

Transportation of Dangerous Goods (TDG)

Transportation of Dangerous Goods (TDG) - Reporting Requirements

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What types of reports are required by the Transportation of Dangerous Goods (TDG) Act and Regulations?

Reporting requirements for road incidents or anticipated incidents are specified in Part 8 of the TDG Regulations. Depending on the type of incident and mode of transportation, certain TDG reports are required, including:

- Reports for incidents involving emergency response assistance plan (ERAP) dangerous goods:
 - A release or anticipated release ERAP incident report
 - A release or anticipated release 30-day follow-up report
 - Implementation of an approved ERAP report
- Reports for incidents involving non-ERAP dangerous goods above the prescribed quantities in the TDG Regulations that endanger or could endanger public safety:
 - Emergency report when there is a release or anticipated release
 - Release or anticipated release report as soon as possible after an emergency report was made provided the incident meets the criteria in Section 8.4 of the TDG Regulations, and
 - A Release or anticipated release 30-day follow-up report
- Reports relating to the security of all dangerous goods:
 - A "Loss or theft report" for lost or stolen dangerous goods.
 - An "Unlawful interference report" for illegal or unauthorized interference with the dangerous goods.

When reporting incidents or completing TDG forms it is important to understand the terminology. Definitions for the various terms are provided in the TDG Directorate document "Guide for reporting dangerous goods incidents: <u>Definitions related to reports.</u>"

This OSH Answers document will focus on reporting requirements for road transportation.

Note: The information below is provided as guidance only. Always check with Transport Canada and the the <u>TDG Act and Regulations</u> to ensure compliance. Transport Canada has issued a guide titled "<u>Guide for reporting dangerous goods incidents</u>."

Please also see the following documents in this series for road transportation of dangerous goods:

- <u>Transportation of Dangerous Goods (TDG) "Special Case" and "Special Provision"</u>
 <u>Exemptions (Road)</u>
- Transportation of Dangerous Goods (TDG) 9 Classes
- Transportation of Dangerous Goods (TDG) Classification (Road)
- Transportation of Dangerous Goods (TDG) Dangerous Goods Safety Marks (Road)
- Transportation of Dangerous Goods (TDG) Emergency Response (Road)
- Transportation of Dangerous Goods (TDG) Means of Containment (Road)
- Transportation of Dangerous Goods (TDG) Overview (Road)

- <u>Transportation of Dangerous Goods (TDG) Segregation of Means of Containment</u>
 (Road)
- Transportation of Dangerous Goods (TDG) Shipping Documents (Road)
- Transportation of Dangerous Goods (TDG) Training (Road)

What is the TDG definition of a release?

A "release" of dangerous goods is defined in the TDG Act as:

- "(a) a discharge, emission, explosion, outgassing or other escape of dangerous goods, or any component or compound evolving from dangerous goods, from a means of containment being used to handle or transport the dangerous goods, or
- (b) an emission, from a means of containment being used to handle or transport dangerous goods, of ionizing radiation that exceeds a level or limit established under the Nuclear Safety and Control Act;"

For example, the following incidents would meet the definition for a release:

- A tank is punctured in an accident and gasoline drizzles out.
- A test tube containing infectious material falls to the ground and breaks during preparation for transport.
- A pallet of damaged lithium batteries releases hydrogen and catches fire.
- Gases endanger public safety while venting the container.

What is an anticipated release?

Anticipated release is not directly defined in the TDG Act or Regulations. However, a definition is provided in Transport Canada's guide for incident reporting. The following incidents meet the criteria for "anticipated release":

- an incident has occurred, and dangerous goods will likely have to be transferred to another means of containment;
- a means of containment is damaged to the extent that its integrity is compromised, and dangerous goods could be released;
- a means of containment does not comply with regulations, safety standards, and safety requirements during the course of the handling or transporting of dangerous goods; or
- a means of containment is exposed to a fire or unusual temperatures.

