



Hazardous Waste Update # 6

Hazardous Waste Transport Licence Application

Financial Security Instructions

Ministry of Environment
Environmental Management Branch
Business Services

September 2006

The ministry requires evidence of financial security prior to issuing, renewing or revising a Hazardous Waste Transport Licence. Financial security conditions and information are outlined below:

A security in the amount of \$10,000.00 (CDN) must be demonstrated by means of an Irrevocable Letter of Guarantee or Credit, a term deposit held pursuant to a Safekeeping Agreement or a Surety Bond.

The Irrevocable Letter of Guarantee/Credit or Surety Bond must be issued by a Canadian chartered bank, trust company, credit union, surety agency or other institution approved by the Director of Waste Management.

The recommended formats must be adhered to. Any deviation from the wording may cause a delay in the processing of the application.

Irrevocable Letter of Guarantee/Credit must clearly identify:

- That the letter of credit is payable to the Minister of Finance;
- The gross amount that may be claimed (\$10,000.00);
- The expiry date;
- The licence number to which the letter applies;
- A brief description of the licence;
- The bank and branch at which a claim may be made;
- That a claim must be paid by the financial institution at any time and from time to time upon written demand from the Minister; and
- The “Evergreen clause”.

Your (or your company’s) liability will not be limited to the amount of the security.

If you (or your company) fail to comply with the requirements of the *Environmental Management Act*, the Hazardous Waste Regulation, or the terms of the licence, the required financial security will be used as necessary to mitigate the consequences.

Any security deposited for a licence will be released within 90 days from the date on which it either expired or was surrendered to the ministry, provided the ministry has determined that you (or your company) have fulfilled all

obligations under the *Environmental Management Act*, the Hazardous Waste Regulation and the terms of the licence.

The expiry date of your licence must coincide with the expiry of your security.

The recommended formats are available for the following:

- Irrevocable Letter of Guarantee/Credit;
- Surety Bond

Other forms of security may be considered, however, the ministry does not accept the following:

- Assignable bonds and notes;
- Bearer bonds and notes;
- Certified cheques; and
- Canadian Savings Bonds