

**Ministry of the Environment,  
Conservation and Parks**

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**Ministère de l'Environnement,  
de la Protection de la nature et  
des Parcs**

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January 9, 2019

Steve Fletcher  
Executive Director  
Ontario Automotive Recyclers Association  
134 Langarth Street East  
London, Ontario N6C 1Z5

Mr. Steve Fletcher,

Re: Inquiry about the legal obligations of mobile crushers

Thank you for your inquiry about the legal obligations of mobile crushers when contracted to crush vehicles on EASR registered end-of-life vehicle waste disposal sites.

A person or company offering mobile crusher services must operate in accordance with all applicable regulations. This includes but is not limited to ensuring that certain items are removed from vehicles before they are sheared, crushed or shredded as per subsection 5.1 (5) of O. Reg. 347 made under the Environmental Protection Act R.S.O. 1990, c. E.19.

Subsection 5.1 (5) of O. Reg. 347 states that:

*(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:*

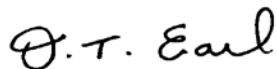
1. *Batteries.*
2. *Battery cable connectors that contain lead.*
3. *Electrical switches that contain mercury.*
4. *Fluids, as defined in Ontario Regulation 85/16 (Registrations under Part II.2 of the Act - End-of-life Vehicles) made under the Act.*
5. *Tires.*
6. *Tire weights that contain lead.*
7. *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. O. Reg. 86/16, s. 4 (2).*

The regulation is clear in that 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 items listed above have been removed. The person who is doing the shearing, crushing or shredding does not necessarily need to be the person that removes the items, however, they must ensure before any shearing, crushing or shredding occurs that all items have been removed.

In addition, subsection 5.1 (7) of O. Reg. 347 states that a person referred to in subsection 5.1 (5) of O. Reg. 347 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 5.1 (6) of O. Reg. 347 as confirmation that all of the items listed in subsection 5.1 (5) of O. Reg. 347 have been removed, unless the person has reason to believe that one or more listed items have not been removed.

The Ministry utilizes a variety of tools to ensure compliance with regulatory requirements. These may include provincial officer's orders, investigations and if warranted, prosecution. If a person is found using a mobile crusher to crush vehicles where the items referred to in subsection 5.1 (5) of O. Reg. 347, have not been removed, the ministry will take the most appropriate action to address the non-compliance.

Sincerely,

A handwritten signature in black ink that reads "D. T. Earl". The signature is written in a cursive, slightly slanted style.

Don Earl,  
A. Director