

# Transportation of Dangerous Goods Regulations Amendments Compliance Game Plan



## Canada's Dangerous Goods Rules Have Changed: Here's What OHS Directors Need to Do Before June 2027

Urgent message to OHS directors of companies involved in transporting dangerous goods: Major changes to *Transportation of Dangerous Goods Regulations* (TDGR) take effect on June 4, 2027. So, if you haven't already started the transition, you have less than 10 months to comply. Here's a look at the eight key changes and what you should do to ensure you comply when the change takes effect in June.

## Companies that Must Comply with the TDGR Amendments

The TDG Act and TDGR is a broad regulatory scheme that applies to companies that handle, offer for transport, or transport dangerous goods in Canada. Requirements vary depending on

whether a company is considered a manufacturer, consignor, carrier, or consignee. Companies most affected by the TDGR amendments include:

- Chemical manufacturers and distributors
- Petroleum and fuel companies
- Companies shipping dangerous goods by rail or air
- Companies shipping dangerous goods by air
- Companies making substantial Canada-U.S. shipments
- Companies handling radioactive materials.

The changes will also impact companies whose operations involve shipping or receiving dangerous goods, including truckers, merchant and air shippers, manufacturers, warehouses, distribution centres, laboratories, healthcare organizations, and construction firms.

## 1. TDGR International Harmonization Changes

One of the main reasons for amending the TDGR is to bring Canadian requirements into closer alignment with international standards. According to Transport Canada, the harmonization changes will reduce regulatory complications that arise when Canadian TDGR requirements don't line up with U.S. and international regulations.

**Compliance Strategy:** Review and, if necessary, revise your current TDG policies and protocols to comply with the changes. Keep in mind that the harmonization changes affect a broad range of TDGR requirements, including those governing:

- Dangerous-goods classification information
- Shipping names
- Dangerous-goods marks
- Packaging
- Standards incorporated into the TDGR

- Marine transportation
- Air transportation

## 2. TDGR Packaging & Means of Containment Changes

The amendments update several standards governing means of containment and replace the old TP 14877 reference with newer Canadian General Standards Board standards, including CAN/CGSB-43.147 for containers used to transport dangerous goods by rail and CAN/CGSB-43.149 for ton containers.

**Compliance Strategy:** Review the specifications that your company is currently using for packaging and means of containment to ensure they meet the new standards and not the ones being replaced. Operations to focus on: procurement, warehouse, packaging, logistics, carriers, and contractors.

## 3. TDGR Exemptions

The new regulations revise parts of the TDGR that deal with special cases, exemptions, and special provisions. Examples include provisions concerning the 150 kg and 500 kg gross-mass rules, light bulbs, unpackaged articles containing dangerous goods, oxygen cylinders, enforcement-related transportation, and other specialized situations. **Result:** TDGR exemptions that you relied on in the past may no longer work after the amendments take effect.

**Compliance Strategy:** Review the TDGR-affected operations you currently believe to be exempt or subject to special case rules using a simple Exemption/Special-Case Inventory form that lists:

- TDGR section or special provision that applies
- Dangerous good involved
- Activity covered

- Quantity involved
- Conditions that must be satisfied
- Facility/location
- Person responsible
- Last regulatory review
- Changes required by the amendments

This can uncover problems that a generic TDGR audit will miss.

## 4. TDGR Equivalency Certificate Changes

As under current rules, Transport Canada will be allowed to issue Equivalency Certificates (ECs) that allow a company to handle, offer for transport, or transport dangerous goods in a way that doesn't comply with normal TDGR requirements. The new TDGR amendments will reduce dependence on ECs by expressly allowing certain practices that currently must be authorized via an EC.

**Compliance Strategy:** OHS directors of companies that currently rely on an EC must determine whether they'll still need an EC once the new rules take effect. To make this determination, create an inventory of your current ECs and listing for each one:

- Certificate number
- Expiration date
- Dangerous goods covered
- Facility or operation covered
- TDGR requirement modified
- Operational practice authorized
- Corresponding new TDGR provision
- Whether the certificate remains necessary
- Action required

## 5. TDGR Rail Transportation Changes

The amendments include significant changes to buffer-car requirements for dangerous goods transported by rail. Among other things, they require that there be at least one buffer car between an occupied locomotive and a rail vehicle carrying dangerous goods, including unit trains. They also prohibit certain means of containment carrying dangerous goods from being placed next to an occupied railway vehicle.

