

# Introduction

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This report is published annually by the Government of the Northwest Territories (GNWT) under the *Transportation of Dangerous Goods Act* (TDG Act). The TDG Act came into effect on August 1, 1991, as the territorial complement to the federal *Transportation of Dangerous Goods Act*.

The federal legislation applies to air, marine, rail and road transport, whereas the territorial legislation applies only to road transport operations.

The Minister of Infrastructure is required to table this report annually, as outlined in section 62 of the Northwest Territories (NWT) TDG Act. This report must be tabled during the first session of the Legislative Assembly following the calendar year that is the subject of the report. The annual report must describe:

- Permits and applications made under the TDG Act;
- Amendment, cancellation or suspension of any permits issued under the TDG Act;
- Orders issued under subsection 31(1);
- Reports of road transport related spills made under subsection 34(1);
- Directives issued under subsection 35(1);
- Appeals made under section 36;
- Any action taken by the GNWT for the recovery of reasonable costs and expenses under section 38;
- Proceedings instituted in respect of an offence under the TDG Act or Regulations; and
- Convictions for a contravention under the TDG Act or Regulations.

The following TDG report encompasses the 2021 calendar year.

# Profile of Dangerous Goods on NWT Highways

On-road monitoring of motor carrier traffic is conducted by the Highway Transport Officers in all regions. Highway Transport Officers (HTOs) are trained and designated as Dangerous Goods Inspectors. The GNWT Department of Infrastructure (INF) Compliance and Licensing Division currently employs one Manager and nine HTOs who weigh and inspect motor carrier traffic. Eight of the HTOs are based at the two weigh scale facilities at Enterprise and Inuvik, and one is based out of Yellowknife.

When the weigh scales are open, the HTOs on duty record the types and approximate quantities of dangerous goods moving through their facility by noting the product identification numbers affixed to the vehicles. The volume of specific dangerous goods is determined by averaging the volume for each vehicle configuration and product.

In 2021, 3,950 loaded transports reported to the Enterprise and Inuvik scales for inspection. Of these, 996 were transporting dangerous goods. According to these figures, about 25 per cent of the loaded transport trucks travelling on NWT highways in 2021 were carrying dangerous goods. Hydrocarbon fuels account for the majority of dangerous goods traffic on the highway system.

Traffic data from other sources, most notably the Deh Cho Bridge toll gantry, reported 17,040 northbound trucks in 2021, compared to 16,304 in 2020, a 5 per cent increase. It is likely that the quantities of dangerous goods transported in the NWT increased by similar amounts. On the Tibbitt to Contwoyto Winter Road, there were 6,102 northbound trucks in 2021, compared to 7,072 in 2020, a 14 per cent decrease.

The number of trucks reporting to each of the weigh scales and the number of those trucks carrying dangerous goods is shown in the following table.

Scale	Number of Trucks Reporting at Weigh Scales	Number of Trucks Carrying Dangerous Goods
Enterprise	3,159	875
Inuvik	791	121
<b>Total</b>	<b>3,950</b>	<b>996</b>

The following table lists the dangerous goods most commonly carried by truck transports in the NWT, in litres (L) and kilograms (kg). These quantities are based on the traffic reporting to the weigh scales at Enterprise and Inuvik during hours of operation.

Commodity	Enterprise	Inuvik
Fuel Oil/ Diesel - Heating	24,550,000 L	56,000 L
Gasoline - Automotive	1,850,000 L	960,000 L
Aviation Fuels	1,640,000 L	440,000 L
Propane	1,490,000 L	0 L
Liquefied Natural Gas	0 L	200,000 L
Ammonium Nitrate	500,000 kg	0 kg
Explosives	30,000 kg	0 kg

The number of trucks transporting dangerous goods carried on the four highway ferries is shown in the following table.

Commodity	M.V. Lafferty	M.V. Johnny Berens	C.F. Abraham Francis	M.V. Louis Cardinal
Fuel Oil/ Diesel - Heating	66	14	12	7
Gasoline - Automotive	18	13	33	26
Aviation Fuels	7	13	1	1
Propane	9	0	4	8
Liquefied Natural Gas	3	0	35	35
<b>Total</b>	<b>103</b>	<b>40</b>	<b>85</b>	<b>77</b>

# Permits, Applications and Amendments

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There are provisions in the TDG Act for issuing permits, applications for permits and making amendments to permits. Section 4 allows the Minister to issue permits exempting the transportation of dangerous goods from the application of the TDG Act or the Regulations. Section 7 requires that a permit and an application for a permit must be in writing, in a form approved by the Minister. Section 10 gives the Minister authority to amend, cancel or suspend a permit where they believe on reasonable grounds that the person holding the permit for their employees or agents has contravened the TDG Act or the Regulations or a term or condition imposed on the permit.

