

Permit of Equivalent Level of Environmental Safety issued under section 190 of the *Canadian Environmental Protection Act, 1999*

This permit of equivalent level of environmental safety (PELES) is issued by the Minister of the Environment under section 190 of the Canadian Environmental Protection Act (CEPA) to authorize the Permit holder to engage in the activities in a manner that does not comply with the requirements of Part 7, Division 8 of CEPA (Control of Transboundary Movement of Hazardous Waste and Hazardous Recyclable Materials and Prescribed Non-Hazardous Waste for Final Disposal) and the regulations made under the Division.

This PELES authorizes the Permit Holder to transport in Canada, and without crossing any international border, hazardous wastes or hazardous recyclable materials referenced in this PELES in a manner that is in variance with subsections 79(b)(c)(e), 80(1), 80(2), 80(3), 80(4) and 80(5) of the Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations (XBR).

By issuing this PELES, the Minister is satisfied that the proposed activities of the Permit holder will be conducted in a manner that provides a level of environmental safety at least equivalent to that provided by complying with the requirements of Division 8 of CEPA and the regulations made under that Division.

1. Permit No.

EC 24-001

2. Permit Holder

Name: Environmental 360 Solutions Ltd.

Street Address: 17 Invertose Drive

Port Colborne, ON

L3K 5V5, Canada

Receiving Authorized Facility Address:

17 Invertose Drive

Port Colborne, ON

Toll Free: 888-We-Reduce

Telephone: 905-835-1203

Facsimile: 905-835-6824

3. Mode of Transport

Road

4. Effective Date: October 31, 2024

5. Expiry Date: October 31, 2027

6. Relevant provisions of the *Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations (XBR)*: subsections 79(b)(c)(e), 80(1), 80(2), 80(3), 80(4) and 80(5).

7. DEFINITIONS

(1) The definitions in this subsection apply in this PELES.

- a) “XBR” means the *Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations*;
- b) The definitions in section 1 of the XBR apply to this PELES;
- c) “Authorized Carrier” is as defined in section 1 of the XBR.
- d) “Consignee” is as defined in section 1 of the XBR and includes the Permit Holder.
- e) “Consignor” is as defined in section 1 of the XBR and means :
 - (i) a participant to the consumer wastes recovery and recycling program offered by the Permit holder;
 - (ii) the owner or the operator of a collection site for consumer waste, including hazardous wastes or hazardous recyclable materials described in this section and
 - (iii) holds a contractual agreement with the Permit Holder indicating that the Consignor meets the requirements specified in sub-paragraphs (e) (i) and (e) (ii) and also that the consignor agrees to the responsibilities assigned to him under this Permit.
- f) “Receiving site” means the site of the authorized receiving facility identified in section 2.
- g) “Shipping site” means the collection site(s) administered by the consignor, as identified in sub-paragraphs (e)(i) to (iii) from which the hazardous waste or hazardous recyclable materials are being transported;
- h) “Director” means the
 - Executive Director
 - Waste Reduction and Management Division
 - Plastics and Waste Management Directorate
 - Environment and Climate Change Canada
 - Place Vincent-Massey, 9th Floor
 - 351 St-Joseph Blvd.
 - Gatineau, Quebec
 - Canada
 - K1A 0H3

DM-MD@ec.gc.ca (Movement Tracking Unit);

- i) "TDGR" means *Transportation of Dangerous Goods Regulations*.

8. Application

(1) This PELES EC 24-001 is effective on 31 October 2024.

(2) The Minister is granting this PELES to the Permit Holder to authorize the collection from multiple sites, transportation within Canada, and the recycling of all sizes and brands of household fluorescent light bulbs, small electric or electronic items and all sizes and brands of household batteries, both primary and rechargeable, that meet the definition of "hazardous waste" in section 2 of the XBR, or the definition of "hazardous recyclable material" in section 4 of the XBR, and that are described in section 9 of this Permit.

(3) The Permit Holder, the consignors, the consignees and any authorized carrier transporting hazardous waste or hazardous recyclable materials under this PELES, must comply with all of the requirements of the XBR, except where other requirements other than those in the XBR are expressly set out in this PELES, including all the conditions and Schedules attached.

