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# Explosives Regulatory Division

CEAEC Update  
November 3, 2022

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# Agenda

1. Overview of the Explosives Regulatory Division Team and Program
2. Status Report on Regulatory Review
3. Update on Key Issues

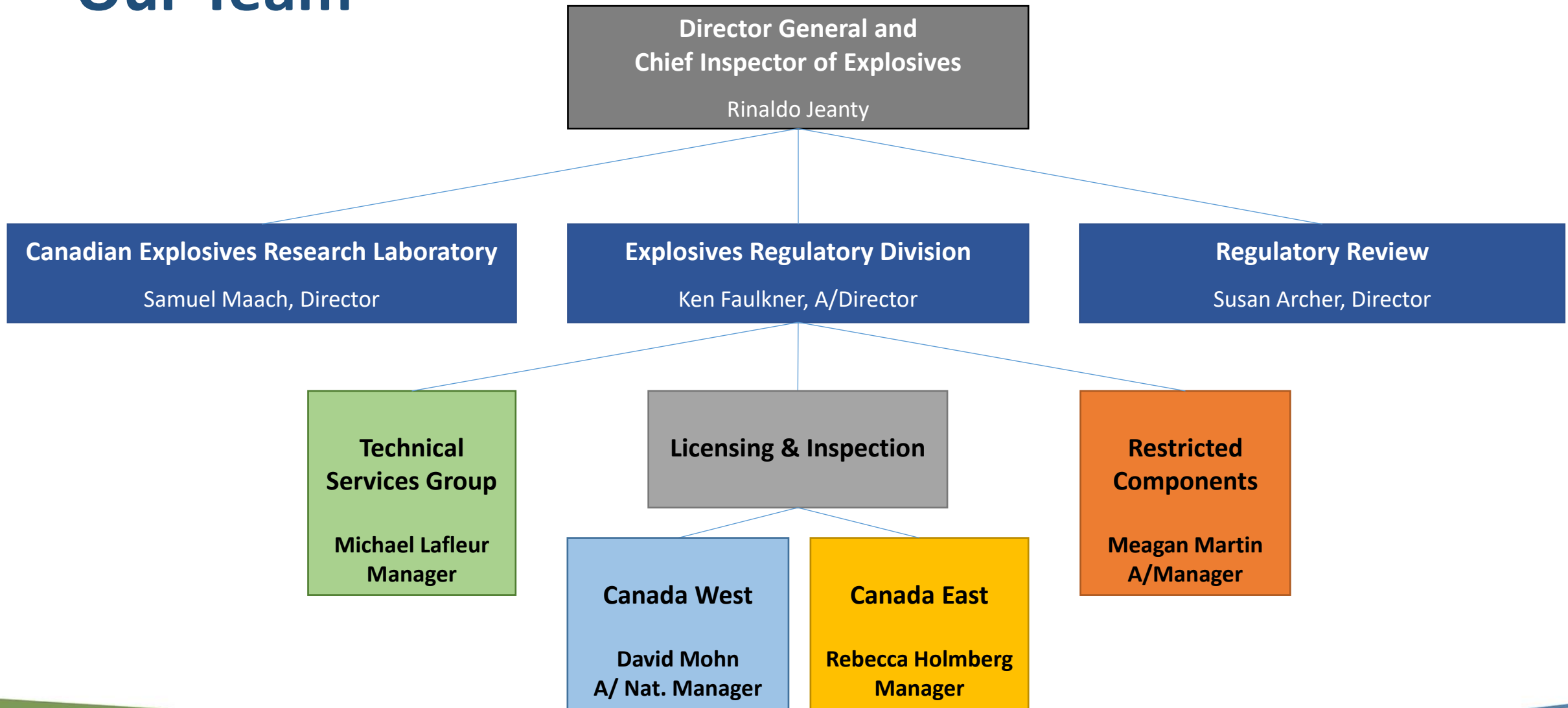


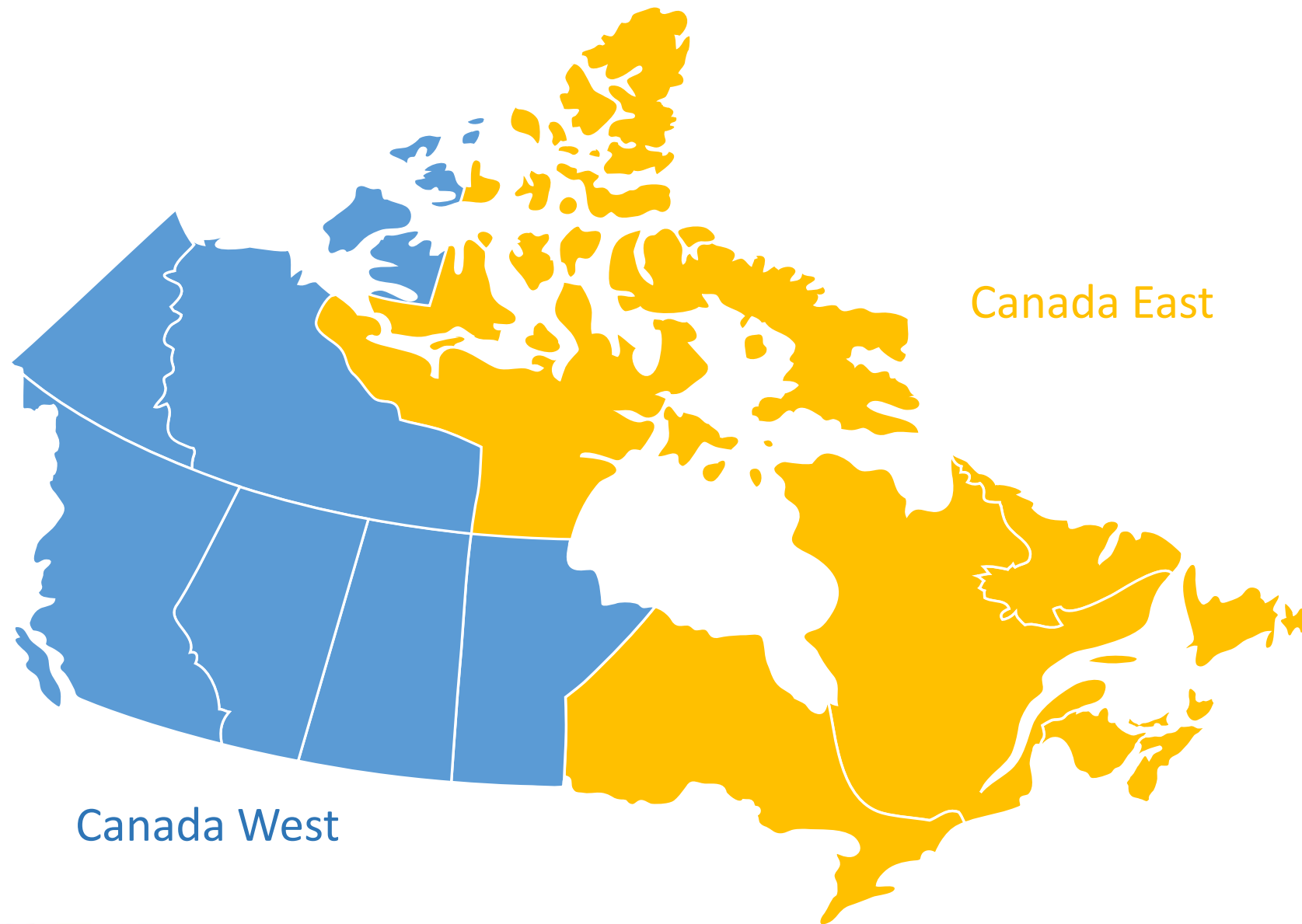
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# Our Team





# Compliance Program

ERD is working to continuously enhance its compliance program

- Expanding Inspector resources
- Ensuring consistency across Canada
- Optimizing the Risk-Based Inspection Plan (RBIP)

What does this mean for you?

- More consistent licensing and inspection program
- More frequent compliance verification via inspection (*e.g.* coverage of remote sites)

