

Waste Self Assessment

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For more information:

Ministry of the Environment
Public Information Centre
Telephone: 416-325-4000
Toll free: 1-800-565-4923
Email: picemail.moe@ontario.ca

www.ontario.ca/environment

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PLEASE READ THIS FIRST:

Helpful tips for using this self assessment.

This voluntary and anonymous self-assessment has been developed to help you evaluate your facility's compliance level with Ontario's waste-related environmental legislation.

Keep the following in mind as you use this self-assessment:

- **Your “yes” responses** will indicate:
 - how knowledgeable you are about the relevant legislation
 - how well you may be reducing your impact on the environment
- This self assessment is designed so you can fill it out at your leisure and save your responses for future reference.
- We recommend that you **use your initial responses as a benchmark** in your facility's compliance program. Over time, you can refer back to these responses to ensure you continue to increase the number of “yes” responses as you work towards environmental improvement.
- Once you have completed this self-assessment, save and print the entire document so you have the questions, answers and support information.

Glossary terms are shown as **bold, green links** that will take you to their definitions in the Glossary section at the end of the document. When you're ready to go back to where you were, you can use the “jump back to” shortcuts to get you to the right question faster.

Remember to save this document as you progress to ensure your responses are not lost. If you leave this document to visit another website or document your responses will remain intact.

A NOTE ON PRINTING AND SAVING THIS DOCUMENT

Depending on the version of Adobe software you are using, you may have trouble saving your document. If this document will not 'save as', you may have to click on 'print' and then 'print to adobe file' to save this document.

Introduction

The Ministry of the Environment developed this self assessment tool to help you evaluate your compliance with Ontario's waste-related environmental legislation and standards.

Wastes are defined in the Environmental Protection Act ([EPA](#)). [Regulation 347](#) "General - Waste Management" also designates specific wastes. Waste includes all materials that are normally considered waste — such as ashes, garbage, domestic waste, industrial waste, commercial waste, construction debris and residues from industrial and commercial activities.

Under this legislative and regulatory framework generators are responsible for properly determining the types of waste that they have and to ensure that they are managed appropriately. The following questions will help you understand these responsibilities.

The Self Assessment will answer key questions about your regulatory responsibilities and help you prepare for future inspections that the ministry may conduct at your facility.

The Ministry of the Environment is transforming the environmental approvals program by implementing a two path, risk-based environmental approvals process that is consistent with leading jurisdictions across Canada, the U.S. and abroad. Moving to a risk-based framework allows the ministry to focus on environmental protection while making the process more effective and user-friendly for businesses. The new risk-based process includes a self-registration process for certain routine, standard and well-understood sectors and activities. Persons engaging in such sectors/activities may register the sector/activity in the Environmental Activity and Sector Registry ([EASR](#)). For more complex and unique sectors and activities, a streamlined single approval, Environmental Compliance Approvals ([ECA](#)), addresses all of a business's emissions, discharges and wastes.

Contact your [local ministry district office](#) if you have any questions about your facility's operation.

Disclaimer

This document is provided for information purposes only and is not intended as specific advice or recommendations in any circumstances. While every effort has been made to ensure the accuracy of the information contained in this Self Assessment, the information provided is intended to be of a general nature.

The purpose of this Self Assessment is to assist users with understanding their responsibilities and should not be construed as legal advice. Users should satisfy themselves with respect to their full obligations regarding provincial environmental legislation and should engage technical experts and legal counsel as necessary to determine compliance. The Ministry of the Environment is not responsible for any damages whatsoever arising from the interpretation of information presented in this document.

Legislative references in this document are effective as of the date this document was published. Where there is a discrepancy between this document and the legislation, the legislation prevails. The legislation may be obtained from Ontario's e-laws website at www.e-laws.gov.on.ca or from the ministry's **Public Information Centre**.

Question 1

Would any of the waste generated by your facility be considered liquid industrial or hazardous waste (also known as subject waste)?

Yes

No*

***If No is selected, read the details below and proceed to [Question 6](#).**

The management of waste including facilities generating waste in Ontario is governed by [Regulation 347](#) “General Waste Management Regulation” (Regulation 347) under the Environmental Protection Act. Facilities that generate waste may also be subject to other environmental requirements for air emissions and water discharges.

Regulation 347 sets out requirements for handling, storing, managing and disposing of subject waste in Ontario. It includes a comprehensive generator registration and manifest system to track these wastes from the point of generation (cradle) to their final disposal (grave). The regulation sets out responsibilities for generators, carriers, and receivers of subject waste.

Hazardous waste or **liquid industrial wastes** typically require special handling to reduce adverse effects to human health and the environment. These subject wastes require annual registration with the Ministry of the Environment and tracking of all shipments.

Regulation 347 defines wastes that are hazardous by specifically describing or identifying them through a series of listings (referred to as listed wastes), characterizing them through a number of tests (referred to as characteristic wastes) or through explicit definitions (e.g. pathological waste, PCB waste). Listed wastes include specific wastes from industrial processes, waste chemicals and severely toxic wastes. Your waste is considered to be a listed waste if it appears on [Schedule 1, 2A, 2B or 3 of Regulation 347](#). If your waste does not appear on one of these schedules, it still might be considered hazardous if it exhibits any of the following characteristics: ignitable, corrosive, and reactive or leachate toxic (leaches contaminants). Wastes that meet the definitions for pathological, PCB and radioactive waste are also considered hazardous.

Regulation 347 defines and regulates **liquid industrial waste**. This waste includes any liquid waste from industrial, commercial, manufacturing, research or experimental activities.

There are additional waste related regulations that address the management of certain types of waste (such as polychlorinated biphenyls or PCBs).

Generators need to have enough knowledge about their waste streams to be able to characterize wastes accurately, in order to determine whether or not each waste needs to be registered with the ministry.

The fact sheet [Characterizing Hazardous or Liquid Industrial Wastes](#) will help you characterize your waste.

Regulation 347 exempts some wastes from the hazardous or liquid industrial waste definitions. Consult the [Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste](#) to determine if any of your wastes are exempt from these definitions.

