



Permit of Equivalent Level of Environmental Safety issued under section 190 of *Canadian Environmental Protection Act*, 1999 (*Permit*)

This Permit is issued by the Minister of the Environment under section 190 of the Canadian Environmental Protection Act (CEPA) to authorize the Permit holder to engage in the activities in a manner that does not comply with the requirements of Part 7, Division 8 of CEPA (Control of Transboundary Movement of Hazardous Waste and Hazardous Recyclable Materials and Prescribed Non-Hazardous Waste for Final Disposal) and the regulations made under the Division.

In particular, this Permit authorizes the Permit Holder to transport in Canada hazardous wastes referenced in this Permit in a manner that is in variance with subsections 79(b)(c)(e), 80(1), 80(2), 80(3), 80(4) and 80(5) of the Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations (XBR).

By issuing this Permit, the Minister is satisfied that the proposed activities of the Permit holder will be conducted in a manner that provides a level of environmental safety at least equivalent to that provided by complying with the requirements of Division 8 of CEPA and the regulations made under that Division.

1. PERMIT NO.: EC 21-004

2. PERMIT HOLDER :

Name : Call2Recycle Canada, Inc.

Street Address : 100 Sheppard Avenue East,
Suite 800, Toronto, Ontario, M2N 6N5
Canada

Telephone: 1-888-224-9764

Facsimile : 416-987-6877

3. MODE OF TRANSPORT : Rail, road or marine

4. ISSUANCE DATE : October 31, 2021

5. EXPIRY DATE : October 31, 2024

6. REGULATIONS : Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations: *subsections 79(b)(c)(e), 80(1), 80(2), 80(3), 80(4) and 80(5) of Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations (XBR)*

7. DEFINITIONS

(1) The definitions in section 1 of the XBR apply to this Permit.

(2) For the purpose of this Permit:

(a) “Battery” means-the types of batteries that meet the criteria for:

(i) Class 8 of the *Transportation of Dangerous Goods Regulations* (TDGR), such that they:

I.) are known to cause full thickness destruction of human skin, that is, skin lesions that are permanent and destroy all layers of the outer skin through to the internal tissues;

II.) cause full thickness skin destruction, as determined in accordance with OECD Guideline 430 or OECD Guideline 431; or

III.) do not cause full thickness destruction of skin, but exhibit a corrosion rate that exceeds 6.25 mm per year at a test temperature of 55°C, as determined in accordance with section 37 of Part III of the Manual of Tests and Criteria.

(ii) Class 9 of the TDGR, such that they contain a substance that is:

(I) included in Class 9 in column 3 of Schedule 1 of the TDGR; or

II.) not included in Class 9 in column 3 of Schedule 1 of the TDGR and does not meet the criteria for inclusion in any of Classes 1 to 8 and is listed in Appendix 1, Marine Pollutants, to Part 2 of the TDGR; and

(b) “Battery” includes:

(i) lithium ion; lithium ion polymer; or lithium metal batteries (UN3090 or UN3480);

(ii) small lead acid batteries (UN2800); and

(iii) any other type of primary and secondary batteries (alkaline; nickel metal-hydride; nickel-cadmium; nickel-zinc; zinc-air, zinc-carbon; and various button cell primary batteries such as those used in hearing aids, watches and cameras) that can be described with UN1759; UN2813; UN2923; UN3028; UN3084; UN3085; UN3095; UN3096; UN3131; UN3496 or any other applicable TDGR product identification number.

(c) “Battery” excludes automotive, marine and other wet or spillable batteries (including spillable lead acid batteries) that can be described with UN2794, pursuant to the TDGR;

(d) “Cell Phone” means any phones that appear to have been lawfully used in Canada at any time after 1983 as part of the mobile radio-telephone service licensed by Industry Canada to utilize 50 MHz of spectrum in the 800 MHz band, and individually weigh less than one kilogram, but does not include household cordless phones, mobile installed or bag phones, two-way radios, walkie-talkies, and pagers.

