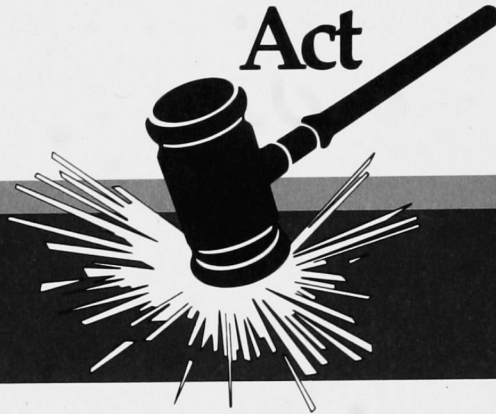




Canadian Environmental Protection Act



Report for the Period Ending
March 1990

**CANADIAN ENVIRONMENTAL PROTECTION
ACT**

**Report for the Period Ending
March 1990**

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Minister of the Environment



Ministre de l'Environnement

The Right Honorable John A. Fraser
Speaker of the House of Commons
Room 222-N
Centre Block
Parliament Building
Wellington Street
Ottawa, Ontario
K1A 0A6

Dear Mr. Speaker:

Pursuant to Section 138 of the Canadian Environmental Protection Act, I hereby submit to Parliament, through your good offices, the first Annual Report of the Minister of the Environment covering the period of 1988-90.

Yours sincerely,

A handwritten signature in black ink that reads "Robert R. de Cotret". The signature is written in a cursive style with a large, sweeping initial 'R'.

Robert R. de Cotret

Minister of the Environment



Ministre de l'Environnement

The Honourable Guy Charbonneau
Speaker of the Senate
Room 280-F
Centre Block
Parliament Building
Wellington Street
Ottawa, Ontario
K1A 0A6

Dear Mr. Speaker:

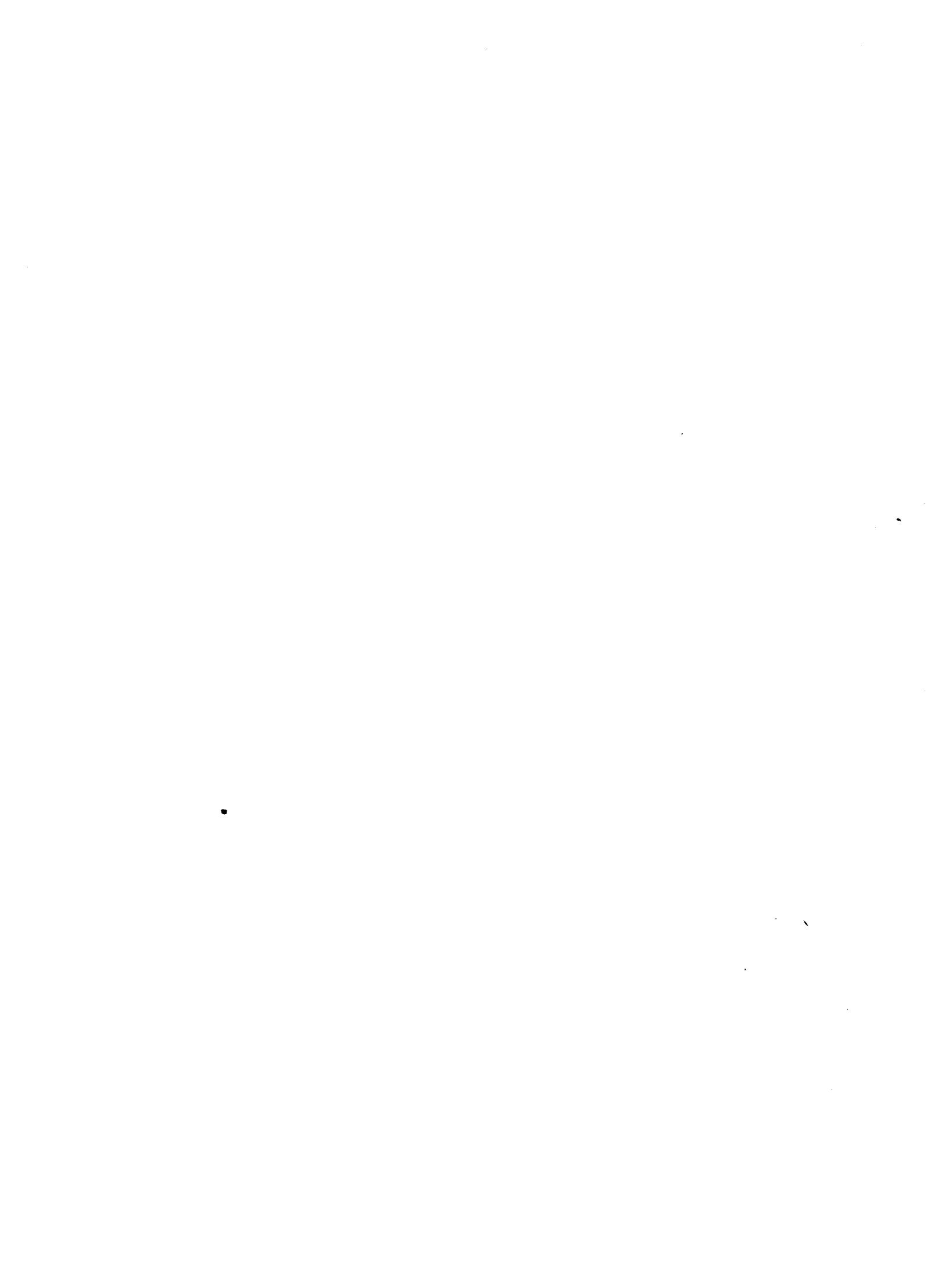
Pursuant to Section 138 of the Canadian Environmental Protection Act, I hereby submit to Parliament, through your good offices, the first Annual Report of the Canadian Environmental Protection Act covering the period of 1988-90.

