

TRANSPORT DANGEROUS GOODS NEWSLETTER



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Thank you!

CANADIAN NATIONAL RAILWAYS TESTS NATURAL GAS/DIESEL FUEL POWERED LOCOMOTIVES BETWEEN EDMONTON AND FORT MCMURRAY, ALBERTA

BY STÉPHANE GARNEAU



The Transport Dangerous Goods Directorate issued an Equivalency Certificate to Canadian National Railways (CN) to allow them to use an experimental tender in a pilot project that uses new liquefied natural gas technology to fuel locomotives. On September 27, 2012, CN announced that it was testing two mainline diesel-electric locomotives fuelled principally by natural gas. These locomotives will run on the 480 km line from Edmonton to Fort McMurray, the rail gateway to the

oil sands regions of northern Alberta. Fuelling and maintenance take place in Edmonton.

The retrofitted locomotives use 90 per cent natural gas, with 10 per cent diesel fuel for ignition. They are paired with a natural gas fuel tender, in this

case a specially equipped and protected tank car, between them. This tender was upgraded by Chart Industries Inc., located in New Prague, Minnesota. Natural gas fuelling is provided by EnCana Corporation.

Keith Creel, Executive Vice-President and Chief Operating Officer of CN, said: “CN launched this locomotive test to explore the use of natural gas as a potential alternative to conventional diesel fuel.

This reflects CN’s continuing drive to look for ways to improve operating efficiency and advance the company’s sustainability agenda. Natural gas has a lower carbon content compared with diesel fuel, so that locomotives using natural gas – if the railway technology employing this form of energy ultimately proves viable – would produce significantly fewer carbon dioxide emissions.”

DID YOU KNOW?

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MOVING FORWARD WITH A NEW EMERGENCY RESPONSE ASSISTANCE PLAN ASSESSMENT FRAMEWORK

BY MARC GRIGNON

Transport Canada’s Transport Dangerous Goods Directorate has developed a comprehensive Emergency Response Assistance Plan (ERAP) Assessment Framework. This framework addresses the Auditor General recommendations to strengthen our compliance monitoring guidance, tools and processes.

In the first phase, a consultant reviewed how Transport Canada assesses and approves ERAPs, the Directorate’s administrative and functional processes, as well as ERAP program guidance material. We used several of the consultant’s recommendations in phase two.

In the second phase, response operations unit members, with the assistance of remedial measures specialists, developed a framework that clearly defines ERAP assessment processes and provides guidance and tools. The unit then vetted the framework through an extensive internal consultation process.

The framework came into effect in January 2013. It aims to:

- Clarify Transport Canada’s roles and responsibilities
- Define clear processes for both Transport Canada and industry
- Ensure monitoring and annual review of those processes
- Help manage and coordinate national plans and contractors’ assessments
- Provide guidance and tools to Transport Dangerous Goods staff for proper documentation and follow-up
- Add risk evaluation to the process

More specifically, the framework helps Transport Canada’s remedial measures specialists to clarify:

- The ERAPs Transport Canada will consider:

Transport Canada will review ERAPs it receives from:

- o persons established in Canada who offer for transport or import dangerous goods that require an ERAP;
- o persons with power of attorney for a person outside Canada that offers dangerous goods for transport; and
- o anyone that meets the definition of “offer for transport” when more than one person meets the definition, **except** when the dangerous goods are offered by a manufacturer or producer. We will issue these plans to the manufacturers or producers only since Part 7 of the Regulations requires them to use their own plans.

- The scope of an ERAP:
 - o A plan that outlines the actions that would be taken to respond to an actual or anticipated release that could endanger public safety (The *Transportation of Dangerous Goods Act, 1992*, defines public safety to include the safety of human life and health and of property and environment).
 - o The plan applies while the dangerous goods are in transport or while they are being handled for the purpose of, in the course of, or following transportation.

- How Transport Canada will conduct contractors’ reviews:
 - o Transport Canada inspectors will visit each contractor only once a year unless significant changes to their activities occur.

- All ERAPs will have an expiry date moving forward:
 - o The approval period will range from five to seven years for final approvals and one to three years for interim approvals.
 - o The length of the approval period depends on the risk linked to the plan.
 - o The *Transportation of Dangerous Goods Act, 1992*, no longer supports the issuance of indefinite approvals; we will review existing plans with current indefinite approval and adjust them, as required.

- An ERAP must be capable of being implemented, and must be effective, in response to a release or anticipated release.

