

July 8, 2022

Christina Paradiso
Executive Director
Chemical Management Division
Environmental Protection Branch
Department of Environment
Government of Canada
351 Saint Joseph Boulevard
Gatineau, Quebec
K1A 0H3

Dear Ms. Paradiso,

Re: Canada Gazette, Part 1, Volume 156, Number 20, Dated May 14, 2022
Prohibition of Certain Toxic Substances Regulations, 2022

With reference to this published document in the Canada Gazette, this formal letter is being written to discuss a new mine and tunneling ventilation product being manufactured by ABC Canada Technology Group Ltd (refer to as "ABC Canada").

Before continuing with additional background information on ABC Canada and our products, we make a formal request for "Confidentiality" under section 313 of the Act. Please acknowledge our request for confidentiality and confirm compliance by your Division and the Government of Canada.

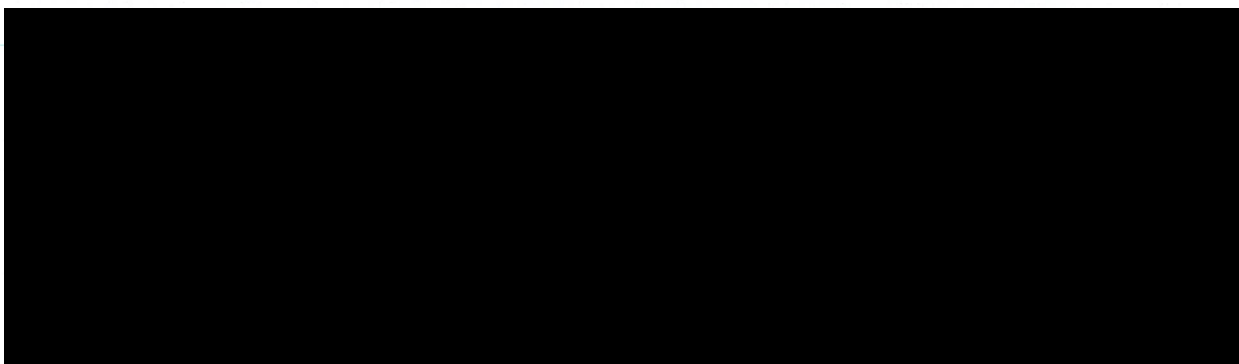
As background, ABC Canada has history dating back over 50 years. We are a private Canadian company, with Saskatchewan ownership and control dating from 1989. Our Corporate Head Office and manufacturing plant is located in Saskatoon, Saskatchewan. We serve the ventilation needs of mining and tunneling customers worldwide and currently employ 135 staff at our facilities in Saskatoon. An ISO registered Company, we have highly regarded brand in the mining industry and our main competitor on the world stage is located in Scandinavia. We are known for our customer service, the quality of our products and our pursuit of efficiency and continuous improvement in mine and tunnel ventilation practises. We currently operate facilities in: Saskatoon, Saskatchewan; Sudbury, Ontario; Winchester, Kentucky; Santiago, Chile; and Johannesburg, South Africa. For additional details, see our website www.abcventilation.com

This letter relates to the new regulation, and the Canadian use of a particular FR additive, specifically, decabromodiphenyl ethane (DBDPE). ABC Canada is filing a formal "OBJECTION" to the new regulation and requests a board of review be established. Our interim goal is a permit or exemption providing a minimum of 10 years to find and develop a new HDPE FR Masterbatch formulation that meets the stringent Energy, Mines and Resources, Canada regulations and the application. With this time period being approved, ABC Canada Technology Group will continue its ongoing efforts to seek a new HDPE FR Masterbatch formulation removing DBDPE, ie. sold under tradename Abemarle Saytex 8010.

It is important to note that ABC Canada is committed to good environmental practises and procedures. We have been manufacturing PVC compounds for over 20 years and have been "proactive" in removing heavy metals and other contentious additives from our PVC formulations. This commitment to the environment is maintained today, specifically as we work with HDPE Masterbatch formulations and develop new ventilation products.

The HDPE RigiFLEX-FR polymer that ABC Canada developed has characteristics to meet the stringent flame retardant requirements of Energy, Mines and Resources Canada regulations relating to underground mine and tunneling use in normal mining environments and separately, another HDPE sheet type (Anti-Static) for use in gaseous mining or tunneling conditions.

Our partner in manufacturing/extruding this proprietary HDPE RigiFLEX-FR sheet is Orion Plastics Inc based in Edmonton, Alberta. In our original research and development efforts, we amended a HDPE FR Masterbatch compound that was originally formulated for use in the manufacture of FR wire and cable products. The formulation was adapted to meet the needs of HDPE sheet extrusion with the Orion Extrusion capabilities. At this time, we are seeking a replacement HDPE FR masterbatch that does not contain DBDPE. However, working with our Canadian and German supply partners and a North American based consultant, we have been unable to find an alternative that can meet the rigorous demands of our Mining and Tunneling application.