Yours sincerely,

A handwritten signature in cursive script that reads 'Robert R. de Cotret'.
Robert R. de Cotret

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What is CEPA?

The new *Canadian Environmental Protection Act* (CEPA) is the cornerstone of federal environmental legislation. It provides a framework for protecting Canadians from pollution of all kinds, particularly that caused by toxic substances.

Among other things, CEPA gives the government broad powers to define national standards for any toxic substance. Regulations under CEPA can encompass the entire life cycle of toxic substances — from their development and manufacture, through the stages of their transportation, distribution, use and storage, to their ultimate disposal.

Environment Canada is responsible for administering CEPA, and for developing and enforcing its regulations. However, because pollutants harm human health as well as the environment, Health and Welfare Canada plays a key role with Environment Canada in developing regulations.

This is the first annual report covering the period from June 1988, when CEPA was enacted, up to the end of the 1989/90 fiscal year. Subsequent reports will be tabled each fiscal year.

Defining the Problem

CEPA requires industry and government to come to terms with the thousands of substances used in the Canadian marketplace, and with the effluent streams and emissions generated by industrial and other operations.

This involves:

- **identifying** substances that may be toxic; (a substance may be, among other things, a chemical, a product of biotechnology that can be dispersed into the environment, or a mixture of chemical wastes).
- **assessing** such substances to determine whether they are toxic; (a substance is considered toxic because of its harmful or irreversible effects on human health and the environment) and
- **controlling** toxic substances throughout their life cycle by regulations.

The Regulatory Process

Controls for managing a toxic substance are established by Environment Canada and Health and Welfare Canada. Depending on the results of an assessment, the controls usually take the form of regulations, although guidelines or codes of practice may be used. The government can order immediate action if necessary, and the controls may govern any aspect of the life cycle of a toxic substance. The government may ban the

substance, improve the safety requirements for its use, or limit how much may be discharged into the environment, for example.

After a potentially harmful substance has been identified and assessed, a report on the technical methods of control will be made public. This is in keeping with the guiding principles of the federal government's "Regulatory Reform Strategy," published in 1986, which calls for increased public participation in the development of new regulations.

If a regulation is the preferred option for controlling the substance, drafting of the regulation begins. The initial draft is made available to the public, often through meetings that bring together groups, organizations, or individuals with a vital interest in the issues. Public comments are taken into account in preparing the final draft.

If approved by Cabinet Committee, the proposed regulation and the Regulatory Impact Analysis Statement (RIAS) are published in the *Canada Gazette Part I*. Sixty days must be allowed for public comment before the draft regulation can be finalized. The regulation comes into force when it is published in the *Canada Gazette Part II*.

The lengthy process is designed to allow for public review and involvement at every stage, ensure careful examination of options, and document the social and economic impacts of compliance.

The CEPA Regulatory Framework

The regulations developed under CEPA are designed to control toxic substances in the following broad categories:

- "Existing" chemicals are defined by the Domestic Substances List.
- "Priority" substances are those existing chemicals that must be assessed immediately.
- "Toxic" substances are those existing chemicals already scheduled in CEPA for regulatory action. (List of Toxic Substances, Schedule I)
- "New" substances are those that do not appear on the Domestic Substances List.
- "Biotechnology Products" are included as new substances.

In addition, CEPA also controls:

- nutrients
- emissions and effluents
- international air pollutants and
- substances disposed of at sea.

Each category is to be managed through the use of specific regulations or environmental codes of practice, national objectives, or guidelines.

Domestic Substances List

The Domestic Substances List, now in its final stages of compilation, will be published early in 1991, and will consist of about 20 000 substances. It will serve as an inventory of "existing" substances for purposes of CEPA; that is, substances manufactured in or imported into Canada on a commercial scale between 1984 and 1986.