Plans should be in line with CSA standard Z731-03, *Emergency Preparedness and Response* as a minimum. ERAPs should address the following aspects of Z731-03:

- | | |
|--|--------------------------|
| • Hazard Identification and Analysis | • Records |
| • Roles and Responsibilities | • Plan Activation |
| • Resources | • Response Actions |
| • Third Party Agreements (if applicable) | • Situation Assessment |
| • Emergency Response Procedures | • Resource Mobilization |
| • Contact Lists | • Damage Assessment |
| • Equipment availability and Maintenance | • Training and Exercises |

Note that an equivalent of this standard may be used to develop the plan as long as it addresses the above criteria.

- When and how to submit ERAP applications to Transport Canada.

When:

- Prepare and submit an application form and other required documents;
 - o for all new applications **or**
 - o when the response capability of an existing plan has changed.

How:

- Download a new application form from Transport Canada’s website.
- Submit the ERAP with the application form.
- Include a signed copy of any third party agreements for external emergency resources with the application form.
- Send the completed application forms and documents to:

Chief, Enforcement and Response Operations - ASDB
Transport Dangerous Goods Directorate
330 Sparks Street, 9th floor Tower C
Ottawa, ON, K1A 0N5
ERAPapplications@tc.gc.ca

Note: electronic submissions are preferred.

- Service standards

Transport Canada will:

- o review applications within 15 business days of receiving an application to confirm that all required information is included and valid;
- o return applications to the applicant when information is missing, incomplete or believed to be inaccurate;
Note: if an applicant does not re-submit the information within a set timeline (usually three weeks), we will refuse the original application and require a new one;
- o conduct internal quality controls to ensure national consistency.

- Transport Canada will take into consideration any relevant emergency response exercises and reviews of responses to actual incidents involving the plan.

- Transport Canada will not use this framework to approve plans for response contractors who specializes in emergency response under subsection 7.1(b) of the *Transportation of Dangerous Goods Act, 1992* (orphan dangerous goods involved in terrorist activities).
Note: We are currently developing a framework to address those activities.

We believe that the ERAP Assessment Framework will allow national consistency and program efficiency. It will ensure that specialized personnel and equipment are available in a timely manner to assist carriers and first responders at the scene of an incident.

Please direct your questions about this framework or the ERAP program to the remedial measures specialist of your region.

- | | |
|--|--|
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UNITED STATES – CANADA REGULATORY COOPERATION COUNCIL

BY JOANNE ST-ONGE



On February 4, 2011, Prime Minister Stephen Harper and President Barack Obama created the United States – Canada Regulatory Cooperation Council (RCC). The RCC includes senior regulatory, trade, and foreign affairs officials from both governments who will work together to develop smarter, more effective approaches to regulations that:

- enhance the economic competitiveness and well-being of both countries; and
- maintain high standards for public health, safety and environmental protection.

Following stakeholder consultations, the Transport Dangerous Goods Directorate and United States’ Department of Transportation Pipeline and Hazardous Materials Safety Administration developed a work plan that outlines four initiatives. (<http://www.actionplan.gc.ca/page/rcc-crr/alignment-dangerous-goods-means-containment-work-plan>)

This work plan, refined by stakeholder input, includes both specific short-term deliverables as well as plans to develop ongoing alignment mechanisms. For example, different means of containment, standards and special permits and approvals between Canada and the United States create impediments for shippers on both sides of the border. The RCC will explore ways to enhance reciprocity in these areas, which may reduce costs for approvals, product testing and export certification.

The RCC may consider new initiatives that stakeholders or either party propose, if both parties agree. Examples of stakeholder proposals for mutual recognition include lithium batteries, limited quantity markings,

shipping paper sequence and other requirements for regulatory alignment.

Initiative 1

Establish a Memorandum of Cooperation as a framework for continued collaboration towards mutual recognition of containment standards that maintains an equivalent level of safety.

Gerard McDonald, Assistant Deputy Minister, Safety and Security, Transport Canada and Cynthia L. Quartermann, Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, signed a Memorandum of Cooperation on September 12, 2012. It identifies areas where additional cooperation and alignment may benefit both countries such as:

- General coordination
- Regulatory harmonization
- Approvals recognition
- Special permits and approvals
- International collaboration
- Data sharing
- Risk assessment
- Research and collaboration
- Enforcement
- Outreach and training
- Emergency Response Guidebook

Initiative 2

Develop enhanced mutual recognition of gas cylinders that maintains an equivalent level of safety.

Stakeholders recommended that United Nations (UN) cylinders be harmonized between Canada and the United States.

