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Transportation of Dangerous Goods

TDG Bulletin

How to Use the *TDG Regulations*



Canada

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This Bulletin outlines how to use the Transportation of Dangerous Goods (TDG) Regulations, but it does not change, create, amend or suggest deviations from them. For specific details, you must consult the TDG Regulations.

How to Use the *TDG Regulations*

What is the difference between the *TDG Act* and *TDG Regulations*?

The legal name of the *TDG Act* is the *Transportation of Dangerous Goods Act, 1992*. Its purpose is to maintain public safety during the import, handling, offering for transport and transport of dangerous goods. It sets out the general requirements that must be met. It also gives the government the power to:

- write regulations that elaborate on those requirements,
- grant exemptions from requirements, and
- designate federal inspectors to verify compliance through inspections, etc.

The *TDG Regulations* is where you will find specific details on how to ship and transport dangerous goods in your day to day operations.

How do I know if my product is regulated by the *TDG Regulations*?

It is the consignor's (i.e. shipper) responsibility to determine if a product is regulated as a dangerous good.

Training is the key to complying with the *TDG Regulations*. You must be able to:

- find information in the *TDG Regulations*;
- determine if a product is a dangerous good; and
- determine if the dangerous goods are regulated.

1. Training

The *TDG Regulations* require any person who handles, offers for transport and/or transports dangerous goods to be adequately trained or work under the direct supervision of someone who is. It is the responsibility of the employer to ensure that its employees are properly trained and issued a training certificate.

Training must focus on the duties the employer expects the person to perform and the dangerous goods that he/she will likely handle, offer for transport or

transport. For example, a person who completes shipping documents must be trained on the requirements of Part 3 - Documentation.

For more information, please consult:

- *TDG Regulations*, Part 6; and
- Advisory Notice - *Guidelines for Training Criteria* TP 9554 Vol.1 at <http://www.tc.gc.ca/media/documents/tdg-eng/advol1enew.pdf>.

2. Finding Information in the *TDG Regulations*

The *TDG Regulations* have 16 Parts and three Schedules.

The 16 Parts provide the regulatory requirements for the transportation of dangerous goods:

PART 1: Coming into Force, Repeal, Interpretation, General Provisions and Special Cases
PART 2: Classification
PART 3: Documentation
PART 4: Dangerous Goods Safety Marks
PART 5: Means of Containment
PART 6: Training
PART 7: Emergency Response Assistance Plan
PART 8: Accidental Release and Imminent Accidental Release Report Requirements
PART 9: Road
PART 10: Rail
PART 11: Marine
PART 12: Air
PART 13: Protective Direction
PART 14: Permit for Equivalent Level of Safety
PART 15: Court Order
PART 16: Inspectors

The three Schedules provide information that complements the 16 Parts:

SCHEDULE 1: List of Dangerous Goods by UN Number
SCHEDULE 2: Special Provisions
SCHEDULE 3: Alphabetical Index of Dangerous Goods

3. Determining if a Product is a Dangerous Good

It is the consignor's responsibility to classify a substance, product or organism to determine if it is a dangerous good. There are two ways to classify goods:

1) Use Schedule 1

Schedule 1 lists the dangerous goods by UN number and provides 10 columns with information on all dangerous goods, such as: shipping name, class, packing group, special provision, explosive limit and limited quantity index, Emergency Response Assistance Plan (ERAP) index, passenger carrying ship index, passenger carrying road vehicle index, passenger carrying railway vehicle index and marine pollutant.

Always refer to Schedule 1 first. In it, you will find the UN number of the dangerous good under Column 1.

If you do not know the UN number, refer to the alphabetical list of shipping names in Schedule 3. You will find the UN number in Column 5. Once you determine the UN number, return to Schedule 1 to find the classification, quantity exemptions, limitations, special provisions, ERAP index, etc.

2) Use Part 2 - Classification

Part 2 defines the criteria of the nine classes of dangerous goods. Use this when the dangerous goods are not listed by name in Schedule 1.

Note: A “generic” or “not otherwise specified” (N.O.S.) entry may be used when the substance or article does not appear specifically by name in Schedule 1.

The consignor will need to determine whether their product is in any form, state or concentration that meets the criteria in Part 2 to be included in at least one of the nine classes of dangerous goods.

Typically, classification is done by, or in consultation with, someone able to understand the nature of the dangerous goods such as a manufacturer, or a person who formulates, blends or otherwise prepares mixtures or solutions of goods.

