



APR 21 2021

Dan Felton
Executive Director
AMERIPEN
1000 Westgate Drive, Suite 252
St. Paul MN 55144
U.S.A.

Dear Dan Felton:

I am responding to the Notice of Objection and request to establish a Board of Review that you filed on behalf of AMERIPEN regarding the proposed Order to add plastic manufactured items to the *List of Toxic Substances* in Schedule 1 to the *Canadian Environmental Protection Act, 1999* (CEPA). The proposed Order was published in the *Canada Gazette*, Part I, on October 10, 2020.

Subsection 332(2) of the CEPA states that any person may file a Notice of Objection requesting that a Board of Review be established. As set out in subsection 333(1) of CEPA, the mandate of a Board of Review in this instance would be to inquire into the nature and extent of the danger posed by plastic manufactured items.

I have fully and carefully considered the issues set out in your Notice of Objection. As your Notice did not contain any scientific information, it did not raise sufficient uncertainty or doubt in the scientific considerations underlying the proposed Order to warrant the establishment of a Board of Review. I am therefore denying your request and I will not establish a Board of Review. The scientific considerations that underlay the proposed Order are related to the ability of macroplastics to have an immediate or long-term harmful effect on the environment or its biological diversity as set out in section 64 CEPA.

With regard to the non-scientific issues raised in your Notice of Objection, these are being considered alongside other comments received on the proposed Order and will be addressed in the Regulatory Impact Analysis Statement that is published with the final Order.

I appreciate your bringing AMERIPEN's concerns to my attention.

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Please accept my best regards.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jonathan Wilkinson', written in a cursive style.

The Honourable Jonathan Wilkinson, P.C., M.P.