

Canada's Chemicals Management Plan

GLBTS Integration Workgroup Meeting
December 13, 2007
Chicago, Illinois



Government
of Canada

Gouvernement
du Canada

Canada

Purpose and Overview:

- Provide an overview of the Chemicals Management Plan. This includes:
 - Framing the results of “DSL Categorization” as a driver of change
 - Presenting the Chemicals Management Plan
 - Key Policy Objectives
 - Key Program Elements

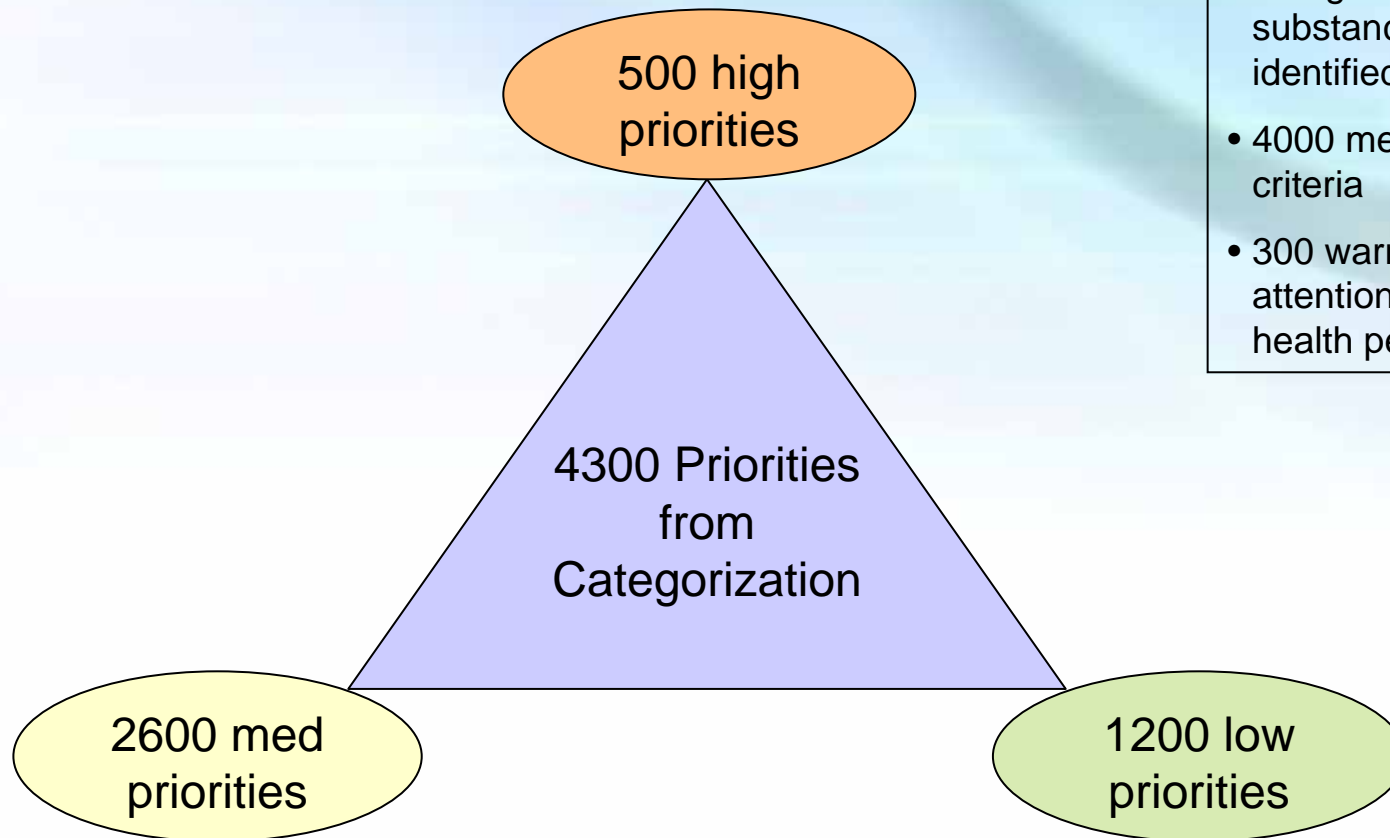


Background

- Managing chemical substances is a fundamental part of the *Canadian Environmental Protection Act, 1999* (CEPA 1999).
- Requires every new chemical substance made in Canada or imported from other countries since 1994 be assessed against specific criteria.
- Provides the regulatory framework and process for risk assessment and risk management of chemicals.
- Government of Canada scientists, in co-operation with industry and health and environmental groups, completed **categorization** of the Domestic Substances List (DSL) by the September 2006 deadline. The criteria for categorization were:
 - May present the greatest potential for exposure to individuals in Canada; or
 - Are persistent (P) or bioaccumulative (B), in accordance with the regulations, and inherently toxic to humans or to non-human organisms, as determined by laboratory or other studies



