

HAZARDOUS WASTE AND HAZARDOUS RECYCLABLE MATERIAL

News Bulletin - November 2023



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

WHAT'S NEW

Consultation on Proposed Regulations Amending Certain Department of the Environment Regulations (Cross-Border)



On September 30th, 2023, Environment and Climate Change Canada published proposed *Regulations Amending Certain Regulations Made by the Department of Environment*. They include proposed amendments to the *Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations* (XBR), which were published in Canada Gazette, Part I, for a 60-day public comment period (see [Regulations Amending Certain Department of the Environment Regulations](#)).

Currently, the XBR apply to a subset of hazardous electrical and electronic waste (e-waste). The proposed amendments would ensure that the XBR are aligned with the most recent amendments to the Basel Convention related to e-waste. By doing so, the proposed amendments would control transboundary movement (import, export, transit) of all e-waste, including non-hazardous e-waste to all countries. The proposed new controls on e-waste would extend to electrical equipment without circuit boards or monitors/display devices, for example: hair clippers. These proposed amendments would allow Canada to meet the obligations of the Basel Convention and contribute to the environmentally sound management of e-waste globally.

In addition, the proposed amendments would also place Canada in a position to ratify the Basel Convention Ban Amendment, which prohibits most exports of hazardous wastes from member states of the Organization for Economic Cooperation and Development (OECD) to non-OECD countries.

Interested parties are invited to provide [comments](#) on the proposed amendments until November 29, 2023 using the new online commenting feature.



For more instructions on how to comment, please see the [comment on proposed regulations](#) page on the Canada Gazette website. If you would like to see examples of how the new online commenting feature is used to publish individual comments, please visit [this page](#). All comments that conform to the terms of use will be posted online after the comment period ends.



ON YOUR RADAR

Current controls on the transboundary movement of batteries, electronic waste, and recyclables

Many international shipments of electronic waste and its components are potentially controlled and may require import and export permits under Canada's [Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations](#) (XBR).

Wastes or recyclables that are controlled include:

- circuit boards and display devices, and any equipment that contains them;
- all types of cells and batteries (i.e. rechargeable and non-rechargeable, all chemistries);
- electronic and electrical equipment (whole, dismantled components, crushed, or shredded);
- most plastic wastes (including baled, shredded, single polymer or mixed plastics, and plastics mixed with non-plastic materials).

Please note that the XBR prescribes who can hold permits to ship hazardous wastes internationally. For information on these limitations, please refer to Sections [7 \(Import Permit Applicant\)](#) and [19 \(Export Permit Applicant\)](#) of the XBR.

As discussed above in the 'What's New' section, proposed amendments to the Regulations will expand upon these current e-waste materials and components captured by the XBR.

Need to make changes to a permit? You must reapply.

Changes to valid permits are not possible under the XBR. You will have to reapply for a new permit if certain administrative information needs changing (such as the name of the exporter, importer, foreign company, facility, etc.), or if you would like to do one of the following:

- add a new carrier;
- change the name of an existing carrier;
- add a customs office of entry/exit;
- add a port (Canadian or foreign);
- increase the quantity of waste, or number of shipments.

In many cases, "cloning" your current permit within the Canadian notification and movement tracking system (CNMTS) can ease the process of reapplying. However, any changes to administrative information can not be done through "cloning" and will require starting a new permit from scratch.

Here are some suggestions to avoid being in a situation where you would have to amend a permit:

- Ensure you account for all potential waste streams, quantities, and number of shipments, for the requested period, including contingencies for unplanned additional waste generation and shipments. This will assist you to remain within the limit of your permit over the course of its validity.
- Include “plan B” customs office of entry/exit and Canadian and foreign ports.
- Have back-up road and/or rail carriers for inland movements, and back-up marine carriers for overseas movements.
- Ask carriers to also provide a list of potential sub-contractors, and list those sub-contractors on the permit. Otherwise, those carriers may not be used and the movement would become non-compliant.

If you want to use a carrier that is not listed on your permit to transport your hazardous waste or hazardous recyclable material, you need to apply for a new permit to include that carrier, prior to shipment.

SHARE YOUR THOUGHTS



We would like to hear from you. If you have a success story to share, feedback on your experience with the Canadian notification and movement tracking system (CNMTS), or are looking for general information on the federal hazardous wastes regulations, contact your regional office:

PACIFIC & YUKON

dechets-py-waste@ec.gc.ca

PRAIRIE & NORTHERN

promconrpn-compropnr@ec.gc.ca

ONTARIO

promcon-on-compro@ec.gc.ca

QUEBEC

dechets-qc-waste@ec.gc.ca

ATLANTIC

promo-atl-compro@ec.gc.ca

For more information, visit: [Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations - Overview](#)

Cat. No.: En12-4E-PDF
ISSN: 2563-4690

For information regarding reproduction rights, please contact Environment and Climate Change Canada's Public Inquiries Centre at 1-800-668-6767 (in Canada only) or 819-938-3860 or email to enviroinfo@ec.gc.ca.

© His Majesty the King in Right of Canada, represented by the Minister of Environment and Climate Change, 2023

Aussi disponible en français