review process to be completed for shipments of wastes or materials to or from the United States, and materials to or from Organization for Economic Co-operation and Development (OECD) countries. More time should be allowed for shipments to other countries, especially when confirmation of consent is required.

It may not be possible for Environment Canada to issue a permit before the intended shipping dates set out in the notice. Only after the notifier has received a permit is the shipment allowed to proceed. Permits are normally valid for up to one year; the export, import, or transit may take place within the period specified in the permit.

## **5.2 Notification Procedures**

### ***Obtain a Notice Reference Number***

For notices submitted via email, mail, registered mail, fax, or courier, the Minister will provide a Notice Reference Number to any person who requests one for the purpose of submitting a notice. Call 1-844-524-5295 to obtain a Notice Reference Number or a block of numbers for many proposed shipments.

For notices that are submitted through the [Online Notification and Permit System](#), the Notice Reference Number is assigned once the notice passes validation and has been successfully submitted to Environment Canada for processing.

The Notice Reference Number is important for tracking the shipment and its associated documentation. For example, the notice number and line-item number of the waste/recyclable material description must be entered on the movement document that accompanies the hazardous waste or hazardous recyclable material during transport.

### ***Conditions When Notifying for Hazardous Wastes or Hazardous Recyclable Materials***

In the case of an export or import, a single notice can be submitted for either hazardous wastes or hazardous recyclable materials--but not for both. In the case of a transit, however, a single notice can include both hazardous wastes and hazardous recyclable materials. Note: The [Online Notification and Permit System](#) is not available for transits at this time. Notices for transits must continue to be submitted via email, mail, registered mail, fax, or courier.

A single notice may be submitted as notification of a series of international shipments of hazardous wastes or hazardous recyclable materials if the wastes or materials

- a. are to be shipped
  - i. to the same authorized facility at the same location,
  - ii. through the same port of exit or the same port of entry, and
  - iii. within the same 12-month period;
- b. are to be reported to the same customs office;
- c. originate from the same person and the same facility; and
- d. in the case of an export or import, have essentially the same physical and chemical characteristics.

This allows for the notification of multiple hazardous wastes or hazardous recyclable materials from one site to another site within one year of the issuance of a permit.

### ***Site-Specific Notification***

The notification procedure is site-specific, meaning that the hazardous wastes or hazardous recyclable materials must originate from the same person and the same authorized facility, and be shipped to the same authorized facility at the same location. If a person wishes to ship to or from multiple locations, a new notice must be submitted for each site or location.

This is necessary in order to be consistent with the notification procedures of the Basel Convention and OECD Decision C(2001)107/Final.

### ***Language***

The notice and all attachments may be submitted to Environment Canada in either English or French. If requested by the importing country, Environment Canada will also ask the Canadian exporter to provide the information in another language specified by the foreign authority.

Exporters may wish to contact Environment Canada before submitting a notice to determine whether a given country requires information in another language. Compliance with such requests will speed up the notification process and may minimize delays at border crossings or in transit.

### ***Notification for Amendments***

In general, once a permit has been issued, changes to the information in the notice require re-notification, since the permit was granted based on the original notice information.

The person who submitted the notice may request an amendment to an existing permit by advising the Minister in writing of

- a change in the quantity of hazardous waste or hazardous recyclable material,
- a change in the number of shipments,
- the addition of authorized carriers, or
- the addition of ports of exit or entry or customs offices.

After the proposed changes to the notice have been reviewed, an amendment to the permit may be issued. This amendment must be received prior to any shipment taking place under the new circumstances, and must also be attached to the permit.

For other types of changes, contact WRMD to obtain information on the need for re-notification.

### **5.3 What must the notice contain?**

The person who submits the notice (the notifier) must ensure that the notice meets the requirements specified in section 8 of the Regulations. These requirements are summarized in sections 5.6, 5.7, and 5.8 of this guide.

### **5.4 Who must notify?**

For exports of hazardous waste or hazardous recyclable material from Canada, the Canadian exporter is responsible for completing the notification and for making sure that all of the documents that must accompany it are provided to Environment Canada.

For imports of hazardous waste or hazardous recyclable material to Canada, the Canadian importer is responsible for completing the notification and for making sure that all of the documents that must accompany it are provided to Environment Canada.

In the case of a transit through Canada, the notifier can be the importer, exporter, carrier moving the waste through Canada, or a consultant authorized to work on behalf of the importer, exporter, or carrier. In the case of a transit through another country other than Canada (where Canada is the origin and destination of the hazardous waste/material), the notifier can be the importer, exporter, carrier moving the waste, or a consultant authorized to work on behalf of the importer, exporter, or carrier.

In cases where the importer or exporter owns many facilities, the notice may be submitted by the head office; however, the notice must indicate the actual authorized shipping and receiving sites.

## 5.5 Where must the notice be sent?

Notification via the [Online Notification and Permit System](#) is the preferred method for notifying for proposed exports and imports; however, if you choose to use the paper Administrative Notice Form, the form and all accompanying documents required by the Regulations must be forwarded by email, mail, registered mail, facsimile, or courier to:

Waste Reduction and Management Division  
Environment Canada  
Place Vincent-Massey  
351 St. Joseph Blvd., 9<sup>th</sup> floor  
Gatineau, QC K1A 0H3  
Fax: 819-938-4555  
Email: [notification@ec.gc.ca](mailto:notification@ec.gc.ca)

## 5.6 Summary of Notification Information Requirements

The information requirements for notification are outlined in [section 8 of the Regulations](#). They include

- the name, registration number, civic and mailing addresses, e-mail address, and contact information (name, telephone number, and facsimile number) of the
  - Canadian exporter and the foreign receiver,
  - Canadian importer and the foreign exporter,
  - the facility from which the hazardous waste or hazardous recyclable material will be shipped,
  - the facility that will receive the hazardous waste or hazardous recyclable material, and, if applicable, any facilities where final disposal or recycling will take place (formerly referred to as the "final destination"),
  - exporter and importer or foreign exporter and foreign receiver, in the case of a transit, and
  - the authorized carriers;
- shipment details, including dates, number of shipments, and all modes of transport (road, rail, marine, or air) that will be used;
- customs details, including the ports of entry or exit, or the customs offices, if applicable;
- the classification of the hazardous waste or hazardous recyclable material (see the [Guide to Classification](#)).

In addition to the requirements above, the notifier must also submit:

- a signed, written contract or series of contracts, and



- proof of insurance for the Canadian exporter or Canadian importer and all carriers, by providing the name of the insurance company and the insurance policy number.

## **5.7 Completing the Administrative Notice Form Step-by-Step**

Follow these step-by-step instructions to complete the paper [Administrative Notice Form](#). References to the specific sections of the form have been indicated for your convenience.

### **5.7.1 Option (Box 1)**

Select one of the following three options (a separate notice must be completed for each option selected, even if the rest of the information on the notice is the same, except in the case of a transit):

- Option 1: Disposal, Schedule 1 of the Regulations, if the waste is destined for disposal;
- Option 2: Recycling, Schedule 2 of the Regulations, if the material is destined for recycling;
- Option 3: Recycling, Pre-Approved Facility, if the hazardous recyclable material is destined for recycling at a pre-approved facility (Pre-approval is discussed further in section 13 of this guide).

### **5.7.2 Canadian Exporter/Foreign Exporter (Box 2)**

#### ***Exports from Canada***

Provide the following information for both the Canadian exporter and the facility from which the waste or recyclable material will be shipped: name, registration number (e.g. the number assigned by a provincial authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate “Same as mailing address”.

The name of the insurance company and policy number must also be provided for the Canadian exporter.

#### ***Imports into Canada***

Provide the following information for both the foreign exporter and the facility from which the waste or recyclable material will be shipped: name, registration number (e.g. the number issued by the foreign authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate “Same as mailing address”.

### ***Transits through Canada***

Provide the following information for both the exporter and the facility from which the waste or recyclable material will be shipped: name, registration number (e.g. the number issued by the foreign authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

### ***Transits through a Country Other Than Canada***

Provide the following information for both the exporter and the facility from which the waste or recyclable material will be shipped: name, registration number (e.g. the number assigned by a provincial authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

### ***5.7.3 Foreign Receiver/Canadian Importer (Box 3)***

#### ***Exports from Canada***

Provide the following information for both the foreign receiver and the facility where the waste or recyclable material will be received: name, registration number (e.g. the number issued by the foreign authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

#### ***Imports into Canada***

Provide the following information for both the Canadian importer and the facility where the waste or recyclable material will be received: name, registration number (e.g. the number assigned by the provincial authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

The name of the insurance policy and policy number must also be provided for the Canadian importer. A minimum of one provincial registration number must be provided for the Canadian receiving site.

### ***Transits through Canada***

Provide the following information for both the importer and the facility where the waste or recyclable material will be received: name, registration number (e.g. the

number issued by the foreign authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

### ***Transits through a Country Other Than Canada***

Provide the following information for both the importer and the facility where the waste or recyclable material will be received: name, registration number (e.g. the number assigned by a provincial authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

#### ***5.7.4 Authorized Carrier (Box 4)***

Provide the following information for each authorized carrier: name of the carrier, mailing address, telephone number, facsimile number, electronic address, name of the contact person, the name of the insurance company and the insurance policy number.

If using more than one authorized carrier, attach a list with the required information for each carrier.

#### ***5.7.5 Authorized Facilities (Box 5)***

The Regulations require that all authorized facilities be specified as part of the notice. In the case of an interim disposal/recycling operation (e.g. R16), this includes specifying not only the receiving site, but also the facility that will undertake the final disposal or recycling of the waste or material. Interim operations include D13 (blending or mixing), D14 (repackaging), D17 (interim storage), R12 (waste exchange), R13 (accumulation), or R16 (interim storage), as described in Schedules 1 and 2 of the Regulations.

Provide the following information for each authorized facility: name, registration number (e.g. the number assigned by a provincial authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address". Lastly, provide the final disposal/recycling code(s) for the final operation(s) that may be undertaken by the facility, as well as the line number corresponding to each waste/recyclable material that may go to the facility for final disposal/recycling.

If using more than one authorized facility, attach a list with the required information for each facility.

### **5.7.6 Number of Shipments (Box 6)**

Enter the number of shipments that are intended to take place over the 12-month period covered by the permit.

### **5.7.7 Ports of Exit or Entry or Customs Offices (Box 7)**

Specify the ports of exit or entry through which all of the hazardous wastes or hazardous recyclable materials on the notice are to be shipped. If necessary, attach a separate page and mark the appropriate box on the notice form. Customs offices must also be indicated if the shipment is to be declared inland.

### **5.7.8 First and Last Shipments (Box 8)**

Indicate the anticipated dates of the first and last shipments. Depending on the time required to obtain consent from all authorities involved, the actual period covered by the permit may not correspond to these dates.

### **5.7.9 Transit Countries (Box 9)**

Indicate all countries through which the hazardous wastes or hazardous recyclable materials will pass before reaching their final destination, and the amount of time they will spend in each (length of stay in days). Attach an additional page, if necessary, and check the box provided on the form.

### **5.7.10 Hazardous Waste or Hazardous Recyclable Material Information (Box 10)**

The following information must be provided for each hazardous waste or hazardous recyclable material. If you need assistance in determining if a waste or material is covered by the Regulations, please refer to the [Guide to Classification](#).

- **International Waste Identification Code (IWIC):** Provide the waste or recyclable material's seven-part IWIC, as defined by OECD Decision C(94)152/Final, with the following modifications: in the second part of the IWIC, substitute the "D" or "R" code with the appropriate code indicated in Schedule 1 or 2 of the Regulations; in the third part of the IWIC, if the material is a gas, use "G" instead of "L", "P", or "S".
- **Basel/OECD Code:** Indicate the Basel Annex VIII or OECD Appendix 4 code that best represents the hazardous waste or hazardous recyclable material in question. If none of the codes apply, indicate "Not Applicable".
- **Transportation of Dangerous Goods Regulations (TDGR) Product Identification Number (PIN):** Provide the PIN set out in column 1 of Schedule 1 of the TDGR. If none of the TDGR PINs apply, indicate "Not Applicable".

- **TDGR Class:** Enter the applicable class(es) set out in column 3 of [Schedule 1 of the TDGR](#). A maximum of three classes can be provided. If none of the classes apply, indicate “Not Applicable”.
- **Quantity:** Indicate, in kilograms or litres only, the total quantity of the waste or material that will be shipped in the 12-month period covered by the permit, regardless of how it may be divided if multiple shipments take place.
- **Packing/Risk Group:** Enter the packing or risk group of the waste, as set out in column 4 of Schedule 1 of the TDGR. A maximum of two groups can be provided. If none of the groups apply, indicate “Not applicable”.
- **Customs Code:** Enter the applicable tariff item and statistical suffix set out in the [Customs Tariff Departmental Consolidation](#) published by the Canada Border Services Agency. The code is composed of ten digits (six tariff item numbers and four statistical suffix numbers following this format: #####.##.##.##).
- **Identification Number and Description of Schedules 3-7:** Enter the ID number of the waste or material set out in schedules 3, 4, 6, and 7 of the Regulations. Schedule 5 of the Regulations does not set out ID numbers; instead, enter the substance name identified in column 1 of the schedule. If none of the schedules apply to the hazardous waste or hazardous recyclable material, indicate “Not applicable”.
- **Persistent Organic Pollutants (POP):** Enter the name, quantity, and concentration of each POP set out in Schedule 10 of the Regulations that is contained in the waste or material in a quantity equal to or greater than the quantity specified in column 3.<sup>2</sup>
- **Description of the Disposal or Recycling Operation:** Enter a description of the process to be employed with respect to the disposal or recycling operation, as set out in Schedules 1 and 2 of the Regulations, respectively.

Assign a line number to each waste or material on the notice. The line numbers are used to link authorized facilities to waste or material with interim operation codes (D13, D14, D17, R12, R13, or R16) (see section 5.7.5 of this guide).

### **5.7.11 Exports of Hazardous Waste for Disposal (Box 11)**

In the case of an export of hazardous waste destined for disposal, specify the options considered for reducing or phasing out the export of the waste and the reason that the final disposal is taking place outside Canada.

