



December 09, 2020

The Honourable Jonathan Wilkinson, P.C., M.P.
Minister of Environment and Climate Change Canada
c/o The Executive Director Program Development and Engagement Division
Department of the Environment
Gatineau, Quebec K1A 0H3
eccc.substances.eccc@canada.ca

Dear Minister Wilkinson,

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 published Saturday, October 10th, 2020 <http://www.gazette.gc.ca/rp-pr/p1/2020/2020-10-10/html/reg1-eng.html>

This submission responds to the October 10th, 2020 Gazette Notice (“Notice”) in which the Governor in Council, on the recommendation of the Minister of the Environment (“Minister”), proposed an Order to add “Plastic Manufactured Items” to Schedule 1 of the Canadian Environmental Protection Act, 1999 (“CEPA”) (hereafter referred to as “Proposed Order”). PH Tech formally objects to the Proposed Order, and requests that you establish a Board of Review under section 333 of the Canadian Environmental Protection Act (the Act) to review the recommendation.

As the Canadian government is planning to deem plastics as toxic under Schedule 1 of the Canadian Environmental Protection Act (CEPA), we are writing to you today from PH Tech to express our opposition to any proposed regulation on this matter, and specifically, to note the lack of reliable scientific evidence to support this action from the government, and the absence of a robust and thorough consultation with both industry and the public on this matter.

PH Tech is a Quebec based company who manufactures PVC extrusions for windows and doors and assembles vinyl patio doors. We have 3 plants, 2 located in Canada and one in the US. We have 250 employees, 80% working in Canada. We export over 40% of our products to the US, the Caribbean, Japan and the EU. About 90% of our production rejects are recycled internally and the remaining 10% also get recycled in the PVC industry. Our products have a long-life cycle (more than 25 years) and can be recycled more than once at their end of life. They are highly energy efficient and contribute to lowering green gas emissions through enhanced building performance.



We believe it is important to lower pollution and recycle in general. To that effect, we have invested heavily over the past 10 years to introduce recycled content in our products.

However, we think Government must make a difference between single use products as first designated in the proposition (bags, straws, stir sticks, 6 pack rings, cutlery, food packaging and service ware) and plastic products at large. Not all plastic manufactured items have the potential to cause the ecological harm identified in the science assessment of plastic pollution. Vinyl is inert and has been proven safe for water pipes, medical tubing and blood bags, amongst other things. The current approach by regulators to make a blanket determination that all plastics are “toxic” and to potentially ban these products is a potential risk for the industries and for every Canadian. The enormity of the consequences will be devastating to our lives and to our economy. We are particularly worried that if single use wrapping material are banned, there could be damage to our products during freight all the way to installation.

We are concerned that if the Order goes forward, it could create trade barriers. Given that we export over 40% of our products, any trade barriers or anything that can cause questioning of our products being “toxic” from our foreign partners is of great concern and could create a lot of economical damage.

Plastics are everywhere in our life, from our clothes to everyday products, as well as in medical devices, communication, transportation, building materials. In our Covid-19 pandemic battle, everybody knows the importance of plastics as well as Vinyl products. Plastic products are well known, safe, durable, with low carbon footprint. There is a long list of positive impacts that have been well demonstrated over many decades.

We therefore, and respectfully, ask you to stop all current actions designed to insert this regulation on Schedule 1, which is a substance list, not a list for "plastic manufactured items", and to honor your responsibility to citizens to pursue the necessary due diligence in accordance with appropriate "risk assessment" protocols. We believe that this kind of decision should be taken in the light of all science available which is not the case here.

We believe the establishment of a scientific panel to review the work of the government is required in order to select the right products to be considered as dangerous for health.

It is also of great concern that the current narrative on plastics from the Canadian government seems to mislead the public into believing that all plastics are “toxic”, which they are not. This does not help us in our day-to-day recruitment challenges in a situation where there is a lack of labor. It also creates issues with existing employees who will be worried to work in a “toxic” company. We hope that the Canadian government will be careful in their communication about the subject of plastic pollution to ensure that the public understands the issue completely.



We ask you to please seek solutions that will bear positive outcomes rather than bans. Waste of all kinds will be a societal concern for centuries to come, and with the expected and significant growth in the global population in the coming 25 years, we must find solutions for all waste. Vinyl is recyclable. Government should work on making sure that the recycling facilities exist and that the products make it there, not on banning the products.

We think that there are potentially tens of thousands of jobs waiting to be created to address the management of waste of all materials in society, not just plastic. We encourage the Canadian government to show long-term leadership in this milieu and lead the way to a cleaner and greener society by developing the recycling capabilities so Canada will be viewed as a leader and as a reference for other countries.

We are available to discuss this matter at your earliest convenience. We would appreciate confirmation of receipt of this email.

Sincerely,

Caroline Dallaire

President

PH Tech inc.

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