(e) “Consignor”, as defined in section 1 of the XBR: means the participants of the program “Call2Recycle”

registered with the Permit Holder as collection sites for Batteries or Cell Phones, as described in section 9 of this Permit;

(f) “Consignee”, as defined in section 1 of the XBR: means one of the following authorized consolidation facilities, confirmed by an agreement with the Permit Holder, that receive Batteries or Cell Phones, as described in this Permit, under the program “Call2Recycle”, namely:

- (i) Retriev Technologies Ltd.
 9384 Highway 22A
 Trail, British Columbia, V1R 4W6
- (ii) Revolution Environmental Solutions
 Acquisition GP Inc.
 52 Imperial Street
 Hamilton, Ontario, L8L 4E3
- (iii) Laurentide Re-Sources Inc.
 345 Bulstrode
 Victoriaville, Quebec, G6T 1P7

(g) “Shipping Site” means a collection site for batteries or cell phones, as described in section 9 of this Permit, registered with the Permit Holder under the program “Call2Recycle!”, and from which the batteries or cell phones are transported.

(h) The “authorized carriers”, means the same expression as defined in section 1 of the XBR.

8. APPLICATION

(1) This Permit EC-21-004 is effective on the date it is signed by the Minister.

(2) The Minister is granting this Permit to the Permit Holder to authorize the collection from multiple sites, transportation within Canada, and the recycling of Batteries or cell phones that meet the definition of hazardous wastes or hazardous recyclable materials under the XBR, and that are described in section 7 of this Permit.

(3) This Permit is being granted with the understanding that the Permit Holder will be engaging with consignors, consignees and authorized carriers to carry out the activities authorized under this Permit.

9. AUTHORIZATION AND CONDITIONS

(1) This Permit authorizes the Permit Holder - and any consignor, consignee and authorized carrier engaged by the Permit Holder - to transport within Canada hazardous waste, in a manner that is at variance with sections 79 and 80 and 81 of the XBR as set out in this Permit.

(2) The Permit Holder - and any consignor, consignee and authorized carrier engaged by the Permit Holder - shall comply with all of the requirements under this Permit that are related to their activities, including complying with all the conditions listed in Schedule 1 of this Permit.

(3) The Permit Holder - and any consignor, consignee and authorized carrier engaged by the Permit Holder – shall comply with all requirements of CEPA and the XBR except as expressly authorized under this Permit.

(4) The Permit Holder - and any consignor, consignee and authorized carrier engaged by the Permit Holder – are subject to the compliance and enforcement provisions of CEPA for any failure to comply with the requirements of CEPA, the XBR and this Permit.

(5) The Permit Holder is responsible for any failure to comply with the requirements of CEPA, the XBR and the requirements of this Permit by consignees, consignors and authorized carriers who the Permit Holder has engaged to conduct the activities authorized under this Permit.

(6) A consignee, consignor or authorized carrier is authorized to engage in activities under this Permit only if there is a valid written agreement of engagement with the Permit Holder setting out the activities they are engaged in and if a copy of this Permit is attached to the agreement.

(7) The Permit Holder - and any consignor, consignee and authorized carrier engaged by the Permit Holder – may transport within Canada hazardous waste under the following conditions:

(a) the hazardous wastes or hazardous recyclable materials are batteries or Cell Phones, as described in section 7, that are destined for recycling;

(b) the hazardous wastes or hazardous recyclable materials are collected from the Permit Holder's batteries and cell phones collection sites, and transported within Canada from a shipping site to one of the Consignees identified in section 7(2)(f) of this Permit;

(c) the hazardous wastes or hazardous recyclable materials are transported by an authorized carrier; and

(d) In lieu of a manifest required under section 79 (b), (c), and (e) of the XBR and of the requirements set out in section 80 of the XBR, the consignor shall ensure that the container in which the hazardous waste or hazardous recyclable materials are packaged are accompanied by a document, such as a shipping label or a bill of lading, that includes the following information:

(i) shipping site address or other means to identify the shipping site address;

(ii) receiving site address;

(iii) shipping date;

(iv) the total quantity of batteries and cell phones for bulk shipments;

(v) a recommendation that the total quantity of batteries and cell phones will not exceed 22 kg, unless otherwise labelled for the shipment of a box;

(vi) TDGR class(es) applicable to the set of batteries or cell phones; with the following statement:

I. “Shipped in accordance with the Permit of Equivalent Level of Environmental Safety EC 21-004”; or

II. “Expédié conformément au Permis de sécurité environnementale équivalente EC 21-004”.

(8) In lieu of the requirements set out in subsections 80(3)(a) and (b) of the XBR, all authorized carriers transporting hazardous wastes must ensure that the shipping document referred to in subsection 9(2) accompanies the shipment during the transportation.

