

Generators of Hazardous Waste Fact Sheet

Hazardous Waste Management in BC

The BC Ministry of Environment manages hazardous waste in British Columbia through the **Hazardous Waste Regulation** and the **BC Environmental Management Act**. This legislation provides protection for public health, safety and for the environment.

Hazardous waste is a waste which, because of its quantity, concentration, physical, chemical or infectious characteristics may:

- Cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating illness; or
- Pose a substantial or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of, or otherwise managed.

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 should be significantly reduced where the waste generator has been careful to dispose of such waste safely and in accordance with all applicable laws, regulations and bylaws.

Waste generators must classify, store, label, transport and dispose of their waste safely and in accordance with all applicable laws, regulations and bylaws.

Improper handling of hazardous waste can lead to costly clean-ups, fines and possibly imprisonment.

Proper training of staff is highly recommended and in fact is a regulatory requirement for wastes that are also dangerous goods. Training also helps ensure the waste is managed appropriately.

It is illegal in British Columbia to mix hazardous waste with non-hazardous waste to evade the regulations.

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)

Responsibilities

A Waste Generator Must:

1. Properly characterize the waste; then,
2. Determine if the waste generated is hazardous; and if it is,
3. Apply for and obtain a BC Generator Number.
<http://www.env.gov.bc.ca/epd/hazwaste/generators/index.htm>
4. Use proper containers for the hazardous waste, and properly label them.
5. Store the waste out of the weather and in a safe, secure location.
6. Decide which waste management facility to use for disposal of the waste.
7. Use a licensed hazardous waste transporter.
8. Correctly fill in the hazardous Waste Manifest (shipping document) before the waste leaves the generator's property.
9. Ensure the proper copy of the Manifest is provided to the BC Ministry of Environment and keep copies of the completed manifest for the necessary period of time.
10. Ensure that a copy of the completed Manifest is obtained from the ultimate receiver/processor to confirm final disposition of the waste.

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Waste Characterization can be Based on either Laboratory Analysis or Generator Knowledge.

It is important to understand that when using generator knowledge, accurate judgment and possibly additional resources, such as Material Safety Data Sheets (MSDS), are required to make an appropriate waste characterization.

All workplaces in British Columbia are required by law to have MSDSs on hand for the controlled products they use. MSDSs can be useful tools to determine if the waste generated is hazardous, however, mixed or processed wastes are more difficult to classify. If you are unsure whether or not a particular waste is hazardous, you should retain the services of a qualified waste management company.

Characterization accuracy is vital when planning end of life waste management options, which may include incineration, fuel blending, landfill stabilization, wastewater treatment, reclamation, energy recovery and recycling. Overall costs and liability can be significantly reduced by selecting a treatment technology that is most appropriate for the particular waste.

For example, recycling of hazardous waste not only eliminates the release of chemicals into the environment; it also conserves energy and materials associated in the manufacturing products from virgin raw materials and keeps waste out of the environment. Proper characterization can also be useful for assessing different disposal options and treatment technologies for hazardous and non-hazardous waste.

Conducting periodic analysis and reviews of a facility's waste streams can be advantageous. Depending on the size of the facility, it is possible to have many different waste profiles which may change from time to time, depending on development or production processes.



Large manufacturing plants are not the only producers of hazardous waste.



Properly label and mark storage containers, according to all relevant requirements of the Hazardous Waste Regulations and the Transportation of Dangerous Goods Regulations

Due Diligence

Due Diligence is a term commonly used as part of a company's best management practices. It requires individuals in the course of their activities or duties to exercise sound judgment and to maintain a reasonable standard of care.

It is your duty to behave responsibly and to follow applicable laws and practices. Practicing due diligence helps you to comply with applicable regulations and to avoid the risk of fines!

It also demonstrates a commitment to protecting the environment and to the safety of employees, customers and community.

Even when a hazardous waste is turned over to a transporter to be taken away, 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 companies used to manage, transport, recycle or dispose of hazardous waste can demonstrate that they are properly licensed, have properly trained staff, and will deal with the waste in a safe, responsible and compliant manner.

The waste generator must receive a completed copy of the Waste Manifest from the transporter or receiver/processor confirming that the wastes have been received and how it is intended that they be managed. This completed manifest should confirm the generator has complied with the legislation.

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**

MANIFEST - MANIFESTE

BC06000-0

Manifest Form

Ministry of Environment, Hazardous Waste Legislation Guide, June 2005

Penalties

According to **Part 10, Division 1 of the BC Environmental Management Act**, anyone who commits a violation of the Act or the Regulation can be charged with an offense, from the president of the company, right down to the person working on the shop floor.

If found guilty they could be fined or imprisoned for not complying with the requirements of the legislation! Each day that an offence continues may result in another fine, up to the maximum amount.

One of the most common violations is improper waste characterization. Another common violation is incorrect or incomplete Manifests. The generator of the waste must give the correctly filled in Manifest form to the transporter. It is not the responsibility of the transporter to fill in the form for the generator.

Providing inaccurate or misleading information on the Manifest is a violation of the legislation, and charges can be laid against the generator.

A complete listing of violations and penalties can be found at:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/03053_11

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.

Need More Information?

Contact the nearest regional office of the BC Ministry of Environment. A list of regional offices can be found at <http://www.env.gov.bc.ca/main/regions.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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or visit Hazardous Waste BC at

<http://www.hazwastebc.com>

BCEIA British Columbia Environment Industry Association

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www.bceia.com

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.**

For Further Information:

BC Environment Industry Association

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