



[December 29, 2011]

## **REGULATION AMENDING THE TRANSPORTATION OF DANGEROUS SUBSTANCES REGULATION Main Amendments**

On December 14, 2011, the gouvernement du Québec adopted the *Regulation amending the Transportation of Dangerous Substances Regulation* (TDSR-Québec), which was published in the *Gazette officielle du Québec* on December 28, 2011. It refers to the *Transportation of Dangerous Goods Regulation* (TDGR-Canada) of the federal government with respect to standards for road transportation of dangerous goods. This method of regulation by reference is used by all Canadian administrations.

The amended regulation incorporates, for harmonization purposes, amendments to the federal regulation so that the provisions of the Québec regulation remain consistent with those of other Canadian administrations. Additionally, the amendments involve, for the most part, updates of certain safety standards, alignments with the federal government regulation, a relaxation or clarification of provisions to facilitate the application of the TDSR-Québec.

All amendments that constitute this regulation result from consultations led by the Service de la normalisation technique with key stakeholders in Québec's transportation industry.

The main regulatory amendments are as follows:

### **1 - Definitions and General Provisions**

- Adoption of five amendments to the TDGR-Canada. Henceforth, the TDSR-Québec will develop according to amendments made to the federal regulation.
- Amendment of the definition of “consignor” and addition of the definition “offer for transport”.
- The provision in section 6 is integrated into section 4. Furthermore, it is specified that this exemption regarding the transportation of gasoline or diesel does not apply when the large means of containment of petroleum products is placed on the trailer or semi-trailer of a combination of vehicles.

## 2 – Contaminated Soils

- The concentration criteria for B and C contamination are replaced with the fixed limit values, as the case may be, in Schedule I and II of the *Land Protection and Rehabilitation Regulation*<sup>1</sup> (LPRR).
- In the TDSR-Québec, contaminated soils covered by the LPRR are now considered dangerous substances. However, despite the fact that these types of contaminated soils are dangerous substances, only the requirements regarding the means of containment in section 17 (impermeable tarpaulin for body and closed or watertight means of containment) apply during transportation.

## 3 – Petroleum Products

- Abrogation of the following requirements concerning petroleum product tank trucks for harmonization with other Canadian administrations:
  - requirement for tank trucks to be equipped with a grounding cord (requirement already included in the CSA B621 standard<sup>2</sup>);
  - requirement for contact between the tank and the frame to ensure electrical conductivity (requirement already included in the CSA B621 standard);
  - requirement for free space between the tank truck compartments (requirement already included in the CSA B620 standard<sup>3</sup>);
  - requirement for a separate unloading system for each petroleum product.
- Addition of three substances to the list of petroleum products specified in Division V.II of the regulation: crude oil (UN1267), ethanol and gasoline mixture (UN3475) and kerosene (UN1223).
- The maximum capacity of the compartments of a compartmentalized tank truck used for transporting gasoline or aviation fuel increased from 16,000 to 17,000 litres.
- Clarification regarding the valves connected to the containers of a tank truck transporting petroleum products:
  - these must be closed when the vehicle is in motion;
  - a valve must be opened by a person with proper training who holds a training certificate or under the supervision of such a person. This person is required to carry the original or a copy of his or her certificate.

---

<sup>1</sup> This regulation falls under the responsibility of the ministère du Développement durable, de l'Environnement et des Parcs.

<sup>2</sup> Canadian Standards Association, CSA B621-03, Selection and Use of Highway Tanks, Portable Tanks, Cargo Compartments, and Containers for the Transportation of Dangerous Goods, Classes 3, 4, 5, 6.1, 8 and 9.

<sup>3</sup> Canadian Standards Association, CSA B620-03, Highway Tanks and Portable Tanks for the Transportation of Dangerous Goods.

#### 4 – Liquefied Petroleum Gases (e.g.: propane)

- As of June 1, 2012, vehicles transporting means of containment with more than 450 litres of liquefied petroleum gases should be equipped with at least a 5 BC extinguisher installed inside or outside the cab.
- It is now prohibited to use a tank truck containing a liquefied petroleum gas to fill up a gas cylinder with a capacity of 46 litres or less, or a fuel tank used for driving a road vehicle.

#### 5 – Training

Addition of new provisions for training on the transportation of dangerous substances:

##### Driver

- **Must carry his or her training certificate.**

##### Consignor

- Must ensure that the handler has completed the appropriate training and holds a training certificate (**also applies when the handler is not his or her employee**).
- Must have a copy of the handler's training certificate and a copy of the handler's record of training or statement of experience (**must also have access to these documents when the handler is not his or her employee**).

##### Operator (carrier)

- Must ensure that the handler has completed the appropriate training and holds a training certificate (**also applies when the handler is not his or her employee**).
- Must have a copy of the handler's training certificate and a copy of the handler's record of training or statement of experience (**must also have access to these documents when the handler is not his or her employee**).

### Summary of New Training Requirements

Documents Regarding Employee Training		Consignor (handler)	Operator (driver <sup>1</sup> )	Employer (Includes, for example, employment agencies)
Training certificate	for his or her employee	<ul style="list-style-type: none"> <li>• Must:               <ul style="list-style-type: none"> <li>➢ ensure that the employee has completed the appropriate training;</li> <li>➢ issue the certificate;</li> <li>➢ keep a copy for two years.</li> </ul> </li> </ul>		
	<b><u>for the person who is not his or her employee</u></b>	<ul style="list-style-type: none"> <li>• Must ensure that the handler has had training and holds a certificate</li> </ul>	<ul style="list-style-type: none"> <li>• Must ensure that the driver has had training and holds a certificate</li> </ul>	
Record of training	for an employee	<ul style="list-style-type: none"> <li>• Must have the record of training or a statement of experience and keep it for two years</li> </ul>		
	<b><u>for the person who is not his or her employee</u></b>	<ul style="list-style-type: none"> <li>• Must have access to the handler's record of training or to a statement of experience</li> </ul>	<ul style="list-style-type: none"> <li>• Must have access to the driver's record of training or to a statement of experience</li> </ul>	

1 – The driver must have completed training and **carry his or her training certificate.**

#### 6 – Load-securing

- Addition of the following prohibitions concerning the installation of a container of dangerous substances:
  - on the front outside end when the motor vehicle does not have a bumper;
  - in the bucket or on any other part of a tool vehicle that is not designed for transporting these substances.

#### 7 – Road Train

- Addition of permission to transport dangerous substances in a road train exceeding 25 metres in length provided that the quantity does not require the display of safety placards.

## 8 – Driving Aids (Section 40)

- Proof attesting the installation of a driving aid (electronic speed recording system or stabilization system) must now be presented upon the request of a peace officer.

## 9 – Traffic Rules in Tunnels

- Addition of the following provisions:
  - vehicles with equipment containing incandescent solid fuel are prohibited from driving in tunnels;
  - vehicles or equipment required to maintain tunnels are allowed to drive in tunnels. However, the maximum capacity of containers of flammable liquid used for refuelling these vehicles or this equipment is limited to 1,000 litres.
- Clarification:
  - the fuel used for driving vehicles, including gasoline, diesel, propane and natural gas is allowed in tunnels provided that the vehicles comply with the *Québec Regulation respecting safety standards for road vehicles*;
  - the tank capacity of flammable liquid used to operate the vehicle's air conditioning or the loading space is limited to 450 litres;
  - the specified 75-litre limit of flammable liquid for operating equipment that is screwed or bolted to a vehicle corresponds to the total capacity of all equipment tanks on board the vehicle or of all vehicles;
  - the capacity of the second diesel tank installed on cranes by the crane manufacturer is limited to 450 litres.