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<sup>2</sup> This information is required in order for Canada to meet its obligations under the Stockholm Convention. The management of waste POPs is a joint effort involving the secretariats of both the Stockholm and Basel conventions. The levels set out under the Regulations are consistent with the low POP content being used under the Basel Convention’s “General technical guidelines for the environmentally sound management of wastes consisting of, containing, or contaminated with POP”.

### **5.7.12 Statement of Person Submitting the Notice (Box 12)**

The person who submits the notice must include a signed and dated statement indicating that

1. in the case of an export or import, the contract or series of contracts is in force;
2. in the case of an export or import, if the waste or material cannot be disposed of or recycled in accordance with the permit, the Canadian exporter or Canadian importer will implement alternate arrangements or will return it to the facility from which it originated;
3. the insurance policy covers the period of the shipment; and
4. the information in the notice is complete and correct.

Note: No agent can sign any document that, according to the Regulations, requires the signature of the exporter or importer. The name of the person submitting the notice is the name that appears in the top left-hand corner of the permit.

### **5.7.13 Attachments**

#### ***Contracts***

In the case of an export or import, the applicable contracts must be submitted as part of the notification requirements. These contracts are described in section 8 of this guide.

#### ***Insurance***

All Canadian exporters, Canadian importers, and authorized carriers of hazardous waste and hazardous recyclable material must be covered by liability insurance. All authorized carriers involved in international shipments of hazardous waste in which Canada is concerned must also be insured. The type, amount, and time period for insurance coverage are described in section 37 of the Regulations. The name of the insurance company and the policy number must be provided in the notice, as mentioned in sections 5.7.2, 5.7.3, and 5.7.4. Providing a copy of insurance policies is not mandatory under the Regulations; however, some foreign competent authorities require a copy for export notices.

#### ***Supporting Documents***

If you provide additional documents with your notice, such as the Basel or OECD notice form or the Basel or OECD movement document, be sure to keep the original signed copies in your files as some countries may request them.

## **5.8 Completing an Online Notice Step-by-Step**

Follow these step-by-step instructions to complete an online notice through the Online Notification and Permit System. References to the corresponding sections of the paper Administrative Notice Form have been indicated for your convenience. It is recommended that you also read section 6 of this guide for additional information on the Online Notification and Permit System.

### **5.8.1 Start New Single Notice Screen (Box 1)**

Click on “Start New Single Notice” in the top menu bar to begin working on an export or import notice. You can either start a new export or import notice from the beginning or clone an existing draft or submitted notice.

If you choose to start a new notice from the beginning, the name of the Canadian exporter/importer, depending on the type of permit, is pulled from Environment Canada’s Single Window Information Manager (SWIM). If your profile is connected to more than one organization in SWIM, you will be provided with a drop-down list of organizations. Click on the name of the organization for which you want to submit a notice.

Next, select the type of permit and then select one of the following three treatment options (a separate notice must be completed for each option selected, even if the rest of the information on the notice is the same):

- Option 1: Disposal, Schedule 1 of the Regulations, if the waste is destined for disposal,
- Option 2: Recycling, Schedule 2 of the Regulations, if the recyclable material is destined for recycling,
- Option 3: Recycling, Pre-Approved Facility, if the hazardous recyclable material is destined for recycling at a pre-approved facility (Pre-approval is discussed further in section 13 of this guide).

When you are done, press “Start Notice”. Note: Once you have pressed "Start Notice", the selections that you made on this screen cannot be changed. If you need to change a selection, you will need to delete the notice and start a new one.

### **5.8.2 Basic Info Tab**

This tab displays the Notice Reference Number (once the notice has been submitted), as well as the Type of Permit and Treatment Option that were selected on the Start New Single Notice screen. There is also a “Notifier’s File Number” field to enter your own unique file number if you have your own tracking system. For quick reference, the information on the Basic Info tab is also displayed at the top of every tab in the notice.

### **5.8.3 Canadian Exporter, Canadian Shipping Site, Foreign Exporter, Foreign Shipping Site Tabs (Box 2)**

#### **Exports from Canada**

- **Canadian Exporter Tab:**

The Canadian exporter must have a name, mailing address, contact, insurance policy, and a minimum of one registration number (e.g. the number assigned by a provincial authority). If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice before you save and continue to the next tab.

The following information for the Canadian exporter is pre-filled from the organization's profile in SWIM: name, mailing address, contacts, and business number. The registration number(s) and insurance policy come from the exporter's profile which is managed in the Manage My Info section.

- **Canadian Shipping Site Tab:**

The Canadian shipping site must have a name, shipping site address, contact, and a minimum of one registration number (e.g. the number assigned by a provincial authority). If there are multiple selections for the shipping site or any of the other items, click on the options that apply to the notice before you save and continue to the next tab.

All of the Canadian shipping sites that have been created in the Manage My Info section will be available in a drop-down list, including the Canadian exporter and any additional shipping sites owned by a different company other than the Canadian exporter. Click on the name of the shipping site you want to add to the notice and press "Select".

#### **Imports into Canada**

- **Foreign Exporter Tab:**

The foreign exporter must have a name, mailing address, contact and a minimum of one registration number (e.g. the number issued by the foreign authority).

All of the information for the foreign exporter comes from the Manage My Info section. If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice before you save and continue to the next tab.



- ***Foreign Shipping Site Tab:***

The foreign shipping site must have a name, shipping site address, contact and a minimum of one registration number (e.g. the number issued by the foreign authority).

All of the foreign receivers/exporters that have been created in the Manage My Info section will be available in a drop-down list. Click on the name of the company you want to use for the foreign shipping site and press "Select". If there are multiple selections for the shipping site address or any of the other items, click on the options that apply to the notice before you save and continue to the next tab.

### ***Transits***

All notifications for transit must be submitted via email, mail, registered mail, fax, or courier.

### ***5.8.4 Foreign Receiver, Foreign Receiving Site, Canadian Importer, Canadian Receiving Site Tabs (Box 3)***

#### ***Exports from Canada***

- ***Foreign Receiver Tab:***

The foreign receiver must have a name, mailing address, contact, and a minimum of one registration number (e.g. the number issued by the foreign authority).

All of the information for the foreign receiver comes from the Manage My Info section. If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice before you save and continue to the next tab.

- ***Foreign Receiving Site Tab:***

The foreign receiving site must have a name, receiving site address, contact, and a minimum of one registration number (e.g. the number issued by the foreign authority).

All of the foreign receivers/exporters that have been created in the Manage My Info section will be available in a drop-down list. Click on the name of the company you want to use for the foreign receiving site and press "Select". If there are multiple options for the receiving site address or any of the other items, click on the ones that apply to the notice before you save and continue to the next tab.

## ***Imports into Canada***

- ***Canadian Importer Tab:***

The Canadian importer must have a name, mailing address, contact, insurance policy, and a minimum of one registration number (e.g. the number assigned by a provincial authority).

The following information for the Canadian importer is pre-filled from the organization's profile in SWIM: name, mailing address, contacts, and business number. The registration number(s) and insurance policy come from the importer's profile which is managed in the Manage My Info section. If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice before you save and continue to the next tab.

- ***Canadian Receiving Site Tab:***

The Canadian receiving site must have a name, receiving site address, contact, and a minimum of one provincial registration number.

All of the Canadian receiving sites that have been created in the Manage My Info section will be available in a drop-down list, including the Canadian importer and any additional receiving sites owned by a different company other than the Canadian importer. Click on the name of the receiving site you want to add to the notice and press "Select". If there are multiple selections for the receiving site address or any of the other items, click on the options that apply to the notice before you save and continue to the next tab.

## ***Transits***

All notifications for transit must be submitted via email, mail, registered mail, fax, or courier.

### ***5.8.5 Authorized Carriers Tab (Box 4)***

Provide the following information for each authorized carrier: name of the carrier, mailing address, telephone number, facsimile number, electronic address, name of the contact person, the name of the insurance company and the insurance policy number.

All of the authorized carriers that have been created in the Manage My Info section will be available in a drop-down list. Authorized carriers need to be added to the notice one by one. Click on a carrier that you want to add to the notice and press "Select". If there are multiple selections for any of the items (e.g. registration

number), click on the options that apply to the notice and press “Add Carrier to Notice”. The authorized carrier will be assigned a number and it will appear in a table which displays the details of the carrier, as well as links to edit the carrier and remove it from the notice.

#### **5.8.6 Authorized Facilities Tab (Box 5)**

The Regulations require that all authorized facilities be specified as part of the notice. In the case of an interim disposal/recycling operation (e.g. R16), this includes specifying not only the receiving site, but also the facility that will undertake the final disposal or recycling of the waste or recyclable material. Interim operations include D13 (blending or mixing), D14 (repackaging), D17 (interim storage), R12 (waste exchange), R13 (accumulation), or R16 (interim storage), as described in Schedules 1 and 2 of the Regulations.

Provide the following information for each authorized facility: name, registration number (e.g. the number assigned by a provincial authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person.

All of the authorized facilities that have been created in the Manage My Info section will be available in a drop-down list. Authorized facilities need to be added to the notice one by one. Click on a facility that you want to add to the notice and press “Select”. If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice and press “Add Facility to Notice”. The authorized facility will be assigned a number and it will appear in a table which displays the details of the facility, as well as links to edit the facility and remove it from the notice.

Any waste or recyclable material that will undergo an interim operation must be linked to an authorized facility (see section 5.8.7).

#### **5.8.7 Hazardous Waste/Recyclable Material Tab (Boxes 6 and 10)**

The following information must be provided for each hazardous waste or hazardous recyclable material. Drop-down lists have been provided for most of the sections to help you classify the waste or material. If you need assistance in determining if a waste or material is covered by the Regulations, please refer to the [Guide to Classification](#). Each waste or material that is added to a notice is automatically assigned a number.

**International Waste Identification Code (IWIC):** Select the appropriate codes from the drop-down lists provided for the seven-part IWIC, as defined by OECD Decision C(94)152/Final. In the second part of the IWIC, the “D” or “R” codes are from Schedules 1 and 2 of the Regulations. In the third part of the IWIC, select letter “G” to indicate if the material is a gas, instead of “L”, “P”, or “S”. Once you

have completed the IWIC, press the “Continue” button to complete the rest of the sections on the Hazardous Waste/Recyclable Material tab.

**Basel/OECD Code:** Click on either Basel Code or OECD Appendix 4 Code, depending on the type of code you need to provide on the notice, and then click on the appropriate code in the corresponding drop-down list that best represents the hazardous waste or recyclable material. If none of the codes apply, click on “Not applicable” in the drop-down list.

**ID Number and Description from Schedule 3-7:** Click on the appropriate schedule and then select the code/substance from the corresponding drop-down list. A maximum of five codes can be provided. If none of the schedules apply to the hazardous waste or recyclable material, check off the box provided.

**TDGR PIN (Transportation of Dangerous Goods Regulations Product Identification Number also known as the UN number):** Select one UN number from the drop-down list provided. If the number you need is not in the drop-down list, select “Other” and enter the UN number in the field provided. If none of the TDGR PINs apply, select “Not applicable” from the drop-down list.

**TDGR Hazard Class:** Enter the applicable class(es) set out in column 3 of [Schedule 1 of the TDGR](#). A maximum of three classes can be provided. If none of the classes apply, select “Not applicable” in the drop-down list provided.

**Packing or Risk Group:** Enter the packing or risk group of the waste, as set out in column 4 of Schedule 1 of the TDGR. A maximum of two groups can be provided. If none of the groups apply, select “Not applicable” in the drop-down list provided.

**Quantity:** Indicate, in kilograms or liters, the total quantity of the waste or recyclable material that will be shipped under the notice in the 12-month period covered by the permit, regardless of how it may be divided if multiple shipments take place.

**Number of Shipments:** Indicate the number of shipments of the waste or material that is intended to take place over the 12-month period covered by the permit.

**Persistent Organic Pollutant (POP):** Provide the quantity and concentration of each POP set out in Schedule 10 of the Regulations that is contained in the waste or material in a quantity equal to or greater than the quantity specified in column 3.<sup>3</sup> The concentration can also be provided in a range. If the waste does not

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<sup>3</sup> This information is required in order for Canada to meet its obligations under the Stockholm Convention. The management of waste POPs is a joint effort involving the secretariats of both the Stockholm and Basel conventions. The levels set out under the Regulations are consistent with the low POP content being used under the Basel Convention’s “General technical guidelines

contain any POPs, check off the box provided. A maximum of 12 POPs can be added to a notice.

**Customs Code:** Enter the applicable tariff item and statistical suffix set out in the [Customs Tariff Departmental Consolidation](#) published by the Canada Border Services Agency. The code is composed of ten digits (six tariff item numbers and four statistical suffix numbers following this format: #####.##.##.##).

**Ontario Ministry of the Environment Waste Classification Code:** Enter the waste classification code in the field provided, if applicable.

**Not Regulated in Foreign Country:** Check off the box provided if the waste or recyclable material is not regulated in the foreign country.

**Authorized Facilities:** If you identify an interim operation code in the IWIC (D13, D14, D17, R12, R13 or R16), a section will appear automatically at the bottom of the screen with a list of authorized facilities that were entered on the Authorized Facilities tab. Select the final disposal/recycling code beside each authorized facility that may undertake the final disposal or recycling of the waste or recyclable material. If you do not select a disposal or recycling code beside a facility, that facility will not be linked to the waste or recyclable material.

If an authorized facility is missing from the list, it will need to be added to the notice on the Authorized Facilities tab or created in Manage My Info and then added to the notice. Click “Save” before you return to the Authorized Facilities tab or exit the notice. Once the facility has been added, return to the Hazardous Waste/Recyclable Material tab, click “Edit” in the table beside the waste or recyclable material, and scroll down to the Authorized Facility section to select the facility.

#### ***5.8.8 Shipping Details Tab (Boxes 7, 8, 9 and 11)***

**Ports of Exit/Entry or Customs Office(s):** Specify the ports of exit or entry through which all of the hazardous wastes or hazardous recyclable materials on the notice are to be shipped. Customs offices must also be indicated if the shipment is to be declared inland.

**First and Last Shipments:** Indicate the anticipated dates of the first and last shipments. Depending on the time required to obtain consent from all authorities involved, the actual period covered by the permit may not correspond to these dates.