At the same time, "new" chemical or biotechnology products can be identified by their exclusion from the Domestic Substances List. Under CEPA, no "new" substance can be introduced into Canada on a commercial scale until it is assessed for safety. Industries wishing to introduce a substance not on the Domestic Substances List must notify the federal government under the New Substances Notification Regulations (see Appendix C), after they come into force in 1991, and provide enough data for its assessment by Environment Canada and Health and Welfare Canada.

The compilation of the Domestic Substances List is being carried out in three phases:

- Phase I, which commenced on October 1, 1988 and concluded on March 31, 1989, involved a survey of 150 major Canadian chemical manufacturers and importers to create a "core" list of 9 000 substances. This list was published in August 1989.
- Phase II began on April 1, 1989 and concluded January 15, 1990. All Canadian importers and manufacturers were asked to submit additional nominations for the "core" list. Substances that Environment Canada judged to be eligible were added, and the resulting Provisional Domestic Substances List with 18 300 entries was released in May 1990.
- Phase III involves a correction and review period which will provide interested parties with an opportunity to advise Environment Canada on errors and omissions. This phase will culminate with publishing the Domestic Substances List in the *Canada Gazette* in January 1991.

Priority Substances List

In 1988, the Minister of the Environment appointed a Priority Substances Advisory Panel to identify which of the approximately 20 000 substances in use in Canada most urgently require assessment for their effects on human health

and the environment. The expert advisory panel was chaired by Dr. Ross Hume Hall of McMaster University. The Priority Substances List was published in the *Canada Gazette Part I* on February 11, 1989. It identifies 44 substances.

The Priority Substances List is at the back of this Report as Appendix A.

A substance was selected for the List if it met at least one of the following three criteria:

- 1) The substance causes or has the potential to cause adverse effects on human health or the environment.
- 2) The substance accumulates or could accumulate to significant concentrations in air, water, soil, sediment, or tissue.
- 3) The substance is or may be released into the environment in significant quantities or concentrations.

If the government does not complete assessments of all 44 substances by February 11, 1994, the Act provides the public with the right to request a Board of Review to complete the assessment process. The purpose of the assessment is to determine whether a substance should be placed on the List of Toxic Substances (Schedule I) for possible regulation.

Twenty-six task groups, with representatives from Environment Canada and Health and Welfare Canada, were formed to complete the assessment on each priority substance, with some of the closely related substances grouped together. The task groups are listed in Appendix B.

First Assessment Report

In the spring of 1990, *Priority Substances List Assessment Report No. 1* on dioxins and furans was published, and the Summary Report with Recommendations was published in the *Canada Gazette Part I* on March 17, 1990. Dioxins and furans are among the nine substances considered to require earliest investigation. The report concluded that because of their harmful effects on both the environment and human health, dioxins and furans are considered "toxic" as defined in CEPA.

The *Gazette* Summary recommends the regulation of dioxins and furans to control their release into the environment from incinerators and pulp and paper mills.

Regulations in Force

As of the spring of 1990, there were 16 regulations and interim orders under CEPA. A significant number of regulations will be introduced over the next three years. Appendix C lists CEPA's regulations, both current and planned, along with a timetable for their introduction.

Regulations "Rolled Over" to CEPA

The *Canadian Environmental Protection Act* subsumes and takes over the *Environmental Contaminants Act*, the *Clean Air Act*, the *Ocean Dumping Control Act*, the nutrient provisions of the *Canada Water Act*, and Section 6 (2) of the *Department of the Environment Act*.

Several regulations controlling substances made under these repealed Acts have been "rolled over" to continue in force under CEPA.

Interim Orders

When a substance is believed to be toxic or when a substance specified on the List of Toxic Substances is not adequately regulated and there exists a significant danger to the environment or to human life or health, then CEPA gives the Minister of the Environment, with the concurrence of the Minister of Health and Welfare, the authority to take immediate action in the form of an interim order.

Examples of interim orders made during the reporting period include: the PCB Waste Storage Interim Order (September 16, 1988), and the Contaminated Fuel Interim Order (May 12, 1989).

The PCB Waste Storage Interim Order developed as a result of the Saint-Basile-le-Grand fire, which highlighted the need to ensure, on a national basis, that PCB wastes are stored in a manner and under conditions that do not pose any threat to the environment or to human life or health.

In June 1989, the Minister issued the Contaminated Fuel Interim Order to address the matter of illegal shipments from the United States of fuels contaminated with hazardous wastes such as PCBs.

Appendix D lists the interim orders issued under CEPA to the end of March 1990, including those necessitated by imprecise wording of Section 33 and 34 (see below).