Question 2

If you are a subject waste generator, does your facility have a complete and up-to-date registration with the Ministry of the Environment?

In answering this question you should consider:

- Have you submitted an initial **generator registration report** for your site?
- Did you renew your generator registration by Feb 15th this year?
- Is your registration complete?
 - Are you generating any **subject wastes** that have not been registered?
 - Has any of the information in your report changed?
 - For each waste stream you will need to provide: the **waste class, characterizations**, waste type, description, process, physical state and specific gravity.
 - Does your registration reflect the current waste streams generated at your facility? Have processes changed requiring wastes that are no longer produced to be removed and new wastes to be added?

Yes

No

Not applicable

Generators of subject waste must register annually with the Ministry of the Environment by submitting a **generator registration report** through the Hazardous Waste Information Network ([HWIN](#)).

HWIN allows **generators** to register their activities with the Ministry of the Environment on-line and pay fees associated with generator registration. HWIN is designed to assist Ontario's waste generators, carriers and receivers manage waste from cradle to grave, as required in Regulation 347. If you have difficulty or are unable to complete your registration online please contact the HWIN helpdesk at 1-866-494-6663. Additional

information and answers to frequently asked questions regarding registration through HWIN can be found at www.hwinc.ca.

Initial registration must be completed before the first shipment of waste or within 3 months after it is produced. Registration renewal must be completed every year between January 1 and February 15 after the initial registration. All subject waste generated at your facility should be registered with the ministry.

As a generator you are responsible for accurately characterizing and registering your waste, and for paying the annual generator registration fee. Refer to Figure 3.3 in the [Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste](#) when determining the appropriate waste class and characterization of your waste. The manual explains in detail the registration and manifesting requirements for these wastes, as well as any exemptions that may apply.

Generator registration applies to generators of liquid industrial and hazardous waste in Ontario.

Regulation 347 also has **land disposal restriction** (LDR) requirements that prohibit the disposal of hazardous wastes on land unless they meet or have been treated to meet prescribed treatment standards. As part of these requirements generators will need to provide additional information about the waste in Part 2B of the generator registration report for wastes that meet the LDR requirements. You will also need to include specific information for the receiver of your waste regarding the treatment standards. The additional information in Part 2B of the generator registration report must be completed during registration, and must be sent to the receiver of the waste on or before the first transfer of the waste.

A **Small Quantity Exemption** (SQE) is provided for some hazardous and liquid industrial wastes. Since the exempted quantities vary and depend on the specific waste characterization, this exemption cannot be determined until the waste has been evaluated and the waste characterization established. Refer to the “Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste” to determine if any wastes fall under the exemptions. If the quantity of waste generated meets the SQE it is not considered hazardous waste or liquid industrial waste. However, it is still considered waste and therefore your waste hauler requires ministry approval to transport it.

Use the [Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste](#) and the [Land Disposal Restriction \(LDR\) Handbook](#) to determine requirements related to disposal of your waste.

Question 3

If subject waste was stored at your facility for more than 90 days, did you provide a notice to the Ministry of the Environment?

In answering this question you should consider:

- What types of waste are being stored on site?
- What is the maximum quantity of each waste stream stored at any one time?

Yes

No

Not applicable

[Regulation 347](#) under the Environmental Protection Act requires that the first time a **subject waste** is stored for more than 90 days, generators must provide a notice to the Regional Director at the Ministry of the Environment within five business days after the 90th day of storage. This notice must inform the ministry about the stored waste and any future plans regarding its storage and disposal. This notice can be submitted using the document [Notice of the Storage of Subject Waste](#) in the [Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste](#).

A properly completed notice would meet the requirements of Section 17.2 of Regulation 347 with respect to record-keeping. If the notice is provided in another format, the generator must ensure that all information reporting requirements are met.

The 90-day storage period begins as soon as subject waste is first stored at a waste generation facility. The 90-day storage period does not start when a container used to store the waste is full and ready to be shipped off-site for disposal. For wastes that have a small quantity exemption associated with their primary characteristic, the waste is first considered to be stored when an amount equal to or greater than the **Small Quantity Exemption** amount has accumulated in a container or other means of storage. In the case of wastes for which there is no small quantity exemption, the 90-day period begins as soon as any amount of the waste is accumulated in a container or other means of storage.

Use the Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste to help you determine your storage report requirements.

Subject waste may not be stored for longer than 24 months unless an application for an **Environmental Compliance Approval** (ECA) has been submitted to the Ministry of the Environment for the storage of waste.

Question 4

Does your facility have procedures in place to ensure the safe storage of subject waste?

In answering this question you should consider:

- What type of **subject waste** is stored at your facility?
- Is subject waste stored in a safe and secure manner to prevent fire and explosion hazards, prevent leaks or spills to the environment either directly or via a storm water system?
- Is subject waste stored in a container that is labelled and compatible with waste being stored?

Yes No Not applicable

Wastes **generators** must properly manage wastes at their facilities and ensure the wastes are stored in an environmentally safe manner. Wastes must be stored, handled and maintained to prevent leaks or spills, or damage to or deterioration of the container in which the wastes are stored.

The [Guidelines for Environmental Protection Measures at Chemical and Waste Storage Facilities](#) will aid you in identifying the necessary environmental protection measures for waste storage areas and protection measures that should be implemented at your facility. The guideline can help you assess your current waste storage practices, during planning upgrades to existing storage areas and when designing and operating new facilities.

Question 5

Does your facility maintain records for subject waste (e.g. generator registration reports, storage reports and manifests) for at least two years?

In answering this question you should consider:

- What type of records do you keep related to registering and shipping **subject waste** from your facility?
- Have you submitted a storage report for subject wastes stored on site for more than 90 days?
- Are there records you should be keeping that you are not currently keeping?

Yes No Not applicable

[Regulation 347](#) under the Environmental Protection Act includes a number of record-keeping requirements that promote and regulate the proper management of waste. Records that must be kept include **generator registration reports**, notice of storage forms and records of all shipments of subject waste. These records can be kept in electronic and/or in paper format.

Records of your generator registration reports are subject to ministry inspection, records must contain sufficient information so the ministry can review any waste characterizations fully.