(9) In lieu of the requirements set out in sub-sections 80(2), 80(4), and 80(5) of the XBR, upon the request of Environment Canada and Climate Change or any affected provincial government, make available the said information, within 60 days of the end of each calendar year, quarterly reports of the shipments carried out pursuant to this Permit the following information:

(a) the identity and addresses of the generating sites from which materials were shipped;

(b) the shipping dates and identity and address of each Consignee;

(c) the approximate quantities of hazardous wastes or hazardous recyclable materials;

(d) a list of authorized carriers used for the shipments for the period covered by the report;

(e) the TDGR product identification number associated with each type or batteries or cell phones; and

(f) if requested by a provincial government, the origin of the waste or the province of destination.

(10) The Permit Holder is responsible to collect the data required under this Permit from consignors, consignees and authorized carriers engaged by the Permit Holder, and to comply with all reporting requirements under this Permit.

(11) In lieu of the requirements set out in subsection 81 of the XBR, the consignee shall keep all records and reports referred to in this Permit for at least five years after the hazardous wastes was received by a consignee at the addresses identified in section 7(2)(f). These records must be available for inspection by an enforcement officer or an analyst designated under section 217 of CEPA.

10. MISCELLANEOUS MATTERS

(1) Except as set out in this Permit, compliance with the terms and conditions of this Permit does not absolve the Permit Holder, the consignor, the consignee or any authorized carrier transporting hazardous waste from the responsibility to comply with the requirements of all applicable federal and provincial legislation, or any applicable municipal by-laws.

(2) The Permit Holder shall inform the Director, in writing and within 30 days of any change to:

(a) the Permit Holder's or a consignee's name, street address, telephone or facsimile as set out in sections 2 and 7 of this Permit; and

(b) the name, street address, telephone, facsimile or email of the Contact Person identified in section 12 of this Permit.

(3) This Permit is non-transferable and non-renewable.

(4) The Permit Holder's street address in section 2 of this Permit must correspond to a place of business that is located in Canada.

(5) All written information, notices or other communications under this permit shall be sent to:

Director
Waste Reduction and Management Division
Environment and Climate Change Canada
Place Vincent-Massey, 9th Floor
351 St-Joseph Blvd.
Gatineau, Quebec
Canada
K1A 0H3
Telephone: (844) 672-8038
Facsimile: (819) 938-4553

11. REVOCATION

The Minister of the Environment may revoke this Permit if any one of the situations described in subsection 190(3) of the *Canadian Environmental Protection Act, 1999* applies.

12. CONTACT PERSON AUTHORIZED TO ACT ON BEHALF OF THE PERMIT HOLDER

Contact Person : Mr. Frank Zechner, Barrister & Solicitor

Street Address: 24 Beresford Avenue
Toronto, Ontario
M6S 3A8
Canada

Telephone : 416-319-2004

Facsimile : 416-987-6877

E-mail : frankzechner@sympatico.ca

Signed on this 23rd day of December 2021 on behalf of the
Minister of the Environment



Astrid Telasco
Director
Waste Reduction and Management Division
Environment and Climate Change Canada

SCHEDULE 1 (Applicability and Conditions from the Provincial and Territorial Authorities)

Provincial & Territorial Authority	Decisions
British Columbia	<p>We understand Call2Recycle wishes to replace the B.C. manifest form, or movement document, with the PELES. In accordance with the Hazardous Waste Regulation (HWR) made pursuant to the Environmental Management Act (EMA) a person transporting hazardous waste in BC must use the B.C. manifest document (manifest) which is issued by the B.C. government and has a unique B.C. identifying number for shipments from B.C. For the movement of hazardous waste across the BC border, a movement document as defined in the Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations must also be used.</p> <p>While the ministry does not oppose the issuance of the PELES by Environment and Climate Change Canada (ECCC) to Call2Recycle for the transport of hazardous waste outside of B.C., the issuance of the PELES does not mean that the requirements pertaining to the manifest under EMA and its regulations, including the HWR, would no longer apply.</p>