Amendment of CEPA

With the creation of CEPA, the List of Toxic Substances (Schedule I) was simply transferred from the *Environmental Contaminants Act*. However, the wording of Sections 33 and 34 was imprecise, and there remained a legal uncertainty as to whether new regulations could be made for substances already appearing on the schedule. This included those regulations that were to be transferred from previous Acts and rolled over into CEPA.

Consequently, steps were taken to amend CEPA to remove any uncertainty. This was given Royal Assent on June 29, 1989 (Appendix E). To ensure that all existing regulations had the force of law, Interim Orders were made on February 20, 1989 for the nine substances included in the List of Toxic Substances (Schedule I) of CEPA, namely chlorobiphenyls, mirex, polybrominated biphenyls, chlorofluorocarbons, polychlorinated terphenyls, asbestos, lead, mercury, and vinyl chloride.

All but two of these Interim Orders have been converted into regulations. The others will become regulations in the near future.

New Regulations

Three entirely new regulations are scheduled to come into force in the summer of 1990. They will control chlorofluorocarbons (CFCs), bromofluorocarbons (halons), and gasoline.

CFCs and Halons

Recognizing that CFCs and halons deplete the atmosphere's ozone layer and adversely affect climate, Canada joined 24 other nations in signing the Montreal Protocol on Substances that Deplete the Ozone Layer in September 1987. The purpose of this Protocol is to prevent a global environmental and health problem of crisis proportions. The Ozone Depleting Substances Regulations for CFCs (No. 1), and Halons (No. 2) will ensure that Canada complies with the Montreal Protocol. The consumption of CFCs will be drastically reduced, and the importing of halons will be frozen.

Gasoline Regulations

Lead is potentially toxic in most, if not all of its chemical and physical forms, particularly because it accumulates in the human body. In urban Canada, lead additives in gasoline are the largest single source in the atmosphere. A reduction of lead emissions from gasoline combustion should significantly reduce the level of lead particles in the air. The Gasoline Regulations are intended to virtually eliminate the use of lead additives in gasoline by December 1, 1990.

Controls on Federal Departments, Agencies, Crown Corporations

Part IV of CEPA provides the Minister of the Environment with the authority to make regulations for the protection of the environment that apply to federal works and undertakings where no other Act of Parliament applies. It also gives the Minister the authority to regulate emissions and effluents resulting from activities of federal departments or Crown corporations and federal agencies, as well as their waste handling and disposal practices.

Regulatory controls governing "Federal Mobile PCB Treatment and Destruction Facilities" were published in the *Canada Gazette Part II* on January 3, 1990.

Regulations are now being developed for the following:

- hazardous wastes
- air emissions at federal boilers
- municipal-type incinerators
- underground storage tanks
- wastewater treatment
- landfills
- emergencies

Environmental Codes of Practice and Guidelines

Codes of practice and guidelines help to achieve CEPA's goal of protecting the environment. Section 8 of the Act gives the Minister of the Environment the authority to formulate such guidelines.

The following non-regulatory instruments have been put forward since CEPA was promulgated:

- National Ambient Air Quality Objectives for Air Contaminants
- Environmental Codes of Practice for Steam Electric Power Generation - Design Phase
- Thermal Power Generation Emissions - National Guidelines for New Stationary Sources

The Environmental Choice Program

The Environmental Choice Program was established by the Minister of the Environment to help Canadians identify products that are environmentally preferable. Once a product or service has been certified as environmentally preferable and published as a guideline under Section 8 of CEPA, it may use the EcoLogo. An independent Board of Canadians determines product categories and establishes the criteria the product must meet in order to use the EcoLogo.

To the end of March 1990, the Environmental Choice Program adopted draft guidelines on six product categories, and final guidelines on ten categories. The ten final guidelines ready for EcoLogo applications from manufacturers are: re-refined lubricating oil, fine paper from recycled paper, miscellaneous products from recycled paper, construction materials from wood-based cellulose fibre, products made from recycled plastic, newsprint from recycled paper, air-zinc batteries, heat-recovery ventilators, water-based paint, and cloth diapers.

Controlling Substances at Sea

CEPA Part VI regulates the disposal of substances at sea through a system of permits and inspections administered by Environment Canada. The Act also controls the loading of substances on ships, aircraft, platforms or other man-made structures for disposal at sea.

Dumping at sea is permitted only in cases where the disposal of the substances meets the regulatory requirements, and is the environmentally preferable and practical alternative. If ocean dumping is not permitted, Environment Canada works with the appropriate federal and provincial agencies to investigate alternative disposal methods.

All Canadian or foreign ships, aircraft, platforms, or man-made structures require permits if they wish to dispose of substances in Canadian waters. The terms and conditions of a permit vary with the material being dumped, and typically govern timing, handling, storing, loading, and placement at the disposal site in a way that reflects the Government of Canada's commitment to protecting human health, marine life, and legitimate uses of the sea. No permit may be granted if the dumping is prohibited under any other Act of Parliament, or if a licence or permit required under any other such Act has not been obtained.

