

PROVINCE OF BRITISH COLUMBIA


ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

671

, Approved and Ordered

SEP 21 2006



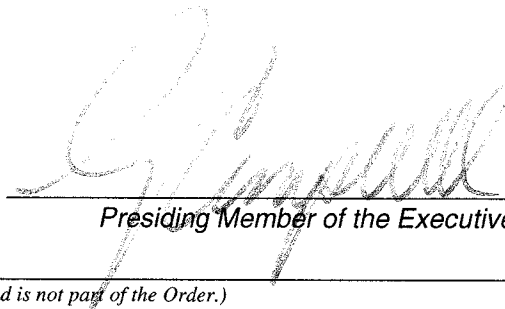
Lieutenant Governor
Administrator

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the ~~Lieutenant Governor~~ Administrator, by and with the advice and consent of the Executive Council, orders that the Hazardous Waste Regulation, B.C. Reg. 68/88, is amended as set out in the attached Schedule.



Minister of Environment and Minister Responsible
for Water Stewardship and Sustainable Communities



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Environmental Management Act, S.B.C. 2003, c. 53, sections 21, 138 and 139

Other (specify):-

oic 268/88

June 16, 2006

618/2006/14

SCHEDULE

- 1** *The definition of “hazardous waste” in section 1 (1) of the Hazardous Waste Regulation, B.C. Reg. 63/88, is amended*
 - (a) in paragraph (a) by striking out “dangerous goods that are no longer used for their original purpose if they” and substituting “dangerous goods if they”,*
 - (b) by repealing paragraph (h.2),*
 - (c) in paragraph (p) by striking out “(Canada), or” and substituting “(Canada),” and*
 - (d) by adding the following paragraphs:*
 - (r) wood ash, or pulp mill dregs and grit, that would be hazardous waste only because they are classified under the federal dangerous goods regulations as class 8, or*
 - (s) waste that*
 - (i) has a pH greater than or equal to 11.5 and less than or equal to 12.5, and*
 - (ii) would be a hazardous waste only because it is classified under the federal dangerous goods regulation as class 8; .*
- 2** *The definition of “household hazardous waste” in section 1 (1) is amended by striking out everything after “hazardous waste that” and substituting the following:*
 - (a) results from any of the following involving anything in a “product category” as defined in the Recycling Regulation, B.C. Reg. 449/2004:*
 - (i) a domestic activity at a residence,*
 - (ii) personal use, or*
 - (iii) a person’s use in relation to his or her own residence, and*
 - (b) under a regulation must be accepted at a return collection facility; .*
- 3** *Paragraph (a) of the definition of “on site facility” in section 1 (1) is amended by striking out “which he controls” and substituting “which the person controls”.*
- 4** *Paragraph (b) of the definition of “shipping name” in section 1 (1) is repealed and the following substituted:*
 - (b) in the case of hazardous waste described by paragraph (h.1) of the definition of “hazardous waste”, its type number under Schedule 7, and*
 - (c) otherwise, the hazardous waste as it is described in the definition of “hazardous waste”; .*

