



## ONTARIO REGULATION 86/16

made under the

### ENVIRONMENTAL PROTECTION ACT

Made: March 23, 2016

Filed: March 31, 2016

Published on e-Laws: March 31, 2016

Printed in The Ontario Gazette: April 16, 2016

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 definition of “derelict motor vehicle” in subsection 1 (1) of the Regulation is 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 Ontario Regulation 85/16 (Registrations under Part II.2 of the Act—End-of-life Vehicles) made under the Act;

“end-of-life vehicle waste disposal site” has the same meaning as in Ontario Regulation 85/16;

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

**4. (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 shear, crush or shred an end-of-life vehicle, or cause or permit the shearing, 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 Ontario Regulation 85/16 (Registrations under Part II.2 of the Act—End-of-life Vehicles) made under the Act.
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, crushing or shearing” dated March 7, 2016, 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 shredded, crushed or sheared.

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

**6. 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**

- 7. (1) Subject to subsection (2), this Regulation comes into force six months after the day it is filed.**
- (2) Subsection 4 (2) comes into force 18 months after the day this Regulation is filed.**