

HAZARDOUS SUBSTANCES: How to Comply with TDGA Documentation Requirements



When hazardous substances are transported on the roads, rails or by water, it's important that they're accompanied by documents that identify the type of substances, who they belong to, etc. For example, if there's an incident and these "dangerous goods" are released, emergency response personnel will need the information in these documents to properly respond and protect the environment and human life. That's why the federal [*Transportation of Dangerous Goods Act*](#) (TDGA) and *Consolidated Transportation of Dangerous Goods Regulations* (TDGA Regulations) require "dangerous goods" to be transported with documents containing key information. We'll explain the TDGA documentation requirements and how to comply with them.

TDGA SHIPPING DOCUMENT CHECKLIST: [Download a TDGA Shipping Document Checklist](#) you can adapt for use in your workplace.

WHAT THE LAW SAYS

Every jurisdiction has its own transportation of dangerous goods acts and regulations. But they all incorporate the requirements contained in the federal TDGA Regulations, including the documentation requirements, into their own regulations. Thus, the federal TDGA documentation requirements apply across Canada. So let's look at what the TDGA and TDGA Regulations say about documentation.

Under Sec. 5(b) of the TDGA, no one may[box] import, offer for transport, handle or transport any dangerous goods unless the goods are accompanied by all documents required by the regulations. [Part 3](#) of the

TDGA Regulations spells out the documentation requirements, including:

- The responsibilities of consigners and carriers;
- Legibility and language requirements;
- Information shipping documents and consists must contain;
- Where documents must be kept during transport;
- Document retention requirements; and
- Special document requirements for shipping by rail.

9 Classes of Dangerous Goods under the TDGA

Class 1: Explosives,

including explosives within the meaning of the [Explosives Act](#)

Class 2: Gases: compressed, deeply refrigerated, liquefied or dissolved under pressure

HOW TO COMPLY

As safety coordinator, your responsibilities may include ensuring that your company complies with the TDGA documentation requirements. To do this job, you need to know the following:

Class 3: Flammable and combustible liquids

Class 4: Flammable solids; substances liable to spontaneous combustion;

Types of Documentation

There are two main types of documentation:

- A “shipping document,” which the TDGA Regulations define as a document that relates to dangerous goods that are being **handled, offered for transport** or transported and that contains the information required by Part 3 relating to the goods; and
- A “consist,” which is a special

substances that on contact with water emit flammable gases

Class 5: Oxidizing substances;

organic peroxides
Class 6: Poisonous

document used when dangerous goods(toxic) and infectious substances are shipped by rail.

When Documentation Is Required

Documentation is required anytime you import, offer for transport, handle or transport any “dangerous goods,” which is defined as a product, **substance** or organism included by its nature or by the regulations in any of the **classes** listed in the schedule to the TDGA. *Examples:* Explosives, gases, flammable liquids, radioactive substances and corrosives.

Class 7: Nuclear substances, within the meaning of the [Nuclear Safety and Control Act](#), that are radioactive

Class 8: Corrosives

Class 9: Miscellaneous

To Whom Documentation Requirements Apply

There are documentation requirements for both consigners and carriers. A consigner is the person with possession of the dangerous goods before they’re transported and the carrier is the person who actually transports the goods. *Example:* Bob ships a package to Tom via FedEx. In this scenario, Bob is the consigner and FedEx is the carrier.

Note that a company can be both the consigner and carrier. For example, a manufacturer that produces dangerous goods and ships its own products is both consigner and carrier for those goods.

Consigner requirements. The TDGA Regulations require the consigner, before letting a carrier take possession of dangerous goods for transport, to prepare and give that carrier a shipping document or, if the carrier agrees, an electronic

offered for transport or transported and prescribed to be included in this class [/box]

copy of the shipping document. In addition, before a consigner imports dangerous goods into Canada, it must ensure that the carrier has a shipping document or, with the carrier's agreement, an electronic copy of the shipping document. The shipping documents must comply with the requirements in the TDGA Regulations.

