

Municipal Hazardous or Special Waste Transportation Standards

Updated: November 2017



Stewardship Ontario

Background:

Stewardship Ontario operates the Municipal Hazardous or Special Waste program to ensure that certain hazardous and special wastes are collected and recycled or otherwise safely disposed of in an environmentally appropriate way.

Stewardship Ontario operates a reverse supply chain for the collection and recycling of the following materials:

- Single-Use Dry Cell Batteries
- Pressurized Containers

Additional materials under the MHSW Program are collected and managed by organizations operating approved Industry Stewardship Plans. The MHSW Program Plan, rules and material definitions can all be viewed on the Stewardship Ontario website at www.stewardshipontario.ca.

Purpose:

The Transportation Standards define the minimum operating requirements to qualify as a Stewardship Ontario Transporter of municipal hazardous or special waste.

The Transportation Standards do not absolve transporters from any federal, provincial and/or municipal legislation and regulations applicable to their operation. It is the transporters' responsibility to be aware of and abide by all such legislation and regulations.

Stewardship Ontario reserves the right to review and revise these standards on an ongoing basis.

Who this applies to:

For the purposes of these standards, a *Transporter* means any person or firm duly registered with Stewardship Ontario as authorized to transport MHSW materials.

Where a Transporter establishes a Collection Site as provided for by Stewardship Ontario, the Transporter is required to enforce the Collection Site Standards and penalties associated with non-compliant Collection Sites. Stewardship Ontario will hold the Transporter of such Collection Sites responsible for any failure of the Collection Site to follow the Collection Site Standards.

Enforcement of these Vendor Standards:

Transportation service providers shall:

- Provide Stewardship Ontario with all reasonable information relating to these standards or any matter that relates to the MHSW Program or procedures of Stewardship Ontario

- Acknowledge that Stewardship Ontario has a right of access to any and all such information during normal business hours and on 24 hours notice.

Moreover, Stewardship Ontario may verify compliance information provided by transportation service providers, either directly or through a third party acting on its behalf. Please note that all parties acting on behalf of Stewardship Ontario are bound by strict confidentiality agreements.

1.0 General Requirements

All transportation service providers shall:

- 1.1 Possess a valid business license if they are a commercial operation.
- 1.2 Possess comprehensive or commercial general liability insurance, including coverage for bodily injury, property damage, complete operations and contractual liability with combined single limits of not less than \$5,000,000 per occurrence, \$5,000,000 general aggregate. Transportation service providers must have Stewardship Ontario listed on the policy as an additional insured party.
- 1.3 Possess environmental liability insurance of not less than \$2,000,000.
- 1.4 Identify and comply with all applicable regulations, including but not limited to:
 - Ministry of the Environment Certificates of Approval;
 - Ontario *Environmental Protection Act, 1990* (including R.R.O. 1990, O. Reg. 347, General – Waste Management);
 - Federal *Transportation of Dangerous Goods Act* (TDGA);
 - Provincial *Dangerous Goods Transportation Act*, R.S.O. 1990, c. D.1;
 - *The Highway Traffic Act*, R.S.O. 1990, c. H.8;
 - *Canadian Environmental Protection Act, 1999* - Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations (EIHWHRMR);
 - *Public Vehicles Act*;
 - *Motor Vehicle Transport Act*;
 - *Compulsory Automobile Insurance Act*;
 - *Fuel Tax Act*.
- 1.5 Be in compliance with Ontario's Commercial Vehicle Operator's Registration (CVOR) system and the Carrier Safety Rating (CSR) program and provide proof of such compliance to Stewardship Ontario within five business days upon request.
- 1.6 Have a written policy approved by senior management outlining corporate commitment to environmental management and continuous improvement.
- 1.7 Maintain a documented process to identify, assess and ensure compliance with this standard and all applicable regulatory requirements, including but not limited to:
 - Occupational health and safety regulations;
 - Transportation regulations;
 - Hazardous waste management regulations (shipping).
- 1.8 Implement and maintain an emergency response plan to prepare for and respond to emergency situations, including fires, spills and medical events.

- 1.9 Maintain all records for a minimum of two years, including waste manifests and bills of lading.
- 1.10 Provide notice of any relevant fines or regulatory orders in the previous five years and within 60 days of any subsequent fine or regulatory order.

2.0 Occupational Health and Safety

All transportation service providers shall:

- 2.1 Identify and comply with all applicable health and safety regulations, including but not limited to:
 - *Employment Standards Act, 2000;*
 - *Occupational Health and Safety Act, 1990;*
 - *Workplace Safety and Insurance Act, 1997;*
 - *Canada Labour Code.*
- 2.2 Possess workers' compensation coverage through either a provincial/state program or a private insurance policy.
- 2.3 Be compliant with the Workplace Hazardous Materials Information System (WHMIS), including training requirements.
- 2.4 Maintain an occupational health program that includes processes to safeguard the health and safety of employees by:
 - Providing regular documented health and safety training;
 - Providing and enforcing the use of personal protection equipment;
 - Safeguarding hazardous mechanical processes.

3.0 Staff Training

All MHSW transportation service providers shall:

- 3.1 Ensure that drivers are trained and certified as per TDGA requirements.
- 3.2 Ensure that drivers are trained in the MHSW Program requirements.
- 3.3 Train staff on their emergency response plan.
- 3.4 Document and maintain records of staff training.

4.0 Transportation-Specific Requirements

- 4.1 All vehicles used to transport MHSW must have an enclosed cargo area.
- 4.2 All materials transported must be contained in accordance with TDGA requirements.

4.3 All waste must be transported in an approved UN container¹ or equivalent. If using a non-UN approved container, the permit of equivalent level of safety must be presented to Stewardship Ontario.

5.0 Audits and Penalties

5.1. Stewardship Ontario may, directly or using a third party, perform audits and/or reviews of any Approved Transporters at Stewardship Ontario's expense, upon providing no less than ten (10) business days' notice.

5.2. Any approved Collection Site, Transporter or Processor found submitting claims for MHSW materials excluded from the material definition or supplied/collected from outside of Ontario will be subject to repayment of any incentive rate paid on those tonnes. Additional penalties may include monetary fines and/or removal from all SO incentive programs.

¹ Refers to containers that meet the requirements established by the United Nations Committee of Experts on the Transportation of Dangerous Goods; these requirements provide a uniform international system for identifying and packaging Class 3, 4, 5, 6.1, 8 and 9 dangerous goods for transport.