



Notification for the register of information supplied by Parties choosing not to apply paragraph 8 of article 3 of the Minamata Convention on Mercury

Name of party: Canada

Comprehensive export restrictions in place:

Canada has enacted comprehensive restrictions on the export of mercury by amending Schedule 3 of the *Canadian Environmental Protection Act* (the *Export Control List*) and the *Export of Substances on the Export Control List Regulations* (ESECLR). Under the ESECLR, a mixture that contains elemental mercury (CAS 7439-97-6) at a concentration of 95 % or more by weight, including high-purity mercury, is prohibited from export. Exceptions to this prohibition allow for exports of mercury that are aligned with Article 3, paragraph 2 of the Minamata Convention on Mercury, or that are considered as waste.

Domestic measures in place to ensure environmentally sound management of imported mercury:

Mercury is imported into Canada either as high-purity mercury intended for use in a product, process, or for research purposes, or as a component in a mercury-containing product. Annually from 2009-2013, between 11 and 23 companies imported mercury into Canada. This mercury was predominantly used for lamp and neon sign manufacturing, laboratory and/or research and development and dental amalgam use.

In Canada, the safe handling, containment and disposal of mercury and mercury compounds for commercial use is addressed by various federal and provincial Acts and regulations, and various industry standards and good practices.

In 2014, Canada enacted the *Products Containing Mercury Regulations*, which prohibit the manufacture and import of most products containing mercury. Under these regulations, products including lamps that contain mercury will be labelled with consumer information about their mercury content as well as their safe disposal. Furthermore, regular reporting on amounts of mercury used in manufacturing of these products is required.

The federal *Transportation of Dangerous Goods Regulations* set requirements and safety standards for the handling, offering for transport and transportation of dangerous goods in Canada, including requirements on quantity limits for mercury and mercury compounds.

The federal *Environmental Emergency Regulations* mandate persons who own or manage specified toxic and hazardous substances at or above the specified thresholds to provide required information on the substance(s) and their quantities, and to prepare and implement environmental emergency plans.



Releases

Provincial and territorial jurisdictions have statutes for environmental protection (e.g. requirements on hazardous substances with respect to storage, transport and handling) with general prohibitions for unauthorized discharge of contaminants into the environment. Provincial and territorial governments control the emissions and releases of toxic substances from manufacturing facilities, collection and recycling centres, waste management facilities and related activities within their jurisdiction through regulations and permitting or approval systems that specify release, emission and/or performance standards, and other management measures such as operating requirements.

Storage

In Canada, provinces and territories have overarching legislation, which limit releases of anything harmful, including mercury, and which address storage of hazardous substances.

The Workplace Hazardous Materials Information System (WHMIS) is Canada's national hazard communication standard. All provinces and territories and federal agencies responsible for occupational health and safety have established employer WHMIS requirements within their respective jurisdictions. These requirements ensure that controlled or hazardous products, including mercury, that are used, stored, handled or disposed of in the workplace are properly labelled, MSDSs are made available to workers, and workers receive education and training to ensure the safe storage, handling and use of these products in the workplace. WHMIS was recently modified to incorporate the Globally Harmonized System of Classification and Labelling of Chemicals for workplace chemicals.

Each province and territory, as well as the federal government have their own legislation respecting occupational health and safety matters, outlining the rights and responsibilities of the employer, the supervisor and the worker. Many of the associated regulations set requirements for storage practices and storage areas for mercury.

In addition to the above, frequently best-practices documents, guides or information pieces are made available by provincial agencies to direct behavior around mercury and mercury wastes.

Disposal

In Canada, the responsibility for managing and reducing waste is shared among federal, provincial, territorial and municipal governments. Municipal governments collect and manage waste from households for recycling and disposal. Provincial and territorial governments establish measures and criteria for hazardous waste management, including requirements for disposal of wastes onto land and waste incineration; approve and monitor waste management operations and facilities; and control movement of wastes within their jurisdiction. The federal government controls international and interprovincial movements of hazardous waste, and releases of toxic substances to the environment. Mercury wastes must be managed in accordance with applicable federal, provincial, and territorial



regulations and requirements, including those covering handling, transportation, treatment, recycling and disposal.