Carrier requirements. The TDGA Regulation bar a carrier from taking possession of dangerous goods for transport unless it has the shipping document for those goods. If the carrier accepts an electronic copy of the shipping document, it must print out that document before taking possession of the dangerous goods for transport. A carrier may replace a shipping document provided by the consignor with a new shipping document or with a copy of the shipping document in a different format.

While the dangerous goods are in transport and in the carrier's possession, the carrier must keep the shipping document in the location specified by the TDGA Regulations (more on this requirement below). Dangerous goods in transport are considered to be in the carrier's possession from the time it takes possession of them for transport until another person takes possession of them. If the quantity of dangerous goods or the number of small means of containment changes during transport, the carrier must show this change on the shipping document itself or a document attached to it.

If the original carrier transfers the dangerous goods to another carrier, it must give the shipping document, a physical copy of the shipping document or an electronic copy to the other carrier at or before the other carrier takes possession of the goods. And at or before the time a person *other than another carrier* takes possession of the dangerous goods, the carrier must give that person a document that identifies the dangerous goods (such as the shipping document)

or, with the person's agreement, an electronic copy of such a document.

Insider Says: When a train includes a railway vehicle containing dangerous goods for which a placard is required to be displayed by the TDGA Regulations, the person in charge of the train must prepare and give a "consist" to a member of the train crew. The train crew must keep the information on the consist up to date and kept it with the shipping document.

General Documentation Requirements

The information required on a shipping document and a consist must be easy to identify, legible, in indelible print and in English or French. When a shipping document contains information about both dangerous and non-dangerous goods, the dangerous goods information must be:

- Shown before the information related to the non-dangerous goods and under the heading "Dangerous Goods" or "Marchandises dangereuses";
- Printed or highlighted in a colour that contrasts with the print or highlight used for the non-dangerous goods information; or
- Shown after the letter "X" opposite the shipping name in a column under the heading "DG" or "MD."

Information Documents Must Contain

A **shipping document** must contain the following information:

- The consigner's name and the address of its place of business in Canada;
- The date the shipping document or an electronic copy of it was prepared or first given to a carrier;
- A description of each of the dangerous goods, in this order:
- The shipping name and, immediately after the shipping name unless it's already part of it:

- For dangerous goods that are subject to Special Provision 16 in Schedule 2, the technical name, in parentheses, of the most dangerous substance related to the primary class; and
- For a liquefied petroleum gas that hasn't been odorized, the words "Not Odorized," "Not Odourized" or "Sans odorisant";
- The primary class, which may be shown as a number only or under the heading or following the word "Class" or "Classe";
- For dangerous goods with a primary class of Class 1, Explosives, the compatibility group letter following the primary class;
- The subsidiary class or classes, in parentheses, which may be shown as a number only or under the heading or following the words "subsidiary class" or "classe subsidiaire," except that for transport by aircraft or ship, the subsidiary class or classes may be shown after the information required by this paragraph;
- The UN number; and
- The packing group roman numeral, which may be shown under the heading or following the letters "PG" or "GE" or following the words "Packing Group" or "Groupe d'emballage";
- For each shipping name, the quantity of dangerous goods and the unit of measure used to express the quantity which, on a shipping document prepared in Canada, must be a unit of measure included in or acceptable for use under the International System of Units, such as "net mass, 30 kg," or "number of objects, 1,000." *Exception:* dangerous goods included in Class 1, Explosives, for which the quantity must be expressed in net explosives quantity or, for explosives with UN numbers subject to special provision 85 or 86, in number of articles or net explosives quantity. (Note that if the quantity of dangerous goods is less than 10% of the maximum fill limit of the means of containment, it may be described

as “Residue – Last Contained” or “Résidu – dernier contenu,” followed by the shipping name of the dangerous goods last contained in the means of containment. But this description can’t be used for Class 2, Gases, in a small means of containment or Class 7, Radioactive Materials.);

- For dangerous goods in one or more small means of containment that require a label, the number of small means of containment for each shipping name; and
- The words “24-Hour Number” or “Numéro 24 heures”, or an abbreviation of these words, followed by a telephone number, including the area code, at which the consignor can be reached immediately for technical information about the dangerous goods in transport, without breaking the telephone connection made by the caller. The shipping document may also include the telephone number of a person who isn’t the consignor but who *is* competent to give the technical information required in English or in French.