As requested, I confirm that to this point in time, no technically or economically feasible alternative is available to replace DBDPE in our polymer. Over the last few years, we have been working diligently to lower the concentration of DBDPE in the final sheet product.



[REDACTED]

Developed and refined over this time period, ABC Canada has introduced a semi-rigid ventilation product called Hardline and it is manufactured from the HDPE RigiFLEX-FR sheet manufactured by Orion Plastics. The extruded sheet is produced in three thicknesses: 0.125-inch, 0.175-inch and 0.250-inch. The HDPE RigiFLEX FR sheets are typically manufactured 60 inches wide and 121 inches long. [REDACTED]

[REDACTED]

The ABC Canada Hardline semi-rigid product line in the current "PRO version" has been patented in Canada and the United States. Appendix I of this letter contains a marketing flyer on ABC Hardline. The flyer provides additional detail on the finished product. [REDACTED]

[REDACTED]

[REDACTED]

It is important to note, in discussing the mining and tunneling industry and innovation, very few "early adopters" exist. When it comes to innovations and new practices, the industry itself is typically viewed as very conservative. However, in certain jurisdictions, especially South Africa, we are seeing quick and speedy acceptance of "Hardline" by the mining and engineering community. [REDACTED]

[REDACTED]

[REDACTED] The additive is manufactured into a HDPE Masterbatch pellet for use by ABC Canada and its partners. These unique

Masterbatch pellets are used by Orion Plastics to extrude HDPE RigiFLEX-FR sheet with the needed properties and characteristics for the application

Our formal "OBJECTION" and request for a board of review and/or subsequently a permit or exemption to the recently published regulation will allow us to seek out over the next 10 years an alternative to our current HDPE Masterbatch formulation using DBDPE.

Thank you for your time and consideration. We would be pleased to answer any questions regarding manufacture of the ABC HDPE RigiFLEX-FR sheet and the Hardline finished products we supply for mining and tunneling use worldwide.

We are looking to move forward and trust this letter provides a clear picture as to the challenges of manufacturing a HDPE RigiFLEX-FR sheet and converting these sheets into the ABC Hardline Ventilation system.

We look forward to receiving your comments and discussing a path forward for our new ventilation product line.

Sincerely,



Don Adams
Senior Director, Materials and Special Projects
ABC Canada Technology Group Ltd.
1802 Quebec Avenue
Saskatoon, Saskatchewan
S7K 1W2

Office: (306) 653-4303
Mobile (306) 241-5521

cc. Mr. James Yausie, President, ABC Canada Technology Group Ltd.
Mr. Stephen Moore, President, Orion Plastics Inc.