9. Description of hazardous waste or hazardous recyclable materials

(1) For the purpose of this PELES:

- a) "Light Tube or Bulb" means any spent light tube or bulb, fluorescent or not, containing mercury or not, that meets the criteria for inclusion in classes 2 to 6, 8 or 9 of TDGR as set out in the definition of "hazardous waste" in section 2 of the XBR, or in the definition of "hazardous recyclable material" in section 4 of the XBR.
- b) "Light Tube or Bulb" includes, but is not limited to:
 - i. Tubular Fluorescent lamps;
 - ii. U-shaped or O-shaped Fluorescent lamps;
 - iii. Compact Fluorescent lamps;
 - iv. UV lamps; and
 - v. High Intensity Discharge (HID) lamps (such as Mercury Vapour)
- c) "Light Tube or Bulb" does not include:
 - i. ordinary household incandescent lamps. These lamps are not characterized as a hazardous waste as they do not contain toxic materials, are not subject to the XBR and do not require a permit.
- d) "Small Electric or Electronic Device" means any small electronic or electric device containing or packaged with batteries described in sub-section 9 (f) of this Permit, or, any other small electronic or electric device that meets the criteria for inclusion in classes 2 to 6, 8 or 9 of TDGR as set out in the definition of "hazardous waste" in section 2 of the XBR, or in the definition of "hazardous recyclable material" in

section 4 of the XBR. "Small Electric or Electronic Device " includes, but is not limited to:

- i. tablet, laptop and desktop computers;
- ii. various smart and other cell phones;
- iii. portable phones, electronic pagers, portable games and music players including I-pods and other MP3 players;
- iv. video games, cartridges and consoles;
- v. portable GPS devices for use by pedestrians, cyclists and motorists;
- vi. portable DVD players and
- vii. computer monitors and televisions, but excluding any devices with screens larger than 1.3 meter (50 inches), measured diagonally.

e) "Small Electric or Electronic Device" does not include forms of electronic and ewastes such as small plug-in chargers and certain other devices associated with electronic goods that do not contain any toxic substances. Although such items are excluded from this PELES, they may form part of any mixed loads of electronic and e-waste.

f) "Battery" means any used battery that meets the criteria for inclusion in classes 4.3, 8 or 9 of TDGR as set out in the definition of "hazardous waste" in section 2 of the XBR, or in the definition of "hazardous reclassifiable material" in section 4 of the XBR.

g) "Battery" includes:

(i) small and non-spillable lead-acid batteries (UN2800);

(ii) lithium ion, lithium ion-polymer, lithium alloy, or lithium metal batteries (UN3090, UN3091, UN3480, UN3481) and

(iii) any other type of primary or secondary batteries (alkaline, nickel metal-hydride, nickel-cadmium, nickel-zinc, zinc-air, zinc-carbon, and button cells batteries) that may be described with any other applicable UN number.

h) "Battery" excludes wet or spillable lead acid automotive, marine and other vehicle batteries, pursuant to the TDGR such as those described by UN2794 and UN2795.

10. Authorization and conditions

- 1) This PELES authorizes the Permit Holder - and any consignor, consignee and authorized carrier engaged by the Permit Holder - to transport within Canada hazardous waste or hazardous recyclable material, in a manner that is at variance with Part 2 of the XBR as set out in this PELES and under the following conditions:

