

What do I do with my paint, paint containers, paint scrapings and wash water containing anti-fouling paint residues?

Waste disposal is regulated by the B.C. Ministry of Environment under the B.C. *Environmental Management Act* and its regulations. Antifouling paints and their wastes are subjected to the provisions of the Hazardous Waste Regulation (HWR) because the wastes are expected to classify as hazardous waste according to the definition of hazardous waste in the regulation. Generators of hazardous waste are responsible for the proper disposal of such waste: anyone generating over 100 kg or 100 L of wastes of a pest control product within a 30-day period (i.e. wastes containing residues of antifouling paint) must register with the province as a “generator” and have a generator number (also known as a consignor identification number). However, all quantities of hazardous wastes must be handled, transported, stored, recycled, treated or disposed of according to the HWR.

A copy of the HWR and other related information can be viewed at the following BC MOE Web site:

<http://www.env.gov.bc.ca/epd/epdpa/sw/sw.html>

- Antifouling paint chips are known to be toxic. They are a residue of a registered pesticide (a “pest control product”, with a 5-digit PCP registration number) regulated by the federal Pest Management Regulatory Agency (PMRA, part of Health Canada). Further information on the regulation and registration of antifouling paints is available at <http://www.pmra-arla.gc.ca/>.
- Antifouling paints, their containers and wastes, are specifically included in the definition of hazardous waste in the B.C. *Hazardous Waste Regulations (HWR)*. Section 42 of the HWR contains requirements specific to pesticide wastes. Please note that other sections of the regulation may apply to storage, transportation, treatment, recycling or disposal of the wastes if the specific requirements of section 42 cannot be met.
- Unless analytical testing according to provincial protocols proves that your antifouling paint wastes do not meet the criteria for hazardous waste, the antifouling paint residues **should be treated as hazardous** and handled according to B.C.’s *Environmental Management Act (EMA)*, and the *HWR*. A number of private companies in B.C. provide disposal services for hazardous wastes. Lists of these service providers and contact information may be found in the local Yellow Pages or other industrial/commercial services directories, or by calling the B.C. Recycling Council Hotline at 1-800-667-4321. In addition, the owner of the waste should confirm that the service provider is operating under the provisions of applicable legislation and regulations, including the Hazardous Waste Regulation.
- Empty antifouling paint *containers* with “DOMESTIC” on the label (which can be purchased at retail outlets by anybody) are not hazardous wastes and the empty containers may be disposed of as household/domestic waste. “COMMERCIAL” paint containers must be rinsed as described in the B.C. HWR before they can be disposed of.
- It is a violation of the federal *Fisheries Act* to allow these wastes (“deleterious substances”) to enter the aquatic environment. This applies to the paints, to water from power washing a boat hull, and to paint scrapings, chips, dust and spent abrasives containing paint chips.
- Disposal may be best coordinated by the boatyard. This may provide a cost/benefit relationship wherein boaters would have a convenient place to dispose of their wastes for a fee, and this fee could cover the cost to the boatyard for providing such disposal.

- Typically publicly-operated landfills (by municipalities or regional districts) are mandated to handle only municipal/domestic wastes. Other services, such as Product Care, are designed to deal with *household* hazardous wastes. Hazardous wastes generated at private *commercial* operations must also be dealt with within the private sector. These wastes must be hauled by licensed handlers and are typically taken for disposal at facilities in Alberta or the U.S..
- Product Care (www.productcare.org, 604-592-2972) will take leftover antifouling paint in their original paint cans if the containers are less than 10L in volume and the total volume of paint is not too large. It is advised that you contact Product Care directly to determine whether or not they can handle your volume of paint. Any paint containers labeled “INDUSTRIAL” will not be accepted.

For more information on the disposal of antifouling paints and hazardous wastes, please contact the provincial Ministry of Environment’s nearest regional office

<http://www.env.gov.bc.ca/main/prgs/regions.htm>

The Lower Mainland Ministry office is located at the following address:

Oana Enick
Phone: (604) 582-5332
Environmental Protection-Regional Operations
2nd Floor, 10470 152nd Street, Surrey B.C. V3R0Y3

The Vancouver Island Ministry office is located at the following address in Nanaimo:

Alex Grant
Phone: (250) 751-3191
Environmental Protection-Regional Operations
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