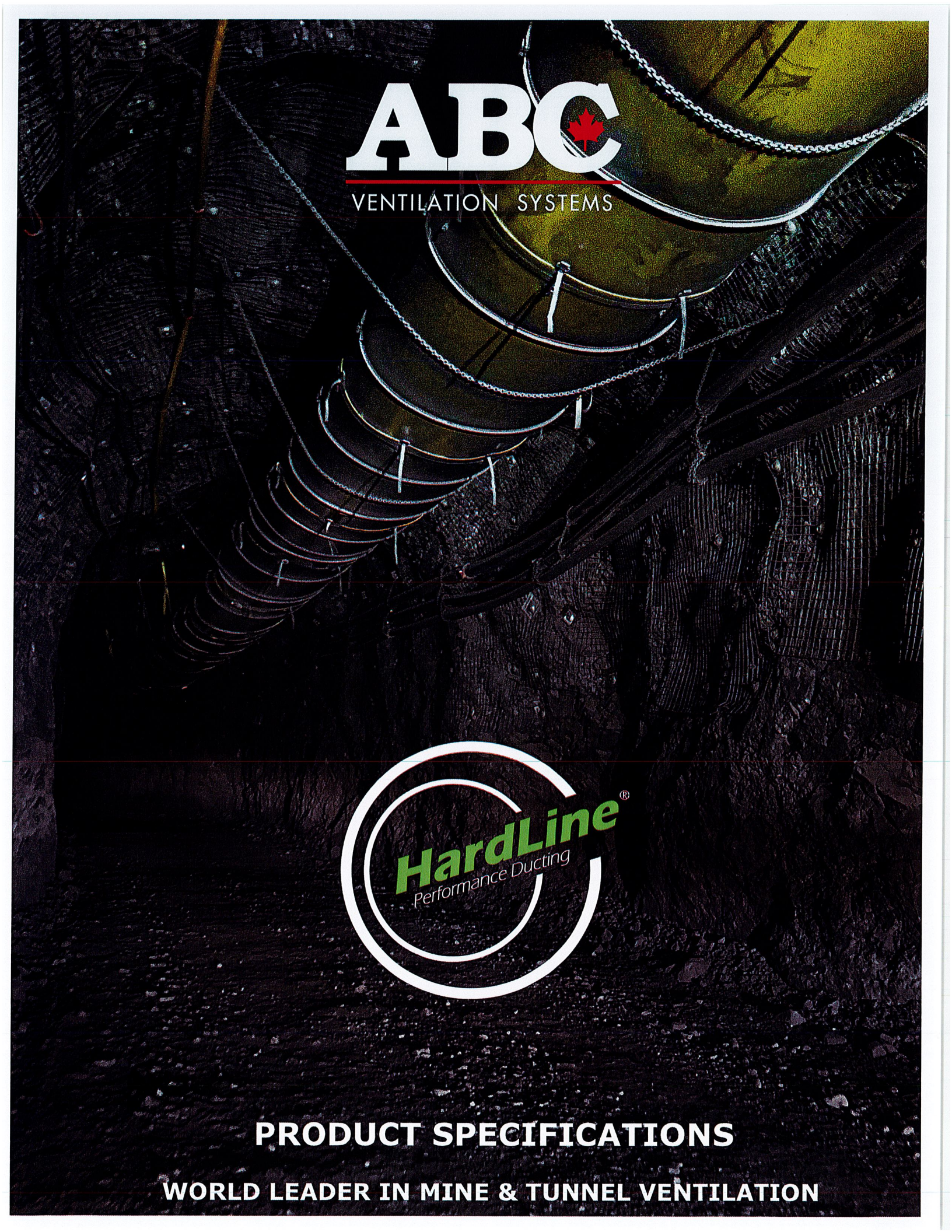
SUBMISSION

**CANADA GAZETTE, PART 1, VOLUME 156
NUMBER 20 DATED MAY 14, 2022**

APPENDIX I

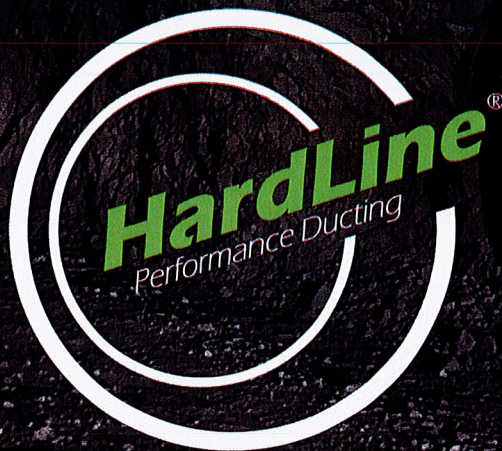
**ABC CANADA VENTILATION
PROMOTIONAL LITERATURE
HARDLINE**

July 11, 2022



ABC

VENTILATION SYSTEMS



PRODUCT SPECIFICATIONS

WORLD LEADER IN MINE & TUNNEL VENTILATION



HARDLINETM
MAX

HARDLINETM
PRO

HARDLINETM
OVAL

MAIN FEATURES

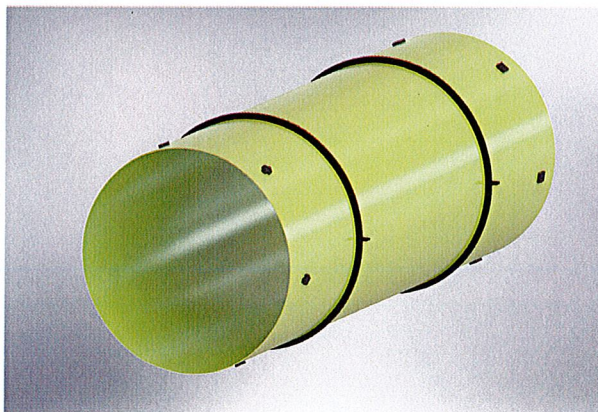
- HardLine is available in Round or Oval in standard sizes from 16" - 72" (405 - 1830mm); Refer to page 2 for Oval Dimensions.
- 8ft (2.44m) and 10ft (3.05m) section lengths available. HardLine Max & Pro can be used for positive or negative pressure systems.
- MSHA and CSA Flame Resistant HardLine is available in high stability safety green color.
- Flame Resistant and Anti-Static (FRAS) HardLine is available in black color.
- A single quick to install coupling system that is shared across all configurations.
- Refer to page 3 for an extensive list of accessories including smooth radius Elbows, Laterals, Wyes, Adapters, Transitions and Dampers.
- HardLine Round is suitable for both positive and negative pressure applications. Refer to Negative Pressure Chart on page 3 for more details.