A new feature of CEPA Part VI is the requirement that an ocean dumping permit application be accompanied by proof it was published in a general circulation newspaper near where the proposed dumping is to take place. This is to allow any local concerns to be addressed before the permit is issued. All ocean dumping permits and amendments to permits must also be published in Part I of the *Canada Gazette* before they come into force. Where an applicant or permit holder is refused a permit or disagrees with the conditions specified in a granted permit, or if a permit is suspended or revoked, a notice of objection can be filed asking for a Board of Review.

1988-90 Permit-granting Activities

A summary of ocean dumping permit activity and the number of permits approved for fiscal year 1989-90 is found in Appendix F,

Table 1. This information is summarized by region in Table 2.

A summary of types of permits granted and the total approved for fiscal year 1988-89 is shown in Appendix G, Table 1. These numbers are summarized by region in Table 2.

Monitoring

Dump site monitoring is undertaken to evaluate the effectiveness of permit-issuing decisions. In the four regions where ocean dumping is carried out, there are approximately 150 dump sites used in any one year. Dump sites where more than 100 000 m³ of material is dumped are considered major sites.

In fiscal year 1988-89, four dump sites were monitored; three sites in the Pacific and Yukon Region, and one in the Atlantic Region, of which a major study was conducted.

In fiscal year 1989-90, two major dump sites were monitored in each of the Pacific and Yukon and Atlantic Regions. An additional eight minor dump sites were monitored in the Pacific and Yukon Region. All dump site investigations carried out since CEPA was promulgated indicate that there were no adverse environmental effects from the permitted dumping operations.

Enforcement and Compliance

On June 30, 1988, when the *Canadian Environmental Protection Act* was proclaimed, Environment Canada also released to the public the Enforcement and Compliance Policy for CEPA.

The policy's purpose is to ensure compliance with the Act by establishing principles for fair and consistent enforcement. The policy tells everyone who shares a responsibility for protecting the environment — governments, industry, organized labour or individuals — what is expected of them.

The Act includes significant penalties, ranging from fines of \$200 000 and six months in jail, to fines of \$1 million and three to five years in jail. Life imprisonment is possible for offences involving criminal negligence.

The Enforcement and Compliance Policy spells out the range of enforcement responses to violations which might be taken by an Environment Canada enforcement officer. These responses depend on:

1. The nature of the violation, including consideration of the seriousness of the harm or potential harm; the intent of the alleged violator; whether this is a repeat occurrence; and whether there are attempts to conceal information or otherwise subvert the objectives and requirements of the Act.

-
2. Willingness of the violator to comply. Factors to be considered are the violator's history of compliance, willingness to cooperate, and evidence of corrective action already taken.

An enforcement officer may:

- issue a warning recommending that a specified course of corrective action be taken; or
- issue a direction to remedy any dangerous condition, or to reduce any danger to the environment or human health.

If non-compliance still persists, an investigation is undertaken, charges may be laid, and prosecution may follow. A procedure is being established to allow enforcement officers to issue on-the-spot tickets when they discover non-compliance with certain CEPA regulations.

Enforcement Activities under CEPA June 30, 1988 to March 31, 1990

In the first year-and-a-half of CEPA's operation, over 5 800 inspections have been carried out (see Appendix H). This has resulted in the discovery of more than 300 cases (5.5%) of non-compliance. Enforcement actions were taken in all cases of non-compliance. Five of these cases escalated to the level of prosecution. The others were resolved through corrective action following warnings or directions from Environment Canada. Prosecutions under CEPA are listed in Appendix I.

Federal-Provincial Roles under CEPA

CEPA is national in scope, providing for a consistent approach to environmental protection across the country. Environment Canada and the provinces and territories work closely together to improve coordination of regulatory activities, and to avoid duplication and conflict in the development and enforcement of regulations.

The Act gives the Minister of the Environment the authority to conclude, with the approval of the Governor in Council, two types of agreements with provincial and territorial governments.

"Administrative agreements" between the two levels of government make it possible to share the work involved in administering federal regulations. The Agreements can cover a range of activities, from inspection and enforcement to monitoring and reporting.

“Equivalency agreements” are specific to individual regulations and will play an important role in managing toxic substances. Under CEPA, the federal government will recognize the application of provincial regulations if they are equivalent in effect. In this way, the provincial government is given the option of developing and using its own statutes for regulating toxic substances.

Negotiations with the provinces on both administrative and equivalency agreements are under way.

