

# TRANSPORTATION OF DANGEROUS GOODS REGULATIONS

Canadian Regulatory Up-date

DGIS X

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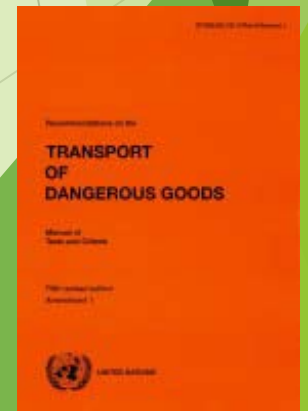
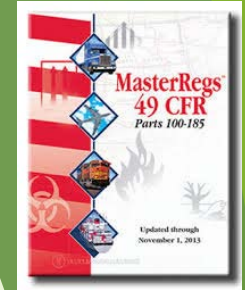
Thursday September 10, 2015  
St. Louis, MO



# CANADA GAZETTE, PART II

## December 31, 2014

- ▶ Up-dating a number of Standards (CGA, CGSB, CSA, ISO, ULC etc)
  - ▶ 49 CFR: Parts 171 to 180 of Title 49 of the “Code of Federal Regulations” of the United States, 2010, but does not include Subpart B of Part 107 when that subpart is referenced in Parts 171 to 180.
  - ▶ ICAO Technical Instructions: to the 2011-2012 Edition (+ Supplement)
  - ▶ IMDG Code: Volumes 1 and 2, 2010 Edition
  - ▶ U.N. Manual of Tests and Criteria: Fifth Revised Edition, 2009
  - ▶ TP14850: (New) Transport Canada Standard “Small Containers for Transport of Dangerous Goods, Classes 3, 4, 5, 6.1, 8 and 9”
  - ▶ TP14877: (New) Transport Canada Standard “Containers for Transport of Dangerous Goods by Rail”
  - ▶ U.N. Recommendations: Seventeenth Revised Edition (2011)



# AMENDMENTS TO PART 1 - Coming into Force, Repeal, Interpretation, General Provisions and Special Cases

- ▶ New Definitions in Section 1.4 (Fuel Cell, Fuel Cell Cartridge, Lithium Content, watt-hour etc)
- ▶ Clarification of explanations of quantity limits in Schedules 1 and 3
- ▶ **NEW Section 1.17.1 - Excepted Quantities Exemption**
  - ▶ Parallels EQ provisions in the Model Regulations including the adaptation of the LQ Mark



# Part 1 (Cont'd)



## ► NEW Section 1.49 - Cylinder Exemption

- (1) Subsection 5.1(1) and Section 5.10 of Part 5 (Means of Containment) do not apply to the handling, offering for transport or transporting of dangerous goods in a cylinder on a road vehicle or an aircraft if
  - (a) the cylinder is from or for a ship or aircraft;
  - (b) the cylinder is transported solely for the purpose of refilling, exchanging or requalification;
  - (c) the cylinder is accompanied by a shipping document that includes the words "Cylinder in transport for the purpose of refilling, exchanging or requalification in compliance with section 1.49 of the TDGR", or (the French Equivalent);
  - (d) the cylinder is closed and secured so that under normal conditions of transport, including handling, there will be accidental release of the dangerous goods that could endanger public safety;...



# AMENDMENTS TO PART 2 - Classification

## ▶ NEW 2.14.1 - Aerosols

- (1) Dangerous goods contained in an aerosol container must be transported under UN1950, AEROSOLS.
- (2) The dangerous goods are included
  - (a) in Class 2.1, Flammable Gases, if the dangerous goods contain...
  - (b) in Class 2.2, Non-flammable and Non-toxic Gases, if...

## ▶ NEW 2.14.2 - Exemption

- (1) These Regulations, except Part 1, and Part 2, do not apply to gases included in Class 2.2, Non-flammable and Non-toxic Gases that are contained
  - (a) in foodstuffs, including carbonated beverages other than UN1950;
  - (b) in balls intended for use in sports;
  - (c) in tires; or
  - (d) in lightbulbs...(protective packaging is required)



## Part 2 (Cont'd)

### ► NEW 2.36.1 Medical or Clinical Waste

Dangerous goods that are medical or clinical waste must be classified

- (a) under UN2814 or, as applicable, under UN2900, if they contain Category A infectious substances;
- (b) under UN3291, if they contain Category B infectious substances; or
- (c) under UN3291, if the shipper has reasonable grounds to believe that they have a low probability of containing infectious substances.