The Canadian Standards Association (CSA) B342 standard was adopted and will be incorporated into the *Transportation of Dangerous Goods Regulations*. The United States’ Department of Transportation recognizes UN “CAN” cylinders in its Code of Federal Regulations (49 CFR) and has issued a revised letter of interpretation confirming their position.

Initiative 3

Develop enhanced mutual recognition of tank trucks (cargo tanks) that maintains an equivalent level of safety.

Stakeholders recommended that TC/DOT tank specifications be harmonized. The CSA B621-09 and CSA B622-09 standards were published and may be incorporated into the *Transport of Dangerous Goods Regulations*. TC tanks may currently be used in the United States under 49 CFR.

Initiative 4

Develop ways to reach mutual recognition of approvals that maintain an equivalent level of safety.

A list of opportunities for enhanced recognition of approvals issued by each country will include:

- Temporary certificates and One-Time Movement approvals;
- Alignment of Equivalency Certificates with 49 CFR, where possible;
- Opportunities for alignment identified by stakeholders and the Explosives Division at Natural Resources Canada.

Next Steps

In the coming months, the Transport Dangerous Goods, Regulatory Affairs Branch will:

- consult with their counterparts at Pipeline and Hazardous Materials Safety Administration to lead implementation activities; and
- keep you informed of further development under the work plan.

EDITORIAL

What is the picture on the cover of the *TDG Newsletter*? A QR code! A QR code (short for *Quick Response*) is a 2D bar code that, once scanned with your Smartphone, can connect you directly to a Web page, a video, multimedia content or can show you a map of a given location (i.e. with Google Maps). In certain countries, you can even scan QR codes to make purchases or payments directly with your cell phone. In our case, the code leads to a short survey about the TDG Newsletter. In 2013, the Transport Dangerous Goods Directorate is getting in the fast lane on the information highway and we are soliciting feedback from our readers. For those who prefer the right-hand lane, the survey is also available on our website at http://tc.sondages-surveys.ca/s/TDG_TMD/langeng. And for those who prefer to keep things simple, a paper survey is included in the hard copy of this edition. We strongly encourage you to participate in the survey, we hope to hear from you as we want to continue publishing a Newsletter that is useful, relevant and that reaches as many people as possible.

In the meantime, this Spring 2013 edition of the Newsletter that we have put together contains a variety of articles that detail what’s new in the business of regulating the transportation of dangerous goods. Included is an article on the new ERAP assessment framework which presents an approach that intends to improve the efficiency of the ERAP program. Page 3 introduces a regulatory cooperation initiative between Canada and the United States which will help achieve greater reciprocity between the two countries. The publication of a new standard, an agreement with industry, the progress with regulatory amendments and more are also on the agenda for this edition.

Happy reading and don’t forget the survey!

Véronique Tessier

QUESTION:

Is used oil or waste oil classified as dangerous goods?

ANSWER:

Not usually. While dangerous to the environment, Transport Canada does not usually consider used oil or waste oil as dangerous goods unless it is contaminated by other products. This contamination could make the used oil either toxic (PCBs), flammable (gasoline) or corrosive (acids).

Section 2.2 of the *Transportation of Dangerous Goods Regulations* states that the shipper/manufacturer is responsible to determine whether the used oil or waste oil is dangerous goods or not. One thing you can do to avoid oil becoming dangerous goods is to ensure that you only put used oil in the container and nothing else—no gasoline, no solvent, etc. This keeps your used oil as used oil only, and can be transported as non-regulated under *Transportation of Dangerous Goods Regulations*.

If you still want to ensure that your used oil or waste oil is not regulated, you can have a sample tested. You may ship small samples under section 1.19.1 of the *Transportation of Dangerous Goods Regulations*.

Finally, shipments of used oil or waste oil may be subject to Environment Canada regulations and provincial regulations. To learn more, visit the Environment Canada website at www.ec.gc.ca.

CHANGES AT CANUTEC

BY ANGELO BOCCANFUSO

After spending most of his career building CANUTEC, Michel Cloutier is moving to a new phase in his life. I, and all his colleagues at Transport Canada, wish Michel a happy and well-deserved retirement. He will be greatly missed by both industry and Transport Canada.

Created in 1979, CANUTEC has become one of the most recognized and well-respected emergency response centres in North America. In fact, it has become synonymous with the transportation of dangerous goods and a valued service for first responders across the country. And while it takes a team effort to achieve CANUTEC’s reputation, Michel was without a doubt a key contributor.

CANUTEC provides a 24/7 emergency response advice and information for firefighters, police, poison control centres and provincial, municipal and industry responders. More than 7 000 shippers of dangerous goods are registered to use its 24 hour emergency number, which receives over 26 000 calls per year!

