



Information on the *Prohibition of Asbestos and Products Containing Asbestos Regulations*

If you import, manufacture, sell or use asbestos or products containing asbestos, federal regulations may apply to you.

On December 30, 2018, the *Prohibition of Asbestos and Products Containing Asbestos Regulations* (the regulations) came into force. These regulations will help protect the health of Canadians from the risks of exposure to asbestos.

Prohibitions

These regulations prohibit:

- the import, sale, and use of processed asbestos fibres; and
- the import, sale, use and manufacture of:
 - products, including consumer products, containing **processed asbestos fibres** at any level; and
 - consumer products containing **naturally-occurring asbestos** in greater than trace amounts (see [Trace amounts of asbestos in consumer products: guidance](#) for more information)

These regulations also prohibit the sale of asbestos mining residues that are located at an asbestos mining site or accumulation area for use in construction or landscaping unless authorized by the province in which the construction or landscaping is to occur. They also prohibit the use of asbestos mining residues for the manufacture of a product containing asbestos.

Processed asbestos fibres and products containing asbestos already in Canada

These regulations do not apply to asbestos integrated into a structure or infrastructure before December 30, 2018.

This includes:

- asbestos integrated into buildings and civil engineering works
- products containing asbestos used before December 30, 2018 (such as equipment installed in a facility, vehicles, ships and airplanes)

However, it is prohibited to sell and use processed asbestos fibres or products containing asbestos that remain in inventory and are not installed before December 30, 2018 unless:

- a specific exclusion applies to the activities, or
- a permit has been issued

Exclusions

These regulations include a limited number of exclusions as outlined in table below. In most cases, exclusions apply only when there is no technically or economically asbestos-free alternative available, and include requirements to report and to implement an asbestos management plan. Refer to sections 7 to 14 of the [regulations](#) for more information.

Exclusions	End date	Reporting required	Asbestos management plan required
Disposal	No end date	No	No
Roads	No end date	No	No
Importing military equipment	No end date	Yes	No
Servicing military equipment	December 31, 2022	Yes	Yes
Servicing equipment of nuclear facilities	December 31, 2022	Yes	Yes
Museum display	No end date	Yes*	Yes*
Laboratory use	No end date	Yes	Yes*
Chlor-Alkali facilities	December 31, 2029	Yes	Yes

*Only for processed asbestos fibres

Permits

Permits are available for limited and specific circumstances when there is no technically or economically feasible asbestos-free alternative available. Activities for which a permit may be issued are:

- to import or use asbestos or a product containing asbestos to protect the environment or human health
- to import or use products containing asbestos to service military equipment or equipment in a nuclear facility

Refer to sections 15 to 23 of the [regulations](#) for more information.

Reporting requirements

Reports for excluded activities must be submitted before March 31 of the calendar year following the calendar year in which the activities occurred. For permit holders, the reports must be submitted within 90 days after the day on which their permit expires.

Reports and permit applications should be sent to the address listed under [contact us](#).

Record keeping

Any person who is required to submit a report under these regulations must keep the following for a period of at least five years:

- a copy of the information submitted
- the asbestos management plan if applicable and
- any supporting documents

Evidence of no asbestos-free alternative

For the purpose of reporting or applying for a permit (sections 9, 10, 11 and 16 to 21 of the regulations), evidence that there is no technically or economically feasible asbestos-free alternative available could include information demonstrating one or more of the following:

- alternatives or substitutes do not exist for the specific purpose for which the permit is sought in the application or for excluded activities
- alternatives or substitutes are not economically feasible in the specific circumstances because it is demonstrated they would require significant changes in processes, equipment, storage facilities, training, etc.
- considerable time is required to develop or adapt to an alternative or substitute due to process modification, product certification, performance testing, etc.
- other

Exports

The [*Export of Substances on the Export Control List Regulations*](#) (ESECLR) prohibit the export of all forms of asbestos listed on the Export Control List whether or not it is contained in a product, subject to certain exceptions. For more information about the ESECLR, consult the [*Guidance document for the Export of Substances on the Export Control List Regulations*](#).

Related information

- [*Guidance document for the Export of Substances on the Export Control List Regulations*](#)
- [*Prohibition of Asbestos and Products Containing Asbestos Regulations*](#)
- [*Trace amounts of asbestos in consumer products: guidance*](#)

Contact us:

Chemicals Management Division
Environment and Climate Change Canada
Place Vincent Massey, 10th floor
351 St-Joseph Boulevard
Gatineau, Quebec
K1A 0H3

Email: ec.amiante-asbestos.ec@canada.ca

If you have any questions or concerns, please contact the national or your regional Environment and Climate Change Canada office by email:

Atlantic: ec.promoatlcompro.ec@canada.ca

Quebec: ec.lcpeinfoqc-cepainfoqc.ec@canada.ca

Ontario: ec.promcon-on-compro.ec@canada.ca

Prairie and Northern: ec.promconrpn-compropnr.ec@canada.ca

Pacific and Yukon: ec.asbestospyr.ec@canada.ca

National: ec.amiante-asbestos.ec@canada.ca

CEPA and its regulations are enforced in accordance with the *Compliance and Enforcement Policy for the Canadian Environmental Protection Act, 1999*, which can be accessed online at <https://www.canada.ca/en/environment-climate-change/services/environmental-enforcement/publications/compliance-policy-canadian-protection-act.html>.

This information has been prepared for convenience of reference only and does not have an official character. For the purpose of interpreting and applying the Regulations, users must consult the Regulations on Justice Canada's website: <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2018-196/>.

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