The Federal-Provincial Advisory Committee

Under section 6 of the Act, the Federal-Provincial Advisory Committee was established to advise Ministers on CEPA. The Committee consists of representatives from the federal government — both Environment Canada and Health and Welfare Canada — as well as from each of the provinces and territories. The Committee will ensure:

- that consultation takes place on all management initiatives regarding toxic substances;
- that an effective framework for national action in protecting the environment from toxic substances is established, and
- that nationally consistent levels of environmental quality, through the establishment of nationally consistent standards, are achieved.

Working Groups on Pulp and Paper

Two federal-provincial working groups (a technical group and an administrative group) were established on the pulp and paper effluent issue. The objective of the technical group was to establish similar federal and provincial discharge limits. The administrative group reviewed implementation and enforcement of the regulations to minimize duplication of effort. Their two reports were presented at the February Deputy Ministers' meeting, and an executive summary was tabled at the Canadian Council of Ministers of the Environment meeting in March 1990.

Working Group on Ozone Layer

A working group on harmonization of controls for ozone layer depleting substances, including CFCs, has also been established under the auspices of the Federal-Provincial Advisory Committee. Its mandate is to develop a coordinated national strategy to eliminate ozone layer depleting substances in Canada, and to facilitate information exchange among the three levels of government.

Summary

In its first 21 months of existence, major accomplishments under CEPA include:

- compilation of the Domestic Substances List of about 20 000 substances
- establishment of the Priority Substances List, identifying 44 substances for assessment
- publication of the first Priority Substances List Assessment Report on dioxins and furans
- new regulatory controls on chlorofluorocarbons (CFCs), bromofluorocarbons (halons), and gasoline
- new codes of practice and guidelines for steam electric power generation, thermal power generation emissions, ambient air contaminants
- the Environmental Choice Program, which adopted draft guidelines on six "environmentally preferable" product categories, and final guidelines on ten products
- over 5 800 inspections carried out, with more than 300 enforcement actions taken in cases of non-compliance

The implementation of CEPA continues and the following regulations and interim orders have been published in the *Canada Gazette* since April 1, 1990:

Regulation	Canada Gazette Part II
Gasoline	May 1990
PCB Waste Export	August 1990
Asbestos Mines and Mills Release	July 1990
Ozone-depleting Substances, Reg. No. 2 Halon Consumption	September 1990
Ozone-depleting Substances, Reg. No. 3 for Non-essential Uses of CFCs	September 1990

Subsequent annual reports will be tabled each fiscal year. Additional information or data pertaining to CEPA is available from Environment Canada, Conservation and Protection.

THE PRIORITY SUBSTANCES LIST

Group 1:

Arsenic and its compounds
Benzene
Effluents from pulp mills using bleaching
Hexachlorobenzene
Methyl tertiary-butyl ether
Polychlorinated dibenzodioxins
Polychlorinated dibenzofurans
Polycyclic aromatic hydrocarbons
Waste crankcase oils

Group 2:

Cadmium and its compounds
Chlorinated wastewater effluents
Chlorobenzene
Chromium and its compounds
Creosote-impregnated waste materials
Dibutyl phthalate
1, 2-Dichlorobenzene
1, 4-Dichlorobenzene
1, 2-Dichloroethane
Dichloromethane
Di-n-octyl phthalate
bis (2-Ethylhexyl) phthalate
Inorganic fluorides
Nickel and its compounds
Pentachlorobenzene
Styrene
Tetrachlorobenzenes
1,1,2,2-Tetrachloroethane
Tetrachloroethylene
Toluene
Trichlorobenzenes
1,1,1-Trichloroethane
Trichloroethylene
Xylenes

Group 3:

Aniline
Benzidine
Chlorinated paraffin waxes
bis (2-Chloroethyl) ether
bis (Chloromethyl) ether
Chloromethyl methyl ether
3,3-Dichlorobenzidine
3,5-Dimethylaniline
Methyl methacrylate
Mineral fibres
Organotin compounds (non-pesticidal uses)

About one third of the priority substances are families of chemicals or effluents, each comprising up to several hundred substances. Dioxins, furans, pulp mill effluents, arsenic, benzene, hexachlorobenzene, polycyclic aromatic hydrocarbons (PAHs), methyl tertiary - butyl ether, and waste crankcase oils are the nine substances slated for earliest assessment.

CEPA PRIORITY SUBSTANCES TASK GROUPS

1. Arsenic and its compounds
2. Benzene
3. Pulp mill effluents
4. Methyl t-butyl ether
5. Dioxins and furans (2 substances)
6. PAH
7. Waste crankcase oils
8. Chlorobenzenes (7 substances)
9. Cadmium and its compounds
10. Chromium and its compounds
11. Nickel and its compounds
12. Chlorinated wastewater effluents
13. Creosote-impregnated wastes
14. Phthalates (3 substances)
15. Chlorinated ethanes (3 substances)
16. Dichloromethane
17. Fluorides
18. Styrene
19. Toluene and Xylenes (2 substances)
20. Trichloroethylene
Tetrachloroethylene
21. Aromatic amines (4 substances)
22. Chloroalkyl ethers (3 substances)
23. Chlorinated paraffin waxes
24. Methyl methacrylate
25. Mineral fibres
26. Organotin compounds

CURRENT AND PLANNED REGULATIONS

As of March 31, 1990, there were 18 regulations and interim orders (emergency regulations) under CEPA. Upwards of 64 regulations will be introduced over the next three years. Below is a listing of CEPA's Regulations, in effect on March 31, 1990 and those planned, along with a timetable for their introduction.

