

Export and Import of Hazardous Waste Regulations

*User's Guide to the
Hazardous Waste
Export/Import Notice*

***Your
Comments,
Please***

This is the first edition of the User's Guide to the Export/Import Notice. It describes how to complete the notice form required by the *Export and Import of Hazardous Wastes Regulations* which came into force in 1992.

We are interested in your comments on the way this guide is written and how useful it was to you.

Please send any comments to:

Hazardous Waste Management Division
Office of Waste Management
Environmental Protection
Environment Canada
Place Vincent Massey, 12th Floor
Ottawa, Ontario
K1A 0H3

***Other
Brochures in
this Series***

- User's Guide to Hazardous Waste Classification
- User's Guide to Implementation of the Export and Import of Hazardous Wastes Regulations
- User's Guide to the Hazardous Waste Manifest
- User's Guide to the Preparation and Handling of Labpacks

This guide is not meant to be the definitive interpretation of the **Export and Import of Hazardous Wastes Regulations**. Compliance should be based on the Regulations themselves.

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1. INTRODUCTION

The *Export and Import of Hazardous Wastes (EIHWR) Regulations* improve controls on trans-boundary movements by setting the conditions that must be met before an international shipment of hazardous waste can be imported into, exported from, or transited through Canada. The *EIHWR Regulations*, made pursuant to Sections 43 to 45 of the *Canadian Environmental Protection Act (CEPA)*, came into force on November 26, 1992.

One important condition of the *EIHWR Regulations* is that all persons wishing to move hazardous waste across the Canadian border must notify and obtain consent from the appropriate authorities in advance of the intended shipment.

The document that must be used to provide this notification is known as a notice.

1.1 What is a notice?

Part 1 of the EIHWR Regulations, Sections 3 and 4.

A notice is a form bearing a unique reference number which when completed provides:

- detailed information on the types and amounts of hazardous wastes being shipped;
- information on the country of origin/destination and any country of transit;
- a record of the various corporations or individuals involved in the shipment;
- information on the operation used in the treatment, storage, recycling and/or disposal of hazardous wastes when they reach their final destination; and,
- an undertaking by a Canadian exporter that, if the disposal or recycling operation cannot take place after the export, he/she will either make other arrangements or re-import the hazardous waste.

1.2 When must a notice be used?

For definitions of "importer" and "exporter", see the EIHW Regulations. For additional information on the export and import of hazardous waste, see the User's Guide to Implementation of the EIHW Regulations.

A completed notice must be sent to the Canadian authority for each intended import or export of hazardous waste, including shipments where Canada is a country of transit only. The notice must be submitted within one year before the proposed export or import.

There are two types of notices: Form 1 and Form 2 in Schedule II of the regulations. Form 1 is to be used for all imports and exports of hazardous wastes. Form 2 is to be used when Canada is a country of transit only.

1.3 Who must complete the notice?

For exports of hazardous waste from Canada, the Canadian generator/exporter is responsible for completing the notice and for making sure that all of the documents that must accompany the notice are provided to the Canadian authority.

For imports, the Canadian recycler/disposer/importer must provide the Canadian authority with a notice.

In the case of a shipment that will only transit through Canada, the notice should be completed by the person who is importing or exporting the waste in Canada. This person is normally the carrier.

1.4 Where must completed notices be sent?

The notice form and all accompanying documents required by the *EIHW Regulations* must be forwarded to the following Canadian authority:

Chief, Hazardous Waste Management Division
Office of Waste Management
Environment Canada
Place Vincent Massey, 12th Floor
351 St. Joseph Blvd.
Hull, Quebec K1A 0H3
Fax: (819) 953-0508

The completed notice may be sent by courier, by registered mail, or by facsimile.

2. COMPLETING THE EXPORT/IMPORT NOTICE

Form I, Schedule II of the *EIHW Regulations*

The notice is used to notify the Canadian authority of all intended imports or exports of hazardous waste into or from Canada, except when Canada is only a country of transit. Only three types of waste may be entered per notice. If more than three wastes are to be shipped, additional notices must be completed.

2.1 Options

Select and mark only one box. A separate notice must be completed for each option selected, even if the rest of the information on the notice remains the same.

Box 1 - Disposal, Part II of the *EIHW Regulations*

If the waste is destined for disposal.

Contact the Office of Waste Management of Environment Canada for up-to-date information on which countries are parties to the Basel Convention or the OECD Decision.

Box 2 - Recycling, Part III, Division A of the *EIHW Regulations*

If the waste is destined for recycling, and:

- the waste is destined for or comes from a country that is a party to the *Basel Convention on the Control of the Transboundary Movements of Hazardous Wastes and their Disposal*, but not to the *OECD Decision on the Control of the Trans-frontier Movements of Wastes Destined for Recovery Operations* or the *Canada-U.S.A. Agreement on the Transboundary Movement of Hazardous Waste*; or
- the waste is listed in Part I, Divisions A or B, or in Part II of Schedule III of the *EIHW Regulations*.