To address the management of mercury wastes, the Government of Canada has developed various measures which include:

- *Pollution Prevention (P2) Planning Notice for Dental Amalgam Waste* (2010) to require dental facilities (that have not already implemented best management practices) to prepare and implement plans which must consider best management practices such as the installation of amalgam separators and proper disposal of dental amalgam waste;
- *Pollution Prevention (P2) Planning Notice for Mercury Releases from Mercury Switches in End-of-Life Vehicles* (2007) to require vehicle manufacturers and owners or operators of steel mills that process end-of-life vehicles or steel scrap derived from end-of-life vehicles to prepare and implement plans for the management of the mercury switches found in many vehicles;
- The Government of Canada is developing a code of practice on the environmentally sound management of end-of-life mercury-containing lamps. It covers lamps from all sectors, and details best practices and environmentally sound options for the handling, collection, storage, transportation, recycling and disposal of mercury to prevent mercury releases to the environment.
- *Technical Document for Batch Waste Incineration* (2010) to provide guidance for owners and operators of batch waste incinerators of federal facilities, regarding proper system selection, operation, maintenance and record keeping, with the goal of assisting them in achieving the Canada-wide Standards for dioxins/furans and mercury, and reducing releases of other toxic substances. While this is being promoted for implementation at federal facilities others may refer to the document;
- *Mercury-containing Product Stewardship: Manual for Federal Facilities* (2004) to promote the lifecycle management of mercury-containing products at federal facilities by providing guidance on developing mercury inventories, pollution prevention strategies, reducing mercury use, mercury waste management, and legal requirements.

For movements of hazardous wastes, including mercury wastes, Environment and Climate Change Canada implements Canada's obligations under the *Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal* through the *Canadian Environmental Protection Act* and the *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations* (EIHWRMR). Together, the Act and the Regulations require notification, prior informed consent, permits, and movement tracking to ensure that transboundary movements of hazardous wastes and hazardous recyclable materials to, from and through Canada are destined for environmentally sound management operations. In addition, Environment and Climate Change Canada regulates interprovincial movements and requires manifest tracking of hazardous wastes between provinces and territories.

The Canadian Council of Ministers of the Environment has endorsed or agreed to various standards, action plans and guidance for the management of municipal and hazardous wastes to address releases of toxic substances, including mercury, to the environment. Provincial and territorial governments implement the CCME Canada-wide standards, action plans and guidance through regulations, incorporation of standards into permits, or through administrative processes (e.g., consideration of



guidelines when issuing permits for facilities to operate). Where federal action is appropriate, Environment and Climate Change Canada develops measures to respond to CCME recommendations, and/or to implement the commitments the Government of Canada made with respect to activities at federal facilities or on federal lands. CCME initiatives relating to mercury wastes include:

- Canada-wide Standards for Mercury Emissions (Incineration) (2000) – establishes waste incineration limits to be achieved by best available technology or waste diversion. Provincial and territorial governments implement these CCME Canada-wide standards through regulations, incorporation of standards into permits, or through administrative processes. For example, the Air Emission Standards for Mercury Emissions apply to existing, new or expanding solid waste incinerators in Nunavut as outlined in the “Environmental Guideline for Burning and Incineration of Solid Waste”. Another example is the BC Hazardous Waste Regulation which also sets emissions standards for thermal treatment facilities.
- Canada-wide Action Plan for Extended Producer Responsibility (2009). Under this plan, the Ministers of the Environment have committed to work together to develop measures or regulations to ensure that various end-of-life products and materials, including lamps containing mercury and other mercury-containing products, are diverted from landfills. Several provinces have established, or are currently establishing, policies, legislation, programs and other measures for extended producer responsibility to collect and dispose of or recycle end-of-life products, including products containing mercury, in an environmentally sound manner.

Mercury imports from non-parties:

Canada tracks all quantities of mercury imported from all countries through the Canada Border Services Agency (CBSA). Under the authority of the *Customs Act*, all goods that are imported into Canada or exported from Canada are reported to CBSA. This information is also available publicly through the Canadian international merchandise trade database as well as through the UN commodities trade database (Comtrade).

From 2013-2016, Canada imported a total of 4,159 kg of mercury from the following Non-Parties:

Country of origin	Quantity imported (kg)	Year
Singapore	3,825	2016
Brazil	153	2016
	41	2015
	35	2013
Malaysia	142,184*	2014
Italy	105	2014

*Re-exported to Cuba in 2014