In addition, if the shipment of dangerous goods is one for which an emergency response assistance plan (ERAP) is required, the shipping document must also include the ERAP’s reference number issued by Transport Canada preceded or followed by the letters “ERP” or “ERAP” or “PIU” and the telephone number, including the area code, to call to have the ERAP activated immediately. If the 24-hour number discussed above and the ERAP telephone number are the same, that number may be shown on the same line on the shipping document, such as “24-Hour Number and ERAP 3-2021: 613-123-4567.”

A **consist** must contain the following information for each railway vehicle containing dangerous goods for which a placard is required to be displayed:

- The numerical location of the railway vehicle in the train, with the first vehicle at the head of the train as 1, the next vehicle as 2 and so on, excluding the

locomotive or locomotives wherever they're located in the train;

- The reporting mark of the railway vehicle;
- For a tank car, the shipping name or UN number of the dangerous goods in the tank car; and
- For a railway vehicle other than a tank car:
 - The shipping name or UN number of the dangerous goods, if the railway vehicle contains only dangerous goods with the same shipping name and UN number; or
 - The words "Dangerous Goods" or "Marchandises dangereuses", if the railway vehicle contains dangerous goods that have different shipping names or UN numbers.

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Location of the Documents During Transport

Where the carrier must keep the shipping documents during transport depends in part on how the dangerous goods are being transported:

Road. For dangerous goods transported by road, such as by truck, the driver of a road vehicle transporting dangerous goods must ensure that a copy of the shipping document is kept:

- If the driver is in the "power unit," such as the cab of a truck, in a pocket mounted on the driver's door or within the driver's reach; or
- If the driver is out of the power unit, in a pocket mounted on the driver's door, on the driver's seat or in a location that's clearly visible to anyone entering through the driver's door.

Rail. When dangerous goods are shipped by train, the person in charge of the train must ensure that a copy of the shipping document and, when a consist is required, a copy of the consist are kept:

- In the possession of one of the members of the train crew when one or more of them are present; or
- In the first locomotive when no member of the train crew is present.

Water. If dangerous goods are transported by ship, the master of the ship must have readily available on or near the ship's bridge a paper or electronic copy of the shipping document or a list that includes the classification of the dangerous goods. If dangerous goods being transported by ship are located on a road vehicle that's accompanied by one or more drivers or a railway vehicle that's accompanied by one or more members of the train crew, a driver or a member of the train crew must notify the master of the ship or the marine carrier of the presence of the dangerous goods and make available a copy of the shipping document. But the shipping document must be kept in accordance with the requirements for road vehicles or rails, whichever applies.

There are also general document storage requirements that apply regardless of the means of transportation. For example, a carrier must ensure that a shipping document is placed in a waterproof receptacle that's securely attached to or near the means of containment containing the dangerous goods, at a readily identifiable and accessible location, when the dangerous goods are in transport if:

- They're left in an unsupervised area after being unloaded from a means of transport, after the cargo unit of a road vehicle containing them has been disconnected from the power unit or when the railway vehicle containing them is no longer part of a train; and
- Possession of the dangerous goods hasn't been transferred to another person.
- When dangerous goods in transport are left in a supervised area, the person in charge of the supervised area is considered to have taken possession of the goods. So the carrier must leave a copy of the shipping

document with that person, who must keep it and give it to the next person who takes possession of the goods. When the person in charge of a supervised area leaves that area, he must ensure that the copy of the shipping document is:

- Placed in a waterproof receptacle securely attached to or near the means of containment containing the dangerous goods, at a readily identifiable and accessible location; or
- Left in the possession of a worker who's present in the supervised area and is designated for this purpose by the person in charge of the supervised area.