CANUTEC also provides information and guidance on the *Transportation of Dangerous Goods Regulations*. The centre serves as the point of contact for transportation of

dangerous goods issues related to rail safety, marine safety, and for specific items in all other modes of transport, as well.



Over time, CANUTEC has collected more than 2.6 million Material Safety Data Sheets, which give its technical advisors the capability to help first responders address incidents and protect public safety.

Among Michel’s great contributions is the Emergency Response Guide (ERG). Transport Canada has published this resource every four years since 1986. It provides urgent health, safety and security information to first responders in police, fire and ambulance services. The ERG directly influences emergency response activities, which, in turn, affects the economic, environmental and social impact of accidents. Today the ERG exists in 30 different languages, improving emergency response around the world.

I was lucky to work with him during a transition period of a few weeks. Michel is instantly likeable, but even more importantly, is respected and admired by all, both on a professional and a personal level. He even received the Mike Henry Award in 2010, which recognizes dedicated employees who demonstrate efficiency, enthusiasm, reliability and team spirit. Michel is a true gentleman with an incredibly big heart. Anyone who knows him knows what I’m talking about.

As the new CANUTEC Director, I hope to build on the work that Michel began years ago. Please contact me directly at 613-947-5052 or at Angelo.Boccanfuso@tc.gc.ca, as we continue to work together to enhance public safety for all Canadians.

DISPLAY OF LABELS ON PROPANE OR LIQUEFIED PETROLEUM GAS CYLINDERS

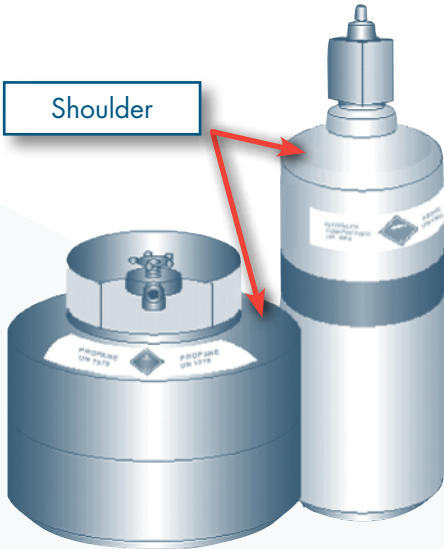
BY JULIE ZABCHUK

The propane industry and Transport Canada have recently resolved a long standing enforcement issue about the display of labels on propane or liquefied petroleum gas cylinders. Following discussions with the Canadian Propane Association and the Association québécoise du propane, Transport Canada has issued equivalency certificates to allow industry to gradually comply with the *Transportation of Dangerous Goods Regulations*.

The equivalency certificates were issued because labels displayed on the cylinders have been reduced in size even though there is enough space for a full size label. Using reduced labels does not comply with subsection 4.7(2) and section 4.10 of the *Transportation of Dangerous Goods Regulations* because the sides of the labels are not at least 100 mm in length.



propane to display reduced labels on the shoulder or on the cylindrical part of the cylinder as long as all conditions of the equivalency certificate are met. These equivalency certificates are in effect until December 31, 2014.



After December 31, 2014, no reduced labels will be allowed on the cylindrical part of cylinders. In the meantime, Transport Canada will review *Transportation of Dangerous Goods Regulations* requirements, to allow reduced labels on cylinder shoulders.

Please note: Only members of the Canadian Propane Association and the Association québécoise du propane may use these equivalency certificates. Non-members must display safety marks as set out in the *Transportation of Dangerous Goods Regulations* or apply for an equivalency certificate of their own.

The equivalency certificate allows the sides of labels to be reduced to 30 mm in length when the conditions below are met:

1. The label that identifies the primary class of the dangerous goods (2.1) must be displayed on the non-cylindrical part (shoulder) of the cylinder, **or** on the cylindrical part of the cylinder;
2. The shipping name and the UN number must be displayed next to the primary class label of the dangerous goods, as set out in the *Transportation of Dangerous Goods Regulations*;
3. A copy of the equivalency certificate must accompany the dangerous goods, **or** the shipping document includes the equivalency certificate number.

To learn more, visit www.tc.gc.ca/TDG.

Once there:

- **To consult the equivalency certificates**, click on “Equivalency Certificates (Permits)” in the TDG Menu on the right hand side of the screen, then search for SH 11028 or SH 11029.
- **To apply for an equivalency certificate**, click on “Equivalency Certificates (Permits)” in the TDG Menu on the right hand side of the screen, then select “Apply for an Equivalency Certificate”.

