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PCB regulations: overview and objectives

Objectives of the PCB Regulations

The [PCB Regulations](#) (SOR/2008-273) came into force on September 5, 2008. The most recent amendments to the regulations came into force on January 1, 2015. The purpose of the regulations is to protect the health of Canadians and the environment by preventing the release of polychlorinated biphenyls (PCBs) to the environment, and by accelerating the phasing out of these substances.

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General requirements applicable to all parts of the regulations.

Part 2

Prohibitions, release to the environment, and exceptions to prohibitions on the manufacture, export, import, offer for sale, sale, processing, and use of PCBs and products containing PCBs. Deadlines for end-of-use and destruction of PCBs and PCB products.

Part 3

Storage requirements of PCBs and products containing PCBs that are not processed or used daily, including maximum storage periods.

Part 4

Labelling, record keeping and reporting requirements of PCBs and products containing PCBs.

Part 1

Concentration and quantity (section 1)

The concentration and quantity of PCBs can be determined by laboratory analysis in an accredited laboratory only. Sampling methods allowed include provincially, nationally or internationally recognized PCB sampling methods.

Part 2

Prohibitions (sections 5-6)

No person shall release into the environment:

- more than 1 gram of PCBs from equipment in use
- a liquid containing PCBs at a concentration of 2 mg/kg or more from equipment not in use
- a solid containing PCBs at a concentration of 50 mg/kg or more from equipment not in use

No person shall, except as permitted in the regulations:

- manufacture, export or import PCBs, or a product containing PCBs, in a concentration of 2 mg/kg or more
- offer for sale or sell PCBs, or a product containing PCBs, in a concentration of 50 mg/kg or more
- process or use PCBs or a product containing PCBs

Permitted activities (sections 7-17)

Activities that are permitted under the regulations are related to the following areas and subject to conditions specified in sections 7-17 of the regulations:

- laboratory analysis
- research
- electrical capacitors that are:

- an integral part of a consumer product
- fusion sealed and would be rendered inoperable and irreparable if the PCBs were removed
- aircraft, ships, trains and other vehicles that contain PCBs only in communication, navigation or electronic control equipment or cables
- colouring pigments
- processing or recovering PCBs for the sole purpose of destroying them
- manufacturing solid products used in a commercial or industrial activity containing PCBs in a concentration of less than 50 mg/kg
- cables, pipelines that transport natural gas, petroleum or petroleum products and their associated equipment, fusion-sealed capacitors in communication or electronic control equipment
- fusion-sealed capacitors containing PCBs for use in relation to communication tactical equipment or electronic control tactical equipment
- liquids containing PCBs at a concentration of 2 mg/kg or less for servicing any equipment
- equipment containing PCBs in a concentration of less than 50 mg/kg
- light ballasts, pole-top electrical transformers and their pole-top auxiliary electrical equipment containing PCBs in a concentration of 50 mg/kg or more and was in use on September 5, 2008, until the December 31, 2025, deadline

End-of-use deadlines

Table 1 - End-of-use deadlines for equipment or product containing PCBs

Subject	End-of-Use Deadline
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Subject	End-of-Use Deadline
Any equipment or product containing PCBs that is not covered by the end-of-use deadlines of December 31, 2009, or December 31, 2025, and that is not mentioned in permitted activities	September 5, 2008
Equipment ¹ containing PCBs in a concentration of 500 mg/kg or more that was in use on September 5, 2008, except if an extension was granted by the Minister	December 31, 2009
Equipment ¹ containing PCBs in a concentration of at least 50 mg/kg but less than 500 mg/kg that was in use on September 5, 2008, located in a prescribed site ² except if an extension was granted by the Minister	December 31, 2009
Equipment containing PCBs in a concentration of 500 mg/kg or more that was in use on September 5, 2008, with an extension granted by the Minister	December 31, 2014 ³
Equipment containing PCBs in a concentration of at least 50 mg/kg but less than 500 mg/kg located in a prescribed site ² and was in use on September 5, 2008, with an extension granted by the Minister	December 31, 2014 ³
Equipment ¹ containing PCBs in a concentration of at least 50 mg/kg but less than 500 mg/kg and was in use on September 5, 2008, and is not located at a prescribed site ²	December 31, 2025
Light ballasts, pole-top electrical transformers and their pole-top auxiliary electrical equipment containing PCBs in a concentration of 50 mg/kg or more and was in use on September 5, 2008	December 31, 2025

Subject	End-of-Use Deadline
Current transformers, potential transformers, circuit breakers, reclosers and bushings that are located at an electrical generation, transmission or distribution facility containing PCBs in a concentration of 500 mg/kg or more and was in use on September 5, 2008	December 31, 2025

¹ Electrical capacitors, electrical transformers, electromagnets (not used in the handling of food and/or feed), heat transfer equipment, hydraulic equipment, vapour diffusion pumps and bridge bearings.