Lastly, when dangerous goods in transport by road vehicle, rail or ship are stored in a supervised or unsupervised area, the shipping document or an electronic copy of it may be left at the office of the rail dispatcher for the area in which the railway vehicle is located, the person responsible for the port at which the dangerous goods are located or the marine terminal manager provided that certain conditions are met.

How Long the Documents Must Be Kept

A consignor must keep a shipping document for two years from the date the document or an electronic copy of it was prepared or given to a carrier. For dangerous goods imported into Canada, consignors musts keep shipping documents for two years from the date the consignor ensured that the carrier, on entry into Canada, had a shipping document or an electronic copy of one. Consigners can keep electronic copies of the shipping documents. And if an inspector submits a written request for a shipping document, the consigner must produce it within 15 days from receipt of the request.

When dangerous goods are no longer in transport, each carrier who transported the goods must keep a copy of the shipping document that related to the goods for two years from the date the goods were no longer in transport. Carriers may keep

electronic copies of the shipping documents. And if an inspector submits a written request for a shipping document, the carrier must produce it within 15 days from receipt of the request.

There are, however, exceptions to the document retention requirement for carriers. The two-year rule doesn't apply to carriers who transported dangerous goods:

- From a place outside Canada, through Canada to a place outside Canada or for a portion of such transportation; or
- Entirely outside Canada on board a ship or an aircraft that's registered in Canada and leased to a foreign carrier.

It also doesn't apply to carriers that were involved only in *handling* the dangerous goods, including storing them in the course of transport.

BOTTOM LINE

The TDGA and TDGA Regulations are designed to ensure that hazardous substances are moved safely around the country. They require documents to accompany shipments of dangerous goods so that critical information about these substances is always on hand and readily available to anyone who might need it. As safety coordinator, it may be up to you to ensure that your company complies with the documentation requirements.

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TRANSPORTATION OF DANGEROUS GOODS LAWS

Here are links to the laws for each jurisdiction on the transportation of dangerous goods:

FEDERAL: [*Transportation of Dangerous Goods Act*](#); [*Consolidated Transportation of Dangerous Goods Regs.*](#)

ALBERTA: [Dangerous Goods Transportation and Handling Act](#); [Dangerous Goods Transportation and Handling Regs.](#)

BRITISH COLUMBIA: [Transport of Dangerous Goods Act](#); [Transport of Dangerous Goods Reg.](#)

MANITOBA: [Dangerous Goods Handling and Transportation Act](#); [Dangerous Goods Handling and Transportation Reg.](#)

NEW BRUNSWICK: [Transportation of Dangerous Goods Act](#); [General Regulation – Transportation of Dangerous Goods Act](#)

NEWFOUNDLAND/LABRADOR: [Dangerous Goods Transportation Act](#); [Dangerous Goods Transportation Regs.](#)

NORTHWEST TERRITORIES/NUNAVUT: [Transportation of Dangerous Goods Act](#); [Transportation of Dangerous Goods Regs.](#)

NOVA SCOTIA: [Dangerous Goods Transportation Act](#); [Dangerous Goods Transportation Regs.](#)

ONTARIO: [Dangerous Goods Transportation Act](#)

PRINCE EDWARD ISLAND: [Dangerous Goods \(Transportation\) Act](#); [Dangerous Goods \(Transportation\) Act Regs.](#)

QUÉBEC: [Highway Safety Code](#); [Transportation of Dangerous Substances Reg.](#)

SASKATCHEWAN: [Dangerous Goods Transportation Act](#); [Dangerous Goods Transportation Regs.](#)

YUKON: [Dangerous Goods Transportation Act](#); [Dangerous Goods Transportation Reg.](#)

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