

# Project planning: Applying for Disposal at Sea permit

## Context

This Project Planning document provides an overview of **Disposal at Sea permits** and outlines the key requirements for the permit as well as some tips and suggestions to support applicants in providing a timely and complete application.

## Do you need a Disposal at Sea permit?

If you check one or more of the boxes below, you may need a Disposal at Sea permit. Contact [Disposal at Sea regional offices](#) for additional information.

- You plan to dispose of materials into marine waters (sea or estuarine environment)
- You need to move marine sediments in order to carry out your project

## Overview of permit

In Canada, Disposal at Sea permits are issued by Environment and Climate Change Canada (ECCC) under the authority of section 127 of the [Canadian Environmental Protection Act, 1999](#) (CEPA, 1999). These permits regulate the disposal of substances at sea to minimize harmful impacts on marine environments.

In addition to CEPA, 1999, three other regulations govern disposal at sea:

- [Disposal at Sea Regulations](#) - Set out a list of reporting requirements in the case of emergency disposal, mechanisms for screening waste, and certain jurisdictional boundaries. They also prescribe eligibility for permit renewals and service standards for permit assessments.
- [Disposal at Sea Permit Application Regulations](#) - Set out the minimum information needed to apply for a disposal at sea permit or a permit renewal.
- [Disposal at Sea Permit Fee Regulations](#) - Prescribe permit fees for dredged material and excavated material permits. Application Fees partially cover the cost of assessing permits, while permit fees are exclusively used to monitor the effects of disposal at sea and ensure the protection of the marine environment over time

## Applicability

When any substance<sup>1</sup> is loaded onto a ship, aircraft, platform or other structure and released into the sea or estuarine environment, it is likely to be considered disposal at sea. Dredged sediment is considered to be disposed at sea when released into the marine environment regardless of the method of disposal.

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<sup>1</sup> A substance as defined under CEPA includes any distinguishable kind of organic or inorganic matter, whether animate or inanimate that is capable of being released as a single substance, an effluent, emission, waste or a mixture into the Canadian environment.

Under **Part 7, Division 3 of CEPA**, Disposal at Sea permits may only be issued under the following conditions:

1. **Authorized Substances:** The material to be disposed of must be one of the substances listed in **Schedule 5** of CEPA 1999. These typically include materials like dredged material, fish waste, or inert, inorganic geological matter, among others.
2. **No Feasible Alternatives:** It must be clearly demonstrated that there are no practical alternatives to sea disposal that are environmentally preferable or economically feasible.
3. **Site Selection:** The disposal must occur at designated locations where environmental assessments have confirmed disposal would result in minimal harm to the environment and human health.

The permit may specify any conditions that ECCC considers necessary to mitigate environmental impacts, such as: nature and quantity of the substance being disposed, method and frequency of disposal, authorized site for disposal, any special precautions, and monitoring.

For help to determine if a project requires a permit, contact the [Disposal at Sea regional offices](#).

### **Application Process, Requirements, and Timelines**

#### *Application process*

Application forms and associated completion guides can be found in the [Disposal at Sea permit application guide](#).

The permitting process has 4 phases.

1. **Pre-application:** Consult [Disposal at Sea regional offices](#) to ensure all required pre-application information is provided and the assessment is completed prior to submitting the application.
2. **Submission of the application:** The application information prescribed by the *Disposal at Sea Permit Application Regulations* and supporting documentation must be completed to meet the requirements outlined in CEPA. Please use these [application forms](#) when applying for a permit.
3. **Permit application assessment:** The information provided in the application is assessed by ECCC and other relevant agencies. Once ECCC has notified you that your application is complete, there is a 90-day regulated service standard to reach a permit decision (see *Timelines* for additional information).
4. **Operations:** You may begin project operations on the permit's start date, and in accordance with the conditions stipulated in the permit.

#### *Information and Other Requirements*

Detailed information about applying for a permit and the assessment process can be found in the following waste type-specific guides:

- [Dredged material](#)
- [Excavated material](#)
- [Fish waste](#)

### *Timelines*

For applicants requiring multiple regulatory approvals, including decisions under the [Impact Assessment Act](#), timely and complete applications may allow applicants to consider permit, licence or other authorization requirements during project planning, create opportunities for integrated consultations, increase certainty on timing of permit decisions, and avoid delays.

The time limit for ECCC to process an application is established in the *Disposal at Sea Regulations*. Within 90 days of receiving and acknowledging a complete application, ECCC must either issue a permit or will notify the applicant that the permit has been refused. If a permit is issued, the permit and its conditions must be published on the CEPA Registry, and the start date for loading and disposal at sea is set based on this publication period (up to 14 days following the 90-day review process). The 90-day timeline may not apply in some circumstances, including where additional consultations are required. For more information on circumstances where the 90-day timeline does not apply, refer to section 8.2(3) of the *Disposal at Sea Regulations*.

Disposal at Sea permits are issued for a maximum duration of one year. This means the permit authorizes disposal activities within a specific time frame not exceeding 12 months from the date of issuance. New permits are required for activities continuing beyond that period.

### **Tips and Best Practices**

#### *Tip 1: Start early and engage with regional offices*

- Initiate discussions with your permitting officer as early as possible in the process, especially in the case of dredging and excavation projects.
- Early engagement will help:
  - Confirm if a sediment testing and sampling plan that meets regulatory requirements are needed.
  - Identify suitable existing disposal sites or the potential need for a new disposal site.
  - Identify any consultations that will be required before a decision can be made.
- **Best Practices:** Schedule a pre-application meeting with regional offices to review regulatory requirements and agree on expectations for your sampling and disposal site plans. Use this meeting to clarify any uncertainties and establish a timeline for submitting your complete application.

#### *Tip 2: Identify alternatives to disposal at sea*

- Before applying for a Disposal at Sea permit, evaluate and consider alternatives, such as land-based disposal or treatment, to avoid unnecessary sea disposal.

- **Best Practices:** Work closely with the [Disposal at Sea regional offices](#) to explore alternative options and assess the environmental impacts early in the planning stage.

*Tip 3: Understand overlapping requirements*

- Be aware that obtaining a federal permit from ECCC does **not** exempt you from other permits required under provincial, territorial, or other federal legislations. Check for overlaps and additional requirements to ensure compliance across all jurisdictions.
- **Best Practices:** Create a comprehensive regulatory checklist that maps out all required permits and approvals. Consult with legal or regulatory experts to identify and address jurisdictional overlaps early in your planning phase.

*Tip 4: Plan for Cost Recovery Fees and Deadlines*

- Disposal at Sea permits operate on a cost-recovery basis, with [fees](#) that depend on the volume of material involved. Ensure accurate fee calculations and timely payment to avoid delays in processing.
- Keep in mind that fees change in April of each year based on the previous year's Consumer Price Index. Plan your project accordingly to stay within the 90-day application timeline, 14-day CEPA Registry posting period, and one year validity of the permit.
- **Best Practices:** Use the most recent guidance documents to confirm [fee structures](#) and timelines. Establish a financial tracker to manage cost recovery payments and deadlines, ensuring timely submission of all fees and application materials.

## **Contact Information**

For further details or assistance, reach out to the [disposal at sea regional offices](#). They can guide you through the process, provide clarification, and assist with any specific requirements.