**Transit Countries:** Indicate all countries through which the hazardous wastes or hazardous recyclable materials will pass before reaching their final destination and

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for the environmentally sound management of wastes consisting of, containing, or contaminated with POP”.

the amount of time they will spend in each (length of stay in days). Also, indicate the route order by assigning a number to each country.

**Exports of Hazardous Waste for Disposal:** In the case of an export of hazardous waste destined for disposal, specify the options considered for reducing or phasing out the export of the waste and the reason that the final disposal is taking place outside Canada.

### ***5.8.9 Attachments Tab***

Attachments can be uploaded in PDF format only.

**Contracts:** In the case of an export or import, a copy of the signed applicable contracts must be uploaded as part of the notification requirements. These contracts are described in section 8 of this guide.

**Insurance:** All Canadian exporters, Canadian importers, and authorized carriers of hazardous waste and hazardous recyclable material must be covered by liability insurance. All authorized carriers involved in international shipments of hazardous waste in which Canada is concerned must also be insured. The type, amount, and time period for insurance coverage are described in section 37 of the Regulations. The name of the insurance company and the policy number must be provided in the notice, as mentioned in sections 5.8.3, 5.8.4, and 5.8.5. Providing a copy of insurance policies is not mandatory under the Regulations; however, some foreign competent authorities require a copy for export notices.

**Supporting Documents:** If you have any other documents that you need to submit with the notice, such as the Basel or OECD notice form or movement document, provide them in this section. Please keep the original signed Basel or OECD documents as some countries may request them.

### ***5.8.10 Submit Notice Tab (Box 12)***

Once all of the notice tabs have been completed and the attachments have been uploaded, click on the “Submit Notice” tab. The system will run a complete validation test on the notice. If there are any errors, they will be displayed on the screen and you will need to go back and fix them. When the notice passes validation, you will see a preview of the entire notice. Review the notice one last time to make sure all of the information is accurate. When you are ready to submit the notice, check the box indicating that you have read the “Statement of Person Submitting the Notice”, enter your name and telephone number, and press “Submit”.

Note: No agent can sign any document that, according to the Regulations, requires the signature of the exporter or importer. The name of the person

submitting the notice is the name that appears in the top left-hand corner of the permit.

Once the notice has been submitted, it will be assigned a Notice Reference Number automatically and the status will change to “Submitted”. You can view the notice any time by clicking on the Notice Reference Number in the table on your Dashboard.

## **5.9 Instructions for Completing an Online Bulk Upload Notices Step-by-Step**

Companies who want to submit more than one notice at the same time to Environment Canada can use the Bulk Upload option. In this option, a company designs its own system to produce an XML file that includes all of the information for multiple import or export notices. The company then uploads the XML file and the necessary attachments into the Online Notification and Permit System, and submits its package to Environment Canada. Environment Canada will receive and process each notice individually. Similar to the online submission of single notices, the company is able to track the status of each notice submitted by bulk upload on its Dashboard.

To submit a bulk upload of notices, please follow these step-by-step instructions. It is recommended that you also read section 6 of this guide for additional information on the Online Notification and Permit System and that you refer to the XSD and the XML Data Exchange Guide for the XML specifications. This technical documentation is available in the Submit Bulk Upload section accessible from the top menu bar of the Online Notification and Permit System.

### ***5.9.1 Define and Submit Bulk Upload of notices***

First, make sure that your own system is designed to produce XML files that are compatible with the requirements set by Environment Canada. The XML file needs to conform to the structure described in the XSD and the rules outlined in the XML Data Exchange Guide. To access this technical documentation, log in to the Online Notification and Permit System as instructed in section 6.3 of this guide. Once in the system, click on “Submit a Bulk Upload”, and then click on the link for the zip file containing XSD and the XML Data Exchange Guide.

When you are ready to submit a bulk upload, log in the Online Notification and Permit System, click on “Submit Bulk Upload” in the top menu bar, and then click on “Start a New Bulk Upload”.

If your profile is authorized to be connected to more than one organization, select the organization from the drop-down menu for which the XML will be submitted, press “Browse” to locate the XML file that you wish to submit and then press “Upload”.

The system will first validate the structure of the XML file. If this validation is successful, the system will then validate if all the data elements required by the EIHWHRMR are provided in the XML file. If both validations are successful, a message of success and a statistical report on the notices included in the bulk upload will appear on the screen. If there are any errors resulting from either validation, they will be displayed on the screen. All errors must be corrected and the updated notices must be re-uploaded before you can continue with the submission to Environment Canada.

To edit a draft notice, refer to section 5.9.2 of this guide.

To continue the bulk upload submission process, press “Continue”. You will be directed to the Bulk Upload Details page.

### ***5.9.2 Editing a Draft Notice***

If you need to update any information in a draft notice, you will need to re-upload the XML file containing all the notices that were in the original bulk upload, unless you wish to omit a notice on purpose. It is important that the XML Guid (a unique identifier containing a series of alpha-numerical characters) of the notices that you update remain the same if you do not wish to create a duplicate notice.

### ***5.9.3 Bulk Upload Details***

The Bulk Upload Details tab shows a list of all individual notices that were included in the uploaded XML file and the XML Guides associated to each of them. To preview a notice, click on the associated XML Guid. If you wish to edit a draft notice, refer to section 5.9.2 of this guide. When you are satisfied with the notice preview, press “Back” to go back to the Bulk Upload Details page.

The next step of the bulk upload submission process is to upload attachments.

### ***5.9.4 Bulk Upload Attachments***

The Bulk Upload Attachments tab is where you upload all of the attachments that are specified in the XML file under the data elements <supportingNoticeDocumentation>, <supportingInsuranceDocumentation>, and <supportingContractDocumentation>. Attachments can only be uploaded in PDF format.

To upload an attachment, press “Browse” to locate the file, and then press “Upload” to attach the file to the submission. The name of the PDF files must match exactly the names specified in the XML file.



See section 5.8.9 of this guide for information on the types of documents that are required for the submission of an online notice and that could be required as an attachment in a bulk upload of notices.

### **5.9.5 Submission Details**

When you are ready to submit the XML file and attachments to Environment Canada, click on the Submission Details tab, check the boxes indicating that you have read and agree to both statements, enter your name and telephone number, and press “Submit Bulk Upload”.

Note: No unauthorized agent can sign any document that, according to the Regulations, requires the signature of the exporter or importer. The name of the person submitting the notice is the name that appears in the top left-hand corner of the permit.

Once the XML file and attachments have been submitted to Environment Canada, every notice contained in the XML file will be assigned a notice reference number automatically. You can view each notice and track its status anytime from the table on your Dashboard.

### **5.9.6 Editing a Submitted Notice**

If you need to update any information in specific notices already submitted to Environment Canada in a bulk upload, you will need to re-submit the notices by uploading a new XML file. The XML Guides of the notices that you need to update must remain the same. In the new XML file, include at a minimum the specific notices that you need to edit. You may also include any other new notices that you need to submit to Environment Canada for processing.

## **6.0 Online Notification and Permit System**

### **6.1 Introduction and Scope of the System**

Environment Canada has implemented a secure online system to enable regulatees to submit notifications and obtain official permits online under the *Canadian Environmental Protection Act, 1999* and the *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations*.

Through the system you can save notices, track the status of your submissions, obtain electronic copies of official documents (e.g. permits), search past completed submissions, and clone (reuse) draft and submitted notices. Once you have set up your account, you will be able to reuse the information in future notices.

The Online Notification and Permit System, only available for import and export permits at this time, is a convenient alternative to submitting a paper Administrative Notice Form by mail, registered mail, email, fax, or courier. Notifications for transits, re-routings, and returns must continue to be submitted via email, mail, registered mail, fax, or courier until further notice. For more information on the notification procedures and who must notify, please see section 5 of this guide.

For more information on the features of the system and how to use it, please refer to the following guidance:

## 6.2 Features of the System

**Dashboard:** The Dashboard lists all of the notices that your organization has completed and submitted to Environment Canada for processing, as well as draft notices. Here you can track the status of the notices and when an official document is available in the system to be downloaded. The information is displayed in a table that can be printed or exported to Excel. To filter the table to bring up a particular notice or all notices with a particular importer, for example, enter the notice number or name of the importer in the “Filter items” field provided. The system will search all of the columns for the text that you entered in the field. All of the columns can also be sorted in ascending or descending order by clicking on the small up and down arrows found at the top of every column.

**Notice Reference Number:** The Notice Reference Number is assigned automatically once the notice has been validated and submitted to Environment Canada. Once assigned, the Notice Reference Number will appear in the first column of the table on the Dashboard, as well as at the top of the screen when you view the notice. Therefore if you choose to use the online system, you no longer need to contact Environment Canada by phone or email to obtain a Notice Reference Number.

**Notifier’s File Number:** When you start a new notice, on the first tab (Basic Info) you have the option to add a unique file number called the Notifier’s File Number. This is a useful feature if you have your own tracking system. The Notifier’s File Number is required to clone a draft notice.

**Validate:** At the bottom of each tab in the notice, there is a “Validate” button. When you click on this button, the system will run a validation test to see if there is any missing or invalid information on the tab. It is recommended that you validate each tab of the notice so that you can correct errors as you go. When you get to the last tab (“Submit Notice”), the system will run a complete validation test on the notice before you can sign and officially submit the notice for processing.

**Save/Continue:** The system only saves your work when you click on “Save/Continue” at the bottom of each tab of the notice. If you navigate away from

a tab without clicking on “Save/Continue”, you will lose any information that you entered. After 20 minutes of inactivity, the system will log you out and any unsaved work will be lost. Therefore it is recommended that you save your work frequently.

**Notice Statuses:** There are four notice statuses that appear in the table on your Dashboard: “In Progress” and “Submitted” which appear under the column “Notifier’s Last Action” and “Under Review” and “Completed” which appear under the column “EC Last Action”.

**Clone Notices:** When you click on “Start New Single Notice”, accessible from the top menu bar of the system, you have the option to start a new notice from the beginning or clone any of your notices that have already been submitted to Environment Canada or are still a draft. To clone a draft notice, you must first fill in the Notifier’s File Number field on the Basic Info tab of the notice. To clone a notice, select the Notice Reference Number or the Notifier’s File Number from the drop-down list provided and then press “Clone Notice”. The system will make an exact copy of the notice so that you can reuse the information rather than start a new notice from the beginning. The only information that is not copied is the first and last shipment dates and the attachments. Any of the fields can be changed before you submit the notice to Environment Canada.

**Manage My Info:** The Manage My Info section, accessible from the top menu bar of the screen, is where you manage the information for the Canadian exporter/importer, and all of the foreign receivers/exporters, authorized carriers and authorized facilities that you may need to add to a given notice. See Getting Started: Step 3 below for more information on managing your information.

**Submit Changes:** Once you have submitted a notice, the system allows you to make changes and “re-submit” the revised notice to Environment Canada. A notice can be revised as many times as necessary up until the notice status has changed to “Completed”. To revise a notice, click on the Notice Reference Number in the table on your dashboard and then click on “Edit/View Notice” in the top right-hand corner of the screen. When you are done editing the notice, click on the “Submit Notice” tab to re-submit the notice.

**Delete Notice:** Notices can only be deleted when the status is “In Progress”. To delete a notice, click on the Notice Reference Number in the table on your Dashboard and then press “Delete Notice”. The next screen will ask you to re-confirm that you want to delete the notice just in case you accidentally opened the wrong one. If you are sure you want to delete the notice, click on “Delete Notice”. To delete a notice that has already been submitted to Environment Canada, please contact 1-844-524-5295.

**Find Notice:** The “Find Notice” feature, accessible from the top menu bar of the screen, allows you to search all of the notices that belong to any organizations for which you have access to in Environment Canada’s Single Window system. You

can refine your search with the criteria provided, such as permit type, exporter name and importer name.

**Official Documents:** When Environment Canada issues an official document for a notice (e.g. acknowledgement of receipt, permit), the document in PDF format will be uploaded into the system and an email will be sent to the contact on the Canadian Exporter tab or Canadian Importer tab, depending on the type of permit. To view or download an official document, open the notice from the table on the Dashboard or the search results on the Find Notice page, and then click on the “Official Documents” tab. All of the official documents that have been issued will be listed with links. Simply click on the link to view or save the document.

**Bulk Upload:** Companies who want to submit more than one notice at the same time to Environment Canada can use the Bulk Upload option. In this option, a company designs its own system to produce an XML file that includes all of the information for multiple import or export notices. The company then uploads the XML file and the necessary attachments to the Online Notification and Permit System, and submits the entire package to Environment Canada. Environment Canada will receive and process each notice individually. Similar to the online submission of single notices, the company is able to track the status of each notice submitted by bulk upload on its Dashboard.

## 6.3 Getting Started

### ***Step 1: Sign in to Environment Canada’s Single Window and Create Your Profiles***

The Online Notification and Permit System is accessed through [Environment Canada’s Single Window web site](#). The Single Window system consists of three components: GCKey, Single Window Information Manager (SWIM) and various online systems used by Environment Canada programs, including the Online Notification and Permit System for the *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations*.

#### ***Sign in with a GCKey***

Go to [Environment Canada’s Single Window web site](#). The first screen on the Single Window web site provides two options to sign in. Click on “Continue to GCKey”. Sign in if you already have a GCKey. If this is your first time using the Single Window system, click on “Register for a new GCKey” and follow the instructions on the screens. Once you have finished, press “Continue”. You are now logged in SWIM.

## ***Managing your User and Organization Profiles in SWIM***

If you already have an existing user profile associated with your GCKey, make sure it is up-to-date.

If you have entered SWIM for the first time, please follow the instructions in [Tutorial 1 of the Single Window User Guide](#) to complete your user profile.

The next step is to link your user profile to an organization and to complete your organization's profile. Click on "Organizations" in the left-hand menu and follow the instructions in [Tutorial 2](#) and [Tutorial 3](#) of the Single Window User Guide.

**Note:** It is important that you add as much information as possible in your user profile and your organization(s) profile(s) even though there are minimal mandatory fields (e.g. business number). This is because the Online Notification and Permit System pulls some of the information and it can only be edited in SWIM. Ensuring your profiles are complete and accurate in SWIM first will save you time when you fill out the online notice form in the Online Notification and Permit System.

If you have any questions about Single Window or setting up your profiles, please refer to the [Single Window User Guide](#) or contact the Single Window team by email at [SS\\_Admin@ec.gc.ca](mailto:SS_Admin@ec.gc.ca).

