

Ontario Regulation 501/01

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This regulation amends the General Waste Management Regulation, Reg. 347, with respect to hazardous and liquid industrial wastes. It converts Generator Registration to an annual requirement, for which a fee is payable, and it enables the use of electronic manifests.

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ONTARIO REGULATION 501/01
made under the
ENVIRONMENTAL PROTECTION ACT

Amending Reg. 347 of R.R.O. 1990
(General – Waste Management)

Note: Regulation 347 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 20, 2001.

1. (1) The definition of “intact manifest” in subsection 1 (1) of Regulation 347 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

“intact manifest” means a paper manifest as provided by the Ministry, with all six parts intact;

(2) Clause (e) of the definition of “liquid industrial waste” in subsection 1 (1) of the Regulation is revoked and the following substituted:

- (e) waste directly discharged by a generator from a waste generation facility into a sewage works subject to the *Ontario Water Resources Act* or established before April 3, 1957 or into a sewage system regulated under Part 8 of the building code made under the *Building Code Act, 1992*,

(3) The definition of “manifest” in subsection 1 (1) of the Regulation is revoked and the following substituted:

“manifest” means a numbered document called a manifest that was obtained from the Ministry and includes a paper or electronic manifest;

(4) Subsection 1 (1) of the Regulation is amended by adding the following definition:

“Ministry website” means the website at www.ene.gov.on.ca;

2. (1) Subsections 18 (1) to (7) of the Regulation are revoked and the following substituted:

(1) Every generator who operates a waste generation facility that is involved in the production, collection, handling or storage of subject waste shall,

- (a) before transferring any subject waste from that waste generation facility, submit an initial Generator Registration Report to the Director in respect of the facility; and
- (b) on or before February 15 in each year, submit an annual Generator Registration Report to the Director in respect of each waste generation facility operated by the generator.

(2) Every report referred to in subsection (1) or (6) shall be in the form or format provided or approved by the Ministry, shall comply with the Manual and shall contain such data, analysis and information as will enable the Director to satisfy himself or herself as to the quality and nature of the waste.

(3) Upon receipt of an initial or annual Generator Registration Report and the required fee, the Director shall post on the Ministry website a generator registration document for the waste generation facility that is the subject of the Generator Registration

Report setting out the date of the posting, the name of the generator, a generator registration number and the applicable waste numbers accepted by the Director.

(4) A generator registration document posted under subsection (3) is valid until the earlier of the posting of a revised or subsequent generator registration document in respect of the same waste generation facility and February 15 of the year after the year in which the document was posted.

(5) A generator registration document issued to a generator before January 1, 2002 remains valid until the earlier of the posting of a generator registration document under subsection (3) and February 15, 2002.

(6) Where there is a change from the information submitted in an initial Generator Registration Report or in the most recent annual Generator Registration Report or any previous supplementary Generator Registration Reports in respect of the generator's name, address, or telephone number, the name of the contact for the generator, the name of the responsible official for the generator or the addition of subject wastes or where there is a significant change from such previously submitted information in respect of the description or physical or chemical characteristics of the subject wastes, the generator who submitted the applicable report shall send a supplementary Generator Registration Report to the Director within 15 days after the change.

(7) Upon receipt of a supplementary Generator Registration Report that relates to a valid generator registration document, the Director shall post on the Ministry website a revised generator registration document.

(7.1) No generator shall transfer a particular subject waste from a waste generation facility to a waste transportation system unless a valid generator registration document for that waste generation facility with a waste number for that particular subject waste is posted on the Ministry website.

(7.2) In all transfers of subject waste under this Regulation, every generator shall use the generator registration number issued in respect of the waste generation facility from which the subject waste is being transferred and the applicable waste numbers set out in the Manual.

(2) Subsections 18 (13) and (14) of the Regulation are revoked and the following substituted:

(13) Where a generator registration number is assigned under subsection (12), subsection (7.1) does not apply and subsections (1) and (2) shall be complied with within ninety days.

