



Applying for an Extension on 2009 End-of-Use of PCBs

Objectives of the *PCB Regulations* and 2009 End-of-Use Extension

The *PCB Regulations* SOR/2008-273 came into force on September 5, 2008. The purpose of the regulations is to improve the protection of Canada's environment and the health of Canadians by minimizing the risks posed by the use, storage and release of polychlorinated biphenyls (PCBs) and by accelerating the elimination of these substances. The Regulations also set out end-of-use and end-of-storage dates for PCBs. These dates are listed in Environment Canada's fact sheet, "*PCB Regulations: An Overview*." However, PCB owners can apply for an extension to the 2009 end-of-use deadline provided that they meet certain criteria and conditions as described below.

Application Process to Extend 2009 End-of-Use

In order to get the extension PCB owners have to apply to Environment Canada in writing no later than August 1, 2009, to the following address:

Director, Waste Reduction and Management Division
Environment Canada
351 St. Joseph Boulevard, 14th floor
Gatineau, Quebec K1A 0H3

Environment Canada does not charge any fees and will review applications within 30 working days. The administrative process will include the following steps:

- Extension applications are stamped with the date on which they are received.
- Applications are reviewed to ensure that all necessary and required information has been provided.
- Environment Canada conducts a follow-up to inform the company that the extension application has been received, and to request additional information if needed.
- Companies must receive confirmation from Environment Canada that their extension was granted before they continue to use PCBs after the 2009 end-of-use deadline.

Criteria for Extension (section 17)

Equipment subject to the December 31, 2009, end-of-use deadline can be eligible for an extension **only if:**

- the equipment is being replaced with equipment that is engineered-to-order such that it is not technically feasible to replace the equipment on or before December 31, 2009, or
- the equipment is located at a facility that is scheduled for permanent closure on or before December 31, 2014.

Extensions may be granted up to the date applied for; this date cannot be any later than December 31, 2014. A PCB owner can submit one application addressing more than one piece of equipment, but the owner must provide the required information on each piece of equipment for which an extension is requested. Note that the Regulations do not permit any extension of the deadlines for storing PCBs and products containing PCBs.

Equipment must also meet other conditions to be eligible for extensions as outlined below.

Required Information and Conditions (part 2, subsections 17(1), 17(2) and 17(3))

Applications for end-of-use extension must demonstrate that all conditions have been met by including the following information:

Application criteria

Information demonstrating that:

- equipment is engineered-to-order and that it is not technically feasible to replace it, or
- equipment is located at a facility that is scheduled for permanent closure on or before December 31, 2014.

Mitigation and plans condition

- Information has been submitted demonstrating that the applicant is taking all necessary measures to minimize or eliminate any harmful effects of the PCBs in the equipment on the environment and on human health.
- A plan with timelines has been prepared to end the use of the equipment by the date applied for.
- A plan has been prepared for inspecting the equipment, on a monthly basis for the period of the extension, for damage that could lead to the release of PCBs.
- The equipment bears the label as required by the Regulations.

Equipment details

A technical description of the equipment, including:

- type and function of the equipment;
- name-plate description and the manufacturer's serial number, if any;
- the unique identification number listed on the label as assigned by the owner;
- quantity of liquid containing PCBs that is in the equipment and the quantity of liquid needed for servicing that equipment, expressed in litres;
- concentration of PCBs (mg/kg) in the liquid; and
- quantity of PCBs in the liquid that is in the equipment, expressed in kilograms.

PCB owner and authorized person contacts, and locations of PCBs

- Name, civic and mailing address, telephone number, fax number and email address, if any, of the applicant and any person authorized to act on the applicant's behalf.
- Name of the facility, if any, and civic address or location where the equipment is located or, if there is no civic address, the location using the owner's site identification system, and the function and technical description of the facility.

Notice of Change to Information (subsection 17(4))

The applicant shall notify the Minister in writing of any change to the information provided for the extension application within 30 days of the day on which the change occurs.

Revocation of 2009 Deadline Extension (subsection 17(5), 17(6) and 17(7))

If the Minister has reasonable grounds to believe that the applicant has provided false or misleading information in support of an application, the Minister can refuse to grant an extension, or can revoke a previously approved application. An extension can also be revoked if the requirements set out in subsection 17(2) are no longer met during the period of the extension. However, the Minister must first notify the applicant of the revocation in writing and offer the applicant the opportunity to be heard, by written representation, in respect of the revocation.

Other Obligations under the PCB Regulations

Persons who own, control or possess PCBs or products containing PCBs have other obligations under the new PCB Regulations. To learn more about these obligations, you can refer to other Environment Canada information sheets, or you can consult the Regulations online at the following address:
<http://www.ec.gc.ca/ceparegistry/regulations/detailReg.cfm?intReg=105>

For More Information

Fact sheets:

- PCB Labelling, Reporting and Records
- Use and Storage of PCBs in Prescribed Locations
- Applying for an Extension on 2009 End-of-Use of PCBs

PCB website: <http://www.ec.gc.ca/drgd-wrmd/default.asp?lang=En&n=DCB85AFA-1>

Contacts

Pacific and Yukon
Phone: 604-664-9100
Email: PCB.PYR@ec.gc.ca

Prairie and Northern
Phone: 306-780-6464
Email: PCB.PNR@ec.gc.ca

Ontario
Phone: 416-739-5870
Email: ken.de@ec.gc.ca

Quebec
Phone: 514-283-7305
Email: lqpe.info.cepa-qc@ec.gc.ca

Atlantic
Phone: 902-426-7231
Email: PCB.ATL@ec.gc.ca

In case of discrepancy between this fact sheet and the Regulations, the Regulations will prevail.

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