- 5 ***The definition of “waste asbestos” is amended in section 1 (1) by striking out everything after “at the time of manufacture,” and substituting “or as determined using a method specified in section 40 (1);”.***
- 6 ***Section 4 is amended***
- (a) by repealing subsection (2) (a) and substituting the following:***
- (a) which hazardous wastes will be stored, treated, recycled or disposed of at the facility;
- (a.1) the maximum quantity of each hazardous waste specified under paragraph (a) that the owner estimates will be stored at the facility at any time;
- (a.2) the facility’s maximum daily capacity for treating, recycling or disposing of each hazardous waste specified under paragraph (a); , ***and***
- (b) by adding the following subsections:***
- (2.1) The plans and specification referred to in subsection (1) (a) and (b) must include the plans and specifications for the facility’s spill containment system.
- (2.2) On or before January 31, 2007, an owner that has not had an operational plan in relation to a facility approved under this section shall submit for approval an operational plan that complies with subsections (2) and (2.1).
- 7 ***Section 5 (1) is amended by striking out “wherever he has reason” and substituting “wherever that owner has reason”.***
- 8 ***Section 11 (d) is amended by striking out “for all types of hazardous wastes” and substituting “for all the hazardous wastes”.***
- 9 ***Section 14 (1) is amended by striking out “unless he has prepared” and substituting “unless that owner has prepared”.***
- 10 ***Sections 15 (2) (a) and 16 (e) are amended by striking out “use dripless hose connections when transferring” and substituting “use a dripless hose connection, or a containment system that provides equal or better protection than the protection provided by a dripless hose connection, when transferring”.***
- 11 ***Section 16 is amended by renumbering it as section 16 (1) and by adding the following subsection:***
- (2) If an owner’s primary business is not waste management and the owner’s facility provides storage that is short term, on site and passive storage, the owner
- (a) despite section 4 (1), shall prepare and maintain, but unless requested to do so by a director, need not obtain and shall not seek approval of, the plans and specifications referred to in section 4 (1) (a) and (b),
- (b) despite section 4 (1), unless requested to do so by a director,
- (i) need not prepare or maintain, and

- (ii) need not obtain, and shall not seek approval of, the operational plans referred to in section 4 (1) (c) and (d),
- (c) despite section 11, unless requested to do so by a director, need not obtain and shall not seek approval of the contingency plan required by that section, and
- (d) despite section 14 (1) and (3), unless requested to do so by a director, need not obtain and shall not seek approval of the closure plan, or amendments to the closure plan, required by that section.

12 *Section 17.1 (3) (b) (iii) is repealed and the following substituted:*

- (iii) have a closed top that is fitted with 2 screw plug bungs, and .

13 *Section 18 (2) is amended by striking out everything after “the effectiveness” and substituting “of each process intended to treat a hazardous waste that will be received at the facility.”*

14 *Sections 19 (2) (b) (i) and 21 (3) (b) (i) are amended by striking out “a permit, approval, order” and substituting “a permit, approval under section 15 of the Act, order”.*

15 *Section 22 is amended by striking out “he may specify” and substituting “the minister may specify”.*

16 *Section 25 (10) is amended by striking out “unless he owns” and substituting “unless the person owns”.*

17 *Section 32 (7) is amended by repealing everything before paragraph (a) and substituting “Unless otherwise approved by a director, the owner of a land treatment facility shall, during closing, remove”.*

18 *Section 40 is amended by renumbering it as section 40 (2) and by adding the following subsection:*

- (1) For the purposes of the definition of “waste asbestos” in section 1 (1) of this regulation, if the concentration of asbestos in the waste is not determined by weight at the time of manufacture, it must be determined using one of the following:
 - (a) Method 600-R-93-116, as amended from time to time, published by the United States Environmental Protection Agency;
 - (b) NIOSH Method 9002, as amended from time to time, from the *NIOSH Manual of Analytical Methods*, 4th Edition, published by the National Institute for Occupational Safety and Health, United States.

19 *Section 41 is amended*

(a) in the heading to the table in subsection (2) by striking out “or Applications on Roads”, and

(b) by adding the following subsection:

- (5.1) A person using waste oil as a fuel, or storing waste oil for use as a fuel, without approval, shall keep a written record, for inspection by an officer, demonstrating that the waste oil meets the specifications under subsection (5).

20 *Section 41.1*

(a) in subsection (2) (c) is amended by striking out “per year, and” and substituting “per year or a greater thickness approved by the director, which approval shall specify a method of aeration to be used with the greater thickness, and”, and

(b) is amended by adding the following subsection:

- (2.1) Total oil for the purposes of the standard established by subsection (1) shall be measured in accordance with the method established for the purposes of this regulation in the *British Columbia Laboratory Methods Manual: 2005 — for the Analysis of Water, Wastewater, Sediment, Biological Materials and Discrete Ambient Air Samples*, Victoria, August 2005, as updated from time to time, published by the minister.