(14) Where a waste number is accepted under subsection (12), subsection (7.1) does not apply.

(14.1) Subsection (11) does not apply if an electronic manifest is used.

3. Clause 19 (1) (b) of the Regulation is revoked and the following substituted:

- (b) by direct discharge to a sewage works subject to the *Ontario Water Resources Act* or established before August 3, 1957 or into a sewage system regulated under Part 8 of the building code made under the *Building Code Act, 1992*.

4. Section 20 of the Regulation is amended by adding the following subsection:

(2) Every carrier shall return to the Director every intact manifest or partial manifest supplied to the carrier that is not used for the purposes of this Regulation because it has been spoiled or completed erroneously or for any other reason, within three days after the carrier has decided not to use the manifest.

5. The Regulation is amended by adding the following section:

20.1 (1) No carrier shall have possession of subject waste in Ontario unless the waste was accepted from a generator and waste generation facility for which a valid generator registration document for that waste generation facility with a waste number for that particular subject waste is posted on the Ministry website.

(2) Subsection (1) does not apply in respect of subject waste,

- (a) accepted from a generator to whom section 18 does not apply; or
- (b) accepted from outside Ontario for the purpose of being transported for transfer to a receiving facility outside Ontario.

6. Section 21 of the Regulation is amended by adding the following subsection:

(3) A printed copy of an electronic manifest with sections A and B completed shall be sufficient for the purposes of subsection (1).

7. (1) Subsection 23 (2) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(2) Where subject waste is transferred to a waste transportation system by a generator and a paper manifest is used,

.....

(2) Section 23 of the Regulation is amended by adding the following subsection:

(2.1) Where subject waste is transferred to a waste transportation system by a generator and an electronic manifest is used, for each truckload or part thereof transferred, at the time of the transfer,

- (a) the generator shall give the carrier electronic access to the manifest;
- (b) the carrier shall electronically complete section B (Carrier) of the manifest; and
- (c) the generator shall,
 - (i) electronically complete section A (Generator) of the manifest in accordance with the Manual,
 - (ii) give the receiver electronic access to the manifest,
 - (iii) electronically submit the manifest, with sections A and B completed, to the Director, and
 - (iv) if requested by the carrier, print a paper copy of the manifest, as submitted under subclause (iii), and give it to the carrier.

(3) Subsection 23 (4) of the Regulation is revoked and the following substituted:

(4) Every carrier transferring waste under subsection (3) shall, at the time of the transfer, give the receiver the remaining four parts of the paper manifest, or the number of the electronic manifest, completed for that load of waste.

(4) Subsection 23 (5) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(5) Where a transfer of subject waste takes place under subsection (3) and a paper manifest is used, the receiver shall obtain from the carrier the remaining four parts of the manifest completed for that load and shall,

.....

(5) Section 23 of the Regulation is amended by adding the following subsection:

(5.1) Where a transfer of subject waste takes place under subsection (3) and an electronic manifest is used, the receiver shall obtain from the carrier the number of the

manifest completed for that load, shall electronically access the manifest and shall, at the time of the transfer,

- (a) electronically complete section C (Receiver) of the manifest; and
- (b) electronically submit the manifest, with sections A, B and C completed, to the Director.

(6) Subsection 23 (7) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(7) Where a paper manifest is used, every carrier who is the operator of a waste transportation system for which a certificate of approval or provisional certificate of approval as a dust suppression waste management system is issued may deposit for the purpose of dust suppression, in accordance with the approval, dust suppressant at a dust suppression site designated in the approval and, where that is done, shall,

.....

(7) Section 23 of the Regulation is amended by adding the following subsection:

(8) Where an electronic manifest is used, every carrier described in subsection (7) may deposit for the purpose of dust suppression, in accordance with the approval described in subsection (7), dust suppressant at a dust suppression site designated in the approval and, where that is done, shall, as quickly as is reasonably possible following completion of the deposit,

- (a) electronically access the manifest completed for that load;
- (b) electronically complete section C (Receiver) of the manifest; and
- (c) electronically submit the manifest, with sections A, B and C completed, to the Director.

