

Disclaimer:

This draft regulation is provided solely to facilitate public consultation under section 16 of the *Environmental Bill of Rights, 1993*. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the draft regulation are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

Ontario Regulation to be made under the Environmental Protection Act: A Consultation Draft
Amending Reg. 347 of R.R.O. 1990
(GENERAL - WASTE MANAGEMENT)

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

“asbestos waste” means the following solid or liquid waste that contains asbestos in more than a trivial amount:

1. Waste that results from the removal of asbestos-containing construction or insulation materials.
2. Waste that results from the manufacture of asbestos-containing products.
3. Waste that results from the removal of asbestos-containing components from a motor vehicle.
4. Waste that results from the removal or handling of waste or materials described in paragraphs 1, 2 and 3, including personal protective equipment, tools that cannot be decontaminated and cleaning materials;

(2) The definitions of “derelict motor vehicle” and “Ministry website” in subsection 1 (1) of the Regulation are revoked.

(3) Subsection 1 (1) of the Regulation is amended by adding the following definitions:

“end-of-life vehicle” has the same meaning as in [proposed Registrations Under Part II.2 of the Act - End-of-Life Vehicles Regulation];

“end-of-life vehicle waste disposal site” has the same meaning as in [proposed Registrations Under Part II.2 of the Act - End-of-Life Vehicles Regulation];

(4) Section 1 of the Regulation is amended by adding the following subsection:

(4) For the purposes of paragraph 1 of subsection 1 (3), the servicing of motor vehicles does not include the management of end-of-life vehicles.

2. Subsection 2 (1) of the Regulation is amended by adding the following paragraph:

18. End-of-life vehicles.

3. Paragraphs 25 and 26 of subsection 3 (2) of the Regulation are amended by striking out “through the Ministry’s website on the Internet” wherever it appears and substituting in each case “on a website of the Government of Ontario”.

4. Paragraph 3 of subsection 5 (1) of the Regulation is revoked.

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

5.1 (1) Subsection 27 (1) of the Act does not apply in respect of an end-of-life vehicle waste disposal site if the following criteria are met:

1. The only management of end-of-life vehicles at the site is,
 - i. the removal of parts from end-of-life vehicles for reuse, and
 - ii. the collection, handling, transportation, storage and transfer of end-of-life vehicles.

2. No more than two end-of-life vehicles are received at the site in any 365-day period.
3. No more than 10 end-of-life vehicles are stored at the site at any one time.

(2) Subsection 27 (1) of the Act does not apply in respect of an end-of-life vehicle waste disposal site if the following criteria are met:

1. The only management of end-of-life vehicles at the site is the collection, handling, transportation, storage and transfer of end-of-life vehicles.
2. Each end-of-life vehicle managed at the site is not stored or handled at the site for more than 180 days.

(3) If an environmental compliance approval is not required with respect to an end-of-life vehicle waste disposal site as a result of the application of subsection (1) or (2), sections 40 and 41 of the Act do not apply in respect of that site.

(4) Subsection 27 (1) of the Act and section 16 of this Regulation do not apply in respect of a waste management system if the following criteria are met:

1. The waste management system is a waste transportation system.
2. The only waste management done by the waste management system is the collection, handling, transportation and transfer of end-of-life vehicles.

(2) Section 5.1 of the Regulation, as made by subsection (1), is amended by adding the following subsections:

(5) No person shall crush or shred an end-of-life vehicle, or cause or permit the crushing or shredding of an end-of-life vehicle, unless all of the following have been removed from the vehicle:

1. Batteries.
2. Battery cable connectors that contain lead.
3. Electrical switches that contain mercury.

4. Fluids, as defined in [proposed Registrations Under Part II.2 of the Act - End-of-Life Vehicles Regulation].
5. Tires.
6. Tire weights that contain lead.
7. Asbestos waste.
8. Any other materials set out in a document entitled “Materials to be removed from end-of-life vehicles prior to shredding or crushing” published by the Ministry, as amended from time to time, and available on a website of the Government of Ontario.

(6) A person who removes one or more items listed in subsection (5) from an end-of-life vehicle shall, if there are no items listed in subsection (5) left in the end-of-life vehicle after the removal, complete and issue a certificate with respect to the end-of-life vehicle or a shipment of end-of-life vehicles that includes the following information:

1. If the person completing the certificate is the operator of an end-of-life vehicle waste disposal site in respect of which a registration under Part II.2 of the Act is in effect, the registration number that appears on the confirmation of registration in respect of the activity.
2. If the person completing the certificate is the operator of an end-of-life vehicle waste disposal site in respect of which an environmental compliance approval has been issued under Part II.1 of the Act, the number appearing on the environmental compliance approval.
3. If the person completing the certificate is the operator of a waste disposal site outside of Ontario, the address of the site and the number of any applicable approval.
4. The contact information of the person completing the certificate, including the person’s name, business address, telephone number and email address, if any.

5. A statement from the person completing the certificate confirming that there are no items listed in subsection (5) left in the end-of-life vehicle.

(7) A person referred to in subsection (5) may rely upon a certificate respecting an end-of-life vehicle or a shipment of end-of-life vehicles that is completed in accordance with subsection (6) as confirmation that all of the items listed in subsection (5) have been removed, unless the person has reason to believe that one or more listed items have not been removed.

(8) An electronic or paper copy of a certificate completed in accordance with subsection (6) must be retained for at least two years,

(a) by the person who completed and issued the certificate at the location where the item was removed; and

(b) by the person who received the certificate at the location where the end-of-life vehicle was crushed or shredded.

6. Paragraph 3 of subsection 11.4 (2) of the Regulation is revoked and the following substituted:

3. A statement of the reduction in methane emissions from the landfilling site associated with the burning or use of landfill gas during the year, expressed in units of tonnes of carbon dioxide equivalent and based on a global warming potential of 25 for methane gas or such other value for methane gas as set out by the Director on a website of the Government of Ontario.

7. Clause 17.1 (1) (b) of the Regulation is revoked.

8. (1) Subsections 18 (3), (7), (7.1) and 20.1 (1) of the Regulation are amended by striking out “the Ministry website” wherever it appears and substituting in each case “a website of the Government of Ontario”.

9. Subsections 47 (1) and 59 (2) of the Regulation are amended by striking out “subsection 1.1.8 of Ontario Regulation 388/97” wherever it appears and substituting in each case “subsection 1.1.1. of Division C of Ontario Regulation 213/07”.

Commencement

10. [Commencement]