Data analysis and other information used in preparing the generator registration report must be maintained at the facility for at least three years. Waste analysis does not have to be repeated unless there is a change to the process or materials used in the process. Generators should retain their waste analysis and other relevant records for as long as they continue to generate the waste and for the required period after they stop generating it.

Documents related to storing or moving (e.g., **manifests** and **Land Disposal Restrictions** receiver notifications) of subject waste must be retained for two years and be available for review by a Ministry of the Environment provincial officer during an inspection.

Question 6

Does your facility use a Ministry of the Environment approved waste carrier for the collection and management of waste?

In answering this question you should consider:

- Have you verified that your waste hauler has Ministry of the Environment approval to transport the type of waste being shipped?
- Have you verified that your waste hauler is **manifesting** all **subject waste** transfers?

Yes

No

Under the Environmental Protection Act, any waste leaving your facility must be transported by a company with ministry approval to transport waste. The approval will describe the waste classes and categories the carrier may transport.

In addition, there are requirements in [Regulation 347](#) under the act for transporting subject waste (hazardous and liquid industrial wastes). They include a comprehensive manifest system to track these wastes from the point of generation (cradle) to their final disposal (grave). **Manifests** are used to identify the type of waste being shipped, overall volumes and the movements of the waste from generator to receiver to ensure that these wastes are managed appropriately.

The manifest is a six-copy document with each copy being distributed either to the **generator, carrier, receiver** or Ministry of the Environment. There are three parts to the manifest: Part A is completed by the generator, Part B by the carrier and Part C by the receiver. See Appendix C of the [Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste](#) for detailed instructions on how to complete each part of the manifest and how those parts should be distributed.

Manifests may be completed electronically through the ministry's Hazardous Waste Information Network ([HWIN](#)) or in a paper format. Manifests must be completed within the timeframes specified in Regulation 347.

Regulation 347 also outlines certain cases in which wastes may be exempt from manifesting requirements. For more information about waste carrier requirements and exemptions related to managing your waste, refer to the Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste.

Question 7

Do you know what happens to your waste when it leaves your facility?

In answering this question you should consider:

- Where is your waste being received?
- Have you verified that the receiver has Ministry of the Environment approval to accept the types of waste being shipped?
- Can you confirm your waste has been accepted at the receiving site?

Yes

No

The Environmental Protection Act requires any site that receives waste be approved by the Ministry of the Environment. The approval will describe the waste classes and categories a receiver may accept at its site.

If you generate or transport **subject waste**, it is your responsibility to ensure an approved facility received the waste and to manage load refusals that may occur. If the generator cannot confirm that the waste has been accepted within four weeks of the waste shipment, the ministry must be notified.

[Regulation 347](#) made under the Environmental Protection Act includes **land disposal restrictions** (LDR) requirements that prohibit the disposal of hazardous waste on land unless they meet or have been treated to meet prescribed treatment standards. As part of these requirements, generators will need to provide additional information about the waste in Part 2B of their generator registration report. You will also need to include specific information for the receiver of your waste regarding the treatment standards. The additional information in Part 2B of the generator registration report must be completed during registration and must be sent to the receiver of the waste on or before the first transfer of the waste.

To help you determine requirements related to the disposal of waste, refer to the [Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste](#) and the [Land Disposal Restriction Handbook](#).

Question 8

Does your facility have the required Environmental Compliance Approval for any waste management at your facility?

In answering this question you should consider:

- Do you receive waste from off site?
- Do you process or mix waste?
- Do you dispose of waste by landfilling, incineration or discharge to a sewer?
- Do you transport waste?
- Do you store waste for more than two years?

Yes No Not applicable*

*If selected then read the details below and go to **Question 11**

The Environmental Protection Act requires an Environmental Compliance Approval (**ECA**) be obtained before establishing, using or in any way altering or changing a waste management system (i.e., transporting) or a waste disposal site (i.e., receiving, handling, transferring, processing, storage or disposal).

Waste generation facilities that manage their own waste generally do not require an ECA if they meet the criteria described in Section 17.1 of Regulation 347. For example, a facility that generates waste and temporarily stores it on-site so that it can be shipped off-site for further management is not required to obtain an ECA. For more information refer to the fact sheet [Waste Storage, Mixing and Processing Requirements](#).

In addition, [Regulation 347](#) specifies other activities that are exempt from ECA requirements (e.g. field operations). Companies not primarily in the waste management business but transport and collect waste generated by an activity or service that takes place in the field are exempt if they are managing the waste in accordance with Sections 29.1 to 29.5 of Regulation 347. For further information refer to page 20 of the [Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste](#).

Waste disposal site operations that require an ECA include, but are not limited to:

- a landfill or an incinerator
- receiving or processing someone else's waste at your facility
- waste transfer and processing facilities
- biosolids spreading sites

Waste management system operations that require an ECA include, but are not limited to:

- waste haulers

- haulers and spreaders of biosolids and septage
- mobile PCB destruction
- mobile site decontamination systems

What is the approval framework in Ontario?

The approvals system has two paths:

1. The Environmental Activity and Sector Registry (**EASR**) is an online self registration system.

As of October 31, 2011, it replaced the approvals process for specific activities and sectors considered routine, standard, or well understood. These activities and sectors are detailed in the Prescribed Activities and the Environmental Activity and Sector Registry – Heating Systems, Standby Power Systems and Automotive Refinishing Regulation ([Ontario Regulation 245/11](#)) under the Environmental Protection Act. A person engaging in these prescribed activities registers the activity on the registry which is accessible through the ServiceOntario website at www.serviceontario.ca.

2. Environmental Compliance Approval (**ECA**) is the new name for environmental approvals. It replaces the terms “Certificate of Approval” under the Environmental Protection Act and “approvals” under the [Ontario Water Resources Act](#). Changes to the approvals process include the ability to apply for a single ECA that addresses all of a business’s emissions, discharges and wastes. For example, if your project has more than one type of environmental impact (i.e. air emissions and waste management activities) you can apply for all approvals in one application. Separate approvals for air, noise and waste are no longer required.

Are there exemptions to the requirements to obtain an ECA for waste?