Examples of anticipated release are:

- · Package of lithium batteries with signs of overheating.
- Leaking or shifted Intermediate bulk container (IBC) has to be offloaded into another IBC.
- Container of infectious material with damaged outer packaging.
- Highway tank has been involved in an incident (rollover, impact, tire fire, wheel off, in the
 ditch or other damage to the truck or tank) and product needs to be transferred to
 another highway tank.

What is the definition for unlawful interference?

Unlawful interference is not directly defined in the TDG Act or Regulations. However, the Transport Canada's guide for incident reporting defines "unlawful interference" situation or incident where there is criminal intent or mischief to do harm to dangerous goods transportation activities that or could potentially impact public safety or national security. Examples of interferences with dangerous goods that may be considered unlawful include:

- The dangerous good in a container do not match the safety marks displayed on it. For example, filling propane cylinders with ammonia which is used to make illegal drugs. In this situation, the cylinder will bear safety marks for propane instead for ammonia.
- A means of containment that is purposely vandalized, damaged, or altered (e.g., a cylinder valve that is purposely damaged or altered, a tank is broken on purpose, etc.)
- Shipping document information that is purposely altered.

Who should report an ERAP and non-ERAP dangerous good incident?

<u>Section 18(1) of the *Transportation of Dangerous Goods Act, 1992* (TDG Act) specifies that the person in charge, management, or control (e.g., driver, consigner/shipper, etc.) of the dangerous goods means of containment at the time of the incident has a duty to report incidents that endanger or could endanger public safety.</u>

When does a report need to be made for ERAP dangerous goods?

As soon as possible after the release or anticipated release, the person in charge, management, or control of the dangerous goods means of containment must make an ERAP incident report by telephone to the person at the ERAP telephone number that is provided on the shipping document provided the dangerous goods are, or could be, in excess of the quantity set out in the Table 1 below.

Table 1 Reporting requirements: Quantity of dangerous goods release and anticipated release [TDG Regulations, S. 8.20]

Class	Quantity released or anticipated to be released	
1, 2, 3, 4, 5, 6 or 8	Any quantity	
7	A level of ionizing radiation greater than the level established in section 39 of the <u>Packaging and Transport of Nuclear Substances Regulations</u> , 2015	

When does a non-ERAP dangerous good release or anticipated release incident need to be reported to the authorities?

A release or anticipated release must be reported to the authorities when:

- the dangerous goods are, or could be, in excess of the quantity set out in in Section 8.2 in the TDG Regulations (which is reproduced below in Table 2), and
- if it could endanger public safety.

Table 2: Reporting requirements: Quantity of dangerous goods release and anticipated release [TDG Regulations, S. 8.2]

Class	Packing Group	Quantity released or anticipated to be released	
	or Category		
1	II	Any quantity	
2	Not applicable	Any quantity	
3, 4, 5,	l or II	Any quantity	
6.1 or 8			
3, 4, 5,	III, or without	30 L or 30 kg	
6.1 or 8	packing group		
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 <i>Packaging and Transport of Nuclear Substances</i>	
		Regulations, 2015	
9	II or III, or without	30 L or 30 kg	
	packing group		

Which authorities must be notified?

A verbal emergency report must be made to any local authority that is responsible for responding to emergencies at the location of the release or anticipated release. Generally, local authorities can be reached by calling 911. See Table 3 for contact information.

