

General Information Fact Sheet Hazardous Waste Management in BC

British Columbia's regulatory framework provides a "cradle to grave" management regime for the collection, storage, transportation, treatment, recycling and disposal of hazardous wastes. The **Hazardous Waste Regulation** and **BC Environmental Management Act** ensure such wastes are managed safely. The Canadian Environmental Protection Act governs the movement of hazardous wastes across inter-provincial or international boundaries. Other regulations apply for wastes that are classed as dangerous goods.

What are Hazardous Wastes?

Hazardous wastes are those wastes which, due to their nature and quantity, are potentially hazardous to human health and/or the environment and which require special handling, storage, transportation and disposal techniques to eliminate or reduce the hazard.

Hazardous wastes are primarily generated by industrial and manufacturing processes. They can also be generated from commercial and institutional sources, including many government activities. Many chemicals whose "best before" date has expired meet the test of being hazardous wastes.

Businesses such as metal finishers, gas stations, auto repair shops, dry cleaners, and photo developers produce toxic wastes. These wastes include sulfuric acid, heavy metals found in batteries, and silver-bearing waste, which comes from photo finishers, printers, hospitals, schools, dentists, doctors and veterinarians. Heavy metals, solvents and contaminated wastewater result from paint manufacturing. Photo processing also creates organic chemicals, chromium compounds, phosphates and ammonium compounds. Electroplating and other surface-treatment processes can produce sodium cyanide and heavy metals.

Other hazardous wastes include PCBs, motor oil, waste pesticides and unused cleaning products. Hospitals and clinics generate biomedical wastes.

All of these wastes require special handling to prevent adverse effects to human health and the environment.

Wastes in B.C. are Regulated

To reduce personal and environmental risks and enforce proper practices, the federal, provincial, municipal and regional governments have established a variety of laws (acts, regulations and bylaws) respecting how wastes should be managed.

Failure to meet these legal requirements can have significant impacts not only on the environment, but also on a business' reputation and finances through fines and cleanup costs.

Proper characterization of wastes and manifesting the wastes when they are moved off site are the prime responsibility of the waste generator, although the carrier and the receiver/processor also have designated responsibilities and the associated liability.

Penalties

The penalties for non-compliance with the **Hazardous Waste Regulation** are listed in **Part 10, Division 1 of the BC Environmental Management Act**.

Anyone who commits a violation can be charged - from the president of a company, right down to a person working on the shop floor.

If found guilty, they could be fined and/or imprisoned!

A fine of up to \$200,000 can be imposed for making untrue or misleading statements on a Waste Manifest.

Reckless disregard for safety violations causing a risk of harm or death to other persons can result in fines of up to \$3,000,000 and/or 3 years imprisonment.

Hazardous Waste Management in BC

Managing Hazardous Wastes Properly

Hazardous waste must be properly managed in order to protect the general public and the environment. Poor management practices increase the risks of exposure to people, both inside and outside of the business that generated the waste. They can cause land, air and/or water to become polluted. Septic and sewage systems introduce waste into the soils and groundwater if hazardous waste is put into drains. Improper handling of hazardous waste can lead to costly clean-ups.

All businesses can be held liable for any contamination created from improper hazardous waste disposal, and/or hazardous waste spills or releases. Problems occurring during transportation of the wastes can be a liability for the generator as well as the carrier.



Does your hazardous waste storage facility look like this? You could be liable for severe penalties under the law!



A hazardous waste spill can cause a dangerous and costly situation.

All Businesses are Responsible for the Proper Management of their Hazardous Wastes

Under the **BC Environmental Management Act**, a generator of hazardous waste may be held liable for any contamination or damage created as a result of the improper management of that waste.

The risk of a waste generator being made subject to a remediation order can be significantly reduced if the generator has been careful to dispose of such waste safely and in accordance with all applicable laws, regulations and bylaws. Carriers and receivers also could be subject to remediation and/or other orders and other enforcement action.

Due Diligence

Due Diligence is a term that describes an approach for responsible business behavior for individuals and companies to maintain a reasonable standard of care in the conduct of their activities. It requires that these individuals and companies exercise sound judgment, behave responsibly and follow all applicable laws and best practices in managing their wastes.

Practicing due diligence helps generators, transporters and waste management facilities to comply with regulations and avoid fines. It also demonstrates their commitment to environmental protection and public safety to their staff, customers and community.