The Environmental Protection Act and Regulation 347 include exemptions provided that the requirements in the regulation are met, including:

- specific wastes that are recycled
- some wood waste combustor or waste derived fuel sites
- clean wood waste used as ground cover.

Refer to the [Introductory Guide for Applying for an Environmental Compliance Approval](#) if your site transports, processes or disposes of any type or class of waste.

How do I apply for an Environmental Compliance Approval?

You must complete the application form and attach all of the supporting documentation and technical requirements.

Download the Environmental Compliance Approval (ECA) application [here](#).

The minimum requirements for an application are set out in [Ontario Regulation 255/11](#) Applications for Environmental Compliance Approvals under the Environmental Protection Act. The regulation sets out information that the **ministry** needs before it begins to review the application. Ontario Regulation 255/11 does not refer to any of the supporting documentation and technical information that may be required for the technical review of the application. The Introductory Guide for Applying for an Environmental Compliance Approval is a useful resource when preparing an application related to waste sites or systems.

Complex proposals or site-specific conditions may prompt the Ministry of the Environment to ask for further information over and above the minimum requirements. The **Director** has the authority to request such information that is necessary to review the application.

It does not matter if the operations at your facility already exist or if your company is in the planning and development stage of a project; an approval is required. Consider ensuring you have the necessary time to obtain an ECA and/or to self register in the Environmental Activity and Sector Registry (EASR).

You are required to comply with all of the conditions listed in any ECA issued to you by the Ministry of the Environment.

A standard application form and guidance documents are available to help you apply for an ECA. Applicants are responsible for submitting applications that meet all requirements.

For more information about ECAs, to get an application package, or to apply for an ECA amendment, contact:

[Environmental Approvals Access and Service Integration Branch](#)

Telephone: 416-314-8001

Toll free: 1-800-461-6290

E-mail: EAABGen@ene.gov.on.ca.

Submit completed applications for Environmental Compliance Approvals to the applicable [district and/or area office](#) and:

Director
Environmental Approvals Access and Service Integration Branch
Ministry of the Environment
2 St. Clair Ave W, Floor 12A
Toronto, ON M4V 1L5

Question 9

If something has changed or is about to change that will affect your waste transporting, processing, storage or disposal practices, have you amended your facility's Environmental Compliance Approval (ECA)?

In answering this question you should consider:

- Have you made any changes to the types or quantities of wastes you store, process, dispose or transport?
- Have you installed new equipment to manage waste?
- Have you changed ownership or operating practices?

Yes No Not applicable

Generators, carriers, processors and receivers of waste must operate in accordance with the conditions of their Environmental Compliance Approval (ECA).

Section 27 of the [Environmental Protection Act](#) states that “no person shall use, operate, establish, alter, enlarge or extend a waste management system or a waste disposal site except under and in accordance with an environmental compliance approval” that has been issued by the Director.

If changes are being made to an approved waste management system or waste disposal site, you may be required to obtain an amendment to your Environmental Compliance Approval before the changes are implemented. Changes may include adding waste classes or categories, modifying approved equipment, and changing ownership or operating procedures.

Question 10

Your facility's Environmental Compliance Approval (ECA) lists things you must do. Has your facility met all the conditions listed in its ECA?

In answering this question you should consider:

- Have you recently reviewed the conditions on your **Environmental Compliance Approval**?
- Have you recently reviewed the supporting documentation that is listed in your Environmental Compliance Approval?
- Are you aware of what you must do in order to comply with the requirements of your Environmental Compliance Approval?

Yes No Not applicable

An Environmental Compliance Approval (ECA) determines the site specific parameters you must operate within in order to store, transport, process or dispose of waste. Conditions are legal requirements that your facility must meet. If you do not meet the conditions of the approval, you are not in compliance with the legislation.

What are some of the conditions that may be in an ECA?

The purpose of the ECA specific to waste, and all of the conditions in it, is to regulate the management of waste to help protect human health and the environment from harm.

Once an ECA is issued, the person who was issued the approval must meet all of the conditions of the approval. Examples of some of these conditions include:

- waste types and/or quantities that may be transported, stored or accepted
- developing manuals or other written procedures
- monitoring and reporting things to the ministry
- spill containment measures and other safety procedures.

Question 11

Does your facility store, transport or dispose of polychlorinated biphenyls (PCB) waste in accordance with ministry requirements?

In answering this question you should consider:

- Do you have any electrical equipment (e.g. capacitors, transformers, light ballasts) at your facility that may contain PCBs?
- Are you aware of any liquid PCB materials that may be stored or used at your facility?

Yes

No

Not applicable

In general, PCB wastes are wastes that contain PCBs at concentrations greater than 50 parts per million (ppm) by weight. For a complete and detailed definition of PCB waste, see [Regulation 362/90](#) (Waste Management – PCBs) under the Environmental Protection Act. Regulation 362/90 also regulates the disposal of PCBs in Ontario. The owner/operator of a facility that stores PCBs must do so according to the requirements in Regulation 362/90.

PCB containing electrical or other equipment that is in service is not considered to be a waste, and is not covered by the requirements set out in [Regulations 347](#) and 362/90. However, the requirements (including generator registration and manifesting) apply if the equipment comes out of service or the PCB liquid is drained from the equipment. PCB wastes stored on a site must be registered with the ministry. Regulation 347 prohibits the land disposal of PCB wastes.

Generators of PCB wastes must also meet federal requirements for PCBs. For information about the Canadian Environmental Protection Act and regulations for PCBs (including requirements for phasing out PCBs that are in service), visit:

www.ec.gc.ca/bpc-pcb/default.asp?lang=en&n=E794BDF1-1

Question 12

Has your facility complied with Ontario's waste audit and source separation requirements if required?

In answering this question you should consider the following:

- Is your facility a retail shopping establishment, retail shopping complex, office building, restaurant, hotel/motel, hospital, educational institution or a large manufacturing facility?

Yes

No

Not applicable

[Ontario Regulation 102/94](#) (Waste Audits and Waste Reduction Work Plans) under the Environmental Protection Act requires certain businesses to complete a **waste audit** and to develop and implement a **waste reduction work plan** to reduce the amount of waste they produce, and reuse or recycle whatever waste they can.