- a. the hazardous wastes or hazardous recyclable materials are batteries, small electric or electronic devices, or light tubes or bulbs, as described in section 9 of this PELES;
 - b. the hazardous wastes or hazardous recyclable materials are to be sorted and recycled by the Permit Holder; however, in the case where the permit holder is authorized to store but not to recycle specific types of batteries, small electric and electronic devices, or light tubes or bulbs at its facility identified in section 2 of this PELES, these wastes or materials must be shipped to an authorized facility to be recycled;
 - c. the hazardous wastes or hazardous recyclable materials must be shipped by a consignor and be transported to the permit holder's authorized facility identified in section 2 of this PELES;
 - d. the hazardous wastes or hazardous recyclable materials must be transported by an authorized carrier as defined in section 1 of the XBR;
 - e. the hazardous wastes or hazardous recyclable materials must be transported by the mode of transport identified in section 3 of this PELES; and
 - f. the permit holder must inform the consignor and any authorized carrier transporting the hazardous wastes or hazardous recyclable materials under this permit of their individual responsibilities under this PELES, and they must have agreed to those responsibilities, prior to any transportation of the hazardous wastes or the hazardous recyclable materials that is to be done within Canada under the present PELES.
- 2) In lieu of a manifest required under section 79(b), (c), and (e) of the XBR and of the requirements set out in section 80 of the XBR, a shipping document, as set out in paragraph 10(3) of this PELES, must accompany every shipment of hazardous waste or hazardous recyclable materials as described in section 9 of this PELES.
- 3) The consignee must ensure that the shipping document, referred to in sub-section 10 (2) of this PELES, includes the following information:
- a. a unique shipping number for each shipment;
 - b. the name and the address of the consignor;
 - c. the name and the address of the authorized carrier and the provincial registration number of every authorized carrier transporting hazardous wastes or hazardous recyclable materials for the shipment (if applicable);
 - d. the name and address of the consignee's authorized receiving facility identified in section 2 of this PELES;
 - e. the date of shipment;
 - f. the scheduled arrival date of the shipment at the permit holder's authorized facility;
 - g. the UN classification(s) for the set of hazardous wastes or hazardous recyclable materials in the shipment ;

- h. the shipping name for each type of hazardous waste or hazardous recyclable material shipment, or when there is no applicable UN number, a text description of the hazardous wastes or hazardous recyclable materials;
- i. the approximate quantity of hazardous wastes or hazardous recyclable materials shipped in kg, for the shipment;
- j. a certification that is signed by the consignor, to the effect that the information contained in the shipping document, and specified in paragraphs 10(3)(a) to 10(3)(h), is true and accurate, and that also includes the name and phone number of the person who prepared the information indicated on the shipping document; and
- k. the following statement:

“Shipped in accordance with the Permit of Equivalent Level of Environmental Safety EC 24-001”

or

“Expédié conformément au Permis de sécurité environnementale équivalente EC 24-001”.

- 4) In lieu of the requirements set out in subsections 80(1) and 80(3) of the XBR and before the transportation of the hazardous wastes or hazardous recyclable materials occurs, the consignor must:
 - a. ensure that any shipment of hazardous waste or hazardous recyclable material is accompanied by a shipping document referred to in subsection 10(2) is completed in accordance with sub-section 10(3) of this PELES;
 - b. confirm the truth and accuracy of the information in the shipping document; and
 - c. provide a copy of the shipping document to the authorized carrier.
- 5) In lieu of the requirements set out in subsections 80(3) of the XBR, every authorized carrier transporting hazardous wastes or hazardous recyclable materials under this PELES shall ensure:
 - a. that the carrier completes the shipping document referred in subsection 10(2) of this PELES,
 - b. that the shipping document accompanies the shipment of hazardous wastes or hazardous recyclable materials during transportation at all times, and
 - c. that the carrier provides the shipping document to the next authorized carrier, if any.
- 6) In lieu of the requirements set out in sub-sections 79 b), 80(2) and 80(4) of the XBR, the consignee must:
 - a. for each shipment, record the information listed in paragraphs 10(3)(a) to 10(3)(j) of this PELES together with the date on which the hazardous wastes or hazardous recyclable materials were received at their authorized recycling facility (referred to in subsection 2 of this PELES), within three days of the