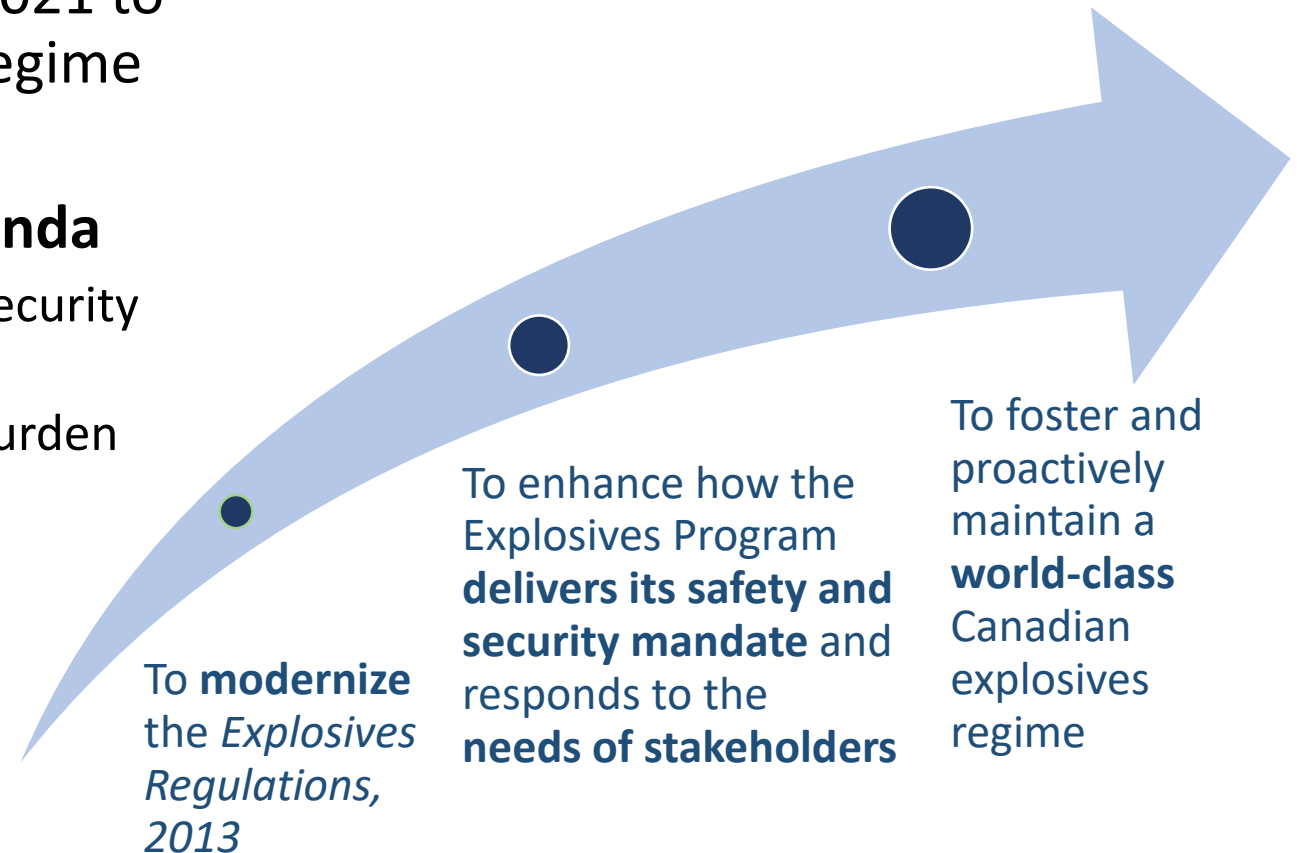


# Regulatory Review

Regulatory Review launched in spring 2021 to modernize the Explosives Regulatory Regime

## Primary Lens: GoC Modernization Agenda

- The right requirements to achieve safety & security mandate
- Eliminate unnecessary admin & regulatory burden
- Performance-based so adaptable to change
- Relevant and future-ready



# Regulatory Plan

Bring forward two consecutive omnibus regulatory amendment packages

## 1. Amendments Package #1: Economic Growth and Enhancing Safety

- Improve efficiency by reducing admin burden, aligning with partners, clarifying intent
- Address safety and security risks

## 2. Amendments Package #2: Program Modernization

- Update licensing and fee regimes
- Explore new requirements and innovation



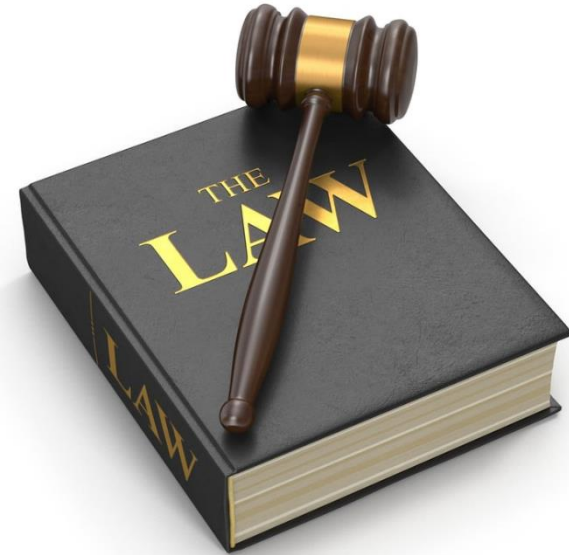
# Status of Amendments Package #1

## Current Status

- Stakeholder consultations held
- Drafting Instructions developed
- Finalizing Impact Assessment