Consult the [Guide to Waste Audit and Reduction Work Plans for Industrial, Commercial and Institutional Sectors](#) to understand the regulatory requirements for conducting waste audits and preparing waste reduction work plans.

[Ontario Regulation 103/94](#) (Industrial, Commercial and Institutional Source Separation Programs) under the Environmental Protection Act applies to non-hazardous solid wastes from designated industrial, commercial and institutional (IC&I) sources and multi-unit residential buildings.

Consult the [Guide to Source Separation of Recyclable Materials for Industrial, Commercial and Institutional Sectors and Multi-Residential Buildings](#) to help you understand the regulatory requirements related to **source separating** waste.

Access tools for improving your waste diversion at: www.ontario.ca/wastereduction.

Question 13

Are there any beyond compliance measures being implemented at your facility?

Yes

No

Beyond compliance measures may include achieving waste reduction targets by reusing materials in your processes, using fewer toxic materials, and reducing the amount of waste produced through enhancing operations.

Appropriately developed and implemented beyond compliance projects secure improvements in environmental quality and reduce the risk of environmental harm. Depending on the nature of the changes you make to your process, you may need to amend your ECA.

Question 14

Has a qualified individual evaluated your facility to assess compliance with applicable environmental legislation?

A **Qualified Individual**, who either works for you or is an environmental consultant, may assist you in ensuring environmental compliance. In addition, determining compliance with applicable environmental legislation could prevent offences that may result in prosecution and fines.

Yes No

Why do I need to evaluate my facility for legislated compliance?

A broad range of provincial environmental statutes and regulations exist that cover a number of activities at industrial operations. It is prudent to have a qualified individual determine your company's compliance with applicable legislation. A qualified individual may be a consultant or an individual at your facility who has a background in environmental compliance and processes. Facility owners and/or management are responsible for ensuring there is adequate training and knowledge of environmental legislation that pertains to their facility.

Provincial officers inspect facilities to evaluate compliance with provincial environmental legislation. It should be noted that contravening legislation is an offence and could result in orders being issued or charges being laid and fines levied on conviction.

The ministry grants permits or approvals under the legislation to regulate discharges to the natural environment. If you are granted a permit or approval, it is important that you review your permit or approval to ensure you understand your obligations. You must also implement the appropriate required measures to ensure you are operating in accordance with your approval or permit.

Question 15

Do you have operation and maintenance programs in place at your facility?

Operation and maintenance programs are a typical Environmental Compliance Approval (**ECA**) requirement or condition. One of the primary goals of implementing operation and maintenance programs is to ensure you manage your waste in accordance with the regulations and your ECA.

Yes No

What are operation and maintenance programs?

Operating procedures required for an Environmental Compliance Approval (ECA) or Environment Activity and Sector Registry (**EASR**) usually relate to the proper operation of process and pollution control equipment so that waste discharges to the natural environment are minimized. Maintenance manuals refer to documents that outline the nature and frequency of maintenance activities. Any maintenance manual should be maintained regularly and contain details on the frequency of the maintenance as well as documentation, such as a checklist, detailing who services the equipment, what services were performed and when they were performed. Refer to “**Table 1: Example Equipment Maintenance Log**”.

Additional operating procedures and maintenance programs may be required in your ECA and will likely include operating procedures and maintenance programs recommended by the original equipment manufacturer for each piece of equipment creating a waste discharge. Refer to the specific condition(s) in your ECA to determine the requirements for your facility.

Question 16

Are emergency procedures in place at your facility?

Emergency procedures may be required as part of your **ECA**. Refer to the specific condition(s) in your ECA to determine the requirements for your facility.

Yes

No

What are emergency procedures?

An emergency procedure is a course of action to be taken when a piece of equipment malfunctions causing or potentially causing an **adverse effect** to the natural environment. An emergency procedure should include actions to be taken if a piece of equipment is operating outside of the specified parameters.

Emergency procedures should be documented and be available or posted in the vicinity of the equipment to which the emergency procedure applies.

Question 17

Are procedures in place at your facility to address a complaint from a member of the public, or an external party?

Complaint response procedures are used when a complainant notifies you of an environmental issue they believe originates as a result of operations at your facility. It is highly recommended that complaint response procedures are documented to ensure all of the necessary information is collected about an incident.

Yes

No

These procedures may include:

- pertinent details about operations and conditions (such as weather) at the time of the incident
- complainant information
- steps taken to determine all possible causes of the incident resulting in the complaint
- actions taken to address the complaint; any required notifications
- measures taken to prevent the reoccurrence of a similar incident.

Additional complaint response actions may be required as part of your Environmental Compliance Approval (**ECA**) or Environmental Activity and Sector Registry (**EASR**). Refer to the specific condition(s) in your ECA to determine the requirements for your facility. Refer to **Table 2: Example Complaint Response form**.

Question 18

Are you aware that you must call the ministry's Spills Action Centre at 1-800-268-6060 if your facility has a spill?

The ministry's Spill Action Centre operates 24 hours a day, seven days a week and can be contacted by phone at 1-800-268-6060

When pollutants are spilled into the natural environment, the **ministry's** primary role is to ensure that whoever is responsible for the **spill**, mitigates the adverse effect and restores the natural environment in accordance with the applicable environmental legislation and ministry guidelines. Spills are required to be reported immediately or as soon as practicable to the ministry.

Yes

No

The [Spills Action Centre](#) receives documents and coordinates responses to province-wide reports of spills and other environmental matters. The Spills Action Centre is staffed with **Provincial Officers** on a 24-hour basis, seven days a week.

What is a spill?

“**Spills**” are defined in Part X of the Environmental Protection Act ([EPA](#)) as the discharge of pollutants into the natural environment originating from a structure, vehicle, or other container, and that are abnormal in quality or quantity in light of all the circumstances of the discharge. A spill to land can be any release of waste to the land, such as an accident involving a tanker truck that has spilled a load of chemicals, or the spilling of oils, chemicals or waste containers at a site. Spills must be reported immediately to the ministry and to the municipality.