Box 3 - Recycling, Part III, Division B of the *EIHW Regulations*

If the waste is destined for recycling, and:

- is to be shipped to or from an OECD country or the U.S.; and

- is listed in Part I, Division C, or in Parts III or IV of Schedule III of the *EIHW Regulations*.

Box 4 - Pre-approved Recycling Facility, Part III, Division B

If the waste is destined for recycling, and:

- is to be shipped to or from an OECD country or the U.S.;
- is listed in Part I, Division C, or in Parts III or IV of Schedule III of the *EIHW Regulations*; and
- the recycling facility has been granted pre-approval from the relevant authorities to receive this waste. For foreign facilities, this pre-approval must have been registered with the OECD.

**2.2 *Exporter/
Foreign
Generator***

For exports, enter the name, address, and telephone and facsimile numbers of the Canadian exporter, indicating the street address of the shipping site as well as any post office box number. Where applicable, the provincial waste generator or identification number must also be indicated. For imports into Canada, enter the name, address, and telephone and facsimile numbers of the foreign generator and the address of the shipping site, including the street number. Where applicable, indicate any waste generator or exporter identification number.

**2.3 *Foreign
Receiver/
Importer***

For exports, provide the name, address, and telephone and facsimile numbers of the foreign receiver. As well, the address of the receiving site must be indicated, including the street number. Where applicable, the operating licence or permit number of the facility must also be indicated. For imports into Canada, enter the name, address, and telephone and facsimile numbers of the importer. Except where the importer is not the recycler of the hazardous waste in Canada (i.e., a buyer as defined in 17(1)(b) of the Regulations), the address of the receiving site, including the street number, must also be indicated. Where applicable, the provincial operating licence or permit number of the facility must also be included.

2.4 Carrier

Indicate the name, address, and telephone and facsimile numbers of the carrier. Also indicate the mode of transport and the carrier's licence or permit number. If using more than one carrier/mode of transport, attach a list providing the same information on the other carriers that will be used.

2.5 Final destination

This box must be completed if the disposal/recycling operation is D13 (Blending or mixing), D14 (Repackaging), R12 (Waste exchange), or R13 (Accumulation), as described in Schedule I of the *EIHW Regulations*, or if the importer is not the hazardous waste recycler in Canada. Enter the name, address, and telephone and facsimile numbers of the receiver at the final destination. The final receiving site is the site where the actual disposal or recycling will take place by operations other than D13, D14, R12, or R13 or where a buyer will send the waste for recycling by any operation listed in Schedule I, Part II of the *EIHW Regulations*. The address of the receiving site must be indicated, including the street number. Where applicable, provide the operating licence or permit number of the facility.

2.6 Number of imports/ exports

Enter the number of shipments intended over the 12-month period that would be covered by the notice if consent is granted. Using a single notice for multiple shipments is permitted under certain conditions given in Section 4 of the *EIHW Regulations*.

2.7 Customs offices

Specify the names of all the Customs offices through which the hazardous wastes are to be shipped, attaching a separate page and marking the appropriate box on the notice if necessary.

2.8 First export or import

Depending on the time required to obtain consent from all authorities involved, the actual period covered by the notice may not correspond to the dates given by the notifier.

Indicate the anticipated dates of departure and arrival of the shipment. If the notice covers multiple shipments, enter the date for the first intended shipment.

2.9 Transit countries

All countries through which the hazardous waste will pass before reaching its final destination must be identified. An estimate of the amount of time that the waste will spend in each transit country must also be included. Attach an additional page if necessary.

2.10 Hazardous waste informa- tion

The following information must be provided for each hazardous waste:

International Waste Identification Code (IWIC)

Enter the waste's IWIC code as defined by the OECD Council Decision C(88)90, with the following modifications:

- Table 2 is replaced by Schedule I of the *EIHW Regulations*;
- the code "G" may be used to describe the physical state for gases in Table 3 (Generic type of waste).

These tables are provided in the *User's Guide to Hazardous Waste Classification*. For more information on determining IWIC codes, please refer to this guide.

ID Number Set Out in Schedule III

Where applicable, indicate the ID Number set in Column II of Schedule III of the *EIHW Regulations* that corresponds to the hazardous waste listed in Column I of Schedule III of the *EIHW Regulations* best representing the type of waste in question. Except for certain wastes that would belong to

classes 6.2 or 9.1 in the *Transportation of Dangerous Goods Regulations (TDG Regulations)*, it should be possible to find an ID Number for all hazardous wastes.

