Report on the Administration of the *Transportation of Dangerous Goods Act, 1990*

2024

Department of Community Services

INTRODUCTION

The *Transportation of Dangerous Goods Act, 1990* (the Act) is Nunavut's complement of the federal *Transportation of Dangerous Goods Act, 1992*. Where the federal legislation applies to the transportation modes subject to federal jurisdiction (i.e. air, interprovincial or international marine, rail and road transport), the territorial Act applies only to intra-jurisdictional road transport operations.

In the interests of consistency and national uniformity, Nunavut's Transportation of Dangerous Goods Regulations (the Regulations) adopt by reference the federal regulations as they apply to road transport.

Section 62 of the Act requires the responsible Minister to table an Annual Report during the first session of the Legislative Assembly following the year that is subject of the report. The report must describe any:

a) Permit issued under subsection 4(1);

b) Application made under subsection 7(1);

c) Amendment, cancellation or suspension of a permit under paragraph 10(d);

d) Order issued under subsection 31(1);

e) Report made under subsection 34(1);

f) Directive issued under subsection 35(1);

g) Appeal commenced under section 36;

h) Action taken by the Government of Nunavut for the recovery of reasonable costs and expenses under section 38;

i) Proceedings instituted in respect of an offence under the Act or Regulations; and

j) Conviction for contravention of the Act or Regulations.

Permits, Applications and Amendments

Section 4 of the Act allows the Minister to issue permits exempting the transportation of dangerous goods from the application of this Act or the Regulations.

Section 7 provides for the submission, by a carrier, of an application for a permit.

Section 10 gives the Minister authority to amend, cancel or suspend a permit under certain circumstances.

There were no applications for permits and none were issued, amended, cancelled or suspended in 2024.

Orders

Under Section 31(1) of the Act, an inspector may issue an order to the owner or person in charge of dangerous goods if:

- There is a discharge of dangerous goods from a container packaging or vehicle transporting the dangerous goods
- There is a reasonable likelihood of a discharge of dangerous goods from a container packaging or vehicle transporting the dangerous goods; or
- The dangerous goods are being transported in contravention of the Act or Regulations.

An order may require the person to cease transporting the dangerous goods, remove the dangerous goods or take any other measures that are necessary to protect life, health, property or the environment.

No orders were issued in 2024.

Reports of Road Transport Related Discharges

Section 34 of the *Transportation of Dangerous Goods Act, 1990* requires that discharges of dangerous goods be duly reported.

In Nunavut, reports are made to the Northwest Territories-Nunavut 24-Hour Spill Report Line, a service administered through an agreement between Nunavut's Department of Environment, the Government of the Northwest Territories and the federal departments of Crown-Indigenous Relations and Northern Affairs and Environment and Climate Change. The agreement establishes one telephone number to which all spills in Nunavut and the Northwest Territories are reported.

In 2024, there were no transport-related reportable discharge (spill) in Nunavut reported to the 24-Hour Spill Report Line. Under the Regulations, a reportable discharge is a spill that involves a substance classified as a dangerous good under Schedule 1 of the federal *Transportation of Dangerous Goods Regulations*, in a quantity which exceeds the minimum quantity for that class of dangerous good as set out in Part 8 of the federal Regulations.

Details of the discharge are as follows: **N/A**

Directives, Appeals and Actions for Recoveries

Sections 35, 36 and 38 of the Act refer to Ministerial directives, appeals against Ministerial directives and recoveries of public expenditures made to remedy abandoned or discharged dangerous goods.

In 2024 no directives were issued, no appeals to directives were made, and no actions were taken to recover public expenditures.

Proceedings and Convictions

In 2024 the Department of Community Services did not institute any proceedings for violations of the Nunavut *Transportation of Dangerous Goods Act, 1990* or the *Transportation of Dangerous Goods Regulations, 1992*.

No convictions were made for contraventions of the Act or Regulations in 2024.