- hazardous wastes or hazardous recyclable materials being received by the consignee; and
- b. In lieu of the requirements set out in sub-sections 80(2), 80(4), and 80(5) of the XBR, upon the request of Environment Canada and Climate Change or any affected provincial government, make available the said information recorded in conformity with paragraph 10(6)(a) of this PELES.
- 7) The report referred to paragraph 10(6)(b) of this PELES must include:
- a. the information specified in paragraphs 10(3)(a) to (f) of this PELES;
 - b. for each UN number, the actual quantity, the UN classification, and the shipping name for each type of hazardous wastes or hazardous recyclable materials received during the period covered by the report. When there is no applicable UN number, a text description of the hazardous waste or hazardous recyclable materials must be used; and
 - c. In the event that the Permit holder is authorized to sort but not to recycle a specific type of hazardous waste or hazardous recyclable material which was transported pursuant to this Permit to the facility referred in section 2 of this PELES, the Permit holder must report: the name and address of each off-site authorized recycling facility – but located within the Canadian borders, and the types of hazardous wastes or hazardous recyclable materials sent to every facility.
- 8) The first semi-annual report, specified in paragraph 10(6)(b), must cover the period of the first five months ending one month before the date on which the report is to be submitted, and the subsequent reports must cover a six-month period, beginning seven months preceding the date on which the report must be submitted to one month preceding that same date.
- 9) An authorized representative of the permit holder must sign the semi-annual report and certify, in the report, that the information contained in it is true and accurate.
- 10) In lieu of the requirements set out in subsection 81 of the XBR, the Permit holder shall keep the following documents or records for at least five years after the hazardous waste or hazardous recyclable material is received by the consignee, at the address set out in section 2 of this PELES, so that they are available for inspection by an enforcement officer or an analyst designated under section 217 of the Canadian Environmental Protection Act, 1999:
- a. the shipping document described in sub-sections 10(2) and 10(3) of this PELES;
 - b. the records referred to in paragraph 10(6)(a) of this PELES; and
 - c. the reports referred to in paragraph 10(6)(b) of this PELES.

11. Miscellaneous Matters

- 1) Except as set out in this PELES, compliance with the terms and conditions of this PELES does not absolve the Permit Holder, the consignor, the consignee or any authorized carrier transporting hazardous waste or hazardous recyclable materials from the

responsibility to comply with the requirements of all applicable federal and provincial legislation, or any applicable municipal by-laws.

- 2) The permit holder must ensure that Transport Canada (TC) Equivalency Certificates #SU 13432 (Ren1) expiring September 30, 2025 and #SU 6829 (Ren 8) expiring September 3, 2025 remain valid throughout the validity of this PELES. The permit holder shall provide the Director with the new TC equivalence certificates when they are renewed.
- 3) The consignee shall inform the Director, in writing and within 30 days, of any change to
 - (a) the Permit holder's name, street address, telephone or facsimile as set out in section 2 of this PELES and
 - (b) the name, street address, telephone, facsimile or email of the contact person referred to in section 13 of this PELES.
- 4) This PELES is non-transferable or renewable.
- 5) The Permit Holder's street address in section 2 of this PELES must correspond to a place of business that is located in Canada.
- 6) All written information, notices or other communications under this PELES shall be sent to:

Executive Director
Waste Reduction and Management Division
Environment and Climate Change Canada
Place Vincent-Massey, 9th Floor
351 St-Joseph Blvd.
Gatineau, Quebec
Canada
K1A 0H3
Email: DM-MD@ec.gc.ca

12. Revocation

The Minister of the Environment may revoke this PELES if any one of the situations described in subsection 190(3) of the Canadian Environmental Protection Act, 1999 applies.

13. Permit Holder's Authorized Contact Person

Mr. Frank Zechner, Barrister & Solicitor
24 Beresford Avenue
Toronto, Ontario
M6S 3A8
Canada
Telephone: 416-319-2004
Facsimile: 416-987-6877
E-mail: frankzechner@sympatico.ca

Signed on behalf of the Minister of Environment and Climate Change, this 31st day of October,
2024.



Astrid Télasco
Executive Director
Waste Reduction and Management Division
Environment and Climate Change Canada

SCHEDULE 1

Table 1: Applicability and Conditions from the Provincial and Territorial Authorities

#	Provincial/Territorial Authority	Conditions
1	Yukon	No condition specified
2	Northwest Territories	No condition specified
3	Nunavut	No condition specified
4	British Columbia	<p>While the ministry does not oppose the issuance of the PELES by Environment and Climate Change Canada (ECCC) to Environmental 360 Solutions Ltd. for the transport of hazardous waste outside of B.C., the issuance of the PELES does not mean that the requirements pertaining to the manifest under EMA and its regulations, including the HWR, would no longer apply. The permit holder(s) and/or any other regulated parties may apply for any necessary exemptions or changes in requirements under Section 51 of the HWR.</p> <p>We understand Environmental 360 Solutions Ltd. wishes to replace the BC manifest form, or movement document, with the PELES. In accordance with the Hazardous Waste Regulation (HWR) made pursuant to the Environmental Management Act (EMA) a person transporting hazardous waste in BC must use the BC manifest document (manifest) which is issued by the B.C. government and has a unique BC identifying number for shipments from BC. For the movement of hazardous waste across the BC border, a movement document as defined in the Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations must also be used.</p>