21 *Section 42.2 (3) is amended by striking out “Despite section 48 (1),” and substituting “Despite section 48 of this regulation,”.*

22 *Section 42.3 is amended*

(a) in subsection (1) (a) (ii) by striking out “the type and maximum quantity of household hazardous waste” and substituting “the maximum quantity of each category of household hazardous waste described in Schedule 6”, and

(b) in subsection (2) (e) (ii) by striking out “the type or types of household hazardous waste” and substituting “the categories of hazardous waste, as described in Schedule 6,”.

23 *Section 42.4 is amended*

(a) in subsection (1) by striking out “for each type of household hazardous waste stored” and substituting “for each household hazardous waste stored”,

(b) in subsection (1) (c) by striking out “of each type of household hazardous waste” and substituting “of each household hazardous waste described for the purposes of paragraph (a),”

(c) in subsection (5) (a) by striking out “each specific type of household hazardous waste” and substituting “each specific household hazardous waste”, and

(d) in subsection (5) (b) by striking out “all types of household hazardous waste” and substituting “all household hazardous wastes”.

24 Section 43 is repealed and the following substituted:

Registration of hazardous waste

- 43** (1) A person who,
- (a) within a 30 day period, generates a quantity of a category of hazardous waste greater than the quantity set out in Column II of Schedule 6 opposite that category,
 - (b) at any time, stores a quantity of a category of hazardous waste greater than the quantity set out in Column II of Schedule 6 opposite that category, or
 - (c) in any one day period, treats, recycles or disposes of a quantity of a category of hazardous waste greater than the quantity set out in Column II of Schedule 6 opposite that category
- shall register the hazardous waste and apply for a Provincial identification number by completing Form 1 of Schedule 5 and submitting it to a director.
- (2) A person shall comply with subsection (1) within 30 days after that subsection first applies to the person.
 - (3) A person shall notify a director of a material change in information the person provided to a director in Form 1 by submitting a completed Form 1 of Schedule 5 to a director within 30 days after the material change.
 - (4) Subsection (1) does not apply in relation to hazardous waste that is recycled at an on site facility if the hazardous waste is not stored at the on site facility.
 - (5) Notice for the purposes of section 9 (2) of the Act shall be given by completing and submitting Form 1 of Schedule 5 to a director.

25 Section 44 is amended

- (a) in paragraph (a) by striking out “unless he first obtains a consignor identification number from a director and writes that number on every manifest that he is required to” and substituting “without first obtaining a Provincial identification number from a director and writing that number on every manifest the person is required to”, and*
- (b) in paragraph (b) by striking out “which shows the consignor’s identification number” and substituting “showing the Provincial identification number”.*

26 Section 46 (3) (b) is amended by striking out everything after “British Columbia,” and substituting the following “a version of the “movement document”, as defined in section 4 of the Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations (Canada), SOR 2005/149, that is issued, and imprinted with a unique manifest reference number, by the government.”

27 *Section 47 (1) is amended by striking out “hazardous waste of the same type” and substituting “hazardous waste with the same shipping name”.*

28 *Section 49 is repealed and the following substituted:*

Analytical methods

- 49 (1)** Samples of hazardous waste shall be analyzed
- (a) by a method specified in this regulation,
 - (b) if this regulation does not otherwise specify a method for analyzing a sample of hazardous waste, by a method established under the *British Columbia Laboratory Methods Manual: 2005 — for the Analysis of Water, Wastewater, Sediment, Biological Materials and Discrete Ambient Air Samples*, Victoria, August 2005, as updated from time to time, published by the minister, and
 - (c) if neither this regulation nor the manual referred to in paragraph (b) provides a method for analyzing a sample of hazardous waste, by a method approved by a director.
- (2) A director may vary a method described in subsection (1) in whole or in part, if, in the director’s opinion, an alternate method is more appropriate in relation to
- (a) particular hazardous wastes,
 - (b) particular waste management systems, or
 - (c) particular environmental circumstances.
- (3) If a director makes a variation under subsection (2), samples of hazardous waste to which the variation applies shall be analyzed in accordance with that variation.

