

REPORT NO. 93/001

**REPORT WITH RESPECT TO REVIEW OF A REQUEST FOR INFORMATION  
MADE BY [REDACTED] TO  
DEPARTMENT OF ENVIRONMENT AND PUBLIC SAFETY**

The Applicant is engaged in the business of providing services for the disposal of hazardous wastes and related services. It submitted an application to the Department of Environment and Public Safety for the names and addresses of all generators of hazardous waste who have applied for and obtained a provincial I.D. number from the Department. Such a registration number is required by everyone who has "hazardous waste" for disposal. Under the provisions of *The Transportation of Dangerous Goods Regulations* and *The Hazardous Substances and Waste Dangerous Goods Regulations*, the nature and use of the I.D. number is described by the Department as follows:

"This ID number is obtained from the Environment department, through an application form which identifies the type of waste, who the carrier and receiver of the waste will be, along with their respective provincial ID numbers. Once approved and issued the generator places his/her number on the waste manifest and the shipment can proceed. This waste manifest is the legal document required for these transactions. During the transfer of this waste various copies of the manifest are sent to the generator, carrier, receiver and the environment department to signify the shipment has reached the appropriate destination and disposal method.

If a waste generator wishes to add an additional waste stream to their file, an amendment form is filled out and as long as the applicant has identified a legitimate disposal site the request is processed. A legitimate site is one which has a receiver ID number issued by the appropriate environmental authority. The rationale being that the waste producer has searched and found a licensed disposal operation since he has listed the disposal facilities ID number.

The tracking and enforcement of proper waste transfer is monitored through the ID numbers, and because of this process these ID numbers for generators, carriers and receivers could be viewed as their personal ID numbers similar to the PIC number on your driver's license. Inspectors verify validity of waste shipments and proper registration of individuals through the daily display and monitoring of these numbers."

By letter dated December 8, 1992, the Department advised the Applicant that the information would not be disclosed:

"This information cannot be released because it would be injurious to the enforcement of *The Hazardous Substances and Waste Dangerous Goods Regulations*. The disclosure of this record may also result in financial loss or gain, or prejudice the competitive position of a third party. Information of this nature is exempt from access according to Section 15(1)(b)(i) and Section 19(1)(c)(i) and (ii) of *The Freedom of Information and Protection of Privacy Act*."

Section 15(1) provides that access may be refused if the release could be injurious to the enforcement of an act or a regulation. Upon receiving further information from the Department, it became apparent that it was the I.D. number, rather than the names and addresses of the waste generators that they considered would create a problem under Section 15(1)(b)(i). Consequently, I raised this issue with the Applicant, and the Applicant has agreed that the names and addresses of the generators, without the I.D. number would be acceptable.

Insofar as Section 19(1)(c)(i) is concerned, while it may be argued that disclosure of the information might be of some financial gain or advantage to the Applicant, there does not appear to be any such financial gain to a third party. The definition of third party in Section 2(1)(j) excludes the Applicant. Insofar as Section 19(1)(c)(ii) is concerned, I can see no basis for the suggestion that disclosure of the information will prejudice the position of a third party. Accordingly, it would not appear to be necessary to give notice to third parties under Section 34(1).

If, however, it appears that any of the generators are individuals, then their names and addresses should not be disclosed as this would be personal information within the meaning of Section 24(1)(e).

In view of the fact that the Department has agreed to provide the names and addresses of generators (except individuals) it would not appear necessary for me to make any formal recommendation.

DATED at Regina, Saskatchewan, this 16<sup>th</sup> day of March, 1993.

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**Derril G. McLeod, Q.C.,  
Commissioner of Information and  
Privacy for Saskatchewan**