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PART 8

REPORTING REQUIREMENTS
SOR/2016-95

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Definitions

Definitions for the following terms, used in this Part, are provided in Part 1 (Coming into Force, Repeal, Interpretation, General Provisions and Special Cases):
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aircraft

CANUTEC

certification safety mark

class

classification

consignor

dangerous goods

Director General

emergency

emergency response assistance plan or ERAP or ERP

employer

infectious substance

means of containment

person

railway vehicle

release
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road vehicle

ship

shipping name

UN number

8.1 Application and Interpretation
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This Part applies in respect of

(a) the release or anticipated release of dangerous goods that are being offered for transport, handled or transported by road vehicle, railway vehicle or ship;

(b) the release or anticipated release of dangerous goods that are being offered for transport, handled or transported by aircraft;

(c) undeclared and misdeclared dangerous goods that are being offered for transport, handled or transported by aircraft;

(d) the loss or theft of dangerous goods; and

(e) unlawful interference with dangerous goods.

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Road, Rail and Marine Reports
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8.2 Emergency Report — Road, Rail or Marine
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A person who is required by subsection 18(1) of the Act to report a release or anticipated release of dangerous goods that are being offered for transport, handled or transported by road vehicle, railway vehicle or ship must, as soon as possible after a release or anticipated release, make an emergency report to any local authority that is responsible for responding to emergencies at the geographic location of the release or anticipated release if the dangerous goods are, or could be, in excess of the quantity set out in the following table:

Table

Class	Packing Group or Category	Quantity
1	II	Any quantity
2	Not applicable	Any quantity
3, 4, 5, 6.1 or 8	I or II	Any quantity
3, 4, 5, 6.1 or 8	III	30 L or 30 kg
6.2	A or B	Any quantity
7	Not applicable	A level of ionizing radiation greater than the level established in section 39 of the “Packaging and Transport of Nuclear Substances Regulations, 2015”
9	II or III, or without packing group	30 L or 30 kg

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8.3 Information to be Included in an Emergency Report — Road, Rail or Marine
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An emergency report referred to in section 8.2 must include the following information:

(a) the name and contact information of the person making the report;

(b) in the case of a release of dangerous goods, the date, time and geographic location of the release;

(c) in the case of an anticipated release of dangerous goods, the date, time and geographic location of the incident that led to the anticipated release;

(d) the mode of transport used;

(e) the shipping name or UN number of the dangerous goods;

(f) the quantity of dangerous goods that was in the means of containment before the release or anticipated release;

(g) in the case of a release of dangerous goods, the quantity of dangerous goods estimated to have been released; and

(h) if applicable, the type of incident leading to the release or anticipated release, including a collision, roll-over, derailment, overfill, fire, explosion or load-shift.

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8.4 Release or Anticipated Release Report — Road, Rail or Marine
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(1) Subject to subsection (2), a person who has made an emergency report referred to in section 8.2 must, as soon as possible after making it, make a report to the persons listed in subsection (4).

(2) Subject to subsection (3), the person is not required to make a report referred to in subsection (1) if the release or anticipated release did not result in

(a) the death of a person;

(b) a person sustaining injuries that required immediate medical treatment by a health care provider;

(c) an evacuation of people or their shelter in place; or

(d) the closure of

(i) a facility used in the loading and unloading of dangerous goods, or

(ii) a road, a main railway line or a main waterway.

(3) The person is required to make a report referred to in subsection (1) if

(a) a means of containment has been damaged to the extent that its integrity is compromised; or

(b) the centre sill or stub sill of a tank car is broken or there is a crack in the metal equal to or greater than 15 cm (6 in.).

(4) For the purposes of subsection (1), the persons to whom a report must be made are

(a) CANUTEC, at 1-888-CANUTEC (1-888-226-8832) or 613-996-6666;

(b) the consignor of the dangerous goods;

(c) in the case of dangerous goods included in Class 7, Radioactive Materials, the Canadian Nuclear Safety Commission; and

(d) in the case of a ship, a Vessel Traffic Services Centre or a Canadian Coast Guard radio station.

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8.5 Information to be Included in a Release or Anticipated Release Report — Road, Rail or Marine
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A release or anticipated release report referred to in section 8.4 must include the following information:

(a) the name and contact information of the person making the report;

(b) in the case of a release of dangerous goods, the date, time and geographic location of the release;

(c) in the case of an anticipated release of dangerous goods, the date, time and geographic location of the incident that led to the anticipated release;

(d) the mode of transport used;

(e) the shipping name or UN number of the dangerous goods;

(f) the quantity of dangerous goods that was in the means of containment before the release or anticipated release;

(g) in the case of a release of dangerous goods, the quantity of dangerous goods estimated to have been released;

(h) if applicable, the type of incident leading to the release or anticipated release, including a collision, rollover, derailment, overfill, fire, explosion or load-shift;

(i) if applicable, the name and geographic location of any road, main railway line or main waterway that was closed;

(j) a description of the means of containment containing the dangerous goods;

(k) if applicable, an estimate of the number of people evacuated or sheltered in place; and

(l) if applicable, the number of deaths and the number of persons who sustained injuries that required immediate medical treatment by a health care provider.