In addition to notifying the local authorities, the following other authorities may need to be notified:

- Provincial dangerous goods authorities
- Provincial environmental authorities (e.g., spill centers)

Table 3: Contact information for reporting dangerous goods incidents during road transportation

Province	Authority
Alberta	911 (or local police) and relevant provincial
	authorities (1-800-272-9600)
British Columbia	911 (or local police) and Provincial Emergency
	Program (1-800-663-3456)
Prince Edward Island	911 (or local police)
Manitoba	911 (local police or fire department) and
	Sustainable Development (1-855-944-4888)
New Brunswick	911 (or local police)
Nova Scotia	911 (or local police)
Ontario	911 (or local police)
Quebec	911 (or local police) or Canadian Coast
	Guard (1-800-363-4735)
Saskatchewan	Local police, Spill Control Centre (1-800-667-
	7525))
Newfoundland and Labrador	911 (or local police)
Nunavut Territory	911 (or local police) and relevant
	authorities (867-920-8130)
Nunavut Territory and arctic waters (waters	Canadian Coast Guard (1-800-265-0237)
north of the Northwest and Yukon Territories)	
Yukon Territory	911 (or local police) and relevant
	authorities (867-667-7244)
Northwest Territories	911 (or local police) and relevant
	authorities (867-920-8130)
CANUTEC	1-888-CAN-UTEC (226-8832), 613-996-6666,
	or *666 on a cellular phone
Canadian Nuclear Safety Commission	CNSC duty officer emergency line (613-995-
	0479)
Natural Resources Canada	613-995-5555

What information must be included in the TDG "incident reports"?

The details required in each report are outlined in <u>Section 8</u> of the TDG Regulations. Specifically:

- Section 8.3 Emergency Report
- Section 8.4 Release or Anticipated Release Report
- Section 8.5 Information to be Included in a Release or Anticipated Release Report

- Section 8.7 Information to be Included in a 30-Day Follow-up Report
- Section 8.17 Loss or Theft Report
- Section 8.19 Unlawful interference report
- Section 8.23 Information to be Included in an ERAP Implementation Report

Who must submit the "incident reports" for non-ERAP dangerous goods, when, and how?

These reporting requirements are listed in Table 4.

Table 4: TDG Reporting Requirements for non-ERAP dangerous goods

Types of report	Who must make the report?	When is the report required?	Who should receive the report?	of reporting	ls a 30- day follow up report required?
report	Person who has the charge management or control of the dangerous goods or means of containment. This could be the driver or a company representative.	excess of the	Local authorities responsible for emergency response.	Telephone (Verbal)	No
Release or anticipated release report	Person who made the emergency report	A report is required when there is: • a death of a person • a person sustaining injuries that required immediate medical treatment by a health care provider	 CANUTEC at 1-888- CANUTEC (1-888-226-8832) or 613-996-6666 The consignor (shipper) 	Followed by a written report	Yes

		 an evacuation of people or their shelter in place the closure of a facility, road, a main railway line, or a main waterway a means of containment has been damaged 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.). 	In the case of dangerous goods included in Class 7, Radioactive Materials, the Canadian Nuclear Safety Commission (CNSC)		
Loss or theft report	Any person who had the charge, management or control of the dangerous goods before the loss or theft	 As soon as possible In the case of loss or theft when the quantity of the dangerous goods is above the quantities in Subsection 8.16 (2) of the TDG Regulations 	CANUTEC (1- 888-226- 8832) or 613- 996-6666	Telephone (verbal)	No

			In the case of dangerous goods included in Class 7, Radioactive Materials, the Canadian Nuclear Safety Commission (CNSC)
interference report	the charge, management or control of the dangerous	As soon as possible after it is discovered that the dangerous goods have been unlawfully interfered with.	1-888- (verbal) CANUTEC (1- 888-226-

Adapted from Alberta EDGE (Environmental and Dangerous Goods Emergencies, Government of Alberta, (2021). <u>Reporting Requirements</u>.

Is a 30-day report required for ERAP dangerous goods?

Yes, when a "Release or Anticipated Release Report" is submitted to Transport Canada.

Who submits a 30-day report, and how is this report submitted to Transport Canada?

The person who made a "Release or Anticipated Release Report" or the person's employer must submit a 30-day follow-up report.

A <u>30-day follow-up report form</u> is available from Transport Canada. The contact information is as follows.

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Fact sheet first published: 2021-12-24 Fact sheet last revised: 2025-01-21

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