

Hazardous Materials Bulletin

HAZARDOUS MATERIALS TRANSPORTATION IN CANADA

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The hazardous materials regulations in Canada are titled the Transport of Dangerous Goods (TDG). The TDG is promulgated at the federal level and is adopted by all provinces. The various provincial police agencies are generally responsible for highway enforcement, while Federal personnel concentrate on shippers, marine, air, and rail transportation.

The United States and Canada have entered into an agreement concerning the transportation of hazardous materials. Generally, each country accepts shipments made in compliance with the originating country's regulations. There are, however, some exceptions. Below is a list of materials that must be in compliance with the destination country's regulations (or portions thereof):

From Canada to U.S. (Title 49, 171.12a)

- Class 1 (explosives)
- Class 7 (radioactives)
- Hazardous wastes
- Hazardous substances
- Forbidden materials
- Marine pollutants
- Oxygen generators
- Aerosols
- Ammonium nitrate fertilizers that meet Class 1 definition
- Materials regulated by Title 49 but exempt from TDG
- All shipments must have E.R. information and telephone number
- All shipping descriptions and markings must be in English
- Only Title 49 authorized abbreviations are allowed
- TDG packages only permitted if they meet USDOT/UN Standards
- Poisons and Poison Inhalation Hazards (PIH) (Poison = Toxic)

Transporting Dangerous Goods from the United States into or through Canada

Consignments of dangerous goods that originate in the United States are subject to expert inspection by U.S. inspectors. These consignments can be transported in Canada under the requirements of 49 CFR. However, consignments that originate in Canada are not permitted under these Regulations to be transported in Canada under 49 CFR only, because these consignments are not subject to expert inspection by U.S. inspectors .

Despite the requirements for Classification, Documentation, and Dangerous Goods Safety Marks, a person may handle or transport dangerous goods by road vehicle from a place in the United States to a place in Canada or from a place in the United States through Canada to a place outside Canada in accordance with the classification, marking, labeling, placarding and documentation requirements of 49 CFR, if:

The information required on the shipping document is easy to identify, legible, in indelible print, in English or French and includes:

- The name and address of the place of business in Canada of the consignor (when dangerous goods are transported to a place in Canada)
- the name and the address of the place of business of each consignor, except that in this case the name and address may be shown on a separate document attached to the shipping document and is required only while that person is the consignor (when dangerous goods are transported from a place in the United States through Canada to a place outside Canada)
- When the consignor is the carrier, the shipping name in Schedule 1 or in the UN Recommendations, for dangerous goods that have the letter "D" assigned to them in column 1 of the table to section 172.101 of 49 CFR, except for dangerous goods with the shipping name "Consumer commodity",
and
- in accordance with TDG section 3.6 of Part 3, Documentation, the emergency response assistance plan reference number and the telephone number to call to activate the plan when an emergency response assistance plan is required under Part 7, Emergency Response Assistance Plan, for the dangerous goods shown on the shipping document;

- and
- the person complies with the following sections in
 - TDG Part 3, Documentation:
 - TDG section 3.2, Carrier Responsibilities,
 - TDG section 3.7, Location of a Shipping Document: Road, and
 - TDG section 3.10, Location of a Shipping Document: Storage in the Course of Transportation.
 - Subsection (1) does not apply to dangerous goods that:
 - are forbidden for transport by these Regulations;
 - are not regulated by 49 CFR but are regulated by these Regulations; or
 - are transported under an exemption issued in accordance with Subpart B of Part 107 of Title 49 of the "Code of Federal Regulations" of the United States, 2000.

Emergency Response Assistance Plan Requirements

To transport certain amounts of Class 1 explosives, Class 3 Flammable liquids with a subsidiary Class 6.1 hazard, Class 4 flammables, Division 5.2 Type B or C organic peroxides, and Division 6.1, PG I, toxic substances, in Canada, an Emergency Response Assistance Plan (ERAP) is required. To determine if an ERAP is required for a product, see TDG Schedule 1, column 7. If the "mass" of the product exceeds the index number indicated in column 7, an ERAP is required.

More information on ERAPs and all Canada's TDG regulations can be found at <http://www.tc.gc.ca/tdg/>.

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Michigan State Police – Traffic Safety Division, www.michigan.gov/motorcarrier

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