		<p>There are conditional exemptions to requirements of the Hazardous Waste Regulation for the storage and transportation of e-waste and moderate risk waste. E-waste is a hazardous waste that is in the electronic and electrical product category within the meaning of the Recycling Regulation. Moderate risk waste is a hazardous waste that is generated from specific products sold by a retailer for use in domestic activities or a hazardous waste that is in a Recycling Regulation product category, other than e-waste and pharmaceutical waste. If the conditions for exemption are met, a license to transport and a BC manifest would not be required. The requirements for exemption are outlined in the Hazardous Waste Regulation.</p>
5	Alberta	No condition specified
6	Saskatchewan	No condition specified
7	Manitoba	<p>The Manitoba Department of Environment and Climate Change has no objections to the proposed PELES (Permit No.: EC 24-001) for the transport of hazardous waste outside of Manitoba.</p> <p>For the transport of hazardous waste [as described in section 9 (1) (a) of this PELES] in Manitoba, the permit holder, authorized carriers, and consignors must comply with the requirements of The Dangerous Goods Handling and Transportation Act and the regulations thereunder.</p> <p>The requirements to be complied include, but are not limited to, the use and distribution of movement documents and the use of licensed transporters with authorization to transport hazardous wastes in Manitoba.</p>
8	Ontario	<p>The Ontario Ministry of the Environment, Conservation, and Parks does not have objections to the variances of this proposed PELES (No. EC 24-001) provided that all parties, including the permit holder, the consignors, the consignees and any authorized carriers comply with</p>

		<p>Ontario requirements under the Environmental Protection Act (EPA) and its regulations, including Regulation 347: General - Waste Management of the Revised Regulations of Ontario (Regulation 347), and the Resource Recovery and Circular Economy Act (RRCEA) and its regulations.</p> <p>These requirements include, but are not limited to:</p> <ul style="list-style-type: none"> • The use of carriers and receivers who have the appropriate approval to transport and receive the waste as outlined in Section 9 of the PELES, unless conditions for an exemption found in section 8(4) and 8(5) of Regulation 347 are met, • All requirements under the EPA and RRCEA with respect to registration and manifesting, including the Ontario manifest, apply to all parties of this PELES unless conditions for an exemption found in section 1(3) of Regulation 347 are met. Intact waste batteries that are destined for a waste battery recovery facility, common mercury waste destined for a common mercury waste recovery facility, and intact waste electrical and electronic equipment, as defined in Regulation 347, destined for a site at which it is to be processed for the recovery of materials are exempt from generator registration and manifesting requirements. This exemption does not apply to waste electrical and electronic equipment that are not intact, or to batteries that are broken or leaking. • The Ontario Ministry of the Environment, Conservation and Parks wishes to receive a copy of the report as required in section 10(6)(b) this PELES. The reports are to be provided to the Southwest Region, Program Services Unit of the Ontario Ministry of the Environment, Conservation, and Parks.
9	Quebec	<p>Compliance with the terms and conditions of this PELES does not exempt the permit holder from complying with the requirements of legislation in Quebec, in particular</p>

		the Loi sur la qualité de l'environnement et le Règlement sur les matières dangereuses.
10	New-Brunswick	All hazardous waste carriers picking up and/or receiving HW in NB need an Approval from the Department of Environment & Local Government.
11	Nova Scotia	<p>Nova Scotia Environment and Climate Change (Department) has no objections to the proposed PELES (No. EC 24-001) provided that:</p> <ul style="list-style-type: none"> • All parties, including the permit holder (consignee), carriers and consignors comply with the Nova Scotia Environment Act and the Dangerous Goods Management Regulations. • Any facility that receives, stores, or handles waste dangerous goods in Nova Scotia has all applicable approvals (in writing) required by the Department.
12	Prince Edward Island	No condition specified
13	Newfoundland and Labrador	No condition specified