8. (1) Subsection 24 (4) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(4) Where subject waste is transferred to a waste transportation system by a generator and a paper manifest is used,

.....

(2) Section 24 of the Regulation is amended by adding the following subsection:

(4.1) Where subject waste is transferred to a waste transportation system by a generator and an electronic manifest is used, for each truckload or part thereof transferred, at the time of the transfer,

- (a) the generator shall give the carrier electronic access to the manifest;
- (b) the carrier shall electronically complete section B (Carrier) of the manifest; and
- (c) the generator shall,
 - (i) electronically complete section A (Generator) of the manifest in accordance with the Manual,
 - (ii) give the receiver electronic access to the manifest,
 - (iii) electronically submit the manifest, with sections A and B completed, to the Director, and
 - (iv) if requested by the carrier, print a paper copy of the electronic manifest, as submitted under subclause (iii), and give it to the carrier.

(3) Subsection 24 (5) of the Regulation is amended by adding at the end “and, in the case of an electronic manifest, electronically submit the completed manifest to the Director”.

(4) Subsection 24 (6) of the Regulation is revoked and the following substituted:

(6) Where a paper manifest is used, every carrier transferring subject waste to a receiving facility outside Ontario shall, at the time of the transfer, give the receiver the remaining four parts of the manifest for completion of section C (Receiver).

(5) Subsection 24 (7) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(7) Where a paper manifest is used, every carrier who transfers waste under subsection (6) shall,

.....

(6) Section 24 of the Regulation is amended by adding the following subsections:

(9) Where an electronic manifest is used, every carrier who transfers subject waste under subsection (6) shall, at the time of the transfer, give the receiver the number of the electronic manifest completed for that load of waste and request that the receiver electronically access the manifest and, at the time of the transfer,

- (a) electronically complete section C (Receiver) of the manifest; and
- (b) electronically submit the manifest, with sections A, B and C completed, to the Director.

(10) Every carrier shall notify the Director forthwith of the number of the electronic manifest, the name of the receiver, if it is not the same as that set out in section A of the manifest, and the date of the transfer to the receiver, where the carrier is aware that the receiver has not complied with a request made under subsection (9).

9. (1) Subsection 25 (3) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(3) Where a paper manifest is used, no carrier shall bring subject waste into Ontario for purposes of transport to a receiving facility in Ontario unless,

.....

(2) Clause 25 (3) (a) of the Regulation is revoked.

(3) Section 25 of the Regulation is amended by adding the following subsection:

(3.1) Where an electronic manifest is used, no carrier shall bring subject waste into Ontario for purposes of transport to a receiving facility in Ontario unless, for each truckload or portion thereof to be transferred, at the time of the transfer from the generator,

- (a) the carrier electronically completed section B (Carrier) of the manifest; and
- (b) the generator electronically completed section A (Generator) of the manifest and electronically submitted the manifest, with sections A and B completed, to the Director.

(4) Subsection 25 (4) of the Regulation is revoked and the following substituted:

(4) Where a paper manifest is used, every carrier who brings subject waste into Ontario for transfer to a receiving facility in Ontario shall forward to the Director, within

three working days after the out of province transfer, Copy 1 (White) of the manifest showing the generator registration number and the applicable waste number.

(5) Subsection 25 (6) of the Regulation is revoked and the following substituted:

(6) Every carrier transferring waste under subsection (5) shall, at the time of the transfer, give the receiver the remaining four parts of the paper manifest completed in respect of the waste or number of the electronic manifest completed in respect of the waste, as the case may be.

(6) Subsection 25 (7) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(7) Where a transfer of subject waste takes place under subsection (5) and a paper manifest is used, the receiver shall obtain from the carrier the remaining four parts of the manifest completed in respect of that load of waste and shall,

.....