4. Forbidden Dangerous Goods

When you find the word “Forbidden” in **Schedule 1, Column 3**, you must not transport the dangerous goods. Schedule 3 also lists these forbidden dangerous goods, in addition to dangerous goods that are forbidden for transport but that do not have a UN number.

Example: SCHEDULE 1

Col.1 UN number	Col.2 Shipping Name and Description	Col.3 Class	Col.4 Packing Group/ Category	Col.5 Special Provisions	Col.6 Explosive Limit and Limited Quantity Index	Col.7 ERAP Index	Col.8 Passenger Carrying Ship Index	Col.9 Passenger Carrying Road Vehicle or Passenger Carrying Railway Vehicle Index	Col.10 Marine Pollutant
UN2249	DICHLORODIMETHYL ETHER, SYMMETRICAL	Forbidden							

5. Special Provisions

Check if any Special Provision numbers are listed under **Schedule 1, Column 5**. If there are, be sure to read them in **Schedule 2**. Special Provisions may:

- provide an exemption from certain parts or sections of the *TDG Regulations*; or
- prescribe additional requirements.

6. Special Cases

If no Special Provisions apply to the dangerous goods, you may review the **Special Cases** in **Part 1, Sections 1.15 to 1.48** to see if there is an exemption that can be used. Special Cases will either exempt you from:

- all the requirements of the *TDG Regulations*;
- some parts of the Regulations;
- some sections of the Regulations; or
- give alternative ways of complying with the Regulations.

For example, section 1.25 states: “These Regulations do not apply to dangerous goods that are transported solely within a manufacturing or processing facility to which public access is controlled.”

If the conditions for using a Special Case are not strictly met, the entire *TDG Regulations* apply.

Note 1: Dangerous goods with no exemptions given either in Schedule 2 or applicable Special Cases must meet all applicable requirements of the *TDG Regulations*.

Note 2: Using a Special Case in Part 1 is optional.

7. Using the Regulations

The *TDG Regulations* apply to all dangerous goods unless those dangerous goods are exempted in Schedule 2 - Special Provisions or Part 1 - Special Cases. In addition to training, classification, special provisions and Special Cases, the following requirements of the *TDG Regulations* also apply:

- Determining if an Emergency Response Assistance Plan (ERAP) is required for a dangerous good and preparing an ERAP for submission to the TDG Directorate. You can find the requirements for filing an ERAP in Part 7.
- Determining the additional requirements for a particular mode of transport. Refer to *TDG Regulations* Parts 9, 10, 11 and 12 for requirements specific to transport by road, rail, marine and air.
- Determining the maximum allowable quantity per means of transport for a ship, road or railway vehicle carrying passengers. Refer to Schedule 1, columns 8 and 9.
- Selecting the appropriate means of containment for dangerous goods in accordance with Part 5 - Means of Containment. You can find more information in the Bulletin on “Means of Containment”.
- Displaying the dangerous goods safety marks in accordance with Part 4 (i.e. labels, proper shipping name, UN number). You can find more information in the Bulletin on “Dangerous Goods Safety Marks”.
- Completing the shipping document in accordance with Part 3. You can find more information in the Bulletin on “Shipping Documents.”

8. Additional Requirements by Mode of Transport

Part 9 deals with road transport, Part 10 with rail transport, Part 11 with marine transport and Part 12 with air transport. Refer to these parts for additional requirements.

9. Equivalency Certificates

Equivalency Certificates (also known as Permits for Equivalent Level of Safety) may provide relief from certain requirements of the *TDG Act* and/or *Regulations*; and their conditions must be strictly met. Simply put, Transport Canada issues an Equivalency Certificate to authorize an activity that does not comply with the *TDG Act* or *Regulations*, but which will provide a level of safety **at least equivalent** to compliance with the *TDG Act* and *Regulations*.

If you wish to carry on an activity related to transporting dangerous goods in a way that is not in compliance with the *TDG Regulations*, you may submit an application for an Equivalency Certificate. To learn how to apply, please consult the following web page: <http://www.tc.gc.ca/eng/tdg/certificates-apply-1140.htm>.

10. Accidental Release and Imminent Accidental Release Report Requirements

The person having possession of the dangerous goods must report any accidental release and/or imminent accidental release, as set out in Part 8. The person's employer must complete a follow-up report within 30 days, as well.

Compliance with the TDG Act and Regulations

Failure to comply with the *TDG Act* and *TDG Regulations* can lead to fines and/or prison. You can visit the TDG website at: www.tc.gc.ca/tdg for more information. If you have any questions about the *TDG Regulations*, contact a Transport Canada Dangerous Goods Inspector in your region.

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