### ***Step 2: Launch the Online Notification and Permit System***

Once you have finished creating/updating your profiles in SWIM, click on the "Home" hyperlink, located at the top of the left-hand menu in SWIM, and then click on *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations* in the list of modules on the SWIM Home page. The next screen will be the Dashboard of the Online Notification and Permit System.

### ***Step 3: Choose Option A or Option B for submitting your notices***

Option A is about building a library of information that will allow you to create or clone single notices and submit them to Environment Canada one at the time. If you choose Option A, refer to steps 4 to 7 only.

Option B is about designing your own system to produce an XML file that includes the information for multiple import or export notices that will be submitted to Environment Canada at the same time. If you choose Option B, proceed directly to step 8.

#### **Step 4: Manage My Info**

Before you begin working on a notice in the online system, it is recommended that you go to the Manage My Info section, accessible from the top menu bar on the Dashboard. This is where you will enter the information for the Canadian exporter/importer and any additional Canadian shipping/receiving sites, if required, as well as all of the foreign receivers/exporters, authorized carriers, and authorized facilities that you may need to add to any given notice. Once the information is entered in Manage My Info, it will be available to be added to individual notices, as required, but it always remains in the Manage My Info section.

When you click on “Manage My Info”, the first screen will ask you to select an organization from the drop-down list. The names of the organizations that your profile is connected to in SWIM will appear in this list. If the name you want to select is not in the list, you will need to ensure that your user profile is connected to the appropriate organization in SWIM before continuing.

#### **Manage My Info Tabs:**

- **Canadian Exporter/Importer:** This tab contains two sections: My Organization and Canadian Shipping/Receiving Sites. Click on “Edit” in the table under My Organization to manage the information for the Canadian exporter/importer on the notice. Some information on this tab is pre-filled from SWIM: name, mailing address, contacts, and business number (business number is pulled from SWIM for organizations, but not for facilities). If you need to update this information, you need to go back to SWIM (refer to the [Single Window User Guide](#) for assistance). The information for the shipping/receiving sites owned by the Canadian exporter/importer, as well as the Canadian exporter/importer’s registration number(s) and insurance policy, must be entered manually.

To add a shipping/receiving site that is located in Canada but owned by a different company other than the Canadian exporter/importer, click on “Create New Shipping/Receiving Site” and fill out the form. Each time you create a new shipping/receiving site, it will appear in a table under Canadian Shipping/Receiving Sites, with links to edit and remove it from the system.

- **Foreign Receiver/Exporter:** This tab is where you manage the information for all of the foreign companies that need to appear on your notices as either the foreign receiver or the foreign exporter, depending on the type of permit. To add a foreign company, click on “Create New Foreign Receiver/Exporter” and fill out the form. Each time you create a new foreign receiver/exporter, it will appear in a table with links to edit and remove it from the system.

- **Authorized Carriers:** This tab is where you manage the information for all of the carriers that need to appear on your notices. To add a carrier, click on “Create New Authorized Carrier” and fill out the form. Each time you create a new carrier, it will appear in a table with links to edit and remove it from the system.
- **Authorized Facilities:** An authorized facility is required when the notice includes any hazardous waste or hazardous recyclable materials that will be disposed of or recycled using an interim operation. This tab is where you manage the information for the authorized facilities that will carry out the final disposal or recycling of the waste or recyclable materials on your notices using a final operation other than D13, D14, D17, R12, R13 or R16. If the facility is authorized to carry out more than one type of disposal or recycling operation, select all of the codes that apply. Each time you create a new authorized facility, it will appear in a table with links to edit and remove it from the system.

### ***Changing, Deleting, or Adding Information in Manage My Info:***

If you make changes to any information in Manage My Info, including deletions, the changes will be applied automatically to any notice in progress that has not yet been submitted to Environment Canada. Changes are not applied to notices that have been submitted to Environment Canada. Any new information that is added in Manage My Info while a notice is in progress, for example a new carrier, will not be added automatically to the notice. If you want to add the new carrier to the draft notice, you will need to open the notice and select the carrier from the drop-down list available on the Authorized Carriers tab.

### ***Step 5: Start New Single Notice***

Click on “Start New Single Notice” in the top menu bar to begin working on an export or import notice. You can either start a new export or import notice from the beginning or clone an existing draft or submitted online notice.

If you choose to start a new notice from the beginning, the name of the Canadian exporter/importer, depending on the type of permit, is pulled from Environment Canada’s Single Window Information Manager (SWIM). If your profile is connected to more than one organization in SWIM, you will be provided with a drop-down list of organizations. Click on the name of the organization for which you want to submit a notice.

Next, select the type of permit and then select one of the following three treatment options (a separate notice must be completed for each option selected, even if the rest of the information on the notice is the same):

- Option 1: Disposal, Schedule 1 of the Regulations, if the waste is destined for disposal,
- Option 2: Recycling, Schedule 2 of the Regulations, if the material is destined for recycling,
- Option 3: Recycling, Pre-Approved Facility, if the hazardous recyclable material is destined for recycling at a pre-approved facility (Pre-approval is discussed further in section 13 of this guide).

When you are done, press “Start Notice”. Note: Once you have pressed "Start Notice", the selections that you made on this screen cannot be changed. If you need to change a selection, you will need to delete the notice and start a new one.

Once you have started a notice, it will always be accessible from the table on the Dashboard.

### ***Step 6: Complete the Notice***

The online notice is divided into separate tabs. See section 5.8 of this guide for detailed instructions on how to complete each tab or send an email to [notification@ec.gc.ca](mailto:notification@ec.gc.ca) for assistance.

When you have completed a tab, click on “Validate”, correct the errors, if any, and then press “Save/Continue” to move to the next tab in the notice. After 20 minutes of inactivity, the system will log you out and any unsaved work will be lost. Therefore it is recommended that you save your work frequently.

### ***Step 7: Submit the Notice***

Once you have completed all of the tabs in the notice and uploaded your attachments, click on the “Submit Notice” tab. The system will run a complete validation test on the notice. If there are any errors, they will be displayed on the screen and you will need to go back and fix them. When the notice passes validation, you will see a preview of the entire notice. Review the notice one last time to make sure all of the information is accurate. When you are ready to submit the notice, check the box indicating that you have read the “Statement of Person Submitting the Notice”, enter your name and telephone number and then press “Submit”.

Note: The name of the person submitting the notice is the name that appears in the top left-hand corner of the permit.

### ***Step 8: Submitting a Bulk Upload***

First, make sure that your own system is designed to produce XML files that are compatible with the requirements set by Environment Canada. The XML file needs to conform to the structure described in the XSD and the rules outlined in the XML Data Exchange Guide. This technical documentation is available in the Submit



Bulk Upload section accessible from the top menu bar of the Online Notification and Permit System. Steps to access the system are specified in [section 6.3 of the EIHWHRMR User Guide](#). Second, when you are ready to submit a bulk upload, log in to the Online Notification and Permit System.

Once in the system, click on “Submit Bulk Upload” in the top menu bar to begin working on your upload and then click on “Start a New Bulk Upload”. If your profile is authorized to be connected to more than one organization, select the organization from the drop-down menu for which the XML file will be submitted , press “Browse” to locate the XML file that you wish to submit, and then press “Upload”. The file will then be validated. Any errors will appear on the screen and all errors must be corrected before the XML file can submitted.

The Bulk Upload Attachments tab is where you upload all of the attachments that are specified in the XML file under the data elements <supportingNoticeDocumentation>, <supportingInsuranceDocumentation>, and <supportingContractDocumentation>. Attachments can be only uploaded in PDF format. To upload an attachment, press “Browse” to locate the file, and then press “Upload” to attach the file to the submission. The file names of the PDFs must match the names specified in the XML file exactly. See [section 5.8.9 of the EIHWHRMR User Guide](#) for information on the types of documents that are required for the submission of a notice and that could be required as an attachment in a bulk upload of notices.

When you are ready to submit the XML file and the attachments to Environment Canada, click on the Submission Details tab, check the boxes indicating that you have read and agree to both statements, enter your name and telephone number, and press “Submit Bulk Upload”.

Once the XML file and the attachments have been submitted to Environment Canada, every notice contained in the XML file will be assigned a notice reference number automatically. You can view each notice and track their status anytime from the table on your Dashboard.

## **7.0 Appropriate Authorities**

After Waste Reduction and Management Division (WRMD) has received the notification and its accompanying documents, a thorough technical review of the accuracy and completion of the application is conducted. If the notification is found to be satisfactory, the information is forwarded to the receiving jurisdiction.

**In the case of an export**, WRMD submits the notification information to the competent authority in the country of import, as designated by the Basel Convention, for review and consent. For exports to the United States of America (USA), the notification information is sent to the United States Environmental Protection Agency (US EPA).

**In the case of an import**, WRMD submits the notification information to the appropriate authority in the province or territory where the disposal or recycling operation is to take place, since the provinces/territories license the treatment facilities.

Environment Canada must receive acknowledgement from the authority that has jurisdiction over the receiving facility that the hazardous waste or hazardous recyclable material is authorized for disposal or recycling. If any competent authority objects, the shipment cannot proceed.

The Minister will issue a permit once the notification has been satisfactorily completed and all authorizations are in place. No one shall import, export, or transit without a permit.

**Tacit consent** is a government-to-government mechanism under Organization for Economic Co-operation and Development (OECD) Decision C(2001)107/Final and the Canada-USA Agreement. This mechanism allows Environment Canada to issue 30-day tacit consent for hazardous recyclable materials exported to or imported from a country that is party to the OECD Decision. Environment Canada may also issue 30-day tacit consent for hazardous wastes and hazardous recyclable materials under the Canada-USA Agreement. These provisions have not been included in the Regulations, as they are best addressed administratively.

## **8.0 Contracts and Insurance**

### **8.1 What Contracts or Arrangements Are Required?**

Except in cases where Canada is only a country of transit, the Regulations require proof of the existence of a written contract or series of contracts between the Canadian exporter, the foreign receiver, and the authorized facilities (in the case of an export) or between the Canadian importer, foreign exporter, and the authorized facilities (in the case of an import).

If the Canadian exporter buys or sells materials for the purposes of recycling, and exports them to a country that is party to Organization for Economic Co-operation and Development (OECD) Decision C(2001)107/Final, the notifier must have a contract with the facility from which the material will be exported.

If the Canadian importer buys or sells materials for the purpose of recycling, the notifier must have a contract with the facility where the material will be recycled.

Contracts must be signed by all of the parties involved. If the Canadian importer and foreign exporter (or the Canadian exporter and foreign receiver) are the same legal entity, company representatives from both countries must sign the contract.

Copies of all contracts must be submitted to Environment Canada at the same time as the notification information, in order to provide proof that a business arrangement exists between the parties involved.

## **8.2 What Must the Contract Include?**

The contract between the Canadian importer and foreign exporter (in the case of an import) or the Canadian exporter and the foreign receiver (in the case of an export) need not include any confidential financial details. It must, however, contain the following information:

- a description (including the quantity) of the hazardous waste or hazardous recyclable material to be imported, exported,
- a description of and the code for the proposed recycling or disposal operation set out in the notice, as specified in Schedule 1 or 2 of the Regulations
- a term indicating that the hazardous waste or hazardous recyclable material will be disposed of or recycled in accordance with the import or export permit

**For an import into Canada**, the contract must also include

- a statement requiring the foreign exporter to complete Part A of the movement document (or authorizing the Canadian importer to do so on the foreign exporter's behalf only if the waste or material is not considered hazardous under the legislation of the country of export) and provide a copy of both it and the import permit to the first authorized carrier prior to shipment,
- a term requiring the foreign exporter to send a copy of the movement document to the Canadian importer after Part A has been completed by the foreign exporter, Part B has been completed by the first authorized carrier, and the hazardous waste or hazardous recyclable material has been shipped, and
- a term requiring the foreign exporter to take all practicable measures to help the Canadian importer fulfill his or her obligations under the Regulations if delivery is not accepted by the authorized facility indicated in the permit or if the authorized facility refuses to or cannot complete the recycling or disposal operation in accordance with the import permit.

**For an export from Canada**, the contract must also include

- a statement requiring the foreign receiver to complete Part C of the movement document (or authorizing the Canadian exporter to do so on the foreign receiver's behalf only if the waste or material is not considered hazardous under the legislation of the country of import) and provide a copy

of both it and the export permit to the Canadian exporter on delivery of the shipment,

- a term requiring the foreign receiver to complete the disposal of the hazardous waste or the recycling of the hazardous recyclable material within the time frame set out in section 9(o) of the Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations (EIHWHRMR), when applicable,
- a term requiring the foreign receiver to submit a written confirmation of the disposal of the hazardous waste or recycling of the hazardous recyclable material within 30 days after the date on which the disposal or recycling operation is completed; and
- a term requiring the foreign receiver to take all practicable measures to help the Canadian exporter fulfill his or her obligations under the Regulations if delivery is not accepted by the authorized facility indicated in the permit or if the authorized facility refuses to or cannot complete the recycling or disposal operation in accordance with the export permit.

### **8.3 Who Must Be Insured?**

All Canadian exporters, Canadian importers, and authorized carriers of hazardous wastes and hazardous recyclable materials must be covered by liability insurance. All authorized carriers involved in international shipments of hazardous waste in which Canada is concerned must also be insured.

The type, amount, and time period for insurance coverage are described in section 37 of the EIHWHRMR.

### **8.4 What Insurance Coverage Is Required?**

The amount of liability insurance required for exports or imports of hazardous wastes is at least five-million dollars; for exports or imports of hazardous recyclable materials, the minimum is one-million dollars. The Regulations do not specify the amount of liability insurance required for authorized carriers, since these carriers are licensed by provincial or federal authorities, and must comply with the requirements of the jurisdiction in which they operate.

Insurance should cover

- any damage to third parties for which the exporter, importer, or authorized carrier is responsible, and
- any costs imposed by law on the exporter, importer, or authorized carrier to clean up the environment as a result of any hazardous waste being released into the environment.

For imports, insurance must cover liability from the time the hazardous waste enters Canada to the time it is accepted for disposal or recycling at an authorized facility in Canada or, if the waste must be returned, the time it leaves Canada.