HardLine Round and Oval Product Options



HARDLINETM
MAX

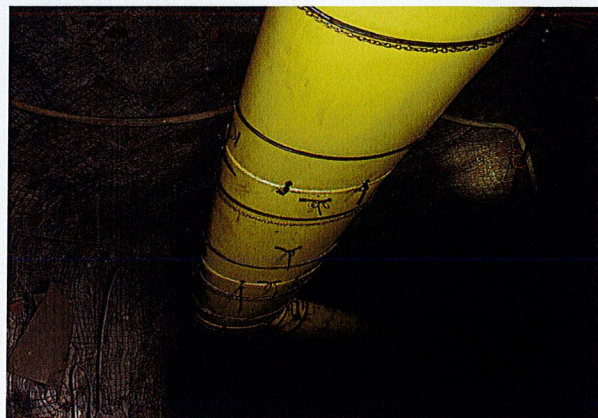
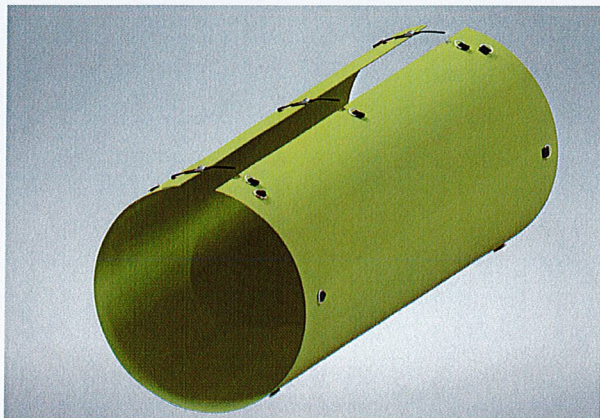
Fully assembled at factory and ready for install once on site.
Available in Round or Oval.





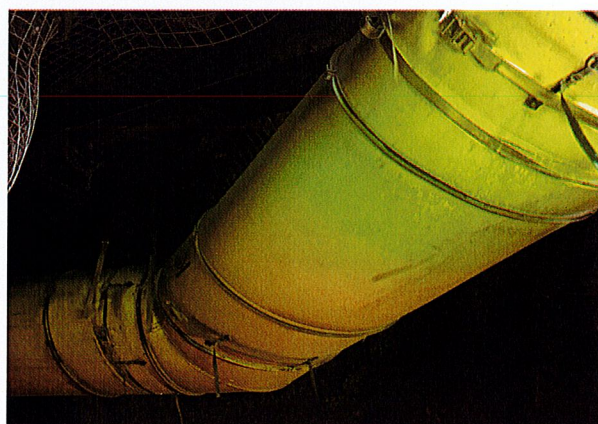
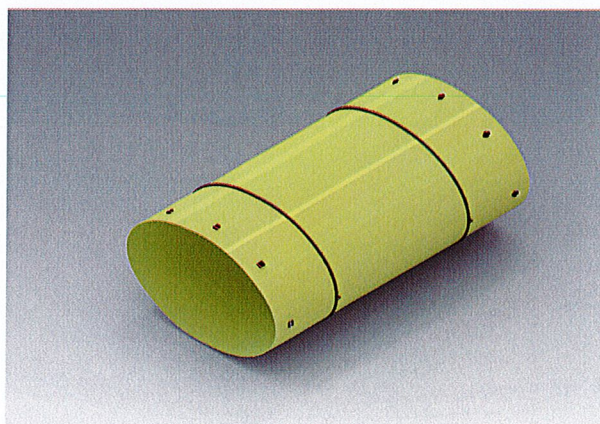
HARDLINETM PRO

Final Installation done on site. Product ships flat for transport cost savings. Available in Round or Oval.



HARDLINETM OVAL

HardLine's semi-rigid wall is formed to an oval shape using structural supports. HardLine-OVAL is available in both Pro & Max.

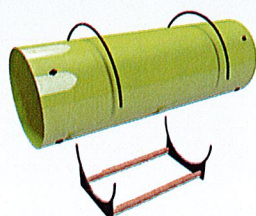


HardLine Oval Dimensions

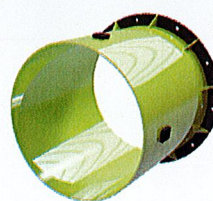
Diameter	18" 450mm	20" 500mm	24" 610mm	30" 760mm	36" 915mm	42" 1067mm	48" 1220mm	54" 1372mm	60" 1524mm
Height	13.5" 343mm	15.0" 381mm	18.0" 457mm	22.5" 572mm	27.0" 686mm	31.5" 800mm	36.0" 914mm	40.5" 1029mm	45.0" 1143mm
Width	22.0" 559mm	24.5" 622mm	29.25" 743mm	36.625" 930mm	44.0" 1118mm	51.25" 1302mm	58.25" 1480mm	66.0" 1676mm	73.25" 1861mm
Equivalent Round	17.2" 437mm	19.2" 488mm	23.0" 583mm	28.7" 729mm	34.4" 874mm	40.2" 1021mm	45.9" 1166mm	51.7" 1313mm	57.4" 1458mm