Results of prioritization



Through categorization, 4300 substances on the DSL were identified for further action

- 4000 met the categorization criteria
- 300 warranted further attention from a human health perspective



Key Objectives of the Chemicals Management Plan

- **Significantly strengthen the existing substances regime:** Categorization established a new information baseline that sets clear priorities for action that are science based
- **Integrate government activities:** The Chemicals Management Plan will strengthen CEPA's coordination with other federal statutes, including: *Hazardous Products Act, Food & Drugs Act, and Pest Control Products Act*
- **Establish government accountability:** The Plan includes regulations that will draw on:
 - Enhanced monitoring and surveillance activities to identify priorities and measure effectiveness of regulatory actions
 - Increased research activities to ensure that action is informed by best available science
 - Enhanced risk communications to Canadians
 - Public web portal to ensure consistent access to information
 - A cyclical update of the Domestic Substances List that will require industry to report on use and volume of substances on the Canadian market
- **Strengthen industry's role in proactively identifying and safely managing risks associated with chemicals they produce and use**



Elements of the Chemicals Management Plan

- Stakeholder feedback during design indicated a clear preference for a phased approach driven by priorities
- The initial focus of the Chemicals Management Plan is addressed through:
 - **Challenge** initiative for high concern substances in commerce
 - **Significant new activity controls (SNACs)** for high concern substances no longer in commerce
 - **Petroleum sector** as a priority with unique risk assessment and management circumstances
 - **Prohibitions** on a set of substances and creation of the virtual elimination list to demonstrate commitment and action by government
 - **Rapid screening** of lower risk chemical substances for market certainty
 - Foundational work (international engagement, science, monitoring, inventory update) to inform and **set priorities for next phase of priority substances**



High priority-substances

Four components are used to manage the 500 high-priority substances under the Chemicals Management Plan:

1. The Challenge for substances currently in commercial use in Canada;
2. Significant New Activity Notice for substances that are not currently in commercial use in Canada;
3. Sector-specific approach for the Petroleum sector;
4. Regulations - prohibitions for substances already identified by the assessment or management process and development of the VE List.



High-priority substances

1. The Challenge

- The Challenge is an assessment and management plan for substances thought to be in commercial use in Canada and that were identified as high priority for action as a result of categorization.
- The Challenge focuses on 195 substances that have been prioritized in terms of the environment and human health.
- Every three months, the federal government publishes substance profiles of the batch in question (15 to 30 substances), the mandatory survey and a questionnaire.
- Industry and interested stakeholders are being invited to submit information in their possession that is relevant to the questions in the survey or questionnaire.
- Lack of information will not prevent the government from implementing measures to protect human health and the environment.



High-priority substances

2. Significant New Activity Notice

- The proof of absence of commercial activity in Canada was obtained following publication of a notice (survey) pursuant to section 71 of CEPA 1999 in March 2006.
- In December 2006, the Government of Canada proposed requirements for significant new activities under CEPA 1999. These requirements will be aimed at the **145** high-risk chemical substances (PBiT) not currently in use in Canada.
- The final decision concerning significant new activities for these substances will be published in **2008**.
- In accordance with these notices, industry must provide information (under the New Substances Program) that will be examined by Environment Canada and Health Canada before any of the chemical substances on the list can be reintroduced into Canada.
- In 2008, the above-mentioned CEPA 1999 provisions will be proposed for certain substances with properties that are inherently dangerous to humans.



High-priority substances

3. Petroleum sector

- Possibility of drawing on sector-specific expertise and cooperating with industry and other stakeholders to manage a large number of substances in an innovative and efficient way.
- High priority petroleum substances were set aside from the Challenge because of the large number of substances that are primarily, if not exclusively, related to the petroleum sector. In addition, most of these substances are **complex mixtures** that may need to be considered differently from discrete substances.
- Emphasis will be placed on collecting information and grouping similar substances for assessment and management purposes, while including synergies with other existing initiatives, such as best management practices, spill prevention, environmental emergencies, etc.
- The high-concern substances will be addressed according to the same timeline as the Challenge (risk assessment in three years, with control measure if appropriate within CEPA timelines).



High-priority substances

4. Prohibitions

Prohibitions were announced in December 2006:

- *Regulations Amending the Prohibition of Certain Toxic Substances Regulations, 2005 (2-Methoxyethanol, Pentachlorobenzene and Tetrachlorobenzenes)* came into force on February 9, 2007
- Proposed *Perfluorooctane Sulfonate, its Salts and Certain Other Compounds Regulations* were published in the *Canada Gazette*, Part I in December 2006
- Proposed *Polybrominated Diphenyl Ethers Regulations* were published in the *Canada Gazette*, Part I in December 2006 as a first step in the risk management of PBDEs in Canada

The Virtual Elimination (VE) List was created:

- VE is the reduction of the quantity or concentration of a toxic substance in a release into the environment below concentrations that can be accurately measured.
- VE applies to substances that are persistent, bioaccumulative, toxic under CEPA 1999 and are predominantly anthropogenic.
- **The VE List was established on December 13, 2006 with the addition of the substance Hexachlorobutadiene (HCBd)**



Medium-priority substances

- Medium-priority substances are scheduled to be officially assessed between **2010** and **2020**.
- With a view to setting priorities, the government is currently working to:
 - create an inventory update process for substances used in Canada;
 - assess industry management practices to negotiate with priority sectors on the possibility of performance agreements in order to encourage early action and promote data sharing.
- The government is planning to hold consultations on the approach for establishing priorities for medium-priority substances in **2008**.

