

# Does your Facility Generate Hazardous Waste?

The management and generation of subject waste in Ontario are governed by Regulation 347 “**General Waste Management**” under the Environmental Protection Act. This newsletter is directed towards subject waste that is generated. Haulage, treatment and disposal have additional regulations not covered in this paper.

Regulation 347 defines the requirements for handling, storing, managing and disposing of subject waste in Ontario. It also includes a generator registration and manifest system to track these wastes from the point of generation to their final disposal. The regulation sets out responsibilities for generators, carriers, and receivers of subject waste.

## What is Subject Waste?

The term Subject waste is used to identify the types of wastes that must be registered with the Ministry of the Environment, Conservation, and Parks. They include liquid industrial waste and hazardous waste. Subject waste is considered a hazardous waste if it appears on [Schedule 1, 2A, 2B or 3](#) of Regulation 347.

### SCHEDULE 1 HAZARDOUS INDUSTRIAL WASTE

Hazardous Industrial Waste from Non-Specific Sources					
Hazardous Industrial Waste		Regulated Constituents (and Treatment Subcategories <sup>1</sup> )		Land Disposal Treatment Requirements	
				Aqueous Waste	Non-aqueous Waste
Column 1 Haz. Waste Number <sup>2</sup>	Column 2 Waste	Column 3 Generic Name or other description	Column 4 CAS Number <sup>3</sup>	Column 5 Treatment Code <sup>4</sup> or Concentration <sup>5</sup> (mg/L)	Column 6 Treatment Code <sup>4</sup> or Concentration <sup>6</sup> (mg/kg, unless otherwise indicated)
		Acetone	67-64-1	0.28	160
		Benzene	71-43-2	0.14	10
		n-Butyl alcohol	71-36-3	5.6	2.6
		Carbon disulfide	75-15-0	3.8	NA
		Carbon tetrachloride	56-23-5	0.057	6.0
		Chlorobenzene	108-90-7	0.057	6.0
		o-Cresol	95-48-7	0.11	5.6
		p-Cresol (difficult to distinguish from	106-42-3	0.11	5.6

A Small Quantity Exemption is provided for some hazardous and liquid industrial wastes. The exempted quantities vary and depend on the specific waste characterization following testing and evaluation.

If a waste does not appear on one of the schedules, it still could be considered hazardous if it displays characteristics, including corrosive, ignitable, reactive or if it may leach contaminants. Wastes that are defined as pathological, PCB, and radioactive waste are also considered hazardous.

### Waste Analysis Requirements

Generators of waste must understand their waste streams in order to characterize their wastes correctly and determine if each waste needs to be registered with the Ministry via the [HWIN site](#). In some cases, the waste may need laboratory testing, while others may be characterized by the generator's understanding of the it.



### What if the Waste is considered Hazardous?

Generators of hazardous waste need to submit a generator registration report annually via the [HWIN site](#) prior to Feb 15<sup>th</sup>. Fees are also required to be paid.

All subject waste must be registered prior to its first shipment, or within 3 months after being produced. Each waste stream must list the waste class, waste characterizations, waste type, description of process, physical state and specific gravity. Subject waste cannot be stored at a facility for more than 90 days without providing notice to the Ministry within 5 business days of the 90<sup>th</sup> day of storage. Records must be kept to demonstrate that subject waste was disposed of within the allowable storage periods.

Hazardous waste storage areas must provide a safe and secure location to prevent fire, explosion, leaks or spills to the environment either directly or by a storm water system. Even though hazardous waste is exempt from WHMIS legislation, an employer must take additional steps to ensure worker safety by identifying the waste using placards or workplace labels, and providing worker education and training.

Shippers of hazardous wastes must follow requirements of the regulations for [Transportation of Dangerous goods](#).

Facilities must maintain records for all subject wastes, including generator registration reports, storage reports, and manifests for a period of at least 2 years.

## **How do I dispose of Hazardous Waste?**

Facilities need to ensure they use Ministry-approved waste carriers to collect and manage wastes. In addition, the waste hauler must have an Environmental Compliance Approval (ECA) for the type of waste being hauled, prior to collection and disposal.

All subject waste must use a comprehensive manifest system to track wastes from point of generation to their final disposal. Manifests identify the type of waste, volumes and the movement of waste from generator to receiver.

## **How do I Select a Waste Hauler?**

Important considerations should be evaluated when selecting a waste hauler.

- ◆ What services does the hauler provide?
  - ✓ Some haulers will help you to classify your wastes and guide you in registering your waste classes
- ◆ Are they approved to haul your Hazardous Wastes?
  - ✓ Check their ECA to ensure they are approved to haul the required hazardous waste classes
- ◆ Do they provide a comprehensive manifest system?
  - ✓ Verify that the system meets HWIN requirements for manifesting waste.
- ◆ Do they permit vendor inspections of haulers site?
  - ✓ Deficiencies may be identified by inspection of vendor sites. Consider waste storage, housekeeping, records management, and processing facilities.
- ◆ Has the hauler been subject to any [Notice of violations \(N.O.V.\) or fines](#)?
  - ✓ Search Ontario ministry news for any N.O.V or fines for improper hauling, storage, or disposal.

## **Land Disposal Restrictions (LDR) Program**

The LDR program provides a level of protection over and above the design of a disposal facility. Under this program, no one may send a hazardous waste to landfill without ensuring that it meets specified treatment standards. This reduces the risk of harm to the environment and to human health. The objective of LDR is to prohibit and discourage activities that place untreated hazardous wastes in or on the land when better treatment or destruction options exist.

The generator is responsible for determining whether a waste or any residual from the treatment of the waste is to be land disposed. For further information on the LDR program please consult the [Ontario LDR handbook](#).

## **Has your facility been evaluated to assess compliance with applicable environmental legislation?**

A person who is competent in the subject matter may help to determine a facility's level of environmental compliance. The benefit of this insight could prevent offences that may otherwise result in prosecution and fines.

There is a broad range of environmental regulations that cover numerous types of operations. It is wise to have a competent person determine operational compliance on a regular basis.

Please contact us at [info@pandrs.com](mailto:info@pandrs.com) for assistance in evaluating your facility for compliance with waste handling or other environmental requirements.

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