29 *Section 50 (3) is amended by striking out “and” at the end of paragraph (a), adding “, and” at the end of paragraph (b) and by adding the following paragraph:*

- (c) ensure that the outside of the container is clearly labeled with the shipping name of the hazardous waste it contains and, if the hazardous waste is a dangerous good, the class and UN number of that hazardous waste, both as set out in the federal dangerous goods regulations.

30 *Section 51 (5) is amended by striking out “how he is affected.” and substituting “how the person may be affected.”*

31 *Schedule 5 is amended*

- (a) *by repealing Forms 1A and 1B and substituting the attached Form 1, and*
- (b) *by repealing Form 2 and substituting the attached Form 2.*

32 *Schedule 6 is repealed and attached Schedule 6 is substituted.*

33 *Schedule 8 is repealed.*

SCHEDULE 5

FORM 1 [s. 43]

Registration Form

THIS FORM IS A REGISTRATION REPORT MADE UNDER
SECTION 43 (1) OR (3) OF THE HAZARDOUS WASTE REGULATION

Reason for Submittal:

☐ To provide an Initial Registration Report

☐ To provide Subsequent Notification of changes to a registration report for

Registration No. / Provincial ID No. Dated[dd/mm/yyyy]

OR

Registered Site (RS) No. Dated[dd/mm/yyyy]

If this is Subsequent Notification, please indicate what changes are being reported

☐ Facility Name Change ☐ Mailing Address Change ☐ Management Company Change

☐ Adding a Waste Type ☐ Removing a Waste Type

☐ Changing Quantity of Previously Registered Waste(s)

☐ Other (Describe)

INSTRUCTIONS:

- (1) A person required to register under section 43 (1) or to give notice under section 43 (3) must complete this form.
- (2) Identification numbers are site specific: complete a separate form for each hazardous waste site.
- (3) All persons must complete parts A and D. Part B is to be completed for facilities that generate hazardous waste. Part C is to be completed for management facilities. Some generator facilities may also be management facilities, and in that case, parts A, B, C and D must be completed. ***Note: a generator that temporarily stores hazardous waste before shipping it to a management facility is not considered to be a management facility.***
- (4) Send original Form 1 to: Regional Manager, Environmental Protection at the applicable regional office. Retain a copy for your records.
- (5) Please print or type the required information on the form.

Definitions:

Physical State: L=Liquid; S=Solid; G=Gas; SL=sludge.

Waste Identification: Name of Waste: (a) TDG Regulations classified Hazardous Wastes -- enter UN Number, TDG Class and waste name in accordance with TDG Regulations, (b) hazardous wastes not regulated by TDGR: enter "N/A" for UN Number and TDG Class, use defined hazardous waste name.

Generated/30-day period: Estimate of amount generated.

Storage/Capacity: Maximum storage or capacity of the facility (under the regulation for each hazardous waste).

Units: Use metric, litres or kilograms (L or kg).

Handling codes: 01 storage; 02 thermal treatment; 03 chemical treatment;
 04 physical treatment; 05 biological treatment; 06 secure landfill;
 07 recycled; 08 solidification;
 09 other, please specify.....;
 10 land farming; 11 off site management.

A. FACILITY INFORMATION:

- (1) Registered corporate name (as filed with the Registrar of Companies in British Columbia).

Registered Name:

Trade Name:

Corporate Number issued by Registrar of Companies:

If the generator/facility owner is a partnership or proprietorship provide the full name of the principal(s).

.....

- (2) Corporate address (Full postal mailing address)

Street Address:

City: Province:..... Postal Code:.....

- (3) Primary contact information at mailing address (Print Name, Telephone, Fax and email address)

Name:

Telephone Number: (.....)..... Fax Number: (.....).....

Email:

- (4) Facility/site physical address, PO Box is not acceptable.

Street Address:

City: Province:..... Postal Code:.....

- (5) If no physical address can be provided for the site, complete the location coordinates below.