TDGR Product Identification Number (PIN)

Except where the waste is listed in Parts I or IV of Schedule III of the *EIHW Regulations*, provide the PIN number set out in Column II of Schedule II, List II of the *TDG Regulations*.

Primary TDGR Hazard Class

Except where the waste is listed in Parts I or IV of Schedule III of the *EIHW Regulations*, enter the primary hazard class as defined in Part III or Schedule II, List II of the *TDG Regulations*.

Quantity of Waste

Indicate the total quantity of each type of hazardous waste that will be shipped under this notice, regardless of how it may be divided if multiple shipments take place. The quantity must be given in kilograms (kg) or litres (L) and the box for the appropriate units must be marked.

Packing Group

Except where the waste is listed in Parts I or IV of Schedule III of the *EIHW Regulations*, enter the waste's packing group as defined in Part III of the *TDG Regulations*.

Packaging type

Provide one of the following codes for the type of packaging that will be used: 01 Drum, 02 Tank, 03 Bulk, 04 Carton, 05 Bag, 06 Roll-off or Luggage, or 07 Other.

2.11 Special handling instructions

This information would be similar to that provided in the Special Handling/Emergency Instructions that would be used on a manifest form.

For each type of waste, provide any special handling instructions that may prove useful in case of an emergency, such as a spill or a fire.

2.12 Undertaking of the exporter

No agent can sign any document that, according to the Export and Import of Hazardous Wastes Regulations, requires the signature of the exporter.

In the case of an export of hazardous waste from Canada, the exporter must sign the undertaking in this section. In the case of a corporation, an authorized officer must sign the undertaking. By signing here, the exporter is committed to making other arrangements or to re-importing an exported waste if it should become evident that recycling or disposal in the manner stated on the notice cannot take place. Refer to Section 19 of the *EIHW Regulations* for more information on the undertaking.

2.13 Certification and signature

No agent can sign any document that, according to the Export and Import of Hazardous Wastes Regulations, requires the signature of the exporter or the importer.

The notifier must print his or her name and sign the notice, thereby certifying that the information is correct. In the case of a corporation, an authorized officer must sign the notice.

3. COMPLETING THE TRANSIT NOTICE

Form II, Schedule II of the *EIHW Regulations*

This form should be used only when Canada is simply a country of transit, that is when the waste from another country will pass through Canada and be sent for recycling or disposal at a site outside Canada.

3.1 Foreign Generator

Enter the name, address, and telephone and facsimile numbers of the foreign generator and the address of the shipping site, including the street number. Where applicable, any national waste generator number or identification number must also be indicated.

3.2 Foreign Receiver

Enter the name, address, and telephone and facsimile numbers of the foreign receiver and the address of the receiving site, including the street number. Where applicable, any national waste generator number or identification number must also be provided.

3.3 Carrier

Indicate the name, address, and telephone and facsimile numbers of the carrier. Also indicate the mode of transport and the carrier's licence or permit number. If using more than one carrier/mode of transport during the transit, mark the box indicating that a list is attached providing this information for the other carriers that will be used.

3.4 Number of transits

Enter the intended number of transits to take place over the 12- month period that would be covered by the notice if consent is granted. Notification of multiple shipments under one single notice is permitted only under certain conditions. See Section 4 of the *EIHW Regulations* for more information.

3.5 Customs offices

Indicate the name of the Customs offices at the point of entry into Canada, the point of exit from Canada, and any other Customs points through which the hazardous wastes will travel during the transit.

3.6 First transit

Indicate the anticipated dates of departure and arrival of the shipment(s). If the notice covers multiple shipments, enter the dates for the first intended shipment.

Depending on the time required to obtain consent from the authorities involved, the actual period covered by the notice may not correspond to the dates given by the notifier.

3.7 Other transit countries

Identify all other countries through which the hazardous wastes will pass before reaching their final destination. An estimate of the amount of time that the wastes will spend in each transit country must also be included. Attach an additional page if necessary.

3.8 Hazardous waste information

For each hazardous waste, provide the following information:

International Waste Identification Code (IWIC)

Enter the waste's IWIC code as defined by the OECD Council Decision C(88)90, with the following modifications:

- Table 2 is replaced by Schedule I of the *EIHW Regulations*;
- the code "G" may be used to describe the physical state for gases in Table 3 (Generic type of waste).

For access to these table and for more information on determining IWIC codes, please refer to the *User's Guide to Hazardous Waste Classification*.

ID Number Set Out in Schedule III

Where applicable, indicate the ID number set in Column II that corresponds to the hazardous waste listed in Column I of Schedule III of the *EIHW Regulations*. Except for certain wastes that would belong to classes 6.2 or 9.1 listed in the *Transportation of Dangerous Goods Regulations (TDG Regulations)*, it should be possible to find an ID Number for all hazardous wastes.