(7) Section 25 of the Regulation is amended by adding the following subsection:

(7.1) Where a transfer of subject waste takes place under subsection (5) and an electronic manifest is used, the receiver shall obtain from the carrier the number of the manifest completed for that load, shall electronically access the manifest and shall, at the time of the transfer,

- (a) electronically complete section C (Receiver) of the manifest; and
- (b) electronically submit the manifest, with sections A, B and C completed, to the Director.

(8) Subsection 25 (8) of the Regulation is revoked and the following substituted:

(8) Where a paper manifest is used, every carrier who has transferred waste under subsection (5) shall, prior to leaving the site of the transfer, obtain from the receiver Copy 4 (Pink) of the manifest and shall retain it for two years.

(9) Subsection 25 (9) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(9) Where a paper manifest is used, every carrier who is the operator of a waste transportation system for which a certificate of approval or provisional certificate of approval as a dust suppression waste management system is issued may deposit for the

purpose of dust suppression, in accordance with the approval, dust suppressant at a dust suppression site designated in the approval and, where that is done, shall,

.....

(10) Section 25 of the Regulation is amended by adding the following subsection:

(10) Where an electronic manifest is used, every carrier described in subsection (9) may deposit for the purpose of dust suppression, in accordance with the approval described in subsection (9), dust suppressant at a dust suppression site designated in the approval and, where that is done, shall, as quickly as is reasonably possible following completion of the deposit,

- (a) electronically access the manifest completed for that load;
- (b) electronically complete section C (Receiver) of the manifest; and
- (c) electronically submit the manifest, with sections A, B and C completed, to the Director.

10. Subsection 26 (1) of the Regulation is revoked and the following substituted:

(1) No carrier shall transport through Ontario subject waste from outside Ontario for transfer to a receiving facility outside Ontario unless the generator has with the waste, for each truckload or portion thereof, a manifest, or a paper copy of an electronic manifest, completed in accordance with the requirements of the jurisdiction issuing the manifest.

11. (1) Subsection 27 (1) of the Regulation is revoked and the following substituted:

(1) A receiver who refuses to accept a transfer of subject waste shall prepare a refusal report in a form or format provided or approved by the Ministry and return it to the Director within three working days after the refusal.

(2) Subsection 27 (3) of the Regulation is revoked and the following substituted:

(3) If waste is refused by the intended receiver at the receiving facility and if the carrier cannot conveniently make a different transfer in accordance with this Regulation, the carrier may transfer the unadulterated waste to the waste generation facility set out in section A (Generator) of the applicable manifest and the carrier shall, at the time of the transfer, give the generator four parts of the paper manifest or the number of the electronic manifest, as the case may be, that was completed in respect of the waste.

(3) Subsection 27 (5) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(5) Where a transfer of subject waste occurs under subsection (3) and a paper manifest is used, the generator shall obtain from the carrier the remaining four parts of the applicable manifest completed by the generator in accordance with this Regulation and shall,

.....

(4) Section 27 of the Regulation is amended by adding the following subsection:

(5.1) Where a transfer of subject waste occurs under subsection (3) and an electronic manifest is used, the generator shall obtain from the carrier the number of the electronic manifest completed for that load, shall electronically access the manifest and shall, at the time of the transfer,

- (a) electronically complete section C (Receiver) of the manifest; and
- (b) electronically submit the manifest, with sections A, B and C completed, to the Director.

(5) Subsection 27 (6) of the Regulation is revoked and the following substituted:

(6) Where a paper manifest is used, every carrier who has transferred waste under subsection (3) shall, prior to leaving the site of the transfer, obtain from the receiver Copy 4 (Pink) of the manifest and shall retain it for two years.

12. Forms 1 and 2 of the Regulation are revoked.

13. This Regulation comes into force on January 1, 2002.