Latitude: Deg. Min.Sec

Longitude: Deg. Min.Sec

- (6) Standard Industrial Classification (SIC):

Note: *The SIC system was developed to provide a method to define and classify establishments according to their primary activity. Please provide the SIC code that best describes the activities of this facility/site.*

(7) Are there any discharges from the facility? YES ☐ NO ☐

If yes, indicate the nature of the discharge:

☐ Air Emission ☐ Effluent ☐ Residue (Solids, Sludge, etc.)

Describe the discharge:

(8) If there are effluent discharges (as indicated above), indicate the receiving site:

Municipal Sewer YES ☐ NO ☐ Storm Sewer/Environment YES ☐ NO ☐

B. HAZARDOUS WASTE GENERATOR:

Note: A generator ordinarily generates and stores hazardous waste onsite and ships the hazardous waste to a management or disposal facility. However, some generator facilities may also be management facilities. If a generator facility is also a management facility, the generator must also complete Part C.

(1) Generator type (Sawmill, Restaurant, Petroleum Refinery, Residence, etc.)

.....

(2) Source / process generating the Hazardous Waste (e.g. maintenance shop)

.....

(3) List the name, address and License to Transport number of the principal intended hazardous waste carrier(s)/transporter(s) for each waste type; attach a separate sheet if necessary

.....

.....

.....

(4) List the name and address of the principal intended receiver(s)/consignee(s) where you intend to ship the hazardous wastes generated for each waste type; attach a separate sheet if necessary

.....

.....

.....

(5) Complete the following table:

Physical State	Waste Identification			Quantity		Units L or kg	Handling Code
	Name of Waste	TDG UN #	TDG Class	Generated / 30-day period	In Storage		
a)							
b)							
c)							
d)							
e)							

(6) Is the mode of generation ongoing, intermittent or one-time only?

☐ Ongoing

☐ Intermittent

☐ One-time only

C. HAZARDOUS WASTE MANAGEMENT FACILITY:

(1) Check the appropriate box below:

Onsite Management Facility ☐

Receiver of Hazardous Waste ☐

Return Collection Facility (for household hazardous wastes) ☐

(2) Type of activity (Check all that apply)

☐ Store

☐ Treat

☐ Recycle

☐ Dispose

(3) Complete the following table:

Physical State	Waste Identification			Quantity		Units L or kg	Handling Code
	Name of Waste	TDG UN #	TDG Class	Capacity			
a)							
b)							
c)							
d)							
e)							

D. CERTIFICATION:

1) I certify that the information provided on this form is correct and complete.

.....
[print company name if applicable]

.....
[print name]

.....
[telephone number]

.....
[fax number]

.....
[signature]

.....
[date (dd/mm/yy)]

2) If you are acting as an agent of the owner of the waste, please provide the information requested below and generator confirmation that you are acting on their behalf.

.....
[print company name]

.....
[print name]

.....
[telephone number] [fax number]

.....
[signature] [date (dd/mm/yy)]

GENERATOR/MANAGEMENT FACILITY AUTHORIZATION OF AGENT ARRANGEMENT:

.....
[print name] [signature]

FOR MINISTRY USE ONLY:

DATE: INITIALS:

Registration No. / Provincial ID No.

Registered Site (RS) #

FORM 2

[s. 43]

Province of British Columbia

Ministry of Environment

**APPLICATION FOR A LICENCE TO TRANSPORT
HAZARDOUS WASTE**

I/we hereby apply for (check one)

☐ a licence to transport hazardous waste within the Province of British Columbia☐ a revision of a licence (number LT.....)☐ a renewal of a licence (number LT.....)File Number:
66500-20/LT
(office use only)