	<p>Should ECCC issue the PELES to Call2Recycle, the ministry wishes the following conditions and provisions be specified in the PELES.</p> <p>For all parties involved in the movement and management of hazardous wastes in B.C.:</p> <ol style="list-style-type: none"> 1. The permit holder and any other party used to handle or manage the hazardous waste in B.C. must comply with the applicable requirements under EMA and its regulations, including the HWR, the Spill Reporting Regulation and the Waste Discharge Regulation. 2. In accordance with section 45 of the HWR, authorized carriers of hazardous waste are required to hold a valid licence to transport hazardous waste issued by the ministry when transporting such wastes by road in B.C. 3. In accordance with section 10 of EMA and section 46 of the HWR, a carrier of hazardous waste must complete, file and carry with them, a manifest while transporting hazardous waste on B.C. roads. 4. Section 46 of the HWR provides that a manifest issued by B.C. must be used for road transportation of hazardous wastes originated or shipped from B.C. In addition, a manifest issued by B.C. or another jurisdiction (federal or provincial) must be used when transporting on B.C. roads for shipments originated outside of B.C.
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	<p>5. The applicable parts of the manifest must be completed in accordance with section 46(4) and (5) of the HWR</p> <p>6. The applicable hard copies of Copy 1 and Copy 3 of the manifest must be submitted to the ministry for hazardous wastes originated from or shipped to B.C.</p> <p>7. Any receiving or intermediate facility must have all the applicable authorizations in order to receive, store or manage the hazardous waste in B.C. Authorizations must be in writing and issued by the ministry.</p> <p>8. The issuance by ECCC of a PELES to Call2Recycle does not constitute an exemption from any of the requirements of the EMA and HWR. The permit holder(s) and/or any other regulated parties may apply for any necessary exemptions or changes in requirements under Section 51 of the HWR.</p>
Alberta	No condition specified.
Saskatchewan	No condition specified.
Manitoba	<p>Manitoba Conservation and Climate has no objections to the proposed PELES Permit No.: EC 21-004 and to the variances to the Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations (XBR) subject to the following conditions:</p> <ul style="list-style-type: none"> • The permit holder, authorized carriers and consignors must comply with The Dangerous Goods Handling and Transportation Act and the regulations thereunder. The requirements to be complied include, but are not limited to, the use and distribution of movement documents and

	<p>the use of licensed transporters with authorization to transport hazardous wastes (as described in section 9 of this PELES).</p> <ul style="list-style-type: none"> Manitoba Conservation and Climate wishes to receive copies of the quarterly reports as required in this PELES [section 10 (4)]. These reports are to be sent to the Hazardous Waste Program, Manitoba Conservation and Climate - Atten: Raj Rathamano at raj.rathamano@gov.mb.ca
Ontario	<p>The Ontario Ministry of the Environment, Conservation, and Parks agrees to the variances of this proposed PELES (EC 21-004) only if the batteries and cell phones are intact. Intact waste batteries that are destined for a waste battery recovery facility and intact waste electrical and electronic equipment destined for a site at which it is to be processed for the recovery of materials are exempted from generator registration and manifesting requirements under Ontario Regulation 347. This exemption does not apply if the batteries are broken or leaking.</p>
Quebec	<p>The validity of the authorization, issued by the Ministère de l'Environnement et de la Lutte contre les changements climatiques to Laurentides Ressource Inc. for their operations won't be valid after December 07, 2023. The company won't be able to receive and process new shipments after that date and they will have to renew their authorization with the Ministère</p>

	de l'Environnement et de la Lutte contre les changements climatiques.
New-Brunswick	No condition specified.
Nova Scotia	No condition specified.
Newfoundland and Labrador	No condition specified.
Prince Edward Island	No condition specified.
Yukon	No condition specified.