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Ontario Industry Steward Plan Transportation Standards

Effective Date: June 30 2015

Background:

Product Care Association operates the Ontario Industry Stewardship Plan (ISP) to ensure these materials are collected and recycled or otherwise safely disposed of in an environmentally appropriate way.

Product Care Association was approved by the WDO to implement and operate the following ISP:

Paints and Coating ISP for:

- Latex, oil, solvent based coatings, paints and stains tinted or non- tinted, and the containers in which they are contained
- Pressurized containers: All aerosol paint and coatings and the containers in which they are contained
- Non-Pesticide marine coatings
- 25 L Maximum container Size

The Paints and Coatings ISP, rules and material definition can all be viewed on the Product Care Association website at:

<https://www.productcare.org/service-partners/resources/?province=on&type=&product=>

Purpose:

The Transportation Standards define the minimum operating requirements to qualify as a Transporter under Product Care Association's Ontario ISP.

Product Care's transportation standards do not absolve transporters from any federal, provincial and/or municipal legislation and regulations applicable to their operation. It is the transporters' responsibility to be aware of and abide by all such legislation and regulations.

Product Care Association reserves the right to review and revise these standards on an ongoing basis. The most current version will be posted on the Product Care website. Product Care will, as a courtesy, provide notification of changes to approved transporters for which it has current email addresses; however, it is the approved transporter's responsibility to regularly check the Product Care website for revisions.



Who this applies to:

For the purposes of these standards, a *Transporter* means any person or firm duly registered with Product Care Association as authorized to transport Ontario ISP materials.

Enforcement of these Vendor Standards:

Transportation service providers shall:

- Provide Product Care Association with all reasonable information relating to these standards or any matter that relates to the ISP Program or procedures of Product Care Association
- Acknowledge that Product Care Association has a right of access to any and all such information during normal business hours and on 24 hour notice.

Moreover, Product Care Association may verify compliance information provided by transportation service providers, either directly or through a third party acting on its behalf. Please note that all parties acting on behalf of Product Care Association are bound by strict confidentiality agreements.

All transportation service providers shall:

- 1.1 Possess a valid business license if they are a commercial operation.
- 1.2 Possess comprehensive or commercial general liability insurance, including coverage for bodily injury, property damage, complete operations and contractual liability with combined single limits of not less than \$5,000,000 per occurrence, \$5,000,000 general aggregate. Transportation service providers must have Product Care Association listed on the policy as an additional insured party.
- 1.3 Possess environmental liability insurance of not less than \$2,000,000.
- 1.4 Identify and comply with all applicable regulations, including but not limited to:
 - Ministry of the Environment and Climate Change, Environmental Compliance of Approval (Certificates of Approval);
 - Ontario *Environmental Protection Act, 1990* (including R.R.O. 1990, O. Reg. 347, General – Waste Management);
 - Federal *Transportation of Dangerous Goods Act* (TDGA);
 - Provincial *Dangerous Goods Transportation Act*, R.S.O. 1990, c. D.1;
 - *The Highway Traffic Act*, R.S.O. 1990, c. H.8;
 - *Canadian Environmental Protection Act, 1999* - Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations (EIHWHRMR);
 - *Public Vehicles Act*,
 - *Motor Vehicle Transport Act*,
 - *Compulsory Automobile Insurance Act*,
 - *Fuel Tax Act*.

- 1.5 Be in compliance with Ontario's Commercial Vehicle Operator's Registration (CVOR) system and the Carrier Safety Rating (CSR) program and provide proof of such compliance to Product Care Association within five business days upon request.
- 1.6 Have a written policy approved by senior management outlining corporate commitment to environmental management and continuous improvement.
- 1.7 Maintain a documented process to identify, assess and ensure compliance with this standard and all applicable regulatory requirements, including but not limited to:
 - Occupational health and safety regulations;
 - Transportation regulations;
 - Hazardous waste management regulations (shipping).
- 1.8 Implement and maintain an emergency response plan to prepare for and respond to emergency situations, including fires, spills and medical events.
- 1.9 Maintain all records for a minimum of two years, including waste manifests and bills of lading.
- 1.10 Provide notice of any relevant fines or regulatory orders in the previous five years and within 60 days of any subsequent fine or regulatory order.

All transportation service providers shall:

- 2.1 Identify and comply with all applicable health and safety regulations, including but not limited to:
 - *Employment Standards Act;*
 - *Occupational Health and Safety Act;*
 - *Workplace Safety and Insurance Act;*
 - *Canada Labour Code.*
- 2.2 Possess workers' compensation coverage through either a provincial/state program or a private insurance policy.
- 2.3 Be compliant with the Workplace Hazardous Materials Information System (WHMIS), including training requirements.
- 2.4 Maintain an occupational health program that includes processes to safeguard the health and safety of employees by:
 - Providing regular documented health and safety training;
 - Providing and enforcing the use of personal protection equipment;
 - Safeguarding hazardous mechanical process

3. Staff Training

All Ontario ISP material transportation service providers shall:

- 3.1 Ensure that drivers are trained and certified as per TDGA requirements.
- 3.2 Ensure that drivers are trained in the requirements of the ISO material Program.
- 3.3 Train staff on their emergency response plan.
- 3.4 Document and maintain records of staff training.

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- 4.1 All waste must be transported in an approved UN container¹ or equivalent, as supplied by transporter or a service provider to the transporter. If using a non-UN approved container, the permit of equivalent level of safety must be presented to Product Care Association.
 - 4.2 All vehicles used to transport Ontario ISP materials must have an enclosed cargo area.
 - 4.3 All materials transported must be contained in accordance with TDGA requirements.

¹ Refers to containers that meet the requirements established by the United Nations Committee of Experts on the Transportation of Dangerous Goods; these requirements provide a uniform international system for identifying and packaging Class 3, 4, 5, 6.1, 8 and 9 dangerous goods for transport.