SECTION 1 TRANSPORTER IDENTIFICATION					
Company Name					
Postal Mailing Address					
		PO Box or Street	City	Prov/State	Country Postal Code
Phone Number:		Fax Number:		Cell Number:	
Email Address:					
NSC Number:			Date:		
Certificate of Registration under B.C. Business Corporations Act (Please attach copy of certificate:)		Registration Number:		Date:	
SECTION 2 HAZARDOUS WASTE TYPE					
This undertaking relates to the transportation of the following wastes:					
	ANTIFREEZE		ENVIRONMENTALLY HAZARDOUS (Class 9)		PCBs
	ASBESTOS		FLAMMABLE LIQUIDS		PESTICIDES
	BATTERIES		FLAMMABLE SOLIDS		PETROLEUM PRODUCTS
	BIOMEDICAL		LAB PACKS		PHOTO IMAGING
	COMPRESSED GASES		LEACHABLE TOXIC		POISONS
	CONTAMINATED SOIL		OIL FILTERS		SOLVENTS
	CORROSIVE		OXIDIZING SUBSTANCES		WASTE CONTAINING DIOXINS
	DRY CLEANING		PAINT		WASTE CONTAINING PAHs
			OTHER		
by vehicles dispatched from an operation located at:					
Dispatch Address					
		PO Box or Street	City	Prov/State	Country Postal Code

[If more than one address, attach list of all dispatch addresses]

RETAIN A COPY FOR YOUR RECORDS

Province of British Columbia
Ministry of Environment

APPLICATION FOR A LICENCE TO TRANSPORT HAZARDOUS WASTE

[illegible]

[Attach a separate sheet for additional vehicles/trailers operating under this licence]

RETAIN A COPY FOR YOUR RECORDS

Province of British Columbia
Ministry of Environment

APPLICATION FOR A LICENCE TO TRANSPORT
HAZARDOUS WASTE

SECTION 4	INSURANCE
Liability Insurance provided by is carried by the applicant on each vehicle.	

SECTION 5	CERTIFICATION	
I,		
(Print Name),		
certify that I am aware of the requirements of the Hazardous Waste Regulation as related to the transportation of hazardous waste.		
Print name of applicant		Signature of applicant
Date of Application	Telephone Number	Fax Number

RETAIN A COPY FOR YOUR RECORDS

SCHEDULE 6

TABLE 1

[s.s. 43, 48]

REGISTRATION QUANTITIES

	Column I Category of Hazardous Waste	Column II Quantity (kg or L as appropriate)
1	dangerous goods meeting the criteria for class 2.1 of the federal dangerous goods regulation	500*
2	dangerous goods meeting the criteria for class 2.2 of the federal dangerous goods regulation	1 000*
3	dangerous goods meeting the criteria for class 2.3 of the federal dangerous goods regulation	50*
4	dangerous goods meeting the criteria for class 3 of the federal dangerous goods regulation	500
5	dangerous goods meeting the criteria for class 4.1 of the federal dangerous goods regulation	1 000
6	dangerous goods meeting the criteria for Class 4.2 of the federal dangerous goods regulation	100
7	dangerous goods meeting the criteria for Class 4.3 of the federal dangerous goods regulation	100
8	dangerous goods meeting the criteria for Class 5.1 of the federal dangerous goods regulation	100
9	dangerous goods meeting the criteria for Class 5.2 of the federal dangerous goods regulation	5
10	dangerous goods meeting the criteria for Class 6.1 of the federal dangerous goods regulation	100
11	dangerous goods meeting the criteria for Class 6.2 of the federal dangerous goods regulation	100
12	dangerous goods meeting the criteria for Class 8 of the federal dangerous goods regulation, other than waste batteries	100
13	dangerous goods meeting the criteria for Class 9 of the federal dangerous goods regulation	500
14	PCB waste	5

	Column I Category of Hazardous Waste	Column II Quantity (kg or L as appropriate)
15	biomedical waste	100
16	waste containing dioxin	5
17	waste oil whether or not contaminated with lead	5 000
18	waste asbestos	1 000
19	pest control product containers	500
20	waste pest control product	100
21	leachable toxic waste	500
22	waste containing tetrachloroethylene	200
23	waste containing polycyclic aromatic hydrocarbon	5
24	waste listed in Schedule 7	100
25	batteries that are hazardous waste	2 000

* Total liquid volume of containers