



Information on the *Prohibition of Asbestos and Products Containing Asbestos Regulations*

If you import, manufacture, sell or use asbestos or products containing asbestos, federal regulations may apply to you.

On December 30, 2018, the *Prohibition of Asbestos and Products Containing Asbestos Regulations* (Regulations) prohibit the import, sale and use of asbestos and the manufacture, import, sale and use of products containing asbestos, in Canada, with a limited number of exclusions. The Regulations will help protect the health of Canadians from the risks of exposure to asbestos.

Prohibitions

The Regulations prohibit:

- the import, sale, and use of processed asbestos fibres; and
- the import, sale, use and manufacture of:
 - products, including consumer products, containing **processed asbestos fibres** at any level; and
 - consumer products containing **naturally-occurring asbestos** in greater than trace amounts (see *Trace Amounts of Asbestos in Consumer Products: Guidance*¹ for more information).

The Regulations also prohibit the sale, for use in construction or landscaping, of asbestos mining residues that are located at an asbestos mining site or accumulation area, unless authorized by the province in which the activity construction or landscaping is to occur. In addition, the Regulations prohibit the use of asbestos mining residues to manufacture a product containing asbestos.

Processed asbestos fibres and products containing asbestos already in Canada

The Regulations do not apply to asbestos integrated into a structure or infrastructure before December 30, 2018 (such as asbestos integrated into buildings and civil engineering works); or products containing asbestos used before December 30, 2018 (such as equipment installed in a facility; vehicles; ships; and airplanes). However, it is prohibited to sell and use processed asbestos fibres or products containing asbestos that remain in inventory and are not installed before the December 30, 2018, unless a specific exclusion applies to the activities or a permit has been issued.

Exclusions

The Regulations include a limited number of exclusions as outlined in table below. In most cases, exclusions apply only when there is no technically or economically asbestos-free alternative available and include requirements to report and to implement an asbestos management plan. Refer to sections 7 to 14 of the Regulations for more information.

¹ Available at: <https://www.canada.ca/prohibit-asbestos>

Exclusions	End date	Reporting required	Asbestos management plan required
Disposal	No end date	No	No
Roads	No end date	No	No
Importing military equipment	No end date	Yes	No
Servicing military equipment	December 31, 2022	Yes	Yes
Servicing equipment of nuclear facilities	December 31, 2022	Yes	Yes
Museum display	No end date	Yes*	Yes*
Laboratory use	No end date	Yes	Yes*
Chlor-Alkali facilities	December 31, 2029	Yes	Yes

*Only for processed asbestos fibres

Permits

Permits are available for limited and specific circumstances when no technically or economically asbestos-free alternative is available. Activities for which a permit may be issued are:

- To import or use asbestos or a product containing asbestos to protect the environment or human health;
- To import or use products containing asbestos to service military equipment or equipment in a nuclear facility.

Refer to sections 15 to 23 of the Regulations for more information.

Reporting requirements

Reports for excluded activities must be submitted before March 31 of the calendar year following the calendar year in which the activities occurred. For permit holders, the reports must be submitted within 90 days after the day on which their permit expires.

Record keeping

The Regulations require that any person that is required to submit a report under these Regulations must keep a record containing a copy of the information submitted, the asbestos management plan, if applicable, and any supporting documents, for a period of at least five years.

Technically or economically asbestos-free alternative

For the purpose of reporting or applying for a permit (sections 9, 10, 11 and 16 to 21), evidence that there is no technically or economically feasible asbestos-free alternative could include information demonstrating one or more of the following:

- Alternatives or substitutes do not exist for the specific purpose for which the permit is sought in the application
- Alternatives or substitutes are not economically feasible in the specific circumstances because it is demonstrated they would require significant changes in processes, equipment, storage facilities, training, etc.
- Considerable time is required to develop or adapt to an alternative or substitute due to process modification, product certification, performance testing, etc.
- Other

Exports

The *Export of Substances on the Export Control List Regulations* prohibit the export of all forms of asbestos listed on the Export Control List, whether or not it is contained in a product, subject to certain exceptions (see guidance document for *Export of Substances on the Export Control List Regulations*² for more information).