## Next Steps

- Drafting! Goal is to finalize drafting early in New Year
- CGI April 2023
- Adjustments and prep for implementation between Gazettes
- CGII October 2023





# Status of Amendments Package #2

## Current Status

- Policy development to identify amendments and rationale
  - Authorizations
  - Licences, Permits, Certificates
  - Underground manufacturing
  - 'Less Than Truckloads' (LTL)
  - Fees
  - Restricted Components
  - Rocket Motors

### Of Note...

- Some complex issues removed to meet timelines, and added to future Reg plan e.g.
  - *Tracking high hazard explosives*
  - *Equivalent level of safety*
  - *Destruction of expired explosives and explosives packaging*

## Next Steps

- Finalize policy recommendations
- Stakeholder consultation in New Year
- Ultimate goal is CGI in spring 2024, CGII fall 2024



# Current Project Plan

	2022												2023												2024												2025					
Activity	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Package #1 Growth and Enhancing Safety																																										
Policy																																										
Consultation																																										
Triage/CBA/ RIAS																																										
Drafting																																										
Approvals CGI																																										
Revise/Draft CGII																																										
Approvals CGII																																										
Int/Ext Guidance																																										
Package #2 Program Modernization (Licensing and Fees)																																										
Policy																																										
Consultation																																										
Triage/CBA/ RIAS																																										
Drafting																																										
Approvals CGI																																										
Revise/Draft CGII																																										
Approvals CGII																																										
Int/Ext Guidance																																										

# Amendments Package #2 and CEAEC

1. Align with the global standard that Unsensitised Bulk Emulsions are classified as UN3375 and not UN0332

Amendments being explored as part of Package #2 to clarify the regulation of UN3375

2. Change the licence renewal period to two or three years

Amendments being explored as part of Package #2

3. Remove import/export permits for companies and add authority to valid licences

Amendments being explored as part of Package #2. However, a separate import/export permit is still required to allow CBSA to release a shipment across the border, to allow unlicensed entities to import/export, and to track single shipments that may be transported to several different sites

4. NRCan's MPU licensing should focus on process and not on CMVSS components

This is something we could work towards in the future, but does not need regulatory change to realize

5. Combine Division 1 and 2 manufacturing licences

Amendments being explored as part of Package #2. However, wouldn't this disadvantage small manufacturers, and create unnecessary burden for some low risk manufacturing activities.



# Amendments Package #2 and CEAEC

6. Have MPUs be a Division 3 manufacturing process

Amendments being explored as part of Package #2. However, should an MPU be a Division 1 licence?

7. Remove requirement for Division 1 application to include site topography

Amendments being explored as part of Package #2

8. Add a quantified risk assessment as an 'equivalent level of safety', as an alternative to meeting QD

To be explored in a future amendments package

9. Remove requirement to keep lists of PPE for Division 1

Amendments being explored as part of Package #2

10. Expand list of activities conducted underground to include transferring pumping/transfer from an IBC into a process unit and storage of bulk explosives, and use of underground equipment on the surface of the mine site

Amendments being explored as part of Package #2





# Amendments Package #2 and CEAEC

## And from what we heard at the CEAEC AGMs:

1. Industry would like us to explore the tracking of high hazard explosives

To be explored in a future amendments package

2. Industry would like a definition of a mining operation or surface blasting vis-à-vis the provinces

Being explored through review of QD standard

3. Industry would like better access to shared licences

Amendments being explored as part of Package #2



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# Key Issues – Transport of UN3375 in Canada

- CEAEC members who wish to transport UN3375 in Canada under TC's *Equivalency Certificate SH13715* need to seek a Notice of Authorization from NRCan
  - CEAEC members would need to submit a new application through the eLMS containing all required information detailed in the Regulations, as well as Test Series 8 results, if available
  - The technical data would be reviewed and any relevant testing performed by CERL
  - A Notice of Authorization would be issued, to confirm compliance with Special Provision 309 (SP309), detailed in the UN Model Regulations
- Ammonium Nitrate Emulsions, Suspensions or Gels (ANEs) to be considered:
  - Type E.1
  - PE1
  - Not Class 1 for transport, but confirmed to comply with SP309
- ANEs to be regulated under the *Explosives Regulations, 2013* the same as UN0332



# Other Key Issues

## G05-01 Bulk Guideline Review

- Consultation on proposed changes early 2023



## MPU Guideline Review

- To be conducted as part of modernization project scope

## B620 Inspection Requirements for Mine Site 'Captive' MPUs

- No change to policy



# Thank You



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