There were no applications for permits and none were issued, amended, cancelled or suspended in 2021.

# Orders

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Under subsection 31(1), an inspector may issue an order to the owner or person in charge of the dangerous goods from a container, packaging or vehicle transporting the dangerous goods if:

- there is a discharge or a reasonable likelihood of a discharge of dangerous goods from a container packaging or vehicle transporting the dangerous goods; or
- the dangerous goods are being transported in contravention of the TDG Act or Regulations.

An order issued may require a person to cease transporting the dangerous goods, remove the dangerous goods or take any other measures that are necessary to protect life, health, property or the environment.

There were no formal written orders issued in 2021.

# Reports of Road Transport Related Spills

Section 34 of the TDG Act requires spills of dangerous goods be reported to the NWT Spill Report Line. The 24-hour Spill Report Line is administrated by the Department of Environment and Natural Resources in collaboration with the following federal and territorial departments and agencies:

- Office of the Regulator of Oil and Gas Operations, GNWT
- Department of Lands, GNWT
- Department of Environment, Government of Nunavut
- Inuvialuit Land Administration
- National Energy Board
- Environment and Climate Change Canada
- Canadian Coast Guard, Western Region
- Canadian Coast Guard, Central Arctic Region
- Marine Safety and Security, Transport Canada
- NT Region, Indigenous and Northern Affairs Canada
- NU Region, Indigenous and Northern Affairs Canada

When a spill is reported, the operator on duty decides which of the participating agencies has jurisdiction and passes the information on for response. The Spill Report Line works well in quickly directing a report to the proper agency for a prompt response.

In 2021, two road transport related spills were reported to the Spill Report Line, resulting in 1,241 L of product being spilled. Details of the spills are shown in the table below.

Spill Number	Date	Location	Commodity	Spill Quantity
2021-171	February 18, 2021	Eagle Drive, Yellowknife	Diesel Fuel	1,150 L
2021-048	February 28, 2021	Tibbitt to Contwoyto Winter Road, near Waite Lake	Diesel Fuel	91 L

# Directives, Appeals and Recoveries

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Sections 35, 36 and 38 of the TDG Act refer to ministerial directives, appeals against ministerial directives and recoveries of public expenditures made to remedy abandoned or discharged dangerous goods.

Under subsection 35(1), if it is considered necessary for the protection of the public, property or the environment, the Minister may direct a person engaged in the transportation of dangerous goods to cease any activity or to perform the activity in a manner consistent with the intentions of the TDG Act. Anyone receiving a directive may appeal the directive to the Supreme Court within 60 days, but that person must comply with the directive until the appeal is finally settled.

The GNWT may claim and recover reasonable costs and expenses incurred in taking any measures under sections 24, 33 or 34 of the TDG Act.

Under either the federal or the territorial/provincial TDG legislation, ministerial directives are issued only in exceptional circumstances.

The NWT Minister of Infrastructure was not required to issue any directives and no appeals to directives were made in 2021.

## Citations and Convictions

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In 2021, INF issued two Summary Offence Tickets for violations of the TDG Act and Regulations. These are summarized in the following table.

Section <i>TDG Regulations</i>	Description	Count
1.7	Transporting dangerous goods without applicable prescribed documents	1
4.2	Displaying misleading safety marks	1
<b>TOTAL</b>		<b>2</b>

# Summary

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The number of trucks reporting to the weigh scales in Enterprise and Inuvik in 2021 increased by 23 per cent over 2020. The number of trucks transporting dangerous goods decreased by 14 per cent over the same period.

There were only two road transport-related spills involving dangerous goods that were reported to the Department of Environment and Natural Resources in 2021. The two Summary Offence Tickets issued for violations under the TDG Act and Regulations is a decrease from 11 issued in 2020.

INF will continue to monitor the movement of dangerous goods on the highway system, reflecting the Department's ongoing commitment to highway safety.