If you have questions about using the equivalency certificate, contact Marc Grignon, Chief, Enforcement and Response Operations at 613-990-1146 or by e-mail: Marc.Grignon@tc.gc.ca

Transport Canada has issued equivalency certificates SH 11028 and SH 11029 to allow members of the Canadian Propane Association and the Association québécoise du

DEVELOPMENT IN NORTHERN CANADA AND THE *TRANSPORTATION OF DANGEROUS GOODS*

BY FARRAH FLEURIMOND

Over the past few years, the various governing parties have been committed to developing Canada's northern communities. Be it through the federal government's Northern Strategy or the Quebec government's Plan Nord, these initiatives are contributing to the remarkable growth evident in these communities.

The Canadian North

Did you know that there are virtually no manufactured goods produced in Northern Canada? Northern regions are supplied by regions in southern Quebec. In fact, all goods destined for the North are shipped out of Quebec.

Northern development creates higher demand for manufactured goods such as food, building materials, vehicles, hardware, sanitation equipment, etc.

Many products heading north, such as chemical industrial products, lithium batteries, storage cells, firearms cartridges and even aerosol containers, are classified as dangerous goods. They may be transported in bulk or not, depending on requirements.

Some may be consumer commodities that may be transported in limited or excepted quantities.¹

Several companies have a base near the ports of Valleyfield and Sainte-Catherine. These are ideal cargo ports because of their proximity to the Montreal area, which is a major trade centre. It is therefore from these locations, from June to November, that companies ship dangerous goods to the North.

As a result of increased shipments to Northern Canada, in the spring of 2011, Transport Canada's Quebec regional office stepped up its oversight operations. Why? To make sure companies comply with the *Transportation of Dangerous Goods Regulations* as they ship many types of dangerous goods to the North.

The Plan Nord

Quebec's Plan Nord is one of the largest development projects in Canada. The North's resource potential in terms of forestry, wildlife, mining, energy and the environment, is huge. But the possible

impact of developing these resources is just as great. The social development and economic and tourism spinoffs that have resulted from this increased activity contribute to more shipments of dangerous goods heading to the North, as well.

Mining is a major economic force in Northern Quebec and throughout the province. The mining industry uses powerful explosives (Class 1), mainly blasting explosives and detonators, bulk emulsions and packaged explosives. Gold mines use solid sodium cyanide (UN 1869) and liquid sodium cyanide (UN 3414).

Many of these dangerous goods require an Emergency Response Assistance Plan, approved by Transport Canada, before they are offered for transport. Furthermore, all handling, offering for transport, transporting and importing of dangerous goods to, through or from northern regions must adhere to the criteria set out in the *Transportation of Dangerous Goods Regulations*.

Compliance with Transportation of Dangerous Goods Regulations

Greater demand and growing business opportunities have created a genuine race against the clock. But be aware that no one is exempt from the *Act*; any person taking part in a project involving dangerous goods has a duty to learn about and comply with the requirements set out in the *Regulations*. Failure to do so can result in Transport Canada inspectors issuing penalties and imposing compliance measures that can cause delays.

You can avoid such complications by getting the facts before shipping dangerous goods to Northern Canada. Please call us at 514-283-5722 or email us at TMD-TDG.Quebec@tc.gc.ca.

¹ The concepts of excepted quantities and de minimis quantities will be included in the *Transportation of Dangerous Goods Regulations* when its schedules are aligned with the 17th edition of the *UN Recommendations*.

A NOTE ON THE *EXPLOSIVES PACKAGING STANDARD*

BY STÉPHANE GARNEAU AND SHAUN SINGH

Transport Canada has been revising the current standard, CAN/CGSB-43.151-97, *Packing of Explosives (Class 1) for Transportation* for some time. We presented a greatly modified draft to the Canadian General Standards Board (CGSB) committee in August 2011. The committee then held a meeting in Gatineau on October 18, 2011, to discuss and modify the draft.

Following a period for additional comments, Transport Canada prepared a version for a letter ballot, and sent the ballots out in January 2012 with a closure date of February 21, 2012. We received positive ballots from committee members and no comments from the public.

The CGSB editors then put the document in its final form with help from the Chair and committee technical experts.

The CGSB translators delivered a French version at the end of June 2012.

Transport Canada then conducted the final technical side-by-side language comparison during the summer of 2012 and the standard was finally published in October 2012. It will be proposed for adoption into the *Transportation of Dangerous Goods Regulations* in the upcoming *Update to Standards* amendment.