HARDLINE™ ACCESSORIES

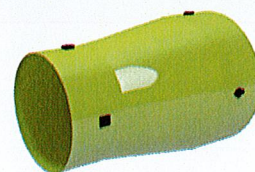
- HardLine accessories are designed for optimum efficiency, durability + low leakage that results in significant air performance advantages over steel, fiberglass and flexible ventilation products.
- A full range of Accessories are offered in diameter from 16" - 72" (405 - 1830mm)



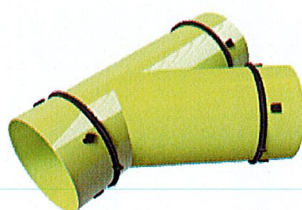
INSTALL JIG



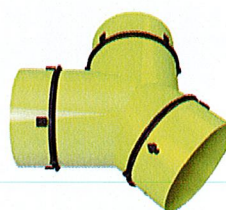
FAN ADAPTER



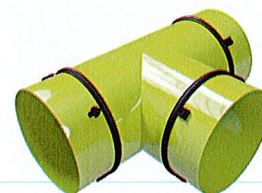
REDUCER



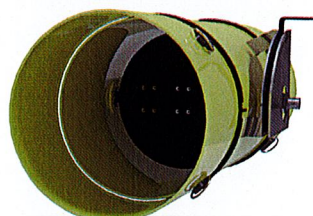
LATERAL



WYE



TEE



DAMPER



HYBRID ELBOW



22.5° ELBOW



45° ELBOW

PERFORMANCE

LOW AIRFLOW RESISTANCE

HardLine Performance Ducting offers a low coefficient of friction and efficient coupling system that results in significant air performance advantages over steel, fiberglass and flexible ventilation products. The comparative chart below outlines the efficiency of HardLine Ducting.

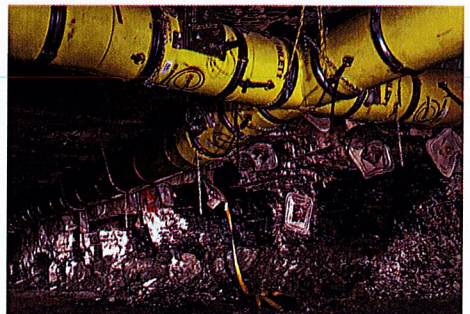
Ventilation Type	HardLine MAX PRO & OVAL	Steel	Fiberglass	Flexible Ventilation Ducting
Airflow Resistance K Factor	7	17	13	17

HIGH EFFICIENCY COUPLINGS

HardLine's telescoping coupling design nests one tube into another to minimize air-leakage in high and low pressure applications.

LOW LEAKAGE

HardLine's easy to use ratchet coupling reinforces and seals each connecting joint to create a highly efficient coupling system.



HardLine Round Maximum Negative Pressure (wg/Pascals)

Diameter	16"* 405mm	18"* 450mm	20"* 500mm	24"*** 610mm	30"*** 760mm	36"*** 915mm	42"*** 1067mm	48"*** 1220mm
HardLine 8' Length	43" wg 10,710 Pa	36" wg 8,967 Pa	31" wg 7,721 Pa	33" wg 8,220 Pa	29" wg 7,223 Pa	18" wg 4,483 Pa	14" wg 3,487 Pa	13" wg 3,238 Pa
Hardline 10' Length	36" wg 8,967 Pa	31" wg 7,721 Pa	27" wg 6,725 Pa	39" wg 9,714 Pa	24" wg 5,978 Pa	15" wg 3,736 Pa	12" wg 2,989 Pa	11" wg 2,740 Pa

* HardLine produced with .175" wall thickness

**HardLine produced with .250" wall thickness

RELIABILITY



MANUFACTURING

The HardLine Advantage starts with quality base materials and consistent manufacturing practices. ABC ensures superior quality, performance and reliability by only using the best, most environmentally responsible raw materials.

HardLine Ducting is manufactured with precision and assembled using fusion-welding technology for high-strength. Our process ensures sizes remain accurate and reliable from specification to installation. ABC annually audits and certifies its processes using the ISO 9001 program.

SYSTEM PRESSURE

HardLine Ducting is structurally supported and designed to withstand various positive and negative, low and high pressure applications. Contact our Sales Engineers for design specifications.

Maximum Positive Burst Pressure

HardLine	24" (610mm)	30" (762mm)	36" (915mm)	42" (1070mm)	48" (1220mm)	54" (1400mm)	60" (1525mm)
IN (W.G.)	563	451	376	322	282	250	225
Pa	140,193	112,193	93,462	80,111	70,097	62,308	56,077

FREIGHT, LOGISTICS & INSTALLATION



WEIGHT AND HANDLING

HardLine is 70% lighter than steel and 30% lighter than standard fiberglass ducting.

Example 42" Diameter	HardLine	Steel (18Gauge)	Fiberglass (Standard)
Weight (Lb/foot)	8.3	27.2	11.6
Weight (Kg/metre)	12.1	40.5	17.3

FREIGHT & LOGISTICS:

HardLine is compressed for shipping and storage, making it less expensive to ship than steel and fiberglass ducting.

