



# GEMC ENVIRONMENTAL MANAGEMENT CONSULTANTS INC. NEWSLETTER

LET'S KEEP IT GREEN

SEPTEMBER 2009

## **An amended *Transportation of Dangerous Goods Act, 1992***

- as reported by *Marie-France Dagenais – Transport Canada* -As you may be aware, the amended *Transportation of Dangerous Goods Act, 1992*, came into force June 16, 2009. The amended *Transportation of Dangerous Goods Act, 1992*, remains focused on the prevention of incidents when dangerous goods are imported, handled, offered for transport and transported but also expands the response capability of the Canadian Government in the event of a security incident involving dangerous goods.

The main safety amendments include:

- ✓ A new definition of dangerous goods release;
- ✓ Reinforcing and strengthening the Emergency Response Assistance Plan Program;
- ✓ Reconfirming that inspectors are able to inspect anywhere a means of containment is being manufactured, repaired or tested, unless it is a private dwelling, in which case a warrant is required;
- ✓ Modifying the concept of importer to clarify who is the person in Canada responsible for the dangerous goods;
- ✓ Changing the name of Permits of Equivalent Level of Safety to Equivalency Certificates and adding the notion of a "Temporary Certificate" to replace the use of Estoppels.
- ✓ The amended Act now provides for security requirements during the importation, handling, offering for transport and transportation of dangerous goods. The legislative provisions on which the prevention and response security program will be based include:
  - ✓ Requiring security plans and security training;
  - ✓ Enabling the use of Security Measures and Interim Orders;
  - ✓ Enabling regulations to be made to require that dangerous goods are tracked during transport or reported if lost or stolen;
- ✓ Reinforcing the existing Emergency Response Assistance Program to equally address responses to security incidents and accidents during the transportation of dangerous goods;
- ✓ Enabling the development of a program to require transportation security clearances for dangerous goods. (These enabling authorities will allow the Transport Dangerous Goods' directorate to develop new policies and regulations using our regular consultation process in order to enhance the safety and security for Canadians during the transportation of dangerous goods.

**Pandemic Influenza-Plan and Prepare** - With the World Health Organization (WHO) reporting that the number of human cases of pandemic (H1N1) 2009 continues to increase, and the flu season in Canada approaching (usually runs from November to April), planning for the impact of an influenza pandemic is essential. Now is the time for Canadians to take steps to be ready for influenza pandemic. Organizations should put contingency plans in place to ensure core business activities can be maintained over several weeks if a high number of employees become ill and have to stay home.

**Amendment 8 – Gazette I** - Transport Canada has published an amendment to the Transportation of Dangerous Goods Regulations in Gazette I on May 2, 2009. The two areas affected are: **Section 1.15 150 kg Gross Mass Exemption** and **Section 7.1 Requirement for an Emergency Response Assistance Plan (ERAP)**. To review the amendments in detail visit [Canada Gazette](#).

**Are you ready for GHS?** As you are aware WHMIS as we know it will be changing over to GHS sometime in the very near future. The **Globally Harmonized System of Classification and Labelling of Chemicals Third Revised Edition** is now available. This publication also referred to as the UN "Purple Book", is extremely useful for national and regional governments as well as for those in industries that will ultimately implement the requirements that have been adopted. The Purple Book aims at ensuring that information on physical hazards and acute toxicity from chemicals is made available, in order to enhance the protection of human health and the environment during the handling, transport, and use, of these chemicals. The GHS also provides a basis for harmonization of rules and regulations on chemicals at national, regional and a worldwide level, an important factor for trade facilitation.

**Air Training Class** – Timmins – Basic Sept 14-16<sup>th</sup>, Refresher – Sept. 17<sup>th</sup> – Call our office for details.

**Do you ship ANY kind of Lithium Metal, Lithium Alloy or Lithium Ion batteries?** It doesn't matter even if they're the small "coin type" lithium metal batteries -- there are NEW IATA, IMDG and DOT rules for these primary or secondary batteries. There are NEW proper shipping names and UN numbers as well as handling labels and documentation for air, ground and ocean transport of these batteries.



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Managing Directors: Patrick Wallwork & Noreen Byers