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8.6 30-Day Follow-up Report
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A person who has made a report referred to in section 8.4, or the person's employer, must make a follow-up report in writing to the Director General within 30 days after the day on which the report was made.

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8.7 Information to be Included in a 30-Day Follow-up Report
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A follow-up report referred to in section 8.6 must include the following information:

(a) the name and contact information of the person making the report;

(b) the names and contact information of the consignor, consignee and carrier;

(c) in the case of a release of dangerous goods, the date, time and geographic location of the release;

(d) in the case of an anticipated release of dangerous goods, the date, time and geographic location of the incident that led to the anticipated release;

(e) the mode of transport used;

(f) the classification of the dangerous goods;

(g) the quantity of dangerous goods that was in the means of containment before the release or anticipated release;

(h) in the case of a release of dangerous goods, the quantity of dangerous goods estimated to have been released;

(i) a description of the means of containment containing the dangerous goods;

(j) if applicable, a description of any failure of or damage to the means of containment;

(k) information about the events leading to the release or anticipated release of dangerous goods;

(l) information as to whether there was an explosion or fire;

(m) the name and geographic location of any facility used in the loading or unloading of the dangerous goods that was closed, and the duration of the closure;

(n) the name and geographic location of any road, main railway line or main waterway that was closed, and the duration of the closure;

(o) if applicable, an estimate of the number of people evacuated or sheltered in place and the duration of the evacuation or shelter in place;

(p) if applicable, the number of deaths and the number of persons who sustained injuries that required immediate medical treatment by a health care provider;

(q) if applicable, the ERAP reference number;

(r) the date on which the report referred to in section 8.4 was made; and

(s) an estimate of any financial loss incurred as a result of the release or anticipated release, and any emergency response cost or remediation costs related to it.

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8.8 30-Day Follow-up Report — Notice and Retention of Report
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(1) A person who has made a follow-up report referred to in section 8.6 must, as soon as possible, notify the Director General of any change to the information referred to in paragraph 8.7(f), (i), (j), (k), (l), (p) or (s) that occurs within one year after the day on which the follow-up report was made.

(2) The person must keep a copy of the report for two years after the day on which it is made.

(3) The person must make the report available to an inspector within 15 days after the day on which the person receives a written request from the inspector.

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Air Reports
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8.9 Dangerous Goods Accident or Incident Report — Air
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(1) Subject to subsection (3), a person who is required by subsection 18(1) of the Act to report a release or anticipated release of dangerous goods that are being offered for transport, handled or transported at an aerodrome, at an air cargo facility or by aircraft must as soon as possible after a release or anticipated release, make a report if the dangerous goods are, or could be, in excess of the quantity set out in the following table:

Table

Class	Quantity
1, 2, 3, 4, 5, 6, 8 or 9	Any quantity
7	A level of ionizing radiation greater than the level established in section 39 of the “Packaging and Transport of Nuclear Substances Regulations, 2015”

(2) The report referred to in subsection (1) must be made to CANUTEC, at 1-888-CANUTEC (1-888-226-8832) or 613-996-6666, and, in the case of dangerous goods included in Class 7, Radioactive Materials, to the Canadian Nuclear Safety Commission.

(3) The person is not required to make the report referred to in subsection (1) if the release or anticipated release does not result in any of the following:

(a) the death or injury of a person;

(b) damage to property or to the environment;

(c) signs that the integrity of a means of containment has been compromised, including signs of fire, of breakage or of fluid or radiation leakage;

(d) serious jeopardy to persons on an aircraft or to the aircraft itself;

(e) an evacuation of people or their shelter in place; or

(f) the closure of an aerodrome, air cargo facility or runway.

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8.10 Information to be Included in a Dangerous Goods Accident or Incident Report — Air
SOR/2016-95

A report referred to in section 8.9 must include the following information:

(a) the name and contact information of the person making the report;

(b) in the case of a release of dangerous goods, the date, time and geographic location of the release;

(c) in the case of an anticipated release of dangerous goods, the date, time and geographic location of the incident that led to the anticipated release;

(d) the name of the aircraft operator, aerodrome or air cargo facility;

(e) the shipping name or UN number of the dangerous goods;

(f) the quantity of dangerous goods that was in the means of containment before the release or anticipated release;

(g) in the case of a release of dangerous goods, the quantity of dangerous goods estimated to have been released;

(h) if applicable, the type of incident leading to the release or anticipated release;

(i) a description of the means of containment containing the dangerous goods;

(j) if applicable, the number of deaths and the number of persons who sustained injuries; and

(k) if applicable, an estimate of the number of people evacuated or sheltered in place.

