

The Honourable Jonathan Wilkinson, P.C., M.P.  
Minister of the Environment  
c/o The Executive Director Program Development and Engagement Division  
Department of the Environment  
Gatineau, Quebec K1A 0H3  
[eccc.substances.eccc@canada.ca](mailto:eccc.substances.eccc@canada.ca)

**RE: Notice of Objection and Request for Board of Review in relation to the Proposed Order to add plastic manufactured items to Schedule 1 to the *Canadian Environmental Protection Act, Canada Gazette, Part I, Volume 154, Number 41: Order Adding a Toxic Substance to Schedule 1 to the Canadian Environmental Protection Act, 1999***

CB Supplies Ltd. is a master distributor and manufacturer of plumbing goods with 4 locations in Canada, and we have been in business since 1962. We employ over 100 Canadians and are a contributor to the Canadian economy. We manufacture millions of feet of polyethylene pipe for plumbing purposes every year. We believe in creating a sustainable circular economy for the plastics industry; our flagship product is PE-RT pipe which is recyclable.

CB Supplies Ltd.

- formally objects to the Proposed Order
- requests the establishment of a Board of Review to review the recommendation

**Deviation from Established Process**

The final science assessment of plastic pollution is not / does not fulfill the requirement for:

- a screening assessment, and/or
- a screening assessment of all 'plastic manufactured items' (insufficient basis for the broad category identified in the Proposed Order)

A draft screening level risk assessment (DSLRA) would:

- have a different conclusion;
- would not have led to such a broad designation;
- show a significant weight of evidence to suggest that the risk to the environment is not from plastic manufactured items; and
- show that the risk is not related to the physical/chemical properties of the designated items
- show that comparable non-plastic materials have a similar environmental impact

Other inconsistencies in established CMP process for adding substances to Schedule 1:

- Not offered for public comment in draft form
- Insufficient amount of review and transparency

**Consideration of Cause, Risk, and Exposure**

The Proposed Order

- not as specific as Science Assessment, which correctly identifies the potential harm of plastic pollution in the environment

- applies to every single piece of plastic in Canada, without exception, regardless of how it is disposed

#### Risk to the environment

- does not come from the item, but from behaviours, decisions and/or contract obligations of consumers, waste management groups and municipalities.
- Intervening steps that must occur before alleged risk to environment presents:
  - o the plastic manufactured item has to be used by a consumer;
  - o the plastic manufactured item has to be improperly disposed of;
  - o poor municipal waste management practices could also contribute
  - o lack of recycling availability
- Declaring plastic manufactured items as toxic when these acts contribute to the adverse outcome ignores the true cause(s) of the unacceptable risk **OR** The true cause(s) of the unacceptable risk are disregarded in this proposal

Tradition of CMP: materials are not found to be toxic when the exposures of concern do not emanate from an intended use

- the identified risk does not come from the plastic item itself; it is from disposal after intended use.

#### Science Approach Document

- published without a complete view of the best available science **OR** lacks a comprehensive review of scientific literature
- DSLRA approach would have:
  - o led to a more fulsome review of scientific literature and application/contextualization to pollution in Canada
  - o would not have concluded that all plastic manufactured plastic items have the potential to cause ecological harm
- designation must be more precise to target individual concerns
  - o identifying where the source of microplastics are actually coming from
  - o the impacts of specific plastics product, rather than the entire industry viewed as a whole

#### **Strengthening Science in Decision-Making**

##### Scientific panel

- should be established to review government's work
- has no vested political interest in the outcome of the investigation
- government admitted to scientific gaps in Science Assessment that preclude the ability to conduct a quantitative risk assessment – panel could fill these gaps
- Moving ahead with significant data gaps is not overly precautionary
- consistent with the Prime Minister's instructions in the Minister's mandate letter to ensure that "(t)he Government of Canada is committed to strengthen science in government decision-making and to support scientists' vital work."
- ECCC's *Economic Study of the Canadian Plastic Industry, Markets, and Waste (2019)* indicates that plastic leakage (pollution) into the environment from Canada is 1 per cent.

This entire process and proposal from the government seems unprepared, rushed, and ill-advised from a scientific perspective. The changes you are proposing to make will have substantial impacts that you are not aware of and not accounting for. The plastics industry is extremely diverse and should not be whole grouped together for a single legislative action. This type of issue is one that should be tackled by both the public and private sector. The government should be working with the industry, rather than against it.

Sincerely,

A handwritten signature in blue ink that reads "Chris McNeil". The signature is written in a cursive, slightly slanted style.

Christopher McNeil  
Director of Operations  
CB Supplies Ltd.