

# HAZARDOUS WASTE AND HAZARDOUS RECYCLABLE MATERIALS

News Bulletin - November 2020



This information bulletin contains important information about federal regulatory requirements, changes and updates pertaining to hazardous waste management.

## WHAT'S NEW

### Get rid of administrative non-compliance, start preparing movement documents on-line



Want to avoid non-compliance due to missing information on your movement documents? Do like a number of companies in the industry and start using the Canadian Notice and Movement Tracking System (CNMTS) to generate and print your Movement Documents!

By using the CNMTS, not only do movement documents prefill with your selected permit and waste information, you can also easily keep track of submission deadlines and missing information. Copies can even be printed multiple times if you spill your coffee, or need to get a copy to someone else.

Concerned whether these are acceptable for any Provincial/Territorial requirements from your waste movement? Don't be - All Provinces and Territories are on board and will accept these movement document printouts.

Whether your activities involve the international or interprovincial movement of hazardous waste or recyclable material, using the CNMTS will help you comply with the applicable regulations by providing you with immediate feedback. We encourage you to start using this online system before it becomes mandatory with the coming into force of the anticipated Cross-Border Regulations due in 2021 (see below).

Consult the various [fact sheets](#) available online to get started with the CNMTS and [share your success stories or concerns with us](#).



## New Cross border Regulations

Environment and Climate Change Canada (ECCC) is targeting publication of the final *Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations* (Cross-border Regulations) in the Canada Gazette, Part II in 2021, with the Regulations coming into force at least 6 months following publication. These Regulations would consolidate three previous regulations to improve the management of permits, the tracking of shipments and clarify regulatory requirements to continue ensuring that movements of hazardous waste and hazardous recyclable materials across Canada's international and inter-provincial/territorial borders reach the intended destination. There will be a transition period from the current *Export and Import of Hazardous Waste and Hazardous Recyclable Materials Regulations* (EIHWRMR) to the Cross-border Regulations and at the time of publication or shortly thereafter, ECCC plans to provide additional information and guidance on how this transition will unfold.

## ON YOUR RADAR

### Control of the transboundary movement of plastic waste



Did you know that exporting or importing plastic waste can be subject to the EIHWRMR? Even if the plastic waste you plan to export is not commonly considered hazardous in Canada, the regulations may still apply. This is the case if the importing or a transit country has:

- import or transit controls on specific plastic waste (i.e. controls on specific resins, sorting requirements, quality specifications);
- contamination specifications to be met;
- banned certain plastic waste from its list of imports.

When wastes are controlled by the importing or transit country, the regulations require that you obtain an export permit. In the case of an unlawful export, you will have to make all necessary arrangements to return the shipment to Canada or to an alternative destination, and could be prosecuted for violation of the provisions of the *Canadian Environmental Protection Act, 1999* and the EIHWRMR. The Basel Convention website can provide useful information such as national reports, definitions or legislation that can help you determine if the plastic waste you plan to export is subject to the EIHWRMR:

<http://www.basel.int/Countries/ImportExportRestrictions/tabid/4835/Default.aspx>.

Moreover, plastic wastes can be subject to the EIHWRMR if they are considered hazardous under the Basel Convention. It is the responsibility of the Canadian exporter to determine whether a particular waste stream or recyclable material meets the definition of hazardous waste or hazardous recyclable material under the EIHWRMR.

### Reminder: You have to confirm the final disposal or recycling

Did you submit the confirmation of disposal or recycling for all your wastes and recyclables? If you import or export any waste or recyclable material that is subject to the EIHWRMR, you have 30 days after the final disposal or recycling is completed to provide this confirmation in compliance to section 36 of the regulations.

Using the CNMTS can help you keep track any outstanding documentation, and assist you in complying with this and other requirements of the regulations. Start now!

If you do not provide this confirmation of recycling or disposal within the 30-day period, you may be subject to Enforcement action.

# You could be subject to additional requirements under the *Export of Substances on the Export Control List Regulations*

Do you export any wastes or materials that contain asbestos, mercury, pesticides or persistent organic pollutants? These are examples of substances listed on the [Export Control List](#) that may be found in waste and recyclable material.

Exports of hazardous and non-hazardous wastes and materials containing substances listed on the Export Control List are subject to the *Export of Substances on the Export Control List Regulations* and require, in addition to any notification required by the EIWHRMR, the submission of a notice of proposed export to the Export Controls Program, at [ec.substancedexportationcontrolee-exportcontrolledsubstance.ec@canada.ca](mailto:ec.substancedexportationcontrolee-exportcontrolledsubstance.ec@canada.ca).

More information on the *Export of Substances on the Export Control List Regulations* is available in the guidance document for exporters at: <http://canada.ca/export-controlled-substance> or by contacting the Export Controls Program.

Be in the know and verify if wastes and materials that you export contain substances on the Export Control List now!

## SHARE YOUR THOUGHTS



We would like to hear from you. If you have a success story to share, feedback on your experience with the electronic notifications system, or are just looking for general information on the federal hazardous wastes regulations, contact your regional office:

<b>PACIFIC &amp; YUKON</b>	<a href="mailto:ec.dechetsrpy-wastepyr.ec@canada.ca">ec.dechetsrpy-wastepyr.ec@canada.ca</a>
<b>PRAIRIE &amp; NORTHERN</b>	<a href="mailto:ec.promconrpn-compropnr.ec@canada.ca">ec.promconrpn-compropnr.ec@canada.ca</a>
<b>ONTARIO</b>	<a href="mailto:ec.promcon-on-compro.ec@canada.ca">ec.promcon-on-compro.ec@canada.ca</a>
<b>QUEBEC</b>	<a href="mailto:ec.dechetsqc-wastesqc.ec@canada.ca">ec.dechetsqc-wastesqc.ec@canada.ca</a>
<b>ATLANTIC</b>	<a href="mailto:ec.promoatlcompro.ec@canada.ca">ec.promoatlcompro.ec@canada.ca</a>

For more information, visit: [www.canada.ca/hazardous-waste](http://www.canada.ca/hazardous-waste)