Truckload quantities of HardLine vs Steel and Fiberglass

Duct	HardLine-MAX	HardLine-PRO	Steel	Fiberglass
36"	800'	1600'	200'	200'
42"	800'	1600'	200'	200'
48"	800'	1600'	200'	200'
54"	800'	1600'	150'	150'
60"	800'	1600'	50'	50'

ENVIRONMENTAL RESPONSIBILITY



REUSABLE

HardLine Ducting can be reused as required. HardLine Ducting is easily dismantled for relocation or storage.

REDUCING CARBON EMISSIONS

HardLine Performance Ducting compresses down smaller than steel or fiberglass for transportation and storage. The carbon footprint is significantly lowered when transporting HardLine compared with other rigid products. The chart below is an example of area required to ship 42" dia (1070mm) x 80ft (24.4m) of duct.

Duct Diameter/Qty	HardLine-MAX	Steel (18Gauge)	Fiberglass (Standard Duty)	Flexible (22oz)
42" Dia X 80ft (1070mm X 24.4m)	40ft ² (3.95m ²)	140ft ² (13m ²)	140ft ² (13m ²)	19ft ² (1m ²)

COST SAVINGS



ENERGY REDUCTION

HardLine Ducting offers energy reduction by increasing airflow. HardLine utilizes high efficiency couplings to provide lower air resistance and reduced energy costs.

FEWER FANS – MORE AIR

HardLine Ducting requires fewer fans than steel or fiberglass duct to generate and deliver air throughout a mine or tunnel.

FASTER INSTALLATION

HardLine offers a quick-to-install system that requires straightforward skills to deploy.

REUSABILITY

HardLine Ducting can be easily disassembled and reused.

FREIGHT AND LOGISTICS

HardLine Performance Ducting ships compressed or as a flat sheet, allowing product to be shipped at a lower cost and with less carbon emissions than other ventilation options.

SAFETY



FLAME RESISTANT AND ANTI-STATIC

HardLine Ducting is available in flame resistant and anti-static.

COLOR

HardLine Ducting is manufactured in a safety green color for high visibility.

IDENTIFICATION

HardLine products are identified with their respective diameter, length, airflow direction, manufacturing date and work order number.



THE HARDLINE

DUCTING ADVANTAGE



QUALITY



SAFETY



**FREIGHT
SAVINGS**



ENVIRONMENTAL



PERFORMANCE



COST SAVINGS



**FLAME
RESISTANCE**



ANTI - STATIC



**FEATHER
WEIGHT**

ABC VENTILATION SYSTEMS

1802 QUEBEC AVENUE
SASKATOON, SK. S7K 1W2
CANADA

TEL: +1.306.653.4303
EMAIL: SALES@ABCVENTILATION.COM

WWW.ABCVENTILATION.COM

SUBMISSION

**CANADA GAZETTE, PART 1, VOLUME 156
NUMBER 20 DATED MAY 14, 2022**

APPENDIX III

**FORMAL LETTER OF OBJECTION
AND REQUEST FOR BOARD OF REVIEW**

July 11, 2022

July 12, 2022

The Honourable Steven Guilbeault
Minister of the Environment
c/o Christina Paradiso
Executive Director Chemicals Management, Environmental Protection Branch
Department of the Environment
351 Saint-Joseph Boulevard, Gatineau, Quebec K1A 0H3
Email: ec.interdiction-prohibition.ec@ec.gc.ca

Re: Formal Notice of Objection and Request for Board of Review in relation to proposed regulations prohibiting the manufacture, use, sale and import of decabromodiphenyl ethane (DBDPE, CAS Registry Number 84852-53-9) and polybrominated diphenyl ethers (PBDEs) while providing exemptions to the prohibitions, *Canada Gazette*, Part I, Volume 156, Number 20 – May 14, 2022: Prohibition of Certain Toxic Substances Regulations, 2022.

Dear Minister Guilbeault:

ABC Canada Technology Group Ltd writes to express our formal objection to the above-referenced regulatory proposal.

As provided for by section 332(2) of CEPA 1999, our ABC Canada Technology Group is filing this Notice of Objection and respectfully request that a Board of Review be established, pursuant to section 333 of CEPA 1999, to “inquire into the nature and extent of danger” posed by DBDPE and PBDEs for the reasons set out below.

Proposed Risk Management Measures May Lead to Severe Risk to Public Health and Safety

DBDPE performs a valuable function by reducing the flammability of the products where it is used. Those products include not just consumer devices and appliances, but also include airplanes and motor vehicles. In the absence of alternatives, the prohibitions pose a genuine risk of increasing flammability of those products therefore creating a severe risk to public health and safety.