Even when a waste is turned over to a transporter for the next stages in the waste management process, the original generator of the waste may be held responsible for the consequences of a spill or improper disposal of such waste.

Therefore, it is important to ensure that the carrier used to transport the waste as well as the receiver who will manage, recycle or dispose of the waste can demonstrate that they are properly authorized (licensed, have properly trained staff, and will deal with the waste safely, responsibly and in compliance with the applicable laws).

When wastes are shipped off site, the generator must initiate a Waste Manifest (a shipping document) and must receive a completed copy of the manifest from the receiver/processor. This confirms the wastes have been received and how it is intended that they be managed.

The correctly completed manifest should also confirm that the generator has complied with all requirements of the legislation. The generator and receiver/processor must provide copies of the Manifest to the Ministry of Environment.

For some guidelines on selecting either a transporter or a receiver/processor, see fact sheets: **Selecting a Hazardous Waste Transporter** or **Selecting a Hazardous Waste Receiver/Processor**

Selecting a Hazardous Waste Transporter or Receiver/Processor

Hazardous Waste Management is regulated by the BC Ministry of Environment under the **Hazardous Waste Regulation** and the **Environmental Management Act**.

It is important to choose your hazardous waste transporter and processor carefully. As a generator of hazardous waste, you remain responsible for the waste, until it is legally and properly received and disposed of at an authorized management facility.



If the companies you choose to transport and dispose of your waste do not comply with the requirements of the Act and the Regulations and are charged with a violation while managing your hazardous waste, you may also be held liable.

There are penalties for non-compliance in the forms of fines and possible imprisonment.

Selection Factors

Here are a few things you should do prior to selecting a transporter or a receiver/processor.

- Get references from business colleagues who have used a specific hazardous waste transporter or receiver/processor.
- Contact your industry's trade associations, as they might have a file on companies that transport or receive/process hazardous waste.
- Phone the Better Business Bureau or Chamber of Commerce in your area, as well as in the area where the transporter and receiver/processor are located. They might have a record of any complaints registered against specific transporters or receivers/processors.
- Find out if the transportation company you are considering is licensed to transport hazardous waste in BC (has a valid LT Number), and is specifically authorized to carry the wastes types you generate. A list of licencees and the wastes they are authorized to transport is available on the Ministry's homepage for transportation licencees:
<http://www.env.gov.bc.ca/epd/hazwaste/licencees/index.htm>
- Find out if the hazardous waste receiver/processor has an approved Operating Plan and review any facility audits for compliance issues.
- The receiver/processor must provide a copy of the Manifest and confirm the waste was treated in accordance with BC requirements.

If you are unsure if a particular waste is hazardous, you should retain the services of a qualified hazardous waste consultant, or contact a reputable hazardous waste management company for advice.

This information sheet is presented by the BC Environment Industry Association (BCEIA) and is intended as information only and not to be the definitive interpretation of any act or regulations regarding Hazardous Waste. (January 2008)

Need More Information?

Contact the nearest regional office of the BC Ministry of Environment. A list of regional offices can be found at <http://wlapwww.gov.bc.ca/regops/contacts.html>

Or you can find your nearest Ministry of the Environment office by phone.

Victoria: (250) 387-6121

Vancouver: (604) 660-2421

Elsewhere in BC: 1-800-663-7867

Outside BC: (604) 660-2421

There are links to the relevant legislation, as well as other helpful information on the BC Ministry of Environment's Hazardous Wastes Homepage, <http://www.env.gov.bc.ca/epd/hazwaste/index.htm>

For more specific information please see the other fact sheets in this series

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011 Oil, Gas & Chemical Manufacturing

012 Government & Institutional Generators

or visit Hazardous Waste BC at

<http://www.hazwastebc.com>

BCEIA British Columbia Environment Industry Association

About BCEIA

The British Columbia Environment Industry Association is comprised of engineering and environmental service companies, technology companies, research organizations, government agencies and environmental law firms.

Established in 1992, the BCEIA is the most recognized environment industry association in the Province with over 90 member organizations. BCEIA is dedicated to providing programs that foster the growth of the industry and the growth of technology innovation in the industry.

The association is committed: to advance communications and networking within the industry; to strengthen business development and competitiveness; to establish a strong effective industry liaison and advocacy presence; and to increase the membership's profile in both domestic and international markets.

BCEIA works in partnership with the Vancouver-based **GLOBE Foundation of Canada.**

BCEIA

British Columbia
Environment Industry
Association



www.bceia.com

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