

Summary of Public Overarching Comments Received on the Proposed Risk Management Approach Documents for Batch 4

Overarching comments on the proposed risk management approaches for Batch 4 to be addressed as part of the Chemicals Management Plan Challenge were provided by the Canadian Environmental Law Association, Chemical Sensitivities Manitoba, and Inuit Tapiriit Kanatami. The table contains a condensed version of each comment and a response in non-technical terms.

A summary of comments and responses is included below, organized by topic:

- [Vulnerable populations](#)
- [Reporting thresholds](#)
- [Product information](#)
- [National pollutant release inventory](#)
- [Preventive approach to risk management](#)

TOPIC	COMMENT	RESPONSE
Vulnerable populations	Substances that are persistent, bioaccumulative or a known or suspected carcinogen, genotoxin or mutagen should be restricted or banned under CEPA 1999 criteria. Particular attention should be paid to long-range transport of substances that affect the health of the Inuit or Arctic environments.	Available information on Inuit or the Arctic environment exposures is considered in risk management documents and when developing risk management tools or instruments. Although prohibition is an option for substances that meet CEPA 1999, section 64 criteria, where there is little or no exposure to Canadians, other management options may be used. For example, the Government of Canada implements regulations or controls to limit and/or prevent increased exposures when there are new uses of the substance.
	The Government of Canada should address issues raised in previous public comments about making risk management documents more meaningful to Inuit.	The Government of Canada continuously seeks ways to improve information sharing and communications with stakeholders. This helps reduce exposure risks, and management actions that protect the environment and the health of Canadians. Where risks to Inuit or northern communities are identified due to

TOPIC	COMMENT	RESPONSE
		substance exposure, recommendations on addressing the risk are included in risk management documents.
Reporting Thresholds	All uses regardless of volume should be reported on the section 71 Notices. The removal of the reporting thresholds will allow the quantity used by multiple users, below threshold, to be considered.	The 100 kg/year threshold is consistent with that required for the New Substances program notifications. Stakeholders engaged in activities that use substances are encouraged to fill out the Challenge Questionnaire, even if they are not subject to the section 71 Notice. All submitted information is considered in risk assessments and in the risk management approaches.
Product Information	Importers should be required to provide a list of substances and residuals found in imported products. Products containing substances listed in Schedule 1 of CEPA 1999 should not be allowed into Canada.	<p>Imported products are subject to the same reporting requirements as domestic products with regard to content disclosure.</p> <p>To address risks identified in screening assessments for Schedule 1 substances, a wide variety of risk management options are considered (e.g. regulation, pollution prevention plans, significant new activity notification). These options include protecting the environment and human health by preventing import of Schedule 1 substances and/or products containing these substances. Considerations in the process of making decisions relating to the protection of the environment and human health include the nature of the environmental or health risks, and social, economic and technical matters.</p>
The National Pollutant Release Inventory	National Pollutant Release Inventory (NPRI) reporting thresholds should be removed for all substances that meet section 64 of CEPA 1999 criteria. The Government of Canada has been slow to make changes to the NPRI regarding Chemicals Management Plan substances.	<p>Any party (person, government or organization) in Canada may submit a proposal to Environment Canada for changes to the NPRI program. Please see the guidance document titled “Modifying the National Pollutant Release Inventory: A Guide to the Procedures to Follow When Submitting Proposals and A Description of the Stakeholder Consultation Process”, available at: http://www.ec.gc.ca/pdb/npri/documents/html/2000_Modify-Final_e.cfm</p> <p>Changes to the NPRI are made according to the criteria set out in the</p>

TOPIC	COMMENT	RESPONSE
		<p>guidance document, available at: (http://www.ec.gc.ca/inrp-npri/default.asp?lang=En&n=EF5F32DD-1#steps).</p> <p>Substances that meet section 64 of CEPA 1999 are given high priority in NPRI consultations, and changes to the substance list may include addition, modification or removal of substances, and changes to threshold reporting levels.</p>
	<p>It should be mandatory to report all pollution prevention activities and pollutants to the National Pollutant Release Inventory (NPRI), especially for substances that meet section 64 of CEPA 1999.</p>	<p>For certain substances meeting section 64 of CEPA, companies are already required to prepare pollution prevention plans. See the CEPA Registry Pollution Prevention (P2) planning guidelines, available at: (http://www.ec.gc.ca/CEPARegistry/plans/P2/).</p> <p>P2 planning notices are published in the <i>Canada Gazette</i>. The companies subject to these notices submit Declarations and Progress Reports as required to Environment Canada summarizing the content of their P2 plans. These are available online through the P2 Planning Reporting database, available at: (http://www.ec.gc.ca/cepap2/).</p> <p>In addition, P2 plans created under other authorities such as the Ontario Ministry of the Environment, that link to NPRI criteria are reported to the NPRI. Information on pollution prevention planning activities at sites that report to NPRI can be found on the NPRI website, available at: (http://www.ec.gc.ca/inrp-npri).</p>
Preventative Approach to Management	<p>Companies should be required to prepare pollution prevention plans as part of a comprehensive strategy to phase out substances that meet the criteria of section 64 of CEPA 1999, instead of just focusing on reducing releases and exposures.</p>	<p>Although phase-out or prohibition is an option for substances that meet CEPA 1999, section 64 criteria, other risk management instruments can be effectively used to reduce or prevent exposures by limiting or preventing releases of substances.</p> <p>Pollution Prevention Planning is one of the tools that can be used as part of a comprehensive strategy to control substances that meet section</p>

TOPIC	COMMENT	RESPONSE
		<p>64 of CEPA 1999.</p> <p>Consistent and comprehensive information gathering processes assists in developing pollution prevention instruments and regulatory mechanisms. This includes information received under the Challenge and any other available information submitted by a variety of stakeholders and sources.</p>
	<p>All possible alternatives should be listed in the risk management document.</p>	<p>Where sufficient, available and relevant, information on the availability and cost of alternatives for a substance used in Canada, including the economic, social, health and environmental implications, will be considered in the development of risk management tools. Information on these impacts may be generated from a number of sources, including direct engagement with stakeholders.</p> <p>Alternative substances that are new to Canada must be assessed under the <i>New Substances Notification Regulations</i> of CEPA 1999. The Government of Canada welcomes new information from stakeholders and other members of the public on Batch 4, or any other Challenge substances through the Challenge questionnaire or by email to Substances@ec.gc.ca.</p>
	<p>To address a lack of information on children's exposures, section 71 (1) (c) of CEPA 1999 should be used to require industry to provide the Government of Canada with toxicological and other test results.</p>	<p>Risk assessments are science-based assessments of the available data. Various exposure scenarios are used that are protective of vulnerable populations in Canada. When risk assessments identify a risk to a particular population, actions to protect that population are included in the risk management. In the absence of information, the Government of Canada makes decisions that protect the environment and the health of Canadians. Children and other vulnerable populations in Canada are further protected by consideration of even the possibility of very small exposure to substances. The overall process used for Challenge substances is to act on what is known and not to wait until data gaps are</p>

TOPIC	COMMENT	RESPONSE
		<p>filled.</p> <p>All stakeholders are invited to provide information through notices that are published in the <i>Canada Gazette</i>. All available data is considered in Challenge screening assessments, and informs risk assessment, risk management, and product stewardship actions for high priority substances. Other available scientific data that is found in published literature, scientific journals and international reviews also contribute to development of risk management instruments and actions.</p>