For exports, insurance must cover liability arising from the time the hazardous waste leaves the Canadian exporter's shipping site to the time it is accepted for disposal or recycling at an authorized facility, including a facility in Canada if the waste must be returned.

For transits, insurance must cover liability for the duration of the time that the hazardous waste or hazardous recyclable material is in transit in Canada.

## **9.0 Summary of Conditions on Exports, Imports and Transits**

### **9.1 Exports**

#### ***9.1.1 Where the Waste or Material May Be Exported***

An exporter may only export hazardous waste or hazardous recyclable material to countries that are party to the Basel Convention, Organization for Economic Co-operation and Development (OECD) Decision C(2001)107/Final, or the Canada-United States of America (USA) Agreement.

No exports may be shipped south of 60° South latitude or to Antarctica.

#### ***9.1.2 What May Be Exported***

The Regulations set out the conditions for the export of hazardous wastes and hazardous recyclable materials.

Some substances that fall within the Regulations' definition of hazardous waste or hazardous recyclable material may be prohibited from export by other Canadian laws and, therefore, cannot be exported under the Regulations. Other substances have additional conditions placed on them by the Regulations. For example, biomedical waste, as defined by the Regulations, and infectious substances, as set out in the Transportation of Dangerous Goods Regulations (TDGR), may be exported only for disposal.

#### ***9.1.3 Who May Export***

In order to obtain an export permit, a person must meet the conditions of what constitutes an exporter, as set out in the Regulations.

An exporter must be a resident of Canada or, in the case of a corporation, have a place of business in Canada. The exporter must also

- be the owner or operator of a facility from which the waste or material will be exported, or
- buy or sell hazardous recyclable material for the purposes of recycling, and export it to a country that is a party to OECD Decision C(2001)107/Final.<sup>4</sup>

#### **9.1.4 Permits**

A permit will be issued by the Minister only after prior informed consent has been obtained from the authorities in the countries of transit and destination, in accordance with section 185 of *Canadian Environmental Protection Act, 1999* (CEPA 1999).

The conditions that must be met are specified in both the Regulations and the export permit. They are as follows:

- the hazardous waste or hazardous recyclable material must be transported by the authorized carriers named in the export permit
- the waste or material must be exported through the ports of exit named in the export permit
- the quantity of waste or material exported cannot exceed the quantity set out in the export permit
- the waste must be disposed of or the material recycled at the authorized facility named in the export permit, using the disposal or recycling operation set out in the export permit
- the waste or recyclable must be shipped within the valid dates of the permit
- the permit identifies the waste or material that may be shipped

This information is similar to that required for notification. A Canadian exporter may notify Environment Canada with his or her intentions to export hazardous wastes or hazardous recyclable materials, but it is only after a rigorous approval process that a permit will be issued indicating what may be exported and how the export must be carried out.

In addition to meeting the requirements of the export permit, the Canadian exporter or authorized carrier must ensure that copies of both the permit and movement document accompany the waste or material and are deposited at the border.

Shipments of hazardous waste may also be subject to other local, provincial, national, or international laws, regulations, and agreements. The Regulations are meant to complement these additional controls, especially those related to safety. The provisions of the Regulations do not override or replace any other current federal or international laws, regulations, or agreements concerning the

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<sup>4</sup> In such a case, where a broker is acting as the exporter and may not have physical possession of the material, the broker must identify the shipping site in the notice and include a contract with the site as part of the notification.

transportation of dangerous goods under which any given shipment of hazardous waste may be controlled.

It is important to note that most of the wastes and materials subject to the Regulations may also be subject to the TDGR. Exporters and authorized carriers must comply with the applicable Part 4 requirements of the TDGR governing such areas as proper vehicle placarding, labelling and packaging.

### **9.1.5 Time Limits**

The disposal and recycling operations specified in the Regulations are consistent with those set out under Canada's international obligations. These obligations also specify the time within which disposal or recycling must take place.

The following are interim operations that may take place prior to final disposal or recycling:

- D14, D14, or D17
- R12, R13, or R16

The authorized facility (commonly known as a "transfer station") has 180 days to complete these interim disposal or recycling operations, after which time the waste or material must undergo final disposal or recycling.

The authorized facility has one year to complete the operations that constitute final disposal or recycling. If the jurisdictional authority requires final disposal or recycling to be completed within a shorter time frame, the authorized facility must comply with this requirement.

Within 30 days after the date on which the final disposal or recycling took place, the Canadian exporter must provide the Minister with written confirmation that the operation has been completed. There is no prescribed form for this confirmation.

### **9.1.6 Alternate Arrangements**

Section 186 of CEPA 1999 prohibits the abandonment of any waste or material for which a permit has been issued.

Section 9(p) of the *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations* (EIHWHRMR) sets out the conditions that must be followed when

- alternate arrangements are undertaken to dispose of the waste or recycle the material, or
- the waste or material is returned to the original country of export (Section 11).

If the shipment cannot be recycled or disposed of in the manner stated in the export permit (after the transboundary shipment process has begun), the Canadian exporter must

- immediately notify the Minister [through the Waste Reduction and Management Division (WRMD)] and the authority in the country of import that the shipment cannot be accepted, and explain the reason for non-acceptance (e.g., the waste or material may be off-specification or the foreign receiver's facility may not have the technical capability to dispose of or recycle it in an environmentally sound manner),
- ensure that the waste or material is stored at an authorized alternate facility if it cannot be safely stored at the foreign receiver's site (this may be necessary if the receiver's site is not authorized by the jurisdiction to store the material until alternate arrangements have been made), and
- within 90 days after the Minister was notified
- make alternate arrangements for the disposal of the waste or recyclable material in the country of import at a facility other than the one named in the export permit, and provide the Minister with the name and address of the alternate facility and the name of a contact person, or
- return the waste or recyclable material to the exporter's original site in Canada, in accordance with the return conditions.

### **9.1.7 Movement Document**

Before the shipment may begin, the Canadian exporter must complete and sign Part A of the movement document and provide it and a copy of the export permit to the first authorized carrier. The carrier must then complete and sign Part B of the movement document and provide a copy to the exporter. The shipment may then proceed.

The Canadian exporter has three working days after the date on which the waste or material was shipped to submit a copy of the movement document, with Parts A and B completed, to the Minister and, if required, the provincial authority.

A copy of the movement document and export permit must also be deposited at the Canada Customs by the Canadian exporter or authorized carrier. The Canadian exporter must ensure that the foreign receiver completes Part C of the movement document on receipt of the shipment, and provides a copy of the movement document and the export permit to the Canadian exporter. If the waste or material is not regulated as hazardous in the foreign jurisdiction, the exporter may, in accordance with the contract, sign Part C of the document on behalf of the foreign receiver.

The Canadian exporter has three working days after the date on which the hazardous waste or hazardous recyclable material was delivered to the foreign



receiver to provide the movement document, with Parts A, B, and C completed, to the Minister and, if required, the provincial authority.

The following table summarizes the export conditions set out in Part 2 of the Regulations.

<b>Table 2: Conditions on Exports for Disposal or Recycling</b>	
<b>Condition</b>	<b>Description</b>
<b>Applicability</b>	All exports of hazardous waste or hazardous recyclable material from Canada destined for disposal or recycling operations.
<b>General Conditions</b>	<p>The importing country is a party to the Basel Convention, the Canada-USA Agreement, or OECD Decision C(2001)107/Final, and the import is not prohibited by that country.</p> <p>Disposal or recycling will not take place in the Antarctic.</p> <p>The export is not prohibited under Canadian law, nor is its movement prohibited by any countries of transit.</p> <p>Biomedical waste, as defined by the Regulations, and infectious substances, as set out by the TDGR, may be exported for disposal only.</p>
<b>Exporters</b>	<p>The exporter must be a resident of Canada or, in the case of a corporation, have a place of business in Canada, and</p> <ul style="list-style-type: none"> <li>• be the owner/operator of the facility from which the hazardous waste or hazardous recyclable material will be exported, or</li> <li>• buy or sell hazardous recyclable material for the purposes of recycling for export to a country that is a party to OECD Decision C(2001)107/Final.</li> </ul>
<b>Insurance</b>	The Canadian exporter and authorized carriers must be insured (see section 37 of the EIHWHRMR).
<b>Contracts</b>	<p>There is a signed, written contract between the Canadian exporter, the foreign receiver, and the authorized facilities containing</p> <ul style="list-style-type: none"> <li>• a description (including the quantity) of the hazardous waste or hazardous recyclable material to be exported,</li> <li>• the code and description of the proposed disposal or recycling operation as defined in Schedule 1 or 2, respectively, of the EIHWHRMR,</li> <li>• a requirement that the foreign receiver submit written</li> </ul>

**Table 2: Conditions on Exports for Disposal or Recycling**

Condition	Description
	<p>confirmation to the Canadian exporter of the completion of the disposal or recycling operation within 30 days after the date on which it occurs, and</p> <ul style="list-style-type: none"> <li>• a statement that, if the waste or material is accepted but disposal or recycling cannot occur, the foreign importer will help the Canadian exporter meet his or her obligations under the Regulations.</li> </ul>
<b>Permit</b>	<p>No shipment can proceed unless the Minister is notified and an export permit is issued. Under the Regulations, notification serves as the application for the permit.</p> <p>The conditions that must be met are set out in both the Regulations and the export permit.</p>
<b>Movement Document</b>	<p>The notice number and line-item number of the hazardous waste or hazardous recyclable material must appear on the movement document. The Canadian exporter must complete Part A of the document, the carrier Part B, and the foreign receiver Part C.</p> <p>The Canadian exporter and every authorized carrier must keep a copy of the movement document at their principal place of business for a period of three days after the date of export.</p>
<b>Transport Issues</b>	<p>Copies of the movement document and export permit issued by Environment Canada must be deposited at Canada Customs.</p> <p>The appropriate safety mark must be displayed on each shipment of hazardous waste or hazardous recyclable material, in accordance with Part 4 of the TDGR.</p>
<b>Authorized Facility</b>	<p>Where a hazardous waste or hazardous recyclable material has been exported out of Canada and subjected to operations D13, D14, or D17 of Schedule 1 or R12, R13, or R16 of Schedule 2 of the EIHWHRMR, the waste or material must be disposed of or recycled at an authorized facility (submitted in accordance with section 8(v) of the Regulations) using an operation other than D13, D14, D17, I R12, R13, or R16. The disposal or recycling operation must be completed within 180 days after the date on which the hazardous waste or hazardous recyclable material was accepted by the authorized facility.</p>

## **9.2 Imports**

### **9.2.1 Where the Waste or Material May be Imported**

An importer may only import hazardous waste or hazardous recyclable material from countries that are party to the Basel Convention, OECD Decision C(2001)107/Final, or the Canada-USA Agreement.

### **9.2.2 What May Be Imported**

The Regulations set out the conditions for the import of hazardous waste and hazardous recyclable material.

Some substances that fall within the Regulations' definition of hazardous waste or hazardous recyclable material may be prohibited from import by other Canadian laws and, therefore, cannot be imported under the Regulations. Other substances have additional conditions placed on them by the Regulations. For example, biomedical waste, as defined by the Regulations, and infectious substances, as set out in the TDGR, may be imported only for disposal.

### **9.2.3 Who May Import**

In order to obtain an import permit, a person must meet the conditions of what constitutes an importer, as set out in the Regulations.

An importer must be a resident of Canada or, in the case of a corporation, have a place of business in Canada. The importer must also

- be the owner or operator of a facility to which the waste or material will be imported, or
- buy or sell hazardous recyclable material for the purposes of recycling.<sup>5</sup>

### **9.2.4 DND Exemption**

The Regulations exempt the DND from the conditions for importing hazardous wastes and hazardous recyclable materials (specified in sections 16 to 21 of the Regulations).

The stipulations governing this exemption are that

- the hazardous waste must be generated by DND in the course of an operation it conducted outside of Canada,

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<sup>5</sup> Note that this is not limited to imports from OECD countries. In the case of recyclable material, a broker may, therefore, act as the importer. The broker must identify the receiving site in the notice and include a contract with the site as part of the notification.

- the hazardous waste must be transported from the site of operation to a defence establishment defined in section 2 of the *National Defence Act*, and
- the hazardous waste must be under the authority of the Minister of National Defence.

### **9.2.5 Permits**

An import permit will be issued by the Minister only after prior informed consent has been obtained from the authorities of the countries of transit and the provincial authority of destination, in accordance with section 185 of CEPA 1999.

The conditions that must be met are specified in both the Regulations and the import permit. They are as follows:

- the hazardous waste or hazardous recyclable material must be transported by the authorized carriers named in the import permit
- the waste or material must be imported through the ports of entry named in the import permit
- the quantity of waste or material exported cannot exceed the quantity set out in the import permit
- the waste must be disposed of or the material recycled at the authorized facility named in the import permit, using the disposal or recycling operation set out in the import permit
- the waste or recyclable must be shipped within the valid dates of the permit
- the permit identifies the waste or material that may be shipped

This information is similar to that required for notification. A Canadian importer may notify Environment Canada with his or her intentions to import hazardous waste or hazardous recyclable material, but it is only after a rigorous approval process that a permit will be issued indicating what may be imported and how the import must be carried out.

In addition to meeting the requirements of the import permit, the Canadian importer or authorized carrier must ensure that copies of both the permit and movement document accompany the waste or material and are deposited at the border.

Shipments of hazardous wastes or hazardous recyclable material may be subject to other local, provincial, national, or international laws, regulations, and agreements. The Regulations are meant to complement these additional controls, especially those related to safety. The provisions of the Regulations do not override or replace any other current federal or international laws, regulations, or agreements concerning the transportation of dangerous goods under which any given shipment of hazardous waste or hazardous recyclable material may be controlled.

It is important to note that most of the wastes and materials subject to the Regulations may also be subject to the TDGR. Canadian importers and authorized carriers must comply with the applicable Part 4 requirements of the TDGR governing such areas as proper vehicle placarding, labelling, and packaging.

### **9.2.6 Time Limits**

The disposal and recycling operations specified in the Regulations are consistent with those set out under Canada's international obligations. These obligations also specify the time within which disposal or recycling must take place.

The following are interim operations that may take place prior to final disposal or recycling:

- D14, D14, or D17
- R12, R13, or R16

The authorized facility (commonly known as a "transfer station") has 180 days to complete these interim disposal or recycling operations, after which time the waste or material must undergo final disposal or recycling.