The new standard is:

- CGSB-43.151-2012, *Packaging, handling, offering for transport and transport of Explosives (Class 1)*;
- CGSB-43.151-2012, *Emballage, manutention, demande de transport et transport d'Explosifs (classe 1)*.

As you can see from the title, the new standard covers the packaging, handling and offering for transport of explosives. Since emulsions transported in bulk are now widely used in blasting explosives, it became necessary to cover these phases of transport in a manner consistent with the *Transportation of Dangerous Goods Regulations* requirements for other classes of dangerous goods. We will address the subject in more detail in a future newsletter.

NATIONAL BLITZ GETS **UNSAFE** COMMERCIAL VEHICLE DRIVERS, VEHICLES OFF THE ROAD

BY MARC GRIGNON

Transport Canada and Commercial Vehicle Safety Alliance (CVSA) Canadian member jurisdictions conducted Canada's first National Blitz to promote the safe transportation of dangerous goods throughout Canada. While the National Blitz took place from September 18 to 20, 2012, most jurisdictions held their one day blitz on September 18.

Taking a team approach, inspectors from Transport Canada and provincial and territorial officers, more than 200 all together, monitored motor carriers' compliance in transporting substances classified as dangerous goods under the *Transportation of Dangerous Goods Regulations*. Inspectors and officers conducted 696 roadside inspections either at fixed or temporary inspection locations. Of those:

- 575 were North American Level 2 inspections, 104 were North American Level 1 inspections (the most comprehensive roadside inspection) and 17 were dangerous goods inspections only.



- 65 vehicles (9.3%) and 26 drivers (3.7%) were placed out of service. Of these, 24 vehicles (3.4%) and 16 drivers (2.4%) were put out of service for non-compliance with dangerous goods regulations.

This highlights that one in 10 vehicles selected for inspection had a violation serious enough to be considered an imminent safety hazard.

- 252 inspections (36.2%) showed a least one non-compliance. Of those, 129 were non-compliant to the *Transportation of Dangerous Goods Regulations*. This represents 18.5% of all inspected vehicles.

Inspections focussed on basic road vehicle mechanical points and driver

qualifications, with special attention to dangerous goods. In total, inspectors and officers:

- noted 141 non-compliances to the *Transportation of Dangerous Goods Regulations*:
 - 43 (30.5%) were related to shipping documents;
 - 45 (31.9%) were related to dangerous goods safety marks;
 - 29 (20.6%) were related to means of containment; and
 - 24 (17%) were related to training.
- laid 89 charges – 21 were dangerous goods non-compliances.

This event allowed enforcement partners to collaborate, foster national uniformity of enforcement activities and exchange valuable compliance and enforcement information, work methods and best practices. Blitz partners will evaluate results to identify solutions to potential unsafe transportation activities related to the transportation of

dangerous goods.

We credit the success of this blitz to the hard work and dedication of the inspectors and officers. Transport Canada and CVSA Canadian member jurisdictions will repeat this event in the fall of 2013.



USING THE 150 KG GROSS MASS EXEMPTION

BY DANNY BECHAMP

The 150 kg Gross mass exemption will exempt a person from most parts of the *Transportation of Dangerous Goods Regulations* if they meet all exemption conditions. It is the most commonly used exemption under the *Regulations*. In fact, most people use this exemption without even knowing it. You use it when you bring small amounts of dangerous goods such as gasoline, propane, paint, etc., home from the place of purchase.

This exemption can only be used if the dangerous goods are available to the general public. In addition, the dangerous good must be transported by the user/purchaser or by a retailer to or from a user/purchaser. This means that carriers, who are not the retailer, cannot use this exemption.

Since you may not transport all dangerous goods under this exemption, it is important to check subsection 1.15(2) first. It will list the products that CANNOT be transported under this exemption.

Below are some key points to remember:

- The total gross mass of all dangerous goods (i.e. oxygen, propane, gasoline, etc.) must not be greater than 150 kg. "Gross mass" includes the weight of the container and all of its contents.
- The dangerous goods must be packed in containers that weigh 30 kg or less (except for gases – see below).
- The dangerous goods must be available to the general public and transported by the user/purchaser or by a retailer to or from a user/purchaser.
- The containers must be designed not to leak under normal conditions of transport.

- You must not combine this exemption with:
 - exemptions in sections 1.16, 1.21 and 1.22, or
 - a shipment of dangerous goods that requires a shipping document (i.e. a fully regulated shipment).

When using the 150 kg Gross mass exemption for **class 2 gases**, there are two important things to remember.

- If you are transporting a gas such as propane or oxygen, the cylinder must be certified for use in Canada and marked with the letters "TC".