Other related documents

- Guidance document for *Export of Substances on the Export Control List Regulations*
- Report and permit application templates will be made available online at <https://www.canada.ca/prohibit-asbestos> in early in 2019
- *Trace Amounts of Asbestos in Consumer Products: Guidance*

Reports and permit applications should be sent to:

By mail:

Chemicals Management Division
Environment and Climate Change Canada
351 St-Joseph Blvd., 10th floor
Gatineau QC K1A 0H3

By email:

ec.amiante-asbestos.ec@canada.ca

For more information on the Regulations, consult the *Prohibition of Asbestos and Products Containing Asbestos Regulations* web site: <https://www.canada.ca/prohibit-asbestos>

² Available at: <https://canada.ca/export-controlled-substance>

If you have any questions or concerns, please contact the national or your regional Environment and Climate Change Canada office by email:

Atlantic: ec.promoatlcompro.ec@canada.ca

Quebec: ec.lcpeinfoqc-cepainfoqc.ec@canada.ca

Ontario: ec.promcon-on-compro.ec@canada.ca

Prairie and Northern: ec.promconrpn-compropnr.ec@canada.ca

Pacific and Yukon: ec.amiante-asbestos.ec@canada.ca

National: ec.amiante-asbestos.ec@canada.ca

CEPA and its regulations are enforced in accordance with the *Compliance and Enforcement Policy for the Canadian Environmental Protection Act, 1999*, which can be accessed online at <https://www.canada.ca/en/environment-climate-change/services/environmental-enforcement/publications/compliance-policy-canadian-protection-act.html>.

This information has been prepared for convenience of reference only and does not have an official character. For the purpose of interpreting and applying the Regulations, users must consult the Regulations on Justice Canada's website: <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2018-196/>.



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Madame, Monsieur,

Le *Règlement interdisant l'amiante et les produits contenant de l'amiante* (Règlement) (disponible à : <https://canada.ca/interdire-amiante>) et les modifications connexes au *Règlement sur l'exportation des substances figurant à la Liste des substances d'exportation contrôlée* (RESLSEC) (disponible à : <https://canada.ca/substance-exportation-controlee>) ont été publiés dans la Partie II de la *Gazette du Canada* le 17 octobre 2018.

Veillez noter que le Règlement et les modifications au RESLSEC sont entrés en vigueur le **30 décembre 2018**.

Vous trouverez ci-joint une fiche d'information qui contient des renseignements sur le Règlement.

Pour toute question, veuillez communiquer avec:

Division de la gestion des substances chimiques
Environnement et Changement climatique Canada
351, boul. St-Joseph, 10^e étage
Gatineau (Québec) K1A 0H3
Courriel : ec.amiante-asbestos.ec@canada.ca

Pour en savoir plus au sujet de l'amiante, nous vous invitons à consulter le site Web d'Environnement et Changement climatique Canada à <https://www.canada.ca/fr/environnement-changement-climatique/services/gestion-substances-toxiques/liste-loi-canadienne-protection-environnement/amiante.html>.

Je vous prie d'agréer mes salutations distinguées.

Alison Dickson
Directrice exécutive intérimaire
Division de la gestion des substances chimiques
Environnement et Changement climatique Canada

Dear Sir/Madam:

The *Prohibition of Asbestos and Products Containing Asbestos Regulations* (the Regulations) (available at: <https://canada.ca/prohibit-asbestos>) and the related amendments to the *Export of Substances on the Export Control List Regulations* (ESECLR) (available at: <https://canada.ca/export-controlled-substance>) were published in *Canada Gazette*, Part II, on October 17, 2018.

Please be advised that the Regulations and ESECLR amendments came into force on **December 30, 2018**.

Attached you will find a factsheet which provides information on the Regulations.

Should you have any questions, please contact:

Chemicals Management Division
Environment and Climate Change Canada
351 St-Joseph Blvd., 10th floor
Gatineau QC K1A 0H3
Email: ec.amiante-asbestos.ec@canada.ca

For further information regarding asbestos, please visit Environment and Climate Change Canada's Web site at <https://www.canada.ca/en/environnement-climate-change/services/management-toxic-substances/list-canadian-environmental-protection-act/asbestos.html>.

Sincerely,

Alison Dickson
Acting Executive Director
Chemicals Management Division
Environment and Climate Change Canada