The authorized facility has one year to complete the operations that constitute final disposal or recycling. If the jurisdictional authority requires final disposal or recycling to be completed within a shorter time frame, the authorized facility must comply with this requirement.

Within 30 days after the date on which the final disposal or recycling took place, the Canadian importer must provide the Minister with written confirmation that the operation has been completed. There is no prescribed form for this confirmation.

### **9.2.7 Alternate Arrangements**

Section 186 of CEPA 1999 prohibits the abandonment of any waste or material for which a permit has been issued.

Section 16(o) of the EIHWHRMR sets out the conditions that must be followed when

- alternate arrangements are undertaken to dispose of the waste or recycle the material, or
- the waste or material is returned to the original country of export (see Section 11 of this document).

If the shipment cannot be recycled or disposed of in the manner stated in the import permit (after the transboundary shipment process has begun), the Canadian importer must

- immediately notify the Minister (through the WRMD) and the authority in the country of export that the shipment cannot be accepted, and explain the reason for non-acceptance,
- ensure that the waste or material is stored in an authorized alternate facility if it cannot be safely stored at the importer's site (this may be necessary if the importer's site is not authorized by the jurisdiction to store the material until alternate arrangements have been made), and
- within 90 days after the Minister was notified
  - make alternate arrangements for the disposal of the waste or recyclable material in Canada at a facility other than the one named in the import permit, and provide the Minister with the name and address of the alternate facility and the name of a contact person (before shipping the waste or recyclable material to the alternate facility, the Canadian importer must receive confirmation from the Minister that the facility is authorized), or
  - return the waste or recyclable material to the foreign exporter's original site, in accordance with the return conditions.

### **9.2.8 Movement Document**

Before the import may begin, the Canadian importer must provide the foreign exporter with a copy of the movement document and import permit. In accordance with the contract, the foreign exporter must complete and sign Part A of the movement document and provide it and a copy of the import permit to the first authorized carrier. If the waste or material is not regulated as hazardous in the foreign jurisdiction, the importer may, in accordance with the contract, sign Part A on behalf of the foreign exporter.

The first authorized carrier must complete and sign Part B of the movement document and provide a copy to the foreign exporter. The shipment may then proceed.

The foreign exporter must provide the Canadian importer with a copy of the movement document, with Parts A and B completed, at the commencement of the shipment. The Canadian importer has three working days after the date on which the waste or material was shipped to submit a copy of the movement document, with Parts A and B completed, to the Minister and, if required, the provincial authority.

A copy of the movement document and permit must also be deposited at Canada Customs by the Canadian importer or authorized carrier. The Canadian importer must complete Part C of the movement document upon receipt of the shipment.

The importer has three working days after the date on which the delivery was received to provide the movement document, with Parts A, B, and C completed, to the Minister and, if required, the provincial authority.

The following table summarizes the import conditions set out in Part 3 of the Regulations.

<b>Table 3: Conditions on Imports for Disposal or Recycling</b>	
<b>Condition</b>	<b>Description</b>
<b>Applicability</b>	All imports of hazardous waste or hazardous recyclable material into Canada destined for disposal or recycling operations.
<b>General Conditions</b>	<p>The exporting country is a party to the Basel Convention, the Canada-USA Agreement, or OECD Decision C(2001)107/Final, and the export is not prohibited by that country.</p> <p>The import is not prohibited under Canadian law, nor is its movement prohibited by any countries of transit.</p> <p>Biomedical waste, as defined by the Regulations, or infectious substances, as set out by the TDGR, may be imported only for disposal.</p>
<b>Importers</b>	<p>The importer must be a resident of Canada or, in the case of a corporation, have a place of business in Canada, and</p> <ul style="list-style-type: none"> <li>• be the owner/operator of the facility to which the hazardous waste or hazardous recyclable material will be imported, or</li> <li>• buy or sell hazardous recyclable material for the purposes of recycling.</li> </ul>
<b>Insurance</b>	The Canadian importer and authorized carriers must be insured (see section 37 of the EIHWHRMR).
<b>Contracts</b>	<p>There is a signed, written contract between the Canadian importer, foreign exporter, and the authorized facilities containing</p> <ul style="list-style-type: none"> <li>• a description (including the quantity) of the hazardous waste or hazardous recyclable material to be imported,</li> <li>• the code and description of the proposed disposal or recycling operation as defined in Schedule 1 or 2, respectively, of the EIHWHRMR,</li> <li>• a requirement that the foreign exporter send a copy of the movement document to the Canadian importer once Part A and B have been completed and the hazardous waste or hazardous recyclable material has been shipped, and</li> <li>• a statement that, if the waste or material is accepted but</li> </ul>

<b>Table 3: Conditions on Imports for Disposal or Recycling</b>	
<b>Condition</b>	<b>Description</b>
	disposal or recycling cannot occur, the foreign exporter will help the Canadian importer fulfill his or her obligations under the Regulations.
<b>Permit</b>	No shipment can proceed unless the Minister is notified and an import permit is issued. Under the Regulations, notification serves as the application for the permit.  The conditions that must be met are set out in both the Regulations and the import permit.
<b>Movement Document</b>	The notice number and line-item number of the hazardous waste or hazardous recyclable material must appear on the movement document. The foreign exporter must fill out Part A of the movement document, the authorized carrier Part B, and the Canadian importer Part C.  The Canadian importer and every authorized carrier must keep a copy of the movement document at their principal place of business for a period of three days after the date of import.
<b>Transport Issues</b>	Copies of the movement document and import permit issued by Environment Canada must be deposited at Canada Customs.  The appropriate safety mark must be displayed on each shipment of hazardous waste or hazardous recyclable material in accordance with Part 4 of the TDGR.
<b>Authorized Facility</b>	Where a hazardous waste or hazardous recyclable material has been imported into Canada and subjected to operations D13, D14, or D17 of Schedule 1 or R12, R13, or R16 of Schedule 2 of the EIHWRMR the waste or material must be disposed of or recycled at an authorized facility (submitted in accordance with section 8(v) of the Regulations) using an operation other than D13, D14, D17, R12, R13, or R16. The disposal or recycling operation must be completed within 180 days after the date on which the hazardous waste or hazardous recyclable material was accepted by the authorized facility.

### 9.3 Transits

#### 9.3.1 What Constitutes a Transit

There are two types of transits that may occur under CEPA 1999 and the Regulations:



- a transit through Canada (e.g., from Alaska through British Columbia to Seattle, or from France through Canada to the USA)
- a transit through a country other than Canada (e.g., from Alberta through the United States to southwestern Ontario)

Put simply, a transit is basically the import of hazardous waste or hazardous recyclable material into Canada and the subsequent export of the waste of material from Canada, or vice versa.

### **9.3.2 What May Be Conveyed in Transit**

The Regulations set out the conditions for the transit of hazardous wastes and hazardous recyclable materials.

Some substances that fall within the Regulations' definition of hazardous waste or hazardous recyclable material may be prohibited from import, export, or transit by other Canadian laws and, therefore, cannot be conveyed in transit under the Regulations.

### **9.3.3 Permits**

A transit permit will be issued by the Minister only after prior informed consent has been obtained from the authorities of the countries of transit, in accordance with section 185 of CEPA 1999.

The conditions that must be met are specified in both the Regulations and the transit permit. They are as follows:

- the hazardous waste or hazardous recyclable material must be transported by the authorized carriers named in the transit permit
- the waste or material must be exported through the ports of exit and entry named in the transit permit
- the quantity of waste or material exported cannot exceed the quantity set out in the transit permit
- the waste or recyclable must be shipped within the valid dates of the permit
- the permit identifies the waste or material that may be shipped

In addition to meeting the requirements of the transit permit, the Canadian exporter or foreign exporter must ensure that copies of both the permit and movement document accompany the waste or material, and are deposited at Canada Customs.

Shipments of hazardous waste or hazardous recyclable material may be subject to other local, provincial, national, or international laws, regulations, and agreements. The Regulations are meant to complement these additional controls, especially those related to safety. The provisions of the Regulations do not override or

replace any other current federal or international laws, regulations, or agreements concerning the transportation of dangerous goods under which any given shipment of hazardous waste or hazardous recyclable material may be controlled.

It is important to note that most of the wastes and materials subject to the Regulations may also be subject to the TDGR. Exporters and authorized carriers must comply with the applicable Part 4 requirements of the TDGR governing such areas as proper vehicle placarding, labelling, and packaging.

### **9.3.4 Movement Document**

**For transit through Canada:** Before the transit may begin, the first authorized carrier must ensure that the foreign exporter has completed and signed Part A of the movement document. The first authorized carrier must complete and sign Part B of the movement document and provide a copy to the foreign exporter. The shipment may then proceed.

The authorized carrier has three working days after the date on which the waste or material exited Canada to provide a copy of the movement document, with Parts A and B completed, to the Minister and, if required, the provincial authority. The carrier must also deposit a copy of the movement document and transit permit at Canada Customs.

**For transit through a country other than Canada:** Before the shipment may begin, the Canadian exporter must complete and sign Part A of the movement document and provide it and a copy of the transit permit to the first authorized carrier. The first authorized carrier must complete and sign Part B of the movement document and provide a copy to the Canadian exporter.

The Canadian exporter has three working days after the date on which the waste or material was shipped to provide a copy of the movement document, with Parts A and B completed, to the Minister and, if required, the provincial authority. The Canadian exporter or the authorized carrier must also deposit a copy of the movement document and permit at Canada Customs.

The Canadian importer must complete Part C of the movement document, and has three working days after the date on which the delivery was received to provide the movement document, with Parts A, B, and C completed, to the Minister and, if required, the provincial authority.

The following table summarizes the transit conditions set out in Part 4 of the Regulations.

<b>Table 4: Transits for Disposal or Recycling</b>	
<b>Condition</b>	<b>Description</b>

<b>Table 4: Transits for Disposal or Recycling</b>	
<b>Condition</b>	<b>Description</b>
<b>Applicability</b>	All hazardous wastes and hazardous recyclable materials that are being conveyed in transit through Canada.
<b>General Conditions</b>	The export or import is not prohibited under Canadian law, nor does the country of transit object to the transit through its territory.
<b>Insurance</b>	In the case of a transit through Canada, the authorized carrier must be insured; for transits through a country other than Canada, the Canadian exporter and the authorized carrier must be insured (see section 37 of the EIHWRMR).
<b>Permit</b>	No shipment can proceed unless the Minister is notified and a transit permit is issued. Under the Regulations, notification serves as the application for the permit.  The conditions that must be met are set out in both the Regulations and the permit.
<b>Movement Document</b>	The notice number and line-item number from the transit permit must appear on the movement document. The exporter (Canadian or foreign) must fill out Part A of the movement document, the authorized carrier Part B, and (if applicable) the Canadian importer Part C.
<b>Transport Issues</b>	Copies of the movement document and transit permit issued by Environment Canada must be deposited at Canada Customs.  The appropriate safety mark must be displayed on each shipment of hazardous waste or hazardous recyclable material, in accordance with Part 4 of the TDGR.

## **10.0 Movement Document**

### **10.1 What Is the Movement Document?**

The movement document is a form that provides detailed information on the types and amounts of hazardous wastes or hazardous recyclable materials being shipped, a record of the various firms or individuals involved in the shipment, and information on the treatment, storage, and disposal of the wastes or materials when they reach their final destination.

The document is made up of three separate parts, and has six copies. These copies are intended to make it easier for all parties involved to meet the necessary completion and distribution requirements. The movement document is found in Schedule 9 of the EIHWRMR).

## **10.2 When Must the Movement Document Be Used?**

Canada's international agreements require that the waste or material be accompanied by a movement document from the time it is shipped to the time it is received.

The movement document serves the needs of both the federal and provincial/territorial governments with respect to the tracking of hazardous wastes and hazardous recyclable materials.

Requirements for the distribution of copies of the movement document may differ among various provincial and territorial jurisdictions. For example, some require an original, signed movement document, while for others a copy is sufficient.

Movement documents may also be required by some jurisdictions for waste other than hazardous waste and hazardous recyclable material. Exporters, importers, and carriers are encouraged to contact the appropriate jurisdictions to determine provincial/territorial requirements.

## **10.3 Who Must Complete the Movement Document?**

The movement document is made up of three separate parts:

- Part A must be completed by the Canadian exporter or foreign exporter of the hazardous waste or hazardous recyclable material
- Part B must be completed by the authorized carrier of the hazardous waste or hazardous recyclable material
- Part C must be completed by the Canadian importer or foreign receiver of the hazardous waste or hazardous recyclable material

For tracking purposes, in an international shipment of hazardous waste or hazardous recyclable material, the person who exports acts as the consignor and the person who imports acts as the consignee. Individuals completing the movement document must print clearly and press firmly.

## **10.4 What Are the Requirements When Importing, Exporting, or Transiting Hazardous Waste or Hazardous Recyclable Material?**

The Basel Convention, which Canada ratified in August 1992, prohibits the shipment of hazardous wastes and hazardous recyclable materials across international borders without prior notification and approval.

International shipments of wastes or materials that pass into, through, or out of Canada are subject to the requirements of the EIHWHRMR. The Regulations, made pursuant to *Canadian Environmental Protection Act, 1999* (CEPA 1999),

contain a number of documentation requirements, including the use of a movement document.

Individuals or corporations wishing to transport hazardous wastes or hazardous recyclable materials for import to, export from, or transit through Canada (or from Canada, transiting through the United States of America (US), and back into Canada) should contact the appropriate authority for international shipments (see Annex D). Knowledge of the requirements that must be met reduces the risk of shipments of hazardous waste or hazardous recyclable material being held up in transit or rejected at a border crossing.

## **10.5 Responsibilities Associated with the Movement Document**

### ***10.5.1 International Shipments***

#### ***Responsibilities of the Canadian Exporter and the Foreign Exporter***

The Canadian exporter is responsible for ensuring that copies of the movement document are properly completed and distributed to the foreign receiver, to the appropriate authorities (Environment Canada and the province or territory of origin) and to the authorized carrier.

- The Canadian exporter or foreign exporter completes Part A of the movement document.
- The Canadian exporter or foreign exporter detaches Copy 1. The Canadian exporter sends it (or a copy) to the Minister and, if required, to the appropriate authority of the province or territory of origin.
- The Canadian exporter or foreign exporter retains Copy 2.