Cylinders certified for use in the United States will be marked with the letters "DOT". As a general rule, you may not use cylinders only marked with the letters DOT in Canada. You will find certain exceptions to this rule in section 5.10(2)(c). It's possible that a cylinder can be certified for use in Canada and the United States. If this is the case, the cylinder will be marked with the letters "DOT/TC".

- Flammable gases, such as propane or acetylene, are limited to a cylinder size of 46L.

As with any exemption, if you cannot meet one of the specified conditions, then the exemption does not apply and you must comply with the entire *Transportation of Dangerous Goods Regulations*. This means you might need a shipping document, labelling, placarding, training, a certified container or package, etc.

If you have any additional questions you may contact a Transport Canada dangerous goods inspector in your region. They can assist you with any questions you may have. See box for contact information for the five regional offices.

ATLANTIC REGION
1-866-814-1477
TDG-TMDAtlantic@tc.gc.ca

QUEBEC REGION
514-283-5722
TMD-TDG.Quebec@tc.gc.ca

ONTARIO REGION
416-973-1868
TDG-TMDOntario@tc.gc.ca

PRAIRIE & NORTHERN REGION
1-888-463-0521
TDG-TMDPNR@tc.gc.ca

PACIFIC REGION
604-666-2955
TDGPacific-TMDPacifique@tc.gc.ca

THE ONTARIO MINISTRY OF THE ENVIRONMENT INVITES CANUTEC AND TRANSPORT DANGEROUS GOODS TO TIMMINS, ONTARIO

BY MONIQUE LAVOIE



Following a dangerous goods incident in Hearst, Ontario, the Timmins District of the Ontario's Ministry for the Environment asked CANUTEC to participate in a workshop for local emergency responders.

So, on September 18, 2012, transportation of dangerous goods inspector Marc Schram from the Ontario region and I took part in the event as guest speakers.

Our audience included Timmins municipal staff, officers from the Ontario Ministry of Transportation, the Ontario Ministry of Natural Resources, the Porcupine Health Unit, Timmins Police, the Ontario Ministry of Northern Development and Mines, the Ontario Ministry of the Environment and Emergency Management Ontario. Representatives from municipal and local volunteer fire departments and local emergency medicine services attended, as well.

Over the day-long event, we heard from a sulphuric acid industry expert and the Ontario Ministry of the Environment's Spills Action Centre. I then explained how CANUTEC can help first responders during an emergency. A major component of my presentation was describing how to use the Emergency Response Guidebook (ERG), the latest edition of which was published and released by CANUTEC in May 2012. The guidebook provides information

emergency responders need during the initial phase of an emergency, while waiting for help to arrive. During the guidebook tutorial, I used dangerous goods common in the Timmins area as examples. Inspector Schram then spoke about the ins and outs of incident response. We closed the event together by leading the audience through the simulation of a sulphuric acid spill. The audience recognized the importance of calling CANUTEC and expressed appreciation for our 24/7 service.

The next day, Inspector Schram and I went on a ride-along with Constable Walter Cecchini of the South Porcupine detachment of the Ontario Provincial Police, one of three dangerous goods officers in his district. There are a lot of dangerous goods travelling in the Timmins area! During the day we observed various enforcement activities that resulted in charges due to *Transportation of Dangerous Goods Act, 1992* violations. I thoroughly enjoyed this part of my visit because I learned more about how officers enforce the *Act*. I also

learned about the value of evidence in enforcing the *Act* from both Inspector Schram and Cst. Cecchini.

The feedback we received showed that learning how to use the ERG2012 was a crowd favourite. This no doubt helped increase the confidence levels of the first responders.

Calling CANUTEC should not be intimidating. The workshop reinforced my belief that outreach benefits all levels of emergency response personnel because it helps us build bridges between the private and public sectors. These relationships mean more common training exercises, more free-flowing information and more knowledge for all. Dangerous goods are everywhere, and when an emergency arises, there is little time to panic. Outreach events such as this will have positive effects during a real emergency.

By going to more events like this one, we will continue to improve our services for first responders. At the end of the day, we all have the common goal of promoting public safety.

I sign off with special thanks to Inspector Schram of the Transportation of Dangerous Goods Ontario region for helping plan the workshop and to the Ontario Ministry of the Environment and the Ontario Provincial Police for being wonderful hosts during my stay in Timmins!