*For the classification of medical or clinical wastes, international, national or provincial reference catalogues may be taken into account.*

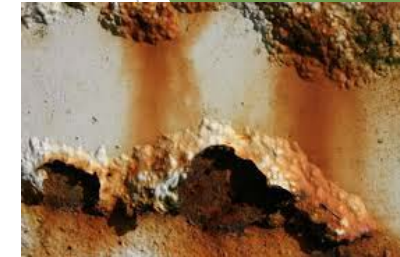
**Note:** *The shipping name for UN3291 is "CLINICAL WASTE, UNSPECIFIED, N.O.S." or "(BIO)MEDICAL WASTE, N.O.S. or "REGULATED MEDICAL WASTE, N.O.S. "*



## Part 2 (Cont'd)

### ► RE: Class 8 - Corrosives

For “full thickness destruction of intact skin criteria is used, OECD Guidelines have been specifically listed



e.g. for Packing Group I: “cause full thickness skin destruction, as determined in accordance with OECD Guidelines 430 or OECD Guidelines 431...”

### NEW: 2.43.1 - Lithium Cells and Batteries

New provision separates Lithium Metal and Lithium Ion cells/batteries and requires the successful completion of the UN Manual of Tests and Criteria section 38.3 of Part III; short circuit protection etc...(i.e. UN SP 188)



# AMENDMENTS TO PART 3 - Documentation

## ▶ Section 3.5 - Information on a Shipping Document

(1)(c) has been amended to require that dangerous goods be described showing the UN Number first in the sequence. Subparagraph (7) has been repealed. (i.e. alternative sequence is no longer permitted)

## ▶ Section 3.6.1 Consignor's Certification

Beginning on July 15, 2015, a shipping document must include, after the information required under section 3.5, one of the following certifications:

- (a) "I hereby declare that the contents of this consignment are fully and accurately described..."
- (b) as set out in 721.204 of 49 CFR;
- (c) as set out in section 5.4.1.6 of the ICAO Technical Instructions'
- (d) as set out in section 5.4.1.6 of the IMDG Code; or
- (e) as set out in section 5.4.1.6 of the UN Recommendations.





# AMENDMENTS TO PART 4 – Dangerous Goods Safety Marks

- ▶ Section 4.20 has been amended re: Elevated Temperature Sign now required when the dangerous goods are shipped at a temperature of
  - ▶ (a) 100<sup>o</sup> C in a liquid state; and
  - ▶ (b) 240<sup>o</sup> C in a solid state.
- ▶ Section 4.22(2)(b) regarding Marine Pollutant\* mark is not required to be displayed when the marine pollutants are
  - ▶ (i) (contained in a) small means of containment and are in a quantity that is less than or equal to 5 L for liquids or 5 kg for solids.



# AMENDMENTS TO PART 7 – Emergency Response Assistance Plan

► Section 7.1(6) \*\*\*NEW\*\*\*

“A person who offers for transport or imports any of the following dangerous goods by rail in a tank car must have an approved ERAP if the quantity exceeds the ERAP index set out for those dangerous goods in Col. 7 of Schedule 1:

- (a) UN1170, ETHANOL with more than 24% ethanol, by volume, ETHANOL SOLUTION with more than 24% ethanol, by volume...ETHYL ALCOHOL & Solution **10 000 L**
- (b) UN1202, DIESEL FUEL, GAS OIL or HEATING OIL, LIGHT **10 000 L**
- (c) UN1203, GASOLINE, MOTOR SPIRIT, PETROL **10 000 L**
- (d) UN1267, PETROLEUM CRUDE OIL **10 000 L (PG I, II and III)**



## Section 7.1(6) cont'd

- (e) UN1268, PETROLEUM DISTILLATES, N.O.S. or PETROLEUM PRODUCTS, N.O.S.  
10 000 L (PG I,II or III)
- (f) UN1863, FUEL, AVIATION, TURBINE ENGINE 10 000 L (PG I, II or III)
- (g) UN1987, ALCOHOLS, N.O.S. 10 000 L (PG II and III)
- (h) UN1993, FLAMMABLE LIQUID, N.O.S. 10 000 L (PG I, II or III)
- (i) UN3295, HYDROCARBONS, LIQUID, N.O.S. 10 000 L (PG I, II or III)
- (j) UN3475, ETHANOL AND GASOLINE MIXTURE with more than 10% ethanol...  
10 000 L
- (k) UN3494, PETROLEUM SOUR CRUDE, FLAMMABLE, TOXIC 10 000 L (PG I, II or III)



# AMENDMENTS TO SCHEDULES - The List of Dangerous Goods (Numerical) Schedule 1/Special Provisions - Schedule 2

- ▶ Schedule 1 is amended by adding the applicable UN Numbers from UN3476 thru UN3526 (UN 17<sup>th</sup> Revised Edition)
- ▶ Consequential amendments to Schedule 3 (Alphabetical List)
- ▶ SCHEDULE 2 - SPECIAL PROVISIONS

SP 16 (re: Technical Name) is amended from “the most dangerous substance” to “the name of at least one of the most dangerous substances related to the primary hazard...”