#### ***Responsibilities of the Carrier***

- The authorized carrier completes Part B.
- The carrier carries the remaining four copies (copies 3, 4, 5, and 6) along with the shipment.
- Upon delivery of the shipment to the Canadian importer or foreign receiver, the carrier gives copies 3, 4, 5, and 6 to the Canadian importer's or foreign receiver's authorized representative.

#### ***Responsibilities of the Canadian Importer and the Foreign Receiver***

The Canadian importer is responsible for ensuring that copies of the movement document are properly completed and distributed to the foreign exporter, to the appropriate authorities at Environment Canada and the province or territory of destination and to the authorized carrier.

- The Canadian importer or foreign receiver completes Part C of the movement document.
- The Canadian importer sends Copy 3 (or a copy) to the Minister and, if required, to the appropriate authority in the province/territory of destination.
- The Canadian importer or foreign receiver also distributes copies 4 and 6 to the authorized carrier(s), and retains Copy 5.

### ***Multiple Carrier Form***

If more than one authorized carrier is utilized by the same Canadian exporter or foreign exporter for hazardous wastes or hazardous recyclable materials being sent in the same shipment to the same Canadian importer or foreign receiver, an additional document detailing the required authorized carrier information may be attached to the movement document. The person completing the additional document must ensure that it also contains the movement document reference number.

The above option is not available in jurisdictions where provincial/territorial legislation requires the use of additional movement documents when more than one authorized carrier is used for shipment into, out of, or through the jurisdiction.

If more than four hazardous wastes from the same Canadian exporter or foreign exporter are to be sent in the same shipment, additional movement documents must be completed. The person completing the additional movement document must ensure that it contains the first movement document reference number.

## **10.6 Instructions for Completing Each Item on the Movement Document**

### ***10.6.1 Part A. Generator/Consignor or Canadian Exporter/Foreign Exporter***

1. Identify the company name, provincial identification number or registration number, civic and mailing addresses, e-mail address, and telephone number of the generator/consignor or the Canadian exporter/foreign exporter and the address of the site from which the hazardous waste or hazardous recyclable material will be shipped.
2. Identify the company name, registration number or provincial identification number, civic and mailing addresses, e-mail address, and telephone number of the intended receiver/consignee or Canadian importer/foreign receiver, and the address of the site intended to receive the hazardous waste or hazardous recyclable material.
3. For each hazardous waste or hazardous recyclable material, identify the provincial code for the jurisdiction to which it is being shipped.
4. In accordance with the Transportation of Dangerous Goods Regulations (TDGR), identify the proper shipping name or description of each hazardous waste or hazardous recyclable material.

5. In accordance with the TDGR, identify the primary and subsidiary classes of each hazardous waste or hazardous recyclable material listed.
6. In accordance with the TDGR, identify the United Nations (UN) number for each hazardous waste or hazardous recyclable material listed.
7. In accordance with the TDGR, identify the packing group code (I very dangerous; II dangerous; III moderately dangerous) or the risk group (IV most dangerous infectious substances; III infectious substances that are less dangerous than Group 1A; II infectious substances that are less dangerous than Group 1B) for each hazardous waste or hazardous recyclable material listed.
8. Identify the quantity shipped (in kilogram or litre) and number of units of each hazardous waste or hazardous recyclable material listed.
9. Identify the number of packages shipped of each hazardous waste or hazardous recyclable material listed, and the type of packaging used, using the Int. Ext. Code: **01** drum; **02** tank; **03** bulk; **04** carton; **05** bag; **06** roll off or lugger; and **07** other.
10. Identify the physical state of each hazardous waste or hazardous recyclable material listed.

For international shipments, identify the LSPG Code (the code starts with “L” for liquids, “S” for solids, “P” for sludges and “G” for gases, and includes a number that identifies the generic type of potential hazardous waste or hazardous recyclable material). ([Table 4 of the Guide to Classification](#))

**Note that elements 11 to 19 apply to international shipments only.**

These information requirements match the hazardous waste and hazardous recyclable material descriptions found on the corresponding permit. For permits issued under the former EIHWR, the Basel, Organization for Economic Co-operation and Development (OECD), and “Y” codes can be left blank.

11. Identify the notice number and notice-line number of each hazardous waste or hazardous recyclable material listed.
12. Identify the shipment number and total proposed number of shipments of each hazardous waste or hazardous recyclable material listed.
13. Identify the disposal (D) or recycling (R) code for the operation for which each hazardous waste or hazardous recyclable material listed is intended. ([Table 2 of the Guide to Classification](#)) ([Table 3 of the Guide to Classification](#))
14. Identify the “C” code for the contaminants present in each hazardous waste or hazardous recyclable material listed. ([Table 5 of the Guide to Classification](#))
15. Identify the Basel Annex VIII code, as set out in List A of Annex VIII of the Convention, or the OECD Code, as set out in Part II of Appendix 4 to Decision C(2001)107/Final (if different than Basel), for each hazardous waste and hazardous recyclable material listed. ([Table 9 of the Guide to Classification](#))

16. Identify the “H” code for the potential hazardous characteristics of each hazardous waste or hazardous recyclable material listed. ([Table 6 of the Guide to Classification](#))
17. Identify the “Y code” for the category of each hazardous waste or hazardous recyclable material listed. ([Table 8 of the Guide to Classification](#))

### **Annex I of the Basel Convention - Categories of Wastes to be Controlled**

- a. To facilitate the application of this Convention, and subject to paragraphs (b), (c), and (d), wastes listed in Annex VIII are characterized as hazardous pursuant to Article 1, paragraph 1 (a), of this Convention, and wastes listed in Annex IX are not covered by Article 1, paragraph 1 (a), of this Convention.
  - b. Designation of a waste on Annex VIII does not preclude, in a particular case, the use of Annex III to demonstrate that a waste is not hazardous pursuant to Article 1, paragraph 1 (a), of this Convention.
  - c. Designation of a waste on Annex IX does not preclude, in a particular case, characterization of such a waste as hazardous pursuant to Article 1, paragraph 1 (a), of this Convention if it contains Annex I material to an extent causing it to exhibit an Annex III characteristic.
  - d. Annexes VIII and IX do not affect the application of Article 1, paragraph 1(a), of this Convention for the purpose of characterization of wastes.
18. Identify the national code of the country of export or import for each hazardous waste or hazardous recyclable material listed if applicable.
  19. Identify the customs code (from the World Customs Organization’s Harmonized Commodity Description and Coding System) for each hazardous waste and hazardous recyclable material listed.
  20. The generator/consignor’s or Canadian exporter/foreign exporter’s authorized representative must print his or her name and telephone number, and sign the form certifying that the information given in Part A is correct and complete.
  21. Identify the time and date that the hazardous waste or hazardous recyclable material is shipped and its scheduled arrival date.
  22. Identify any special handling and emergency instructions (e.g., “keep in shade”, “drums are half full”, “keep away from water”, “call the emergency phone number listed for the province or territory in which the emergency or spill occurred”).



### **10.6.2 Part B. Carrier**

23. Identify the company name, provincial identification number or registration number, civic and mailing addresses, e-mail address, and telephone number of the carrier.
24. Identify the vehicle trailer license number and the province or territory of registration for each trailer or rail car being used to transport the hazardous waste or hazardous recyclable material.
25. For international shipments, identify the point of entry into Canada for imports or the point of exit out of Canada for exports. Transits require both the point of entry and point of exit.
26. The carrier's authorized representative shall print his or her name and telephone number, and sign the form certifying that the hazardous wastes or hazardous recyclable materials described in Part A have been received by the intended receiver/consignee or Canadian importer/foreign receiver.

### **10.6.3 Part C. Receiver/Consignee or Canadian Importer/Foreign Receiver**

27. If other movement documents or manifests are used, identify their reference numbers.
28. Identify the company name, provincial identification number or registration number, civic and mailing addresses, e-mail address, and telephone number of the receiver/consignee or the importer/foreign receiver, and the address of the site receiving the hazardous waste or hazardous recyclable material, if different from that identified in box 2 of Part A.
29. Identify the date and time that the shipment of hazardous waste or hazardous recyclable material is delivered to the receiving site.
30. This is a provincial/territorial requirement.

Note: This option is not available in jurisdictions where provincial or territorial legislation requires the use of additional movement documents when more than one carrier is used for shipment into, out of, or through the jurisdiction.

31. Identify the quantity (in kg or L) and number of units of each hazardous waste or hazardous recyclable material received.
32. For domestic shipments, if the quantity of hazardous wastes or hazardous recyclable materials or the number of small means of containment changes during transport, specify the reasons for the changes.
33. Identify the final handling method for each hazardous waste or hazardous recyclable material using one of the following codes:

**01** storage

**02** thermal treatment

**03** chemical treatment

**04** physical treatment

**05** biological treatment

**06** secure landfill

**07** recycling

**08** solidification

**09** other

34. For each hazardous waste or hazardous recyclable material listed, indicate whether or not the shipment was accepted or refused.
35. Identify whether the decontamination of packaging or the vehicle used for transport has been carried out for each hazardous waste or hazardous recyclable material listed, by writing "yes" or "no" in the appropriate column.
36. If the handling code identified is "09 other", specify how the hazardous waste or hazardous recyclable material is being handled.
37. The receiver/consignee's or the Canadian importer/foreign receiver's authorized representative shall print his or her name and telephone number, and sign the form certifying that the information given in Part C is correct and complete.

## **11.0 Summary of Conditions on Returns**

Under Part 7, Division 8 of *Canadian Environmental Protection Act, 1999* (CEPA 1999), a new permit to export or import for the purposes of a return must be obtained in order to return hazardous waste or hazardous recyclable material that cannot be disposed of or recycled in accordance with the original import or export permit.

The provisions for returns set out Part 5 of the Regulations are intended to facilitate returns of waste or recyclable material to either the exporting country and the original foreign exporter, or to Canada and the original Canadian exporter, as required under Canada's international agreements.

A simplified notification procedure for obtaining a new permit to export or import for the purposes of a return has been incorporated into the Regulations, given that contracts and consent already exist between the original parties.

Once the notification to return a waste or recyclable material has been approved by the Minister, a permit will be issued for the re-export or re-import of the return to the authorized facility named in the permit.

## **11.1 Returns to Canada (Imports for the Purposes of a Return)**

If the hazardous waste or hazardous recyclable material cannot be disposed of or recycled in accordance with the export permit, the original Canadian exporter must make arrangements to

- import the hazardous waste or hazardous recyclable material back to the Canadian exporter facility set out in the original export permit, in accordance with the return provisions set out in section 34 of the EIHWHRMR), or
- dispose of or recycle the waste or material at an alternate facility in the country of the foreign receiver.

### ***Notification Procedure***

In submitting a notification for a new import permit for the purposes of a return, the original Canadian exporter must advise the Minister of the following:

- the name, civic and mailing addresses, e-mail address, and contact person for the Canadian exporter, the foreign receiver, and any authorized carriers that were not named in the original export permit (verification of the authorization of such carriers must be completed before a return permit can be issued)
- the name and policy number of each insurance company, as required under Section 37 of the EIHWHRMR
- the quantity of hazardous waste or hazardous recyclable material that will be returned, using the same unit of measure as in the original export permit
- if the quantity being returned is less than the quantity that was originally exported, the reason for the difference
- the port of entry through which the return will take place, and the customs office at which the import of hazardous waste or hazardous recyclable material will be reported
- the notice number and line-item number, as noted in the original export permit, of the hazardous waste or hazardous recyclable material that is being returned to Canada.

### ***New Import Permit***

Once a new import permit has been received for the purposes of returning hazardous waste or hazardous recyclable material to Canada, the original Canadian exporter must

- return the waste or material to the facility from which it was originally exported, using the authorized carriers and the port of entry named in the new import permit,

- ensure that copies of the new import permit for the purposes of a return and the new movement document (with Parts A<sup>6</sup> and B completed, and clearly indicating that the waste or material is being returned to Canada),
- accompany the waste or material, and
- are deposited at the customs office where the return is to be reported, and
- submit a completed copy of the new movement document to the Minister, all authorized carriers involved, and, if required, the authorities of the province of import.

## **11.2 Returns to the Country of Export (Exports for the Purposes of a Return)**

If the hazardous waste or hazardous recyclable material cannot be disposed of or recycled in accordance with the import permit, the original Canadian importer must make arrangements to

- export the waste or material back to the facility of the foreign exporter set out in the original import permit, in accordance with the return provisions set out in section 35 of the EIHWRMR, or
- dispose of or recycle the waste or material at an alternate facility in Canada (the Canadian importer must first receive confirmation from the Minister, by letter, that the alternate facility is authorized).

### ***Notification Procedure***

In submitting a notification for a new export permit for the purposes of a return, the original Canadian importer must advise the Minister of the following:

- the name, civic and mailing addresses, e-mail address, and contact person for the Canadian importer, the foreign exporter, and any authorized carriers that were not named in the original import permit (verification of the authorization of such carriers must be completed before a return permit can be issued),
- the name and policy number of each insurance company, as required under Section 37 of the EIHWRMR,
- the quantity of hazardous waste or hazardous recyclable material that will be returned, using the same unit of measure as in the original import permit,
- if the quantity being returned is less than the quantity that was originally imported to Canada, the reason for the difference,
- the port of entry through which the return will take place and the customs office where the export of hazardous waste or hazardous recyclable material will be reported,
- the notice number and line-item number, as noted in the original import permit, of the hazardous waste or hazardous recyclable material that is being returned to the country of export.

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<sup>6</sup> Part A of the new import permit is to be completed by the foreign receiver.

## ***New Export Permit***

Once a new export permit has been issued for the purposes of returning hazardous waste or hazardous recyclable material to the foreign country from which it was exported, the original Canadian importer must

- return the waste or recyclable material to the foreign facility from which it was originally exported, using the authorized carriers and the port of exit named in the new export permit,
- ensure that copies of the new export permit for the purposes of return and the new movement document (with Parts A<sup>7</sup> and B completed, and clearly indicating that the waste or material is being returned to the foreign country of export),
- accompany the waste or material, and
- are deposited at the customs office where the return is to be reported, and
- submit a copy of the completed movement document to the Minister, all authorized carriers involved, and, if required, the authorities of the province of export.