NEWSFLASH

Amendment 11 to the *Transportation of Dangerous Goods Regulations* was published in Part II of the Canada Gazette on December 5, 2012. This proposed amendment contains corrections to various parts of the *Regulations* regarding unintended impacts from Amendment 6. Notable changes include:

- a change in the definition of "person",
- a clarification of the intent not to impose requirements for outer packaging to purchasers and users of aerosol containers, and
- a return to the option of affixing dangerous goods safety marks required by the *International Maritime Dangerous Goods Code* (IMDG Code), thus eliminating the need to change placards on the means of containment while in transit.

Also, a proposed amendment to Part 4, *Dangerous Goods Safety Marks* (formerly Amendment 12) was prepublished in Part I of the Canada Gazette on December 1, 2012. This amendment proposes, amongst other things:

- a harmonization of placarding requirements with those of the 49 CFR,
- the introduction of a definition for "overpack",
- the adoption of new safety marks for organic peroxides, marine pollutants and for limited quantities, and
- to allow the transport of calibre 50 munitions under the 150 kg exemption.

Reminder from the National Energy Board: Exporting Oil and/or Refined Petroleum Products from Canada

With the increasing use of rail to transport oil (crude oil and/or refined petroleum products), this is to remind exporters and owners that if they wish to export oil from Canada, including export by rail, they are required to seek authorization from the National Energy Board (NEB). This may be done by completing an online application for a Short Term Export Order, which can be found on the NEB website at: <http://www.neb-one.gc.ca/clf-nsi/rthnb/rgltrpplctn/xprtmptrpplctn-eng.html>.

The NEB's authority on this matter can be found in the *NEB Act, Part VI (Oil and Gas Regulations)*. Exports of oil by any means of transportation (i.e. rail, marine vessel, truck, or pipeline), requires authorization from the NEB.

When granted, this authorization to export, which is a regulatory instrument, comes with conditions, one of which is the reporting of oil exports on a monthly basis.

Pursuant to Section 7 of the *National Energy Board Export and Import Reporting Regulations*, export order holders are required to report monthly volumes. A copy of these Regulations is available at: <http://laws.justice.gc.ca/en/N-7/SOR-95-563/index.html>.

For further information on regulatory requirements to export oil and/or refined petroleum products from Canada, please feel free to contact Amélie Fortier at 403-299-3103, or Melissa Merrick at 403-299-3199 at the National Energy Board.

CANUTEC

January 1, 2012 to December 31, 2012

NUMBER OF CALLS		EMERGENCIES BY TRANSPORT MODE	
Information	7,093	Road	257
Regulatory	3,348	Rail	111
Technical	9,906	Air	18
Other	2,541	Marine	22
Total Calls:	22,888	Pipeline	3
Total Number of Emergencies:	1,042	Non transport	606
		Multi modal	8

SOURCE OF INITIAL EMERGENCY CALL		EMERGENCIES BY LOCATION	
Shipper	32	British Columbia	161
Carrier	152	Alberta	142
Consignee	7	Saskatchewan	54
Fire Department	297	Manitoba	44
Police	37	Ontario	334
Hazmat Contractor	10	Quebec	211
Poison Control Centre	17	New Brunswick	28
Mutual Aid Group	1	Nova Scotia	17
Emergency Call Centre	32	Prince Edward Island	4
Ambulance Service	7	Newfoundland and Labrador	9
Medical Facility	39	Yukon	3
Laboratory	5	Northwest Territories	1
Government	122	Nunavut	3
Private Citizen	172	United States	29
Manufacturing Facility	16	International	2
Distributor/Retail	15		
End User	64		
Other	17		

EMERGENCIES BY CLASS OF DANGEROUS GOODS*		
Class 1	Explosives	23
Class 2	Compressed Gas	181
Class 3	Flammable Liquids	237
Class 4	Flammable Solids	25
Class 5	Oxidizers and Organic Peroxides	61
Class 6	Poisonous and Infectious Substances	62
Class 7	Radioactives	23
Class 8	Corrosives	311
Class 9	Miscellaneous	21
NR	Non regulated	214
Mixed load		10
Unknown		56

* includes primary and subsidiary classes, and possibly multiple DG's per emergency.

We welcome news, comments or highlights of transportation of dangerous goods activities, announcements of meetings, conferences or workshops. The Newsletter carries signed articles from various sources. Such articles do not necessarily represent the views of the Directorate, nor does publishing them imply any endorsement. Material from the Newsletter may be used freely with customary credit.

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Subscriptions are free of charge and available to anyone on request by calling 613-990-1148 or by visiting the TDG website at **< <http://www.tc.gc.ca/eng/tdg/newsletter-menu-268.htm> >**. This newsletter is also available at the same internet address. Please address comments and inquiries regarding additional information or publications to:

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