When do you have to call the Spills Action Centre?

Part X of the EPA requires spills to be reported forthwith by the person having control of the pollutant that is spilled and any person who causes or permits a spill of a pollutant. Part X also requires the **owner** of the spilled material, and the person who had control of the spilled material to promptly clean up and restore the environment if the spill causes or is likely to cause an adverse effect. There may be other additional measures that have to be taken following a spill, such as correcting the conditions that resulted in a spill to land and ensuring that preventative measures are implemented.

If you believe you may have a spill or another type of environmental emergency, call the Spills Action Centre. For more information about the Spills Action Centre, refer to the following website address: www.ene.gov.on.ca/en/emergency/actioncenter.php

What happens if there is a spill at the facility and the Spills Action Centre is not contacted?

Failure to report the spill of a pollutant to the ministry is an offence. It is the responsibility of the owner and controller of the pollutant to clean up a spill. When those under statutory duties cannot or will not respond adequately, the ministry has the authority under the Environmental Protection Act to order those responsible for the spill to clean up the site. Should they fail to comply with such orders: the ministry can undertake the cleanup and recover costs from the polluter.

Are there any spills that do not have to be reported to the Ministry of the Environment?

The Classification and Exemption of Spills and Reporting of Discharges [Ontario Regulation \(Regulation 675/98\)](#) under the EPA, classifies 11 types of spills, circumstances, industry type or activities that are exempt from all or part of [Part X of the EPA](#) duties and responsibilities under specified conditions.

Ontario Regulation 675/98 also encourages those who manage substances that may spill, to evaluate potential risks within their operations and to develop appropriate [spill prevention and contingency plans](#). A “Class X Spill” under Ontario Regulation 675/98 is one addressed in a spill contingency plan that meets certain standards for relatively small and manageable spills.

You must fully understand the application of Ontario Regulation 675/98 prior to evaluating whether or not a spill is reportable to the ministry or any other regulatory agency. If you have any questions about spills, refer to the information in this self assessment and/or contact either the Spills Action Centre or your [local ministry district office](#).

Should I have a spill prevention and contingency plan?

A spill prevention and contingency plan may provide you with a reporting exemption for spills (under Class X of Ontario Regulation 675/98) and can be used to minimize the impacts and risks of spills. Under the Spill Prevention and Contingency Plan Regulation

([Ontario Regulation 224/07](#)) under the EPA, the ministry has developed a guideline to help you develop and implement a spill prevention and contingency plan for your facility.

Under section 91.1 of the [Environmental Protection Act](#), a regulated person shall develop and implement plans to prevent or reduce risk of spills of pollutants, and to prevent, eliminate or ameliorate any adverse effects that result or may result from spills of pollutants. The plan must include:

- steps to notify the ministry, other public authorities and members of the public who may be affected by the spill
- measures to ensure that appropriate equipment, material and personnel are available to respond to a spill.

Question 19

Do you have an environmental management system in place?

Environmental management systems assist in evaluating the actual and potential impact of a facility's activities on the environment, such as waste impacts.

One of the primary functions of having an environmental management system is that it will guide you when reviewing activities and re-examining your potential and actual environmental impacts.

Yes

No

A facility establishes environmental goals and objectives (or targets) to determine how effectively these impacts are being mitigated or reduced. The targets for continual environmental improvement are based on the environmental aspects determined by the facility. For example, an aspect could be a reportable hazardous material **spill** and the target could be to reduce the number of reportable spills by modifying processes and/or capital expenditure.

One of the predominant international environmental management systems has been established by the International Organization for Standardization and is called [ISO 14001](#). ISO 14001 does not provide specific environmental targets but does provide a general framework and principles that can be applied to a facility of any size. Environmental management systems are not required in provincial environmental legislation unless specified in a control document such as an **ECA** for a particular facility.

What does having an environmental management system do?

One of the primary functions of an environmental management system is to guide companies to review their activities and re-examine their possible and actual environmental impacts.

Question 20

Have you completed all of the required and recommended actions as a result of any previous inspections completed by the Ministry of the Environment?

Facilities may be inspected for a number of reasons including potential for environmental impact and/or environmental non-compliance issues.

Yes No Not applicable

What can I do if I do not have a copy of my last inspection?

If your facility has been inspected but you do not have the inspection report, you can contact your [local ministry district office](#). For inspections conducted by Sector Compliance Branch (SCB), call 1-866-482-9967.

What are required actions?

Required actions will be identified by the ministry in your inspection report and can be based on a number of issues, such as legislative non-compliance or environmental impact. These required actions normally have a completion date by which you need to report and verify to the ministry that the required work or actions have been completed for your facility. Failure to comply with the required actions resulting from an inspection may cause environmental impacts and could result in further **abatement** action or charges being laid.

What are recommended actions?

Recommended actions can be based on a number of issues that are not directly related to a legislated requirement; however, these environmental issues are normally preventive in nature. Recommended actions may include, for example, implementing a **spill** response plan.

SELF ASSESSMENT COMPLETION

Congratulations on completing this waste self assessment!

The number of 'Yes' responses indicate how knowledgeable you are about provincial environmental legislation that regulates operations at your facility and indicates how well you may be reducing your impact on the environment.

For additional resources and links to help you with your environmental compliance program, visit the Ministry of the Environment's [Waste Self Assessment Resources](#).

We recommend that you print and **use your initial responses as a benchmark** in your facility's compliance program. Over time, you can refer back to these responses to ensure you continue to increase the number of "yes" responses as you strive to attain compliance.

A NOTE ON PRINTING AND SAVING THIS DOCUMENT

Depending on the version of Adobe software you are using, you may have trouble saving your document. If this document will not 'save as', you may have to click on 'print' and then 'print to adobe file' to save this document.

Table 1: Example Equipment Maintenance Log*

Equipment:			Approval Number:		
Section to be Maintained	Manual Name	Maintenance Frequency	Maintenance Performed	Performed By & Date	Signed off as required?

*Note: This log may not contain all the relevant information as required by your Environmental Compliance Approval (ECA). Refer to your ECA for your required information. If you already have a log which complies with your ECA then you may not need to use this log.