<b>Condition</b>	<b>Description</b>
<b>Applicability</b>	All returns of hazardous waste or hazardous recyclable material to Canada (after it has been exported from Canada) or to the foreign country of export (after it has been imported into Canada).
<b>Insurance</b>	The Canadian exporter or Canadian importer (as the case may be) and all authorized carriers must be insured (see section 37 of the EIHWHRMR).
<b>Permit</b>	No return can proceed unless the Minister is notified and an export or import permit for the purposes of a return is issued. Under the Regulations, notification serves as the application for the return permit.
<b>Movement Document</b>	<p>The reference number of the notice and line-item number is on the movement document.</p> <p>Either the original foreign receiver (in the case of a new import permit for the purposes of return) or the original Canadian importer (in the case of a new export permit for the purposes of a return) must complete Part A of a new movement document. The authorized carriers must fill out Part B.</p> <p>The movement document and either the export or import permit</p>

<sup>7</sup> Part A of the new movement document must be completed by the Canadian importer.

<b>Condition</b>	<b>Description</b>
	for the purposes of a return, as the case may be, must accompany the hazardous waste or hazardous recyclable material during transport, and be located as required under the Transportation of Dangerous Goods Regulations (TDGR). Copies of these documents must also be deposited at the appropriate customs office.

## **12.0 Confirmation of Disposal or Recycling**

The Canadian importer or foreign receiver who accepts a shipment of hazardous waste or hazardous recyclable material is responsible for its disposal or recycling. Canada’s international obligations specify the time frame within which this operation must take place, according to the type of operation.

### **12.1 Interim Disposal/Recycling**

Interim disposal or recycling operations that may take place prior to final disposal or recycling include

- D13, D14, or D17 EIHWRMR Schedule 1, and
- R12, R13, or R16 EIHWRMR Schedule 1.

The authorized facility (commonly known as the “transfer station”) has 180 days to complete these interim operations.

### **12.2 Final Disposal/Recycling**

All other disposal or recycling operations (including those made following interim disposal or recycling) must be completed by the authorized facility within one year.

If the authority of the jurisdiction requires that the hazardous waste or material be disposed of or recycled within a shorter period of time, the authorized facility must comply with this requirement.

### **12.3 Confirmation of Disposal/Recycling**

Within 30 days after the completion of the disposal or recycling operation, a letter confirming that the operation has taken place in accordance with the export or import permit must be forwarded to Environment Canada by the Canadian exporter or importer. The letter must include the movement document reference number and the line-item number of the applicable hazardous waste or hazardous recyclable material. To assist in complying with this requirement of the regulations, Environment Canada has developed a [Confirmation of Disposal or Recycling form](#).

## 13.0 Pre-Approved Facilities

A pre-approved facility is one that has been approved in advance by the competent government authority to receive shipments of certain types of waste destined for recycling. A Canadian facility may apply for pre-approval by submitting the following information [outlined in Organization for Economic Co-operation and Development (OECD) Decision C(2001)107/Final] to Environment Canada's Waste Reduction and Management Division (WRMD):

### [Application for an Advance Approval of Authorized Facility](#)

- the name and address of the facility
- the intended recycling operation
- the type of recyclable material to which the pre-approval applies
- the time period covered

This and any additional information required will be forwarded to the province in which the facility is located. The province may then grant approval for the facility to receive a certain quantity of a specific recyclable material over a given period of time. The same mechanism exists under the Regulations.

No export or import to a pre-approved facility may begin until a permit has been issued by the Minister.

Owners/operators of foreign facilities must apply for pre-approval in their own country. For a Canadian export to be shipped under the seven-day tacit consent scheme,<sup>8</sup> the foreign facility must be on the list of pre-approved facilities prepared by the OECD.

## 14.0 Waste Export Reductions Plans

Section 188(1) of *Canadian Environmental Protection Act, 1999* (CEPA 1999) provides the Minister with the authority to request an exporter or class of exporters of hazardous waste for final disposal to submit and implement a plan for the purpose of reducing or phasing out the export of the waste.

Section 191(g) of CEPA 1999 takes into account the proximity or benefit of using the nearest appropriate disposal facility, and the increased production of goods responsible for generating the hazardous wastes for disposal. The Regulations define the information to be included in such plans as follows:

- a. information with respect to the hazardous waste to which the plan applies, namely

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<sup>8</sup> With the pre-approval mechanism, 30-day tacit consent under OECD Decision (2001)107/Final is reduced from 30 days to seven days.

- i. the International Waste Identification Code (IWIC) under Organization for Economic Co-operation and Development (OECD) Decision C(94)152/Final, substituting the disposal code with the disposal code set out in column 1, Schedule 1 of the Regulations for the applicable operation set out in column 2, Schedule 1 of the Regulations and, if the hazardous waste is a gas, substituting the letter “G” for the letter “L”, “P”, or “S” in the IWIC,
- ii. the applicable code set out in List A of Annex VIII to the Basel Convention,
- iii. the identification number set out in column 1 of Schedule 3, 4 or 7, and
- iv. information set out in the applicable schedules to the Transportation of Dangerous Goods Regulations (TDGR) namely
  - A. the applicable United Nations (UN) number, set out in column 1 of Schedule 1 or column 5 of Schedule 3,
  - B. the applicable class, set out in column 3 of Schedule 1 or the primary class, set out in column 4 of Schedule 3, and
  - C. the applicable packing group and risk group, set out in column 4 of Schedule 1;
- b. the name, quantity, and concentration of any Persistent Organic Pollutants (POP) set out in column 2 of Schedule 10 that is contained in the hazardous waste referred to in the plan;
- c. if the exporter generates the hazardous waste referred to in the plan, the name and a description of the process that generated the waste, and the activity in which that process is used;
- d. the origin of the hazardous waste, if the exporter does not generate the waste referred to in the plan;
- e. the quantity of hazardous waste exported at the start of the implementation of the plan and the quantity of export reduction to be achieved at each stage of the plan;
- f. a description of the manner in which the exporter will reduce or phase out exports of the hazardous waste referred to in the plan;
- g. the options considered for reducing or phasing out the export of the hazardous waste referred to in the plan, including options for disposing of or recycling it in Canada;
- h. the stages of the plan and a schedule for implementing the plan; and
- i. for each stage of the plan, an estimate of the quantity of goods produced that generates the hazardous waste to which the plan applies, and a description of the impact of any changes to the quantity produced on the reduction or phasing out of exports of that waste.

Environment Canada will notify exporters directly if they are required to prepare an export-reduction plan for the waste destined for final disposal. One of the triggers for requiring a plan will likely be based on review statistics, the notification information of 8(j)(ix) of the EIHWRMR, the reduction or phase-out options considered, and the reason the disposal is taking place outside Canada.



The export-reduction plan must be submitted before a permit to export will be granted. A copy of the plan must be kept at the exporter's principal place of business in Canada for a period of five years after the date on which the plan was submitted.

## **15.0 Environmentally Sound Management Criteria**

In accordance with Part 7, Division 8 of *Canadian Environmental Protection Act, 1999* (CEPA 1999), the Minister may refuse to issue a permit to import, export, or transit hazardous waste or hazardous recyclable material if the Minister is of the opinion that the waste or material will not be managed in a manner that protects the environment and human health.

The Regulations set out the criteria under which the Minister makes this determination.

## **16.0 PELES**

Section 190 of *Canadian Environmental Protection Act, 1999* (CEPA 1999) authorizes the issuance of permits of equivalent level of environmental safety (PELES), which may be used to obtain a variance from the Regulations under specific conditions. Variances must be consistent under Canada's international obligations, and are issued on a case-by-case basis.

When requesting a PELES for this purpose, the following information should be provided:

- the name of the regulation and specific sections of the regulation from which the variance is being requested
- the applicant's complete contact information, including a Canadian address and the name of a contact person
- a description of the applicant's activities/procedures, in order to provide a clear picture of what happens during a transboundary movement of hazardous wastes or hazardous recyclable materials under various scenarios
- a description of the hazardous wastes or hazardous recyclable materials to be transited
- an explanation and justification of the mechanism or alternate activity the applicant plans to use to provide a level of environmental safety equivalent to that provided by the regulation.

## 17.0 Annexes

### Annex A. Definitions

“Act” means the *Canadian Environmental Protection Act, 1999* (CEPA 1999).

“authorities of the country” means the competent authorities designated in the *Compilation of Country Fact Sheets* (CFS), Basel Convention Series No. 01/04, as amended from time to time, and the U.S. Environmental Protection Agency (US EPA).

“authorized carrier” means a carrier that is authorized by the authorities of the jurisdiction in which the waste or material is transported, to transport the hazardous waste or hazardous recyclable material that is to be exported, imported or conveyed in transit.

“authorized facility” means a facility that is authorized by the authorities of the jurisdiction in which the facility is located to:

- a. dispose of the hazardous waste being exported or imported using an operation set out in Schedule 1; or
- b. recycle the hazardous recyclable material being exported or imported using an operation set out in Schedule 2.

“Canada-United States of America (USA) Agreement” means the Agreement between the Government of Canada and the Government of the United States of America Concerning the Transboundary Movement of Hazardous Waste, which entered into force on November 8, 1986, as amended from time to time.

“Convention” means the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, which entered into force on May 5, 1992.

“foreign exporter” means the person who exports hazardous waste or hazardous recyclable material from a country other than Canada.

“foreign receiver” means the person who imports hazardous waste or hazardous recyclable material into a country other than Canada.

“movement document” means the form set out in Schedule 9 of the EIHWHMR.

“notice” means the notice of export, import, or transit referred to in paragraph 185(1)(a) of the Act.

“OECD Decision C(94)152/Final” means Decision C(88)90/Final of the OECD, Decision of the Council on Transfrontier Movements of Hazardous Wastes, dated May 27, 1988, as amended by Decision C(94)152/Final, Decision of the Council

Amending the Decision on Transfrontier Movements of Hazardous Wastes, dated July 28, 1994.

“OECD Decision C(2001)107/Final” means Decision C(2001)107/Final of the OECD, Decision of the Council Concerning the Revision of Decision C(92)39/FINAL on the Control of Transboundary Movements of Wastes Destined for Recovery Operations, dated May 21, 2002.

“permit” means the export, import, or transit permit referred to in paragraph 185(1)(b) of the Act.

“registration number” means the number assigned by a province or country indicating the authority to undertake an activity with respect to a hazardous waste or hazardous recyclable material.

“TDGR” means Transportation of Dangerous Goods Regulations.

“PIN” means Product Identification Number, as defined in the TDGR.

## **Annex B. Countries that ratified the Basel Convention**

[Information on the countries that ratified the Basel Convention](#)

## **Annex C. OECD countries**

[Information on the OECD Countries](#)

## **Annex D. Appropriate authorities/Emergency numbers**

For more information on the EIHWHRMR, contact Environment Canada headquarters or one of the provincial authorities listed below. Emergency numbers are indicated with an asterisk.

### ***International Shipments:***

Waste Reduction and Management Division  
Environment Canada  
Place Vincent Massey  
351 St-Joseph, 9<sup>th</sup> Floor  
Gatineau QC K1A 0H3  
1-844-524-5295

***Provincial Authorities:***

***British-Columbia:***

Ministry of Environment, Environmental Management Branch, Public Safety and  
Prevention Initiative  
PO Box 9342, STN Prov. Govt.  
Victoria BC V8W 9M1  
\*1-800-663-3458  
250-387-2049

***Alberta:***

Alberta Environment, Environmental Policy Branch  
Oxbridge Place  
9820 - 106 Street 4<sup>th</sup> Floor  
Edmonton AB T5K 2J6  
\*1-800-222-6514  
780-427-0666  
780-427-0637

***Saskatchewan:***

Saskatchewan Environment and Resource Management, Environmental  
Protection Branch  
3211 Albert Street  
Regina SK S4S 5W6  
\*1-800-667-7525  
306-787-6180

***Manitoba:***

Manitoba Conservation, Headquarters Operations  
PO Box 46, 200 Saulteaux Cr.  
Winnipeg MB R3J 3W3  
\*204-944-4888  
204-945-2100

***Ontario:***

Ministry of the Environment, Environmental Monitoring and Reporting Branch,  
"Area M"  
135 St. Clair Avenue W  
Toronto ON M4V 1P5  
\*1-800-268-6060  
416-235-6259

**Quebec:**

Ministere du Developpement durable, de l'Environnement et des Parcs, Urgence  
environnement  
5199 Sherbrooke East, Bureau 3860  
Montreal QC H1T 3X9  
\*514-873-3454  
\*418-643-4595

**New Brunswick:**

Department of the Environment and Local Government, Approvals Branch  
PO Box 6000  
Fredericton NB E3B 5H1  
\*1-800-565-1633  
506-444-4599

**Nova Scotia:**

Nova Scotia Department of Environment and Labour  
PO Box 697, 5151 Terminal Road, 5<sup>th</sup> Floor  
Halifax NS B3J 2T8  
\*1-800-565-1633  
902-424-5300

**Prince Edward Island:**

Department of Environment, Energy and Forestry  
PO Box 2000  
Charlottetown PE C1A 7N8  
\*1-800-565-1633  
902-368-5000

**Newfoundland and Labrador:**

Department of Environment, Pollution Prevention Division  
Confederation Building, West Block, PO Box 8700  
St. John's NL A1B 4J6  
\*709-729-5793  
709-729-2556

***Territories:***

***Northwest Territories:***

Department of Environment and Natural Resources, Environmental Protection  
Division  
PO Box 1320  
Yellowknife NT X1A 2L9  
\*867-920-8130  
867-873-7654

***Nunavut:***

Department of Environment, Environmental Protection Division  
PO Box 1000, STN 1360  
Iqaluit Nu X0A 0H0  
\*867-920-8130  
867-975-5900

**Annex E. Administrative Notice Form**

[Administrative notice form](#)

Additional information can be obtained at:

Environment and Climate Change Canada

Public Inquiries Centre

7th Floor, Fontaine Building

200 Sacré-Coeur Boulevard

Gatineau QC K1A 0H3

Telephone: 1-800-668-6767 (in Canada only) or 819-997-2800

Email: [ec.enviroinfo.ec@canada.ca](mailto:ec.enviroinfo.ec@canada.ca)