TDGR Product Identification Number (PIN)

Except where the waste is listed in Parts I or IV of Schedule III of the *EIHW Regulations*, provide the PIN number set out in Schedule II, List II of the *TDG Regulations*.

Primary TDGR Hazard Class

Except where the waste is listed in Parts I or IV of Schedule III of the *EIHW Regulations*, enter the primary hazard class as defined in Part III or in Schedule II, List II of the *TDG Regulations*.

Quantity of Waste

Indicate the total quantity of each type of hazardous waste that will be shipped under this notice, regardless of how it may be divided if multiple shipments take place. The quantity must be given in kilograms (kg) or litres (L) and the box for the appropriate units must be marked.

Packing Group

Except where the waste is listed in Parts I or IV of Schedule III of the *EIHW Regulations*, enter the waste's packing group as defined in Part III or Schedule II, List II of the *TDG Regulations*.

Packaging type

Provide one of the following codes for the type of packaging that will be used: 01 Drum, 02 Tank, 03 Bulk, 04 Carton, 05 Bag, 06 Roll-off or Lugger, or 07 Other.

3.9 Special handling instructions

This information would be similar to that provided in the Special Handling/Emergency Instructions that would be used on a manifest form.

For each type of waste, provide any special handling instructions that may prove useful in case of an emergency, such as a spill or a fire.

3.10 Certification and signature

No agent can sign any document that, according to the Export and Import of Hazardous Wastes Regulations, requires the signature of the exporter or the importer.

The notifier must print his or her name and sign the notice, thereby certifying that the information is correct. In the case of a corporation, an authorized officer must sign the notice.

4. APPROPRIATE AUTHORITIES

For more information on the *Export and Import of Hazardous Wastes Regulations*, contact Environment Canada headquarters office in Hull or one of the regional offices listed below:

**Hazardous Waste Management
Division
Office of Waste Management
Environment Canada
Place Vincent Massey, 12th Floor
351 St. Joseph Blvd.
Hull, Quebec
K1A 0H3
(819) 997-3377**

Atlantic: (902) 426-6141
*(Newfoundland, Nova Scotia, New Brunswick,
Prince Edward Island)*

Quebec: (514) 283-2678

Ontario: (416) 973-1809

Western and Northern: (403) 468-8019
*(Manitoba, Saskatchewan, Alberta, Northwest
Territories)*

Pacific and Yukon: (604) 666-6664
(British Columbia, Yukon Territory)

The following is a list of appropriate authorities in Canada who can provide information on the management of hazardous waste within their jurisdictions:

Alberta
Alberta Environment
Industrial Wastes Branch
Oxbridge Place
9820 - 106th Street
Edmonton, Alberta
T5K 2J6
(403) 427-5868

Manitoba
Manitoba Department of the Environ-
ment
Dangerous Goods
Building 2
139 Tuxedo Avenue
Winnipeg, Manitoba
R3N 0H6
(204) 945-7100

British Columbia
Environmental Protection
B.C. Ministry of Environment
777 Broughton Street
Victoria, British Columbia
V8V 1X5
(604) 387-9955

New Brunswick
Department of the Environment
Operations
P.O. Box 6000
364 Argyle Street
Fredericton, New Brunswick
E3B 5H1
(506) 457-4848

Newfoundland

Dept. of Environment and Lands
Confederation Building (West
Block)
P.O. Box 8700
St. John's, Newfoundland
A1B 4J6
(709) 729-2565

Northwest Territories

Pollution Control Division
Department of Renewable
Resources
Scotia Centre, 7th Floor
P.O. Box 1320
Yellowknife, N.W.T.
X1A 2L9
(403) 873-7654

Nova Scotia

Hazardous Materials Officer
Department of the Environment
P.O. Box 2107
Halifax, Nova Scotia
B3J 3B7
(902) 424-5300

Ontario

Waste Management Branch
Ontario Ministry of the
Environment
2 St. Clair Avenue West
Toronto, Ontario
M4V 1P5
(416) 323-5200

Prince Edward Island

Department of the Environment
P.O. Box 2000
Charlottetown, P.E.I.
C1A 7N8
(902) 368-5000

Quebec

Guidance and Regional Services
Directorate
Ministry of the Environment
3900 Marly Street, P.O. Box 15
Sainte-Foy, Quebec
G1X 4E4
(418) 643-7456

Saskatchewan

Air and Land Protection Branch
Waste Management Section
Saskatchewan Environment & Public
Safety
3085 Albert Street
Regina, Saskatchewan
S4S 0B1
(306) 787-6412

Yukon

Department of Community and
Transportation Services
Government of the Yukon
P.O. Box 2703
Whitehorse, Yukon
Y1A 2C6
(403) 667-3032