² A prescribed site is a child care facility, hospital, senior citizens' care facility, preschool, primary or secondary school, drinking water treatment plant, or food or feed processing plant.

³ Extension can end sooner than December 31, 2014.

Part 3

A person who owns, controls, or possesses PCBs or products containing PCBs shall either, within 30 days after they are no longer processed daily or used:

- send them for destruction to an authorized facility, or
- store them at a PCB storage facility

Maximum storage period (section 21)

The maximum amount of time that one can store PCBs is dependent upon the location of storage:

- one year for a facility other than a transfer site or destruction facility
- one year for a transfer site
- two years for a destruction facility

Requirements to store (sections 18 and 28)

Storage requirements apply to a solid or liquid product containing PCBs in a concentration of 50 mg/kg or more that is in an amount of:

- 100 L or more for liquids
- 100 kg or more for solids
- a lesser amount if the product contains 1 kg of PCBs

Owners of PCBs at sites remote from a roadway system or with no access to a roadway system must store them at a PCB storage site as soon as possible, but no later than one year after the PCBs are no longer processed daily or used.

Prohibitions on storage (section 20)

Effective September 5, 2009, no person shall store PCBs or products containing PCBs at prescribed sites, or on the land and within 100 m of these facilities.

Prescribed sites are:

- a drinking water treatment plant or a food or feed processing plant
- a child care facility, preschool, primary school, secondary school, hospital or senior citizens' care facility

For more information regarding prescribed sites, please consult the [PCBs in Use and in Storage at Prescribed Locations fact sheet](#).

PCB storage site and storage conditions (sections 24-28)

PCBs must be stored in accordance with the regulations, which address site security and access, the capacity, durability, material and strength of containers, containment of releases, inspection and maintenance, fire protection, and emergency procedures.

Part 4

Labelling requirements (sections 29-32)

All PCBs and products containing PCBs require a label no later than 30 days after they cease to be used. PCBs and equipment containing PCBs that were granted an extension required a label with a unique identification number while in use. Storage sites, transfer sites and destruction facilities must also include a notice at the entrance. All specific label requirements such as text size, label dimension and appropriate wording can be found in sections 29 to 32 of the regulations. For more information on labelling requirements, please consult the [PCB Labelling fact sheet](#).

Reporting requirements (sections 33-42)

Annual reporting is required on or before March 31 each year beginning in March 2009 for the status of PCBs and products containing PCBs on December 31 of the previous year. For light ballasts and pole-top electrical transformers and their pole-top auxiliary electrical equipment, an annual report is to be submitted every four years beginning March 31, 2010. When a release of PCBs to the environment occurs, two reports must be made as soon as feasible:

- a verbal notification under the Release and Environmental Emergency Notification Regulations and the Canadian Environment Protection Act, 1999(CEPA 1999), and
- a written report under section 40 of the PCB Regulations

For more information regarding record keeping, please consult the [PCB Reporting and Record Keeping fact sheet](#).

Record keeping (sections 43-45)

Records must be kept for a minimum of five years. For more information regarding record keeping, please consult the [PCB Reporting and Record Keeping fact sheet](#).

Contraventions Regulations

Tickets can be issued by Environment and Climate Change Canada enforcement officers for various sections of the PCB Regulations. In addition to warnings, directions and environmental protection compliance orders, tickets are one of several enforcement responses that officers can take.

Ticketable offences are those with minimal or no threat to the environment or human life or health, such as failure to report on time, and will involve a maximum fine of \$500. A new ticket can be issued, each day, until the compliance requirements are met. To consult the list of ticketable violations and corresponding fines for the PCB Regulations, please refer to Part XVIII of Schedule I.3 of the [Contraventions Regulations](#). For general information on enforcement responses, please refer to the [Compliance and Enforcement Policy for CEPA 1999](#).

For more information

For more information on the [PCB Regulations](#) and complying with the requirements, [contact your regional office or the PCB Program](#).

The guidance contained in this document should be used for informational purposes only and should not be interpreted as legal guidance, since it does not reflect all the requirements of the Canadian Environmental Protection Act, 1999 or the PCB Regulations. Thus should there be any discrepancy between this document and the Act or the regulations, the Act and the regulations will prevail.

For the purpose of interpreting and applying the regulations, users must consult the regulations on [Justice Canada's website](#).

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