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8.11 30-Day Follow-up Report
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A person who has made a report referred to in section 8.9, or the person's employer, must make a follow-up report in writing to the Director General within 30 days after the day on which the report was made.
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8.12 Information to be Included in a 30-Day Follow-up Report
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A follow-up report referred to in section 8.11 must include the following information:

(a) the name and contact information of the person making the report;

(b) the names and contact information of the consignor, consignee and aircraft operator;

(c) in the case of a release of dangerous goods, the date, time and geographic location of the release;

(d) in the case of an anticipated release of dangerous goods, the date, time and geographic location of the incident that led to the anticipated release;

(e) the classification of the dangerous goods;

(f) the quantity of dangerous goods that was in the means of containment before the release or anticipated release;

(g) in the case of a release of dangerous goods, the quantity of dangerous goods estimated to have been released;

(h) a description of the means of containment containing the dangerous goods;

(i) if applicable, a description of any failure of or damage to the means of containment;

(j) information about the events leading to the release or anticipated release of dangerous goods;

(k) information as to whether there was an explosion or fire;

(l) the name and geographic location of any aerodrome, air cargo facility or runway that was closed, and the duration of the closure;

(m) if applicable, an estimate of the number of people evacuated or sheltered in place, and the duration of the evacuation or shelter in place;

(n) if applicable, the number of deaths and the number of persons who sustained injuries;

(o) if applicable, the ERAP reference number;

(p) the date on which the report referred to in section 8.9 was made;

(q) an estimate of any financial loss incurred as a result of the release or anticipated release, and any emergency response costs or remediation costs related to it;

(r) a description of the route by which the dangerous goods were to be transported, including the names of any aerodromes along the route;

(s) a description of any serious jeopardy to persons on any aircraft or to the aircraft itself; and

(t) a description of any damage to property or to the environment.

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8.13 30-Day Follow-up Report — Notice and Retention of Report
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(1) A person who has made a follow-up report referred to in section 8.11 must, as soon as possible, notify the Director General of any change to the information referred to in paragraph 8.12(e), (h), (i), (k), (n) or (q) that occurs within one year after the day on which the follow-up report was made.

(2) The person must keep a copy of the report for two years after the day on which it is made.

(3) The person must make the report available to an inspector within 15 days after the day on which the person receives a written request from the inspector.

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8.14 Undeclared or Misdeclared Dangerous Goods Report
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A person must make a report to CANUTEC, at 1-888-CANUTEC (1-888-226-8832) or 613-996-6666, as soon as possible after discovering, at an aerodrome or air cargo facility or on board an aircraft, dangerous goods that are not accompanied by the documentation or dangerous goods marks set out for the dangerous goods in Parts 1 to 6 and 8 of the ICAO Technical Instructions.

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8.15 Information to be Included in an Undeclared or Misdeclared Dangerous Goods Report
SOR/2016-95

A report referred to in section 8.14 must include the following information:

(a) the name and contact information of the person making the report;

(b) the name of the aircraft operator, aerodrome or air cargo facility;

(c) the names and contact information of the consignor and consignee;

(d) the date of the discovery of the dangerous goods;

(e) the shipping name or UN number of the dangerous goods;

(f) a description of the means of containment containing the dangerous goods;

(g) the gross mass or capacity of the means of containment and, if applicable, the total number of means of containment; and

(h) a description of the route by which the dangerous goods were to be transported, including the names of any aerodromes along the route.

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Security Reports
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8.16 Loss or Theft Report
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(1) A person who is required by subsection 18(3) of the Act to report the loss or theft of dangerous goods must, as soon as possible after the loss or theft, report it by telephone to the persons listed in subsection (3) if the lost or stolen dangerous goods are in excess of the quantity set out in subsection (2).

(2) For the purposes of subsection (1), the quantities of dangerous goods are

(a) any quantity, in the case of the following dangerous goods:

(i) UN1261, NITROMETHANE,

(ii) UN1357, UREA NITRATE, WETTED, with not less than 20% water, by mass,

(iii) UN1485, POTASSIUM CHLORATE,

(iv) UN1486, POTASSIUM NITRATE,

(v) UN1487, POTASSIUM NITRATE AND SODIUM NITRITE MIXTURE,

(vi) UN1489, POTASSIUM PERCHLORATE,

(vii) UN1495, SODIUM CHLORATE,

(viii) UN1498, SODIUM NITRATE,

(ix) UN1499, SODIUM NITRATE AND POTASSIUM NITRATE MIXTURE,

(x) UN1511, UREA HYDROGEN PEROXIDE,

(xi) UN1796, NITRATING ACID MIXTURE with more than 50% nitric acid,

(xii) UN1826, NITRATING ACID MIXTURE, SPENT, with more than 50% nitric acid,

(xiii) UN1942, AMMONIUM NITRATE with not more than 0.2% combustible substances, including any organic substance calculated as carbon, to the exclusion of any other added substance,