SP 16(3): Technical Name for UN2814 and UN2900 is not required on the package

SP 18 (re: Dry Ice) Regulations do not apply to UN1845 on a road or railway vehicle provided package is designed to permit the release of Carbon Dioxide gas. i.e. “Refrigerant” statement is no longer required on document



# Amendments to Special Provisions:

SP 23 (RE: Hazard Communication) includes special requirements for UN1005, ANHYDROUS AMMONIA i.e. not required to include the word "toxic" in the Inhalation Hazard mark

SP 34 (RE: Lithium Batteries) This special provision was intended to replicate UN SP 188 **Some errors in the translation occurred during printing and these are being remedied.**

SP 67 (RE: Lithium Battery Powered/ Fuel Cell Powered Vehicles & Equipment

SP 93 to 148 have been added to Schedule 2 to align with Special Provisions in the 17<sup>th</sup> Revised Edition of the UN Recommendations. These include provisions for

- ✓ Fuel Cells
- ✓ Lithium Metal vs Lithium Ion Cells and Batteries
- ✓ Ethanol/Gasoline Mixtures
- ✓ Environmentally Hazardous Substances
- ✓ Ammonium-based Fertilizers
- ✓ Capacitors
- ✓ Chemical Under Pressure
- ✓ Neutron Radiation Detectors

SP 149 These dangerous goods are forbidden for transport as cargo on a passenger aircraft

***UN3090 - Lithium Metal Batteries*** - Effective January 1, 2015



CANADA GAZETTE, PART I, June 6, 2015

## PART 8 - ACCIDENTAL RELEASE AND IMMINDENT ACCIDENTAL RELEASE REPORT REQUIREMENTS

### 8.1 Application and Interpretation

The part applies to

- (a) the release or anticipated release of dangerous goods;
- (b) the loss or theft of dangerous goods;
- (c) unlawful interference of dangerous goods; and
- (d) undeclared and misdeclared dangerous goods transported by aircraft.



8.2(1) Subject to subsections (2) and (3) a report is required for a release or anticipated release of dangerous goods exceeding the following quantities:

# Report Requirements:

Table

Class	PG or Category	Quantity
1	II	Trace
2	Not applicable	Trace
3, 4.1, 4.2, 4.3, 5.1, 5.2, 6.1, 8 and 9	I and II	Trace
3, 4.1, 4.2, 4.3, 5.1, 5.2, 6.1, 8 and 9	III	30 L or 30 kg
6.2	A and B	Trace
7	Not applicable	A level of ionizing radiation greater than the level established in section 20 of the "Packaging and Transport of Nuclear Substances Regulations"



## Section 8.2 (cont'd)

- (2) A person is not required to make the initial report referred to in subsection (1) if the release or anticipated release does not result in any of the following:
- (a) the death of a person;
  - (b) an evacuation of people; or
  - (c) the closure of
    - (i) a facility used in the loading and unloading of dangerous goods, or
    - (ii) a road, a main railway line, a main waterway or a runway.





## Section 8.2 (cont'd)

- (3) Despite subsection (2), a person must make the initial report referred to in subsection (1) to CANUTEC at 613-996-6666 if
- (a) a person has sustained injuries that required immediate medical treatment by a health care provider;  
*A health care provider is a doctor, a nurse or a paramedic*
  - (b) a means of containment has caught fire, has ruptured or has exploded;
  - (c) a release has occurred as a result of the venting of a means of containment;
  - (d) in the case of a release or anticipated release on board an aircraft, at an aerodrome, or at an air cargo facility,
    - (i) a person has sustained injuries,
    - (ii) damage has been caused to property or the environment, or
    - (iii) there are indications that the integrity of the means of containment has been compromised.



## Section 8.2 (cont'd)

- (4) The initial report referred to in subsection (1) must be made to
- (a) the appropriate provincial authority listed in the table to this subsection;
  - (b) CANUTEC, at 613-996-6666;
  - (c) the employer of the person who made the initial report;
  - (d) the consignor of the dangerous goods;
  - (e) in the case of dangerous goods included in Class 7, Radioactive Materials, the Canadian Nuclear Safety Commission;
  - (f) in the case of a road vehicle, the owner, lessee or charterer of the road vehicle; and
  - (g) in the case of a ship, a Vessel Traffic Services Centre or a Canadian Coast Guard radio station.