**Compliance Strategy:** Companies involved in rail transportation of dangerous goods must review their TDGR policies and protocols to ensure they meet the TDGR amendments. Don't carry on your rail carrier to perform that review.

## 6. TDGR Air Transportation Changes

The amendments include major changes to Part 12 of the TDGR governing dangerous goods transported by aircraft, including requirements involving classification, packaging, documentation, and other aspects of air transportation. One particularly practical change involves limited-access locations. The amendments define a limited-access location as one to which there's no year-round access by a mode of transportation other than air. The amendments also adjust responsibilities involving classification and packaging for shipments to and from such locations.

**Compliance Strategy:** If your company ships dangerous goods by air or to a location that's dependent on air transportation, you'll have to perform a Part 12 compliance review of your current TDGR practices, including with regard to classification, packaging, quantity limits, documentation, marks and labels, carrier requirements, remote-location procedures, and allocation of consignor and carrier responsibilities.

## 7. TDGR Flexibility for Canada-U.S. Shipments

The international-harmonization amendments create additional flexibility for certain dangerous-goods movements between Canada and the U.S., including circumstances where U.S. rules can be relied on for shipments in Canada.

**Compliance Strategy:** While flexibility will help, following Canadian rules won't automatically ensure compliance with U.S. requirements, and vice-versa. You'll still have to determine which laws apply to cross-border shipments. To ensure compliance, OHS directors or logistics should for each U.S./Canada cross-border shipment document:

- The Canadian requirements
- The applicable U.S. requirements
- The provision permitting the alternative approach
- The shipping documentation being used
- The markings and placarding being used
- Who is responsible for confirming compliance

## 8. TDGR Dangerous-Goods Markings and Shipping Documents Changes

The amendments make several changes involving dangerous-goods marks. Key changes include clarification of when "Residue" or "Residue-Last Contained" should appear on shipping documents and new rules concerning the visibility of dangerous-goods marks on large means of containment.

**Compliance Strategy:** In addition to reading your current TDGR marks policies, OHS directors should go to the loading dock and do a quick inspection of actual shipments. Ask:

- Are the required TDGR marks present?
- Are they visible?

- Are the correct UN numbers being used?
- Are placards correct?
- Are shipping documents accurate?
- Are residue statements being used correctly?
- Does the actual shipment match what the computer-generated documentation says?

## At A Glance: TDGR Amendments/Who They Affect/What to Do

| TDGR Change                                           | Who's Most Likely to Be Affected              | What To Review                                    |
|-------------------------------------------------------|-----------------------------------------------|---------------------------------------------------|
| Updated classification and shipping-name requirements | Manufacturers, shippers, consignors           | Product and shipping databases                    |
| New/updated dangerous-goods marks                     | Shippers, warehouses, carriers                | Labels, placards, UN numbers, and procedures      |
| Updated packaging and containment standards           | Manufacturers, distributors, rail operators   | Packaging and means of containment specifications |
| Canada-U.S. harmonization                             | Cross-border shippers                         | Canadian-U.S. shipping procedures                 |
| Updated air-transport rules                           | Air shippers and companies using air carriers | TDGR Part 12 procedures and documentation         |
| Limited-access/remote-location provisions             | Remote operations and air carriers            | Classification, packaging, and carrier procedures |
| Rail buffer-car requirements                          | Rail shippers and operators                   | Rail transportation arrangements                  |

|                                                                       |                                                                |                                                |
|-----------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------|
| New or revised Canadian General Standards Board containment standards | Rail and specialized dangerous-goods operations                | Existing means of containment                  |
| Equivalency-certificate changes                                       | Companies relying on ECs                                       | Existing ECs and corresponding TDGR provisions |
| Special cases and exemptions                                          | Companies relying on quantity or activity-based exemptions     | Applicability and conditions                   |
| Residue requirements                                                  | Shippers, carriers, tank/Intermediate Bulk Container operators | Shipping documents and containment procedures  |