Table 2: Sample Complaint Response Form**

File Number: _____

Nature of Complaint: _____

Date: _____ Time: _____ Person Complaint reported to: _____

Method of Contact: Telephone Letter Fax E-mail In-Person

Date Complaint Occurred: _____ Time: _____

Name of Reporting Party: _____ Phone no: _____

Address of Reporting Party: _____

Wind Direction at Time of Complaint: _____

Weather at Time of Complaint: _____

Ministry of the Environment Local Office Phone: _____

Ministry of the Environment Spills Action Center: 1-800-268-6060

Description of Complaint:

Company activities at the time of the complaint (include process conditions, maintenance being performed):

Description of response immediately following the complaint:

Method of Response: Verbal Written E-mail Meeting

If no action was taken, specify why. Describe any preventative action taken to address the cause of the complaint.

Date of Initial Response/Action: _____

Referred for Further Action to: _____

Follow up:

Date Closed: _____ Signature: _____

**Note: This form may not contain all the relevant information as required by your Environmental Compliance Approval (ECA). Refer to your ECA for your required information. If you already have a form which complies with your ECA then you may not need to use this form. Attach copies of any other information/letters/notes/drawings/photographs as available.

Glossary

Abatement: Abatement is an action that is taken by a facility to achieve compliance that includes education/outreach, warnings and issuance of orders.

Abatement Plan: A proposed plan that includes the abatement measures to be undertaken to correct a violation or implement preventive measures. The abatement plan outlines environmental, administrative, and operational measures to be implemented and includes a timeframe for implementing the plan.

Adverse Effect: As defined in [subsection 1\(1\)](#) of the Environmental Protection Act, an adverse effect means one or more of: impairment of the quality of the natural environment for any use that can be made of it; injury or damage to property or to plant or animal life; harm or material discomfort to any person; an adverse effect on the health of any person; impairment of the safety of any person; rendering any property or plant or animal life unfit for human use; loss of enjoyment of normal use of property; and, interference with the normal conduct of business.

Beyond Compliance Measures: A beyond compliance measure is a facility-based pollution prevention or reduction project that aims to benefit human health or the environment beyond the requirements of law.

Carrier: The operator of a waste transportation system, including any person who is engaged in the offsite transportation of waste by air, rail, road, highway or water.

Characteristic Waste: Hazardous waste that is corrosive, ignitable, leachate toxic, or reactive.

Director: A person appointed as a Director in writing by the Minister under section 5 of the [EPA](#).

Environmental Activity and Sector Registry (EASR): The Environmental Activity and Sector Registry (EASR) is an online self-registration system. It replaced the approvals process for specific activities and sectors prescribed in regulation(s) that are considered routine, standard, or well-understood. A person engaging in these activities registers the activity on the EASR. The EASR is accessible through the Service Ontario website at www.serviceontario.ca.

Environmental Compliance Approval (ECA): Starting October 31, 2011, Environmental Compliance Approval (ECA) is the name of the approval that will be issued for section 9 and 27 activities under the EPA and s. 53 activities under the OWRA. An ECA replaces a Certificate of Approval (CofA). As such, a CofA will automatically be treated as an ECA as of October 31, 2011. It is not required to be replaced.

Generator: The operator of a waste generation facility. This includes the original generator of the waste, as well as all subsequent generators that are involved in the chain of custody of the waste, such as a transfer station that receives waste and then ships it to another receiver. When the waste moves from the transfer station to another receiver, the transfer station is considered to be the generator for the subsequent shipment from its facility.

Generator Registration Fee: Fee associated with the initial or annual generator registration report (GRR) that consists of the following three components: the base fee, the manifest component and the tonnage component.

Generator Registration Report (GRR): The information provided to the ministry on initial registration and every year after by the waste generator, either electronically or on paper, about the wastes generated at the waste generation facility.

Jump back to:

[Intro](#)

[Q1-Q4](#)

[Q5-Q9](#)

[Q10-Q14](#)

[Q15-Q19](#)

[Q20](#)

Hazardous Waste: Hazardous waste is defined in Section 1 of Regulation 347. The definition includes wastes that are characteristic waste, listed waste, pathological waste, PCB waste or radioactive waste. The definition also provides specific exclusions.

***HWIN List of Recycling Facilities:** The list of recycling facilities on the HWIN website (<https://www.hwin.ca/hwin/oda/recyclers.jsp>). The processing of waste at these facilities to recover material for beneficial reuse does not meet the requirements of subsection 3 (2) of Regulation 347 for a recyclable material exemption. These facilities must have a Part V C of A (or equivalent in another jurisdiction) to process waste, and wastes sent to these facilities must be registered and manifested. However, the tonnage component of the generator registration fee is waived for shipments to facilities on the HWIN List of Recycling Facilities.

Land Disposal: The deposit or disposal of waste upon, into, in or through land, including, the deposit of the waste at a dump, the landfilling of the waste, the discharge of the waste into a geological formation by means of a well and the landfarming of the waste, in the case of a petroleum refining waste, and land disposed has a corresponding meaning.

Land Disposal Restrictions (LDR): The requirements of Sections 74 through 85 of Regulation 347, which prohibit the disposal of hazardous wastes that are listed wastes or characteristic wastes until they have been treated to meet the land disposal treatment requirements.

Land Disposal Treatment Requirements: Identified in Schedule 1, Part A and Part B of Schedule 2 and Schedule 3 of Regulation 347 for listed wastes and in Schedule 5 of Regulation 347 for characteristic wastes. Land disposal treatment requirements are specified as either concentration-based numerical levels or as specified methods of treatment. Regulated constituents must be treated to meet the treatment requirements prior to land disposal.

LDR Notification Form: The LDR questionnaire in Part 2A of the generator registration report (GRR) will indicate if Part 2B of the GRR needs to be completed for listed wastes or characteristic wastes. Part 2B is the LDR notification form and identifies the type of waste and treatment required or completed. Waste generators can use this form to meet their obligation to notify under the Land Disposal Restrictions program by providing it to the receiver of the waste.