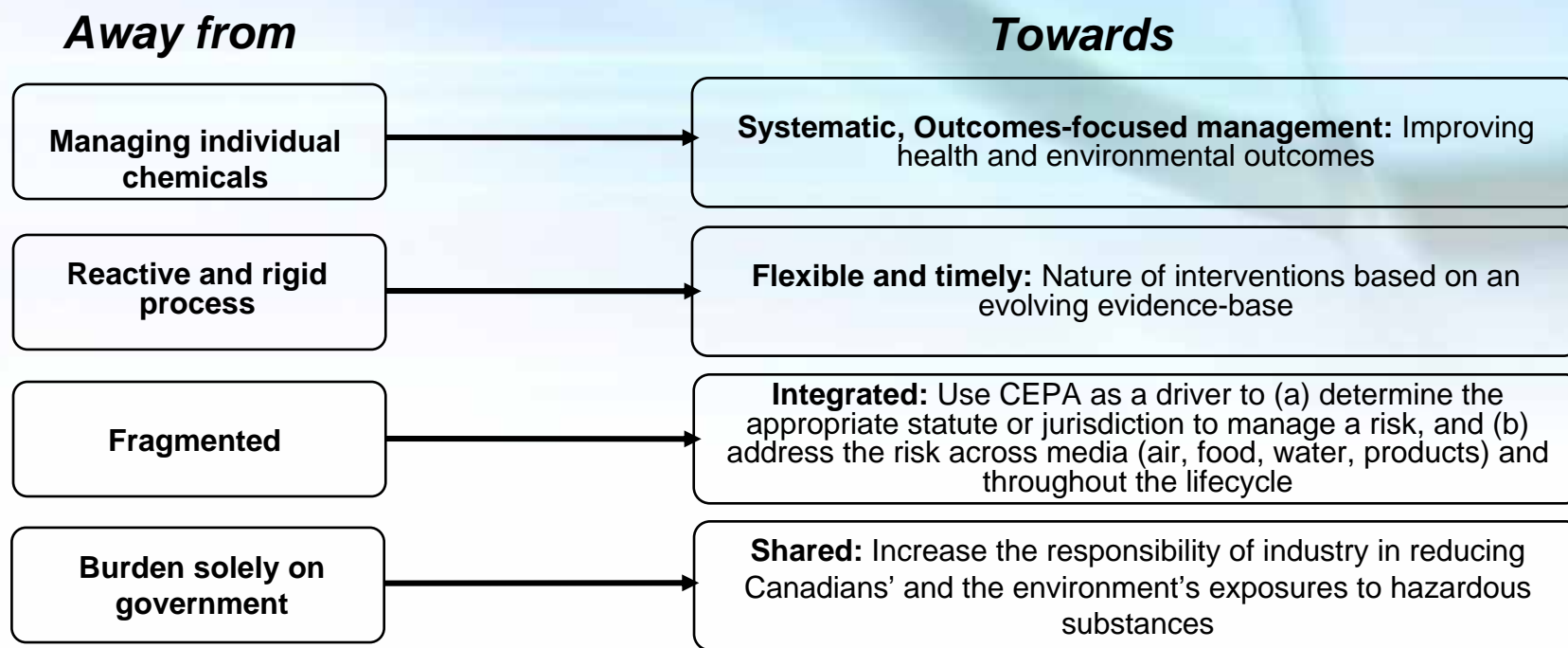


Low-priority substances

- Some substances have met the categorization criteria based on danger, even though many of the substances were not priorities for assessment because of their low hazard potential.
- A summary of the results of the rapid screening assessment of the **1,066** low-risk substances was published in the *Canada Gazette* on **June 23, 2007**. The government is proposing to conclude that **754** of the substances do not meet the criteria as set out in section 64 of CEPA 1999.
- Interested parties had 60 days to provide comments on the document.
- The final decision will be published in **2008**.



Promote an Evolution in how Chemicals are Managed in Canada



Contact Information

- **Chemical Substances Web Site:**
 - www.chemicalsubstanceschimiques.gc.ca
 - **Challenge documentation**
 - www.chemicalsubstanceschimiques.gc.ca/challenge-defi/index_e.html

Contact for Inquiries or Submissions:

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Existing Substances Program

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- **CD ROMS with results of DSL Categorization are available upon request.**