Regulations	Canada Gazette Part II
PCB Destruction Regulations	Winter 1990
Phosphorus Concentration Regulations (rollover to CEPA)	Fall 1989
Ocean Dumping Regulations (rollover to CEPA)	Fall 1989
Vinyl Chloride Regulations (rollover to CEPA)	Winter 1990
Chlor-Alkali Mercury Release Regulations (rollover to CEPA)	Winter 1990
Mirex Regulations (rollover to CEPA)	Winter 1990
Polychlorinated Terphenyl Regulations (rollover to CEPA)	Winter 1990
Chlorofluorocarbon Regulations (rollover to CEPA)	Winter 1990
Polybrominated Biphenyl Regulations (rollover to CEPA)	Winter 1990
Ozone-Depleting Substances Regulations No. 1	Summer 1989
Fuels Information Regulations No. 1	Summer 1977
Lead-Free Gasoline Regulations	Fall 1973
Leaded Gasoline Regulations	Summer 1974
Regulatory Initiatives	Canada Gazette Part II
Export of PCB Waste	1990
Chlorinated Organic Substances	1990
Export and Import of Hazardous Wastes Regulations	1991
Chlorinated Dioxins and Furans Release in Pulp & Paper Mills' Effluents Pulp and Paper Product Regulation	1990
Ozone-depleting Substances - Regulations No.2	1990
Freeze consumption of halons	
Ozone-depleting Substances - Regulations No.3	1990
Prohibit certain uses of CFCs and halons	
Ozone-depleting Substances - Regulations No.1 - Amendments To reduce CFC consumption by 100% by 1997	1991
Ozone-depleting Substances - Regulations No.2 - Amendments To reduce halon consumption by 100% by 2000	1991
Ozone-depleting Substances - Regulations No.3 - Amendments To ban the use of halons in fire extinguishers	1991
Ozone-depleting Substances - Regulations No.3 - Amendments To prohibit use of CFC in certain products	1991
PCB Waste Storage Regulations	1990
New Substances Notification - Polymers	1991

Export of Toxic Substances	1991
Air Emissions Regulations for Boilers at Federal Facilities	1991
Environmental Protection Boards of Review Rules	1991
Confidential Information Disclosure Regulations	1991
Contaminated Fuel	1991
Chlorobiphenyl (PCB) Regulations - Amendments	1991
Ocean Dumping - Amendments, Phase I	1992
Improve administration	
Non-hazardous Solid Waste Incinerators at Federal Facilities	1991
Diesel Fuel Quality Regulations	1991
Vinyl Chloride - Amendments	1991
Release of Lead from Secondary Lead Smelters - Amendments	1991
Hazardous Waste Management at Federal Facilities	1992
Release of Lead from Secondary Lead Smelters - (rollover to CEPA)	1990
Wastewater Regulations for Federal Facilities	1992
New Substances Notification - Biotechnology Products	1992
Ocean Dumping - Amendments, Phase II	1992
New environmental assessment procedure	
Fines and Execution of Orders Proceeds	1993

INTERIM ORDERS ISSUED TO MARCH 31, 1990

Asbestos Mines and Mills Release Interim Order
Chlor-alkali Mercury Release Interim Order
Chlorobiphenyls Interim Order
Chlorofluorocarbon Interim Order
Contaminated Fuel Interim Order
Mirex Interim Order
Polychlorinated Terphenyl Interim Order
Secondary Lead Smelter Release Interim Order
Vinyl Chloride Release Interim Order
Storage of PCB Wastes Interim Order
Polybrominated Biphenyls Interim Order

An Act to amend the *Canadian Environmental Protection Act*

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. (l) Subsection 33 (1) of the English version of the *Canadian Environmental Protection Act* is repealed and the following substituted therefore:

“33. (1) Subject to subsection (4), the Governor in Council may, if satisfied that a substance is toxic, on the recommendation of the Ministers, make an order adding the substances to the list of Toxic Substances in Schedule I.”

(2) Subsection 33 (2) of the said Act is repealed.