Proposed Risk Management Measures for DBDPE are Not Aligned with Other Regulatory Agencies or Agreements

The proposed risk management measures as set out in the proposed Prohibition of Certain Toxic Substances Regulations, 2022 (the “draft Regulation”) for DBDPE are an outlier globally. No regulatory authority in the world has proposed risk management measures as sweeping as those set out in the draft Regulation. Canada is acting alone to prohibit DBDPE. By way of example, the United States Environmental Protection Agency (U.S. EPA) is not currently conducting a risk evaluation for DBDPE and is not contemplating risk management measures.

ECCC has noted that Canada is a party to the Stockholm Convention on Persistent Organic Pollutants (POP), and that the proposed risk management measures would allow Canada to meet “its international commitments implementing amendments to the Stockholm Convention.” Yet, DBDPE is not listed as a

POP under the Stockholm Convention. ECCC also cites meeting the goals of the Great Lakes Water Quality Agreement as a justification for its proposed risk management measures, even though DBDPE is not listed as a Chemical of Mutual Concern as part of the agreement. Accordingly, neither rationale justifies the proposed risk management measures.

Last, the Final Screening Assessment of DBDPE (the “Final Screening Assessment”) published in the May 11, 2019 Canada Gazette, Part I, as well as the Proposed Order to add the substance to Schedule 1 of the Canadian Environmental Protection Act, 1999 published in the June 29, 2019 Canada Gazette, Part I Notice, and the subsequent draft Regulation are inconsistent with the U.S.-Mexico-Canada Agreement (USMCA), which requires a risk-based approach to chemical regulations.

Any risk management measures for DBDPE need to align with other national and international regulatory bodies and with international agreements to avoid potential unintended consequences that could negatively affect Canadian consumers and businesses operating in Canada.

Proposed Risk Management Measures May Lead to Supply Chain Disruptions

Product manufacturers operate in a global regulatory environment and must take into account a broad range of product safety and design factors. This includes considerations related to product certification, performance, use and end of life, and even chemical registration. These regulatory, design, and performance requirements are addressed through a complex global supply chain for components and subcomponents.

A 2020 socioeconomic study commissioned by ECCC on DBDPE in the Canadian market noted that “at this time, effective fully tested alternatives are not currently known for many critical applications.” ECCC suggests that its consultations with industry stakeholders have helped it develop permits and exemptions to address the lack of available alternatives to DBDPE. However, these permits and exemptions are insufficient in addressing the lack of available alternatives for DBDPE. ECCC notes several times during the draft Regulation that there is a lack of data and certainty regarding cost and availability of alternatives to DBDPE for some critical applications, and consequently that compliance costs have not been estimated for proposed risk management measures affecting wire and cable, automotive products, and other applications.

The engineering and certification of products is a time-consuming process that can take years, and there are considerable financial costs involved in this effort. ABC Canada Technology Group Ltd designs products to meet relevant safety standards and to be safe when used as intended. Given the lack of available alternatives for DBDPE and unknown costs of compliance with the regulatory proposal, ECCC must revise its approach in regulating DBDPE to avoid disruptions to an already overburdened supply chain.

Final Screening Assessment for DBDPE Ignores the “Weight of the Evidence”

Section 76.1 of Canada Environmental Protection Act (CEPA) requires equal weight in the application of both the weight of evidence and the precautionary principle in conducting the evaluation of the scientific evidence relating to any particular substance. Section 76.1 does not give precedence to either of these two principles. The application of the precautionary principle is not stated or intended to govern decision-making.

The conclusion reached in the Final Screening Assessment that DBDPE has the potential to transform into lower brominated products that could pose a risk to aquatic organisms conflicts with the proper application of the weight of evidence approach and has not been substantiated. ECCC reached its conclusion regarding the potential for breakdown of DBDPE based on a theory that the DBDPE would behave in the same way as another flame retardant, decabromodiphenyl ether (decaBDE). That conclusion is inconsistent with the available evidence on DBDPE.

The approach taken by ECCC is contrary to the statutory requirement to apply the weight of evidence approach. DBDPE is very different scientifically and structurally than decaBDE. Thus, the use of decaBDE as a proxy for DBDPE in computer modelling to draw this conclusion of potential breakdown products in the absence of any supporting studies is not appropriate and based on faulty assumptions given their different molecular structures.

The Conclusions of the Final Screening Assessment upon which the Proposed Risk Management Measures for DBDPE Rely is not Supported by the State of the Science

ECCC notes for the Final Screening Assessment that “given the available information on potential human health effects, DBDPE is not a concern for human health.”¹ A comprehensive list of 50 analytical, toxicological, environmental, and pharmacological studies were conducted on DBDPE to evaluate its safety and to register as appropriate in other jurisdictions. These studies were provided to ECCC through the assessment process to assist in the evaluation of this substance. The state of the science as demonstrated by these studies does not support a conclusion that would justify the proposed risk management measures.

In addition to the studies discussed above, there is new scientific information since publication of the Final Screening Assessment in May 2019 that was not available and therefore not evaluated by ECCC or HC during the Screening Assessment. This additional scientific information provides a sufficient justification for the Minister to reconsider the conclusion reached in the Final Screening Assessment that DBDPE is “toxic” under CEPA.

