

# Amendments To The Transportation Of Dangerous Goods Regulations (Emergency Response Assistance Plan)

May 31, 2019

Recent amendments to the Transportation of Dangerous Goods Regulations (the Regulations) seek to enhance response to releases of dangerous goods; to ensure more effective, timely responses to incidents and clarify expectations of handlers and transporters of dangerous goods.

- Those who “handle” or “transport” dangerous goods exceeding specified quantities are subject to the Emergency Response Assistance Plan (ERAP) requirements if there is no one “offering for transport” or “importing” the dangerous goods.
- Applications for approval of an ERAP will now require a “potential incident analysis” that includes, at minimum, the four scenarios set out in s. 7.3 of the Regulations.
- A person with an approved ERAP can authorize another to use it if authorization is provided in writing, without notifying Transport Canada.
- A person who holds an ERAP must implement it when there is a release or anticipated release that endangers public safety.
- A person who is required to report a release or anticipated release of dangerous goods must telephone the ERAP telephone number to report the incident if the expected or actual quantity of the release is in excess of the specified quantities.
- Whenever an ERAP is implemented, an ERAP implementation report must be filed with CANUTEC at 1-888-CANUTEC (1-888-226-8832).
- An incident report must be made in the event of a release or anticipated release of dangerous goods.

[View more information on these amendments](#)

By

[Robin Squires, Nick Hollard](#)

Expertise

[Transportation](#)

---

## BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

[blg.com](http://blg.com)

### BLG Offices

#### Calgary

Centennial Place, East Tower  
520 3rd Avenue S.W.  
Calgary, AB, Canada  
T2P 0R3

T 403.232.9500  
F 403.266.1395

#### Ottawa

World Exchange Plaza  
100 Queen Street  
Ottawa, ON, Canada  
K1P 1J9

T 613.237.5160  
F 613.230.8842

#### Vancouver

1200 Waterfront Centre  
200 Burrard Street  
Vancouver, BC, Canada  
V7X 1T2

T 604.687.5744  
F 604.687.1415

#### Montréal

1000 De La Gauchetière Street West  
Suite 900  
Montréal, QC, Canada  
H3B 5H4

T 514.954.2555  
F 514.879.9015

#### Toronto

Bay Adelaide Centre, East Tower  
22 Adelaide Street West  
Toronto, ON, Canada  
M5H 4E3

T 416.367.6000  
F 416.367.6749

The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns. BLG does not warrant or guarantee the accuracy, currency or completeness of this publication. No part of this publication may be reproduced without prior written permission of Borden Ladner Gervais LLP. If this publication was sent to you by BLG and you do not wish to receive further publications from BLG, you may ask to remove your contact information from our mailing lists by emailing [unsubscribe@blg.com](mailto:unsubscribe@blg.com) or manage your subscription preferences at [blg.com/MyPreferences](http://blg.com/MyPreferences). If you feel you have received this message in error please contact [communications@blg.com](mailto:communications@blg.com). BLG's privacy policy for publications may be found at [blg.com/en/privacy](http://blg.com/en/privacy).

© 2024 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.