# Table

## Initial Report of a Release or Anticipated Release of Dangerous Goods

Province	Authority
Alberta	The local police and the appropriate provincial authority at 1-800-272-9600
British Columbia	The local police and Emergency Management BC at 1-800-663-3456
Manitoba	The Department of Conservation at 204-945-4888 and either the local police or fire department
New Brunswick	The local police or 1-800-565-1633
Newfoundland and Labrador	The local police and the Canadian Coast Guard at 709-772-2083
Northwest Territories	The appropriate authorities at 867-920-8130
Nova Scotia	The local police or 1-800-565-1633 or 902-426-6030
Nunavut	The local police and the Nunavut Emergency Services at 1-800-693-1666
Ontario	The local police
Prince Edward Island	The local police or 1-800-565-1633
Quebec	The local police
Saskatchewan	The local police or 1-800-667-7525
Yukon	The appropriate authorities at 867-667-7244



# Report Requirements:

## 8.3 Information to be Included in an Initial Report of a Release or Anticipated Release of Dangerous Goods

## 8.4 30-Day Follow-up Report

The person who made the initial report referred to in subsection 8.2(1), or the employer of that person, must make a follow-up report in writing to the Director General within 30 days after the day on which the initial report was made.

*A reporting template is available at [www.tc.gc.ca/tdg](http://www.tc.gc.ca/tdg)*

## 8.5 Information to be Included in a 30-Day Follow-up Report

## 8.6 30-Day Follow-up Report - Notice and Retention of Report

- (1) Director General must be notified of any changes that occur within 1 year
- (2) A copy of the report must be retained by the reporter for 2 years
- (3) A copy of the report must be made available to an inspector within 15 days after receipt of a written request.



"Baxter...about this report...your punctuation, spelling and grammar are perfect. No one can understand it!"

# Section 8.7 Report of Loss or Theft of Dangerous Goods

- (1) A person who is required to report the loss or theft of dangerous goods under subsection 18(3) of the Act, must as soon as possible after the loss or theft, report it to the persons listed in subsection (3) if the quantity exceeds those listed in subsection (2)
- (2) For the purposes of subsection (1)
  - (a) Trace amounts... (precursors)
  - (b) Trace amounts high explosives, Toxic Gas, Class 5.2 Type B, Class 6.1 PG I, Class 6.2 and Class 7
  - (c) 450 kg or more Class 1.4, 1.5, 1.6 explosives, Flammable gases, PG I or II Flammable Liquids, etc



# Section 8.7 Report of Loss or Theft of Dangerous Goods

- (3) The report referred to in subsection (1) must be made to
  - (a) CANUTEC, at 613-996-6666;
  - (b) In the case of dangerous goods included in Class 1, Explosives, or referred to in paragraph (2)(a) or subparagraphs (2)(b)(i) and (c)(i), an Inspector of Natural Resources Canada, at 613-995-5555; and
  - (c) In the case of dangerous goods included in Class 7, Radioactive Materials, the Canadian Nuclear Safety Commission.

8.8 Information to be Included in a Report of Loss or Theft of Dangerous Goods

8.9 Report of Unlawful Interference with Dangerous Goods

8.10 Information to be Included in a Report of Unlawful Interference with Dangerous Goods

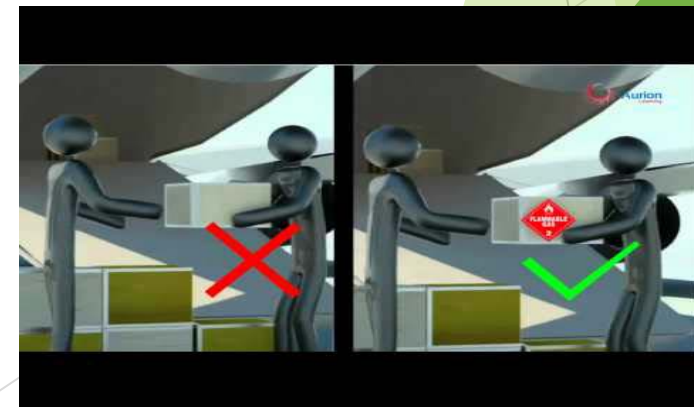


# Section 8.11 - Report of Undeclared or Miscalculated Dangerous Goods Transported by Aircraft

A person must make a report in writing to the Director General within 30 days after the day on which a person discovers, on board an aircraft, at an aerodrome or at an air cargo facility, dangerous goods that

- (a) are not accompanied by a shipping document that meets the requirements of paragraph 3.5(1)(f) and subsection 3.6(1) of Part 3 (Documentation) and section 12.2 (Air); or
- (b) do not bear a dangerous goods safety mark that meets the requirements of Part 4 (Dangerous Goods Safety Marks).

## 8.12 Information to be Included in a Report of Undeclared or Miscalculated Dangerous Goods Transported by Aircraft





Thanks for  
listening!

Any Questions?

No?

SUPER!

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