Limited Operational Flexibility: Limited Operational Flexibility was a feature formerly available in a “Comprehensive Certificate of Approval,” allowing the ministry to impose specific terms and conditions in a Certificate of Approval. An ECA with Limited Operational Flexibility permits applicants to make some modifications to specifically defined aspects of their facility’s operations or works without having to obtain an amendment to the approval. Limited Operational Flexibility also allows applicants to plan and make changes to their facility in a timely manner, reducing delays that would occur if they had to obtain a new or amended ECA.

Liquid Industrial Waste (LIW): LIW is defined in Section 1 of Regulation 347. The regulatory definition provides specific exclusions.

Listed Waste: Hazardous waste that is an acute hazardous waste chemical (Part A of Schedule 2), a hazardous industrial waste (Schedule 1), a hazardous waste chemical (Part B of Schedule 2), or a severely toxic waste (Schedule 3).

Manifest: A numbered document (paper or electronic) obtained from the Ministry of the Environment. Manifests are required to ship subject waste off-site from a generator to a receiver.

Ministry: Means Ministry of the Environment unless otherwise stated.

Jump back to:

[Intro](#)

[Q1-Q4](#)

[Q5-Q9](#)

[Q10-Q14](#)

[Q15-Q19](#)

[Q20](#)

North American Industry Classification System (NAICS) Code: A six-digit industry classification numbering system that describes the nature of a business.

On-site: Management of waste at the location where the waste is generated. Waste may be processed or disposed of without leaving its point of generation. Specific provisions are included in Regulation 347 with respect to on-site waste management (see Section 17.1 and Section 17.2 of Regulation 347). Note: certain on-site disposal methods (e.g., landfill, landfarm or incineration) require a Part V C of A for a waste disposal site.

Owner of a pollutant: Under Part X of the [Environmental Protection Act](#), the owner of a pollutant means “the owner of the pollutant immediately before the first discharge of the pollutant, whether into the natural environment or not, in a quantity or with a quality abnormal at the location where the discharge occurs.

Person having control of a pollutant: Under Part X of the [Environmental Protection Act](#) the person having control of a pollutant means “the person and the person’s employee or agent, if any, having the charge, management or control of a pollutant immediately before the first discharge of the pollutant, whether into the natural environment or not, in a quantity or with a quality abnormal at the location where the discharge occurs, and “person having control of the pollutant” has a corresponding meaning.

Pollutant: A pollutant is a contaminant other than heat, sound, vibration or radiation.

Provincial Officer: Any person designated as such under s. 5 of the Environmental Protection Act (EPA), or other relevant legislation. A provincial officer is a peace officer for the purpose of enforcing the EPA.

Qualified individual: A qualified individual is a person having the abilities, qualities or attributes necessary to perform a particular job or task.

Receiver: The operator of any facility to which waste is transferred by a carrier. This includes transfer stations, processing facilities and final disposal sites.

Regulation 347: Refers to Regulation 347 of the Revised Regulations of Ontario, 1990 (General – Waste Management) made under the EPA.

Small Quantity Exemption (SQE): An exemption provided for some waste types under the definitions of hazardous waste and LIW. The exempted quantities vary, and depend on the specific waste characterization. Accordingly, this exemption cannot be determined until the waste has been evaluated and the waste characterization established. Although the SQE quantities of waste are exempt from generator registration and manifesting requirements, the small quantity is still waste, and must be transported by an approved waste carrier and disposed of at an approved waste receiver.

Source separation: A source separation program consists of a series of ongoing activities to separate reusable and recyclable waste materials from other wastes at the point of generation so that the wastes that can be reused or recycled are diverted from the landfill.

Spill: Under Part X of the Environmental Protection Act ([EPA](#)) a spill, when used with reference to a **pollutant**, means a discharge into the natural environment from or out of a structure, vehicle or other container; and, that is abnormal in quality or quantity in light of all the circumstances of the discharge, when used as a verb has a corresponding meaning.

Jump back to:

[Intro](#)

[Q1-Q4](#)

[Q5-Q9](#)

[Q10-Q14](#)

[Q15-Q19](#)

[Q20](#)

Subject Waste: A term defined in Section 1 of Regulation 347. Subject waste means hazardous waste and LIW. It also means waste that was characteristic waste but that has been treated so that it is no longer characteristic waste if the waste may not be disposed of by land disposal under subsection 79 (1). However, the definition of “subject waste” does not include a number of wastes, including intact waste batteries that are destined for a waste battery recovery facility and waste from the professional office of a member of the Royal College of Dental Surgeons of Ontario. See subsection 1 (3) of Regulation 347 for a complete list. The term is used in a number of sections of Regulation 347, such as the generator registration and manifesting sections.

Waste Audit: A waste audit is a study of waste generated by normal activities that take place at a facility. The waste reduction plan should identify all actions the facility can take to reduce, reuse and recycle waste.

Waste Characterization (formerly referred to as Waste Characteristic): Identified by a single letter that indicates the type of hazardous waste or LIW it contains, based on the chemical characteristics or source of a waste material. The waste characterization identifies the hazard associated with the waste. A waste may have more than one waste characterization.

***Waste Class:** A three-digit number assigned to a generic waste description used to classify the type of waste being managed. Waste classes are included in the C of A for waste carriers and receivers, to identify the waste streams that they are permitted to handle or manage. A list of Ontario waste classes can be found in Appendix B of this manual.

Waste Generation Facility: Those facilities, equipment, and operations that are involved in producing, collecting, handling or storing waste at a site.

Waste Number: The combination of the three-digit waste class and the single-letter primary waste characterization used to classify a waste stream for generator registration and manifesting.

Waste Reduction Work Plan: A plan to reduce, reuse and recycle waste. The waste reduction work plan must encompass all administrative, warehousing or other ancillary activities or departments located on the same site and associated with the designated entity. The waste reduction work plan must also set out who will implement each part of the plan, when each part will be implemented and what the expected results are.

Jump back to:

[Intro](#)

[Q1-Q4](#)

[Q5-Q9](#)

[Q10-Q14](#)

[Q15-Q19](#)

[Q20](#)

Waste Self Assessment

Waste Self Assessment