2. All that portion of subsection 34 (1) of the said Act preceding paragraph (a) thereof is repealed and the following substituted therefore:

“34. (1) Subject to subsection (3), the Governor in Council may, on the recommendation of the Ministers and after the federal-provincial advisory committee is given an opportunity to provide its advice under section 6, make regulations with respect to a substance specified on the List of Toxic Substances in Schedule I, including regulations providing for, or imposing requirements respecting,”

PERMITS FOR OCEAN DUMPING 1989-90

TABLE 1

Material	Total Quantity	No. of Permits	% Permits
Dredged Material	4 959 000 m ³	101	60%
Offal	132 268 t	49	29%
Excavation Material	764 600 m ³	5	3%
Vessels	8 502 t	6	4%
Scrap	1 432 t	3	2%
Gypsum - outfall	20 000 m ³	1	<1%
- wallboard	14 000 t	1	<1%
Ship Galley Refuse	2 000 t	1	<1%
Aluminum Hydrate	40 kg	1	<1%
TOTAL		168	100%

1989-90 PERMIT QUANTITIES BY REGION

TABLE 2

Material	Atlantic Region		Pacific & Yukon Region		Quebec Region		Western & Northern Region	
	No. of Permits	Quantity	No. of Permits	Quantity	No. of Permits	Quantity	No. of Permits	Quantity
Dredged Material	54	1 762 000 m ³	22	2 829 000 m ³	23	162 000 m ³	2	206 000 m ³
Offal	49	132 268 t						
Excavation Material			5	764 600 m ³				
Vessels	5	2 302 t	1	6 200 t				
Scrap Metal	3	1 432 t						
Gypsum - outfall - wallboard	1	20 000 m ³	1	14 000 t				
Ship Galley Refuse			1	2 000 t				
Aluminum Hydrate	1	40 kg						

PERMITS FOR OCEAN DUMPING 1988-89

TABLE 1

Material	Total Quantity	No. of Permits	% Permits
Dredged Material	5 743 002 m ³	135	80%
Offal	151 580 m ³	16	9%
Construction Rubble	686 000 m ³	6	3%
Vessels	2 342 t	6	3%
Gypsum	250 000 m ³	1	<1%
-outfall	10 000 t	1	<1%
-wallboard			
Brine	20 000 m ³	1	<1%
Stickwater	1 818 400 L	1	<1%
Firearms	200 pieces	1	<1%
Ship Galley Refuse	2 000 t	1	<1%
Oil Experiments	1 025 L	1	<1%
TOTAL		170	100%

1988-89 PERMIT QUANTITIES BY REGION

TABLE 2

Material	Atlantic Region		Pacific & Yukon Region		Quebec Region		Western & Northern Region	
	No. of Permits	Quantity	No. of Permits	Quantity	No. of Permits	Quantity	No. of Permits	Quantity
Dredged Material	58	2 369 002 m ³	48	3 023 200 m ³	28	259 800 m ³	1	91 000 m ³
Offal	16	151 580 t						
Construction Rubble			6	686 000 m ³				
Vessels	6	2 342 t						
Gypsum	1	250 000 m ³	1	10 000 t				
Brine	1	20 000 m ³						
Stickwater	1	1 818 400 L						
Firearms	1	200 pieces						
Ship Galley Refuse			1	2 000 t				
Oil Experiments	•						1	1 025 L

Regulatory Instrument	Inspection/ Investigation	Enforcement Action
PCB Waste Storage	1347	128
PCB Interim Order	1017	104
Gasoline Unleaded	1652	11
Gasoline Leaded	395	5
Contaminated Fuels	733	38
Secondary Lead Smelters	35	1
Chlor-alkali (Mercury)	46	-
Vinyl Chloride Plants	6	-
Asbestos Mines	32	4
Phosphates (Detergents)	184	10
Ocean Dumping	254	35
CFCs	84	2
PCB Mobile Destruction	36	1
TOTAL	5 821	339

PROSECUTIONS UNDER CEPA

Company	Date	Status
Beaver Construction Group Ltd. Bedford, N.S.	10 April 1989	Charged: sec. 67 (1) CEPA
	4 June 1990	Guilty: Fined \$ 2 000
Cheticamp Packers Ltd. Cheticamp, N.S.	4 August 1988	Charged: sec. 67(1) and 69(1) CEPA
	28 April 1989	Guilty: Fined \$750 each charge, total \$1 500
Harry Lowell Newman Yarmouth, N.S.	3 November 1988	Charged: sec. 67(1) CEPA
	24 April 1989	Guilty: Fined \$500
MacMillan Bloedel Port Alberni, B.C.	January 1990	Charged: Ocean Dumping - CEPA Guilty: \$1 000 and Court Order to pay \$14 000 over two years to the Alberni Valley Salmon Enhancement Society to improve spawning grounds
West Isle Forest Products Ltd. Victoria, B.C.	August 1989	Charges: Four counts under the Storage of PCB Waste Interim Order CEPA
	April 1990	Guilty: Fined total of \$20 000