(xiv) UN2014, HYDROGEN PEROXIDE, AQUEOUS SOLUTION with not less than 20% but not more than 60% hydrogen peroxide (stabilized as necessary),

(xv) UN2015, HYDROGEN PEROXIDE, AQUEOUS SOLUTION, STABILIZED with more than 60% hydrogen peroxide, or HYDROGEN PEROXIDE, STABILIZED,

(xvi) UN2031, NITRIC ACID, other than red fuming,

(xvii) UN2032, NITRIC ACID, RED FUMING,

(xviii) UN3149, HYDROGEN PEROXIDE AND PEROXYACETIC ACID MIXTURE with acid(s), water and not more than 5% peroxyacetic acid, STABILIZED, and

(xix) UN3370, UREA NITRATE, WETTED, with not less than 10% water by mass;

(b) any quantity, in the case of dangerous goods in the following primary and subsidiary classes:

(i) explosives included in Class 1.1, 1.2 or 1.3,

(ii) toxic gases included in Class 2.3,

(iii) organic peroxides included in Class 5.2, Type B, liquid or solid, temperature controlled,

(iv) toxic substances included in Class 6.1 and Packing Group I,

(v) infectious substances included in Class 6.2, and

(vi) radioactive materials included in Class 7; and

(c) a total quantity of 450 kg or more, in the case of dangerous goods in the following primary and subsidiary classes:

(i) explosives included in Class 1.4 (except for 1.4S), 1.5 or 1.6,

(ii) flammable gases included in Class 2.1,

(iii) flammable liquids included in Class 3,

(iv) desensitized explosives included in Class 3 or 4.1,

(v) substances liable to spontaneous combustion, pyrophoric solids or liquids, included in Class 4.2 and Packing Group I or II,

(vi) water-reactive substances included in Class 4.3 and Packing Group I or II,

(vii) oxidizing substances included in Class 5.1 and Packing Group I or II, and

(viii) corrosives included in Class 8 and Packing Group I or II.

(3) For the purposes of subsection (1), the persons to whom the report must be made are

(a) CANUTEC, at 1-888-CANUTEC (1-888-226-8832) or 613-996-6666;

(b) in the case of dangerous goods included in Class 1, Explosives, or referred to in paragraph (2)(a) or subparagraph (2)(b)(i) or (c)(i), a Natural Resources Canada inspector, at 613-995-5555; and

(c) in the case of dangerous goods included in Class 7, Radioactive Materials, the Canadian Nuclear Safety Commission.

(4) A person who made the report referred to in subsection (1) must notify the persons referred to in subsection (3) if that person finds the dangerous goods that were lost or stolen.

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8.17 Information to be Included in a Loss or Theft Report
SOR/2016-95

A loss or theft report referred to in section 8.16 must include the following information:

(a) the name and contact information of the person making the report;

(b) the names and contact information of the consignor, the consignee and the carrier;

(c) information as to whether the dangerous goods were lost or stolen;

(d) the shipping name or UN number of the lost or stolen dangerous goods;

(e) the quantity of the lost or stolen dangerous goods;

(f) a description of the means of containment containing the lost or stolen dangerous goods; and

(g) the approximate date, time and geographic location of the loss or theft.

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8.18 Unlawful Interference Report
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(1) If there has been unlawful interference with dangerous goods while they were being imported, offered for transport, handled or transported, the person who had the charge, management or control of the goods must, as soon as possible after the discovery of the unlawful interference, report it by telephone to the persons listed in subsection (2).

(2) For the purposes of subsection (1), the persons to whom the unlawful interference must be reported are

(a) CANUTEC, at 1-888-CANUTEC (1-888-226-8832) or 613-996-6666;

(b) in the case of dangerous goods included in Class 1, Explosives, or referred to in paragraph 8.16(2)(a) or subparagraph 8.16(2)(b)(i) or (c)(i), a Natural Resources Canada inspector, at 613-995-5555; and

(c) in the case of dangerous goods included in Class 7, Radioactive Materials, the Canadian Nuclear Safety Commission.

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8.19 Information to be Included in an Unlawful Interference Report
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A report referred to in section 8.18 must include the following information:

(a) the name and contact information of the person making the report;

(b) the names and contact information of the consignor, the consignee and the carrier;

(c) a detailed description of the unlawful interference;

(d) the shipping name or UN number of the dangerous goods;

(e) a description of the means of containment containing the dangerous goods, and the number of means of containment; and

(f) the approximate date, time and geographic location of the unlawful interference.

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