

DESIGNATION OF LEACHABLE WASTES IN ALBERTA (FORMER TDGR CLASSES 9)

Background

Transport Canada amended the *Transportation of Dangerous Goods Regulations* (TDGR) on February 20, 2008 by removing from the Regulations dangerous goods known as "environmentally hazardous substances" and identified in TDGR as Class 9. This amendment however, does not reflect any change in the status of these substances when managed as wastes. These materials generate a toxic leachate when subjected to the *Toxic Characteristic Leaching Procedure* (TCLP) and will continue to be regulated as hazardous wastes in Alberta.

Regulatory Framework

As described in Section 3.6, and defined in Schedule 1 of the WCR, wastes that produce toxic leachate are classified as hazardous waste. These wastes were previously designated in TDGR as "environmentally hazardous substances" (i.e., Class 9 dangerous goods) and in the 1996 version of the *Guide* as "toxic leachate waste".. To ensure an equivalent level of safety in the ongoing management of these wastes, the following requirements will apply:

Recommendations:

- (1) Those former toxic leachate wastes that do not fall under any of the other Classes are no longer considered dangerous goods under TDGR they will continue to be regulated in Alberta as hazardous waste pursuant to the EPEA and the WCR.**
- (2) Wastes identified in the clear language version of TDGR as "environmentally hazardous substances" (i.e., former Class 9) shall be designated in the manifest/movement document as "LEACHABLE WASTE (SOLID, LIQUID, SOIL, OR SLUDGE, AS APPLICABLE, CONTAINING ...)". Insert here the relevant chemical constituent(s) present in the leachate that render the waste hazardous.**
- (3) The letters NR shall be used for the Class, TDGR UN Number, and Packaging Group in the appropriate columns of the manifest/movement document to indicate that the waste is "not regulated" under TDGR.**
- (4) The insurance and training requirements for carriers transporting hazardous wastes or dangerous goods as defined in the WCR and TDGR, respectively, are the same.**

These requirements apply only to wastes whose primary classification is "toxic leachate" and no other hazardous characteristics (i.e., ignitability, reactivity, toxicity or corrosivity) are present.

Examples

The following examples illustrate the naming convention described above for a number of common wastes that produce toxic leachates when tested using the TCLP:

Case #1: The waste is a "contaminated soil with specific heavy metals". The proper shipping name would be:

Leachable waste (soil containing lead, cadmium, and mercury).

Case #2: The designation of a solid waste with benzene and toluene would be:

Leachable waste (solid containing benzene and toluene).

Case #3: For an industrial wastewater with the solvent trichloroethylene the name would be:

Leachable waste (liquid containing trichloroethylene)

Case #4: Waste sludge from a wood preserving plant would be identified as:

Leachable waste (sludge containing pentachlorophenol)