First, in November 2020, an independent third-party review was provided to ECCC of the available scientific reports, as well as the draft and final screening assessments, for the purpose of providing an opinion on the validity of the approach taken and conclusions reached by ECCC with respect to DBDPE. Below are several of the conclusions from the independent review:

- DecaBDE is not a good read-across substance for the purpose of estimating the rate of potential debromination of DBDPE;
- Guidelines and recommendations for applying a read-across approach exist but were not adequately followed by ECCC in the Final Screening Assessment; and,

¹ ECCC, Decabromodiphenyl Ethane (DBDPE) – Information Sheet, <https://www.canada.ca/en/health-canada/services/chemical-substances/fact-sheets/chemicals-glance/decabromodiphenyl-ethane.html#a5.1>.

- The Final Screening Assessment does not include evidence to substantiate that lower-form DBDPE products enter the environment in a quantity or concentration that have or may have an immediate or long-term harmful effect.

Second, the National Academy of Sciences, Engineering, and Medicine (“NAS”) published a study report² in May 2019 to determine if organohalogen flame retardants (“OFRs”) – which includes DBDPE – could be divided into subgroups based on similar chemical structures or physicochemical properties for the purposes of further assessment. NAS recommended dividing 161 OFRs into 14 subclasses. It is noteworthy that in the study, NAS grouped DBDPE and decaBDE into separate subclasses. This finding further supports the position that it is not appropriate to use decaBDE as a surrogate for DBDPE to draw any conclusion regarding potential breakdown products in the absence of supporting studies.

Third, the results of a 2,000-hour study modelling the photodegradation of DBDPE within high impact polystyrene (HIPS) and polypropylene (PP) in the Canadian environment has been shared with ECCC. Conclusions from that study are that DBDPE has a long half-life under realistic photodegradation conditions, any formation of lower brominated products from DBDPE is negligible and are not the species of concern expressed by ECCC, and lower form brominated products can be prevented with the help of ultraviolet absorption and light stabilizers.

The 50 studies previously shared with ECCC, along with new information that has been shared with ECCC since publication of the Final Screening Assessment, does not support either the finding that DBDPE is “toxic” under CEPA or the proposed risk management measures.

Proposed Risk Management Measures for PBDEs do not Align with Global Regulations and Restrictions

As mentioned earlier for DBDPE, it is also important that risk management measures for other substances align with global agreements and regulations. That is true for PBDEs, a group of flame retardants which have largely been phased out in Canada and around the world and are no longer being produced. At present, Canada already prohibits the manufacture, use, sale, offer for sale, and import of PBDEs, including decaBDE, and all products that contain PBDEs except for manufactured items. Canada’s current regulations for PBDEs are largely consistent with international regulations for PBDEs.

ECCC proposes eliminating the exemption allowing the manufacture, use, sale and import of manufactured items containing PBDEs with a few exceptions. In addition, the presence of each PBDE congener (e.g., decaBDE, octaBDE, etc.) in a substance, mixture, polymer, or resin is proposed to be incidental at a concentration less than or equal to 10 parts per million (ppm). The presence of PBDE congeners in all other products is proposed to be incidental when the total concentration of all congeners is less than or equal to 500 ppm.

In contrast, the European Union’s Restriction on Hazardous Substances (RoHS) requires electrical and electronic products to contain less than 1,000 ppm or 0.1% of PBDEs. Further illustrating the complexity in finding alternatives for some substances, although five PBDEs are listed as POPs by the Stockholm

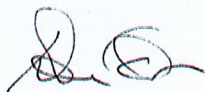
² National Academies of Sciences, Engineering, and Medicine. 2019. A Class Approach to Hazard Assessment of Organohalogen Flame Retardants. Washington, DC: The National Academies Press. doi: <https://doi.org/10.17226/25412>.

Convention, all of them still have some specific exemptions on a time-limited basis. U.S. EPA is also considering additional risk management measures for decaBDE, with a proposal for a new rulemaking expected in Spring 2023.

The proposed risk management measures for PBDEs could put Canada at odds with some of its largest trading partners and consideration should be given to global regulatory alignment, circularity goals, and potential disruptions to critical sectors in the country.

Based upon the facts and arguments set out above we ask the Minister to appoint a Board of Review to "inquire into the nature and extent of danger" posed by DBDPE and PBDEs.

Sincerely,



Mr. Don Adams
Senior Director, Materials and Special Projects
ABC Canada Technology Group Ltd.
1802 Quebec Avenue
Saskatoon, Saskatchewan, Canada
S7K 1W2

Office: (306) 653 4303
Mobil: (306) 241-5521

cc. Mr. James Yausie, President, ABC Canada Technology Group Ltd.
Mr. Stephen Moore, President, Orion Plastics Inc.