



Guidance for responding to the *Notice with respect to certain phthalate substances* (Notice)

Published in the *Canada Gazette*, Part I, on July 13, 2013

This document provides guidance for responding to the Notice published in the *Canada Gazette*, Part I, on **July 13, 2013**, pursuant to paragraph 71(1)(b) of the *Canadian Environmental Protection Act, 1999* (the Act). The document is available for guidance only and, in case of discrepancy between this document and the Notice or the Act, the official versions of the Notice and the Act take precedence.

On October 8, 2011, the Minister of the Environment and the Minister of Health (the Ministers) published in the *Canada Gazette*, Part I, Vol. 145, No. 41 that approximately 500 substances in nine groups have been selected as priorities for the second phase of the Chemicals Management Plan (CMP2), and that are planned to be assessed over the coming five years. These substances have been selected for action based on the [categorization](#) exercise completed in 2006 required under section 73 of the Act, and new information received as part of the first phase of the Chemicals Management Plan (CMP1).

As part of the CMP2, a grouping of certain phthalate substances will be assessed. The scope of the Notice has been expanded to include other phthalates to inform a possible cumulative assessment approach. Several international jurisdictions (e.g., Consumer Products Safety Commission in the US, Danish Environmental Protection Agency) are addressing cumulative risk of phthalates, and the Government of Canada is considering a cumulative approach for this grouping. The 14 additional substances selected are on the Domestic Substances List (DSL), but not all substances met the categorization criteria. Preliminary information found in the public literature, including assessments conducted by other international jurisdictions, indicate that these substances are likely to have a similar mode of action to those currently in the grouping and therefore may represent a potential for exposure of the general population in Canada.

The first step is to collect data in order to update the information available on the substances listed in Schedule 1 to the Notice. The information collected from the Notice will inform both the ecological and human health risk assessment and possible risk management for this group of substances.

In addition, the Ministers invite the submission of additional information by interested stakeholders. In particular, stakeholders are encouraged to provide data relating to physical-chemical, toxicity or any other properties of a substance, as well as data relating to the extent and nature of the activities and stewardship of these substances. Stakeholders may also submit additional information with respect to these substances online, using the Stakeholder Interest Form available on the Government of Canada's Chemical Substances Web site.

The **July 13, 2013** Notice and all documents related to the collection of information are available through the Government of Canada's Chemical Substances Web site at www.chemicalsubstanceschimiques.gc.ca.

Information for completion of the July 13, 2013 section 71 Notice

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1. What is the purpose of the Notice?

The purpose of the Notice is to gather information on 14 phthalate substances from the original grouping as well as 14 additional phthalate substances in order to inform risk assessment and possible risk management activities.

It is important to note that due to international variations in nomenclature, three substances in the grouping and one of the additional substances are represented by alternate names and CAS RNs. These additional substances have been included in the section 71 Notice to ensure comprehensive information gathering.

The information collected from the Notice may be used for assessing whether a substance is toxic or capable of becoming toxic, or for the purpose of assessing whether to control, or the manner in which to control, a substance.

The type of information being collected includes:

- whether the substances covered under the Notice were manufactured, imported, used, or exported in Canada during the 2012 calendar year;
- the quantities of these substances manufactured, imported, used, or exported during the 2012 calendar year;
- the industrial sectors involved in the manufacture, import, use and export of the substances;
- the types of products, mixtures or manufactured items containing the substances;
- chemical identity information;
- release and waste management information;
- summary of the manufacturing or use process with substances; and
- available, unpublished data or studies on physical-chemical properties, toxicity, metabolism, degradation, or the release of the substances from the final mixture, product or manufactured item.

Persons, including companies, having recent activity with respect to any of these substances may be contacted for follow-up.

2. Where can I get a copy of the Notice?

The Notice was published in the *Canada Gazette*, Part I, pursuant to paragraph 71(1)(b) of the Act on **July 13, 2013**. Links to view the Notice published in the *Canada Gazette* can be found on the Government of Canada's Chemical Substances Web site at www.chemicalsubstanceschimiques.gc.ca. (Click on "The Substance Groupings Initiative" found on the left menu, then click on "Phthalates")

3. What substances are reportable under the Notice?

The Notice includes a list of 28 phthalate substances considered as priority for action, 14 which are part of the Phthalate Substance Grouping; 14 additional substances which are under consideration for inclusion in the grouping. In addition, due to international variations in nomenclature, four substances represent synonyms of those substances currently in the grouping or synonyms of the additional substances being considered for inclusion.

Note that Part 2 and Part 4 Substances are the Unknown or Variable composition, Complex reaction products or Biological materials (UVCB) substances.

The substances included in the Notice are listed below:

Schedule 1 to the Notice

Part 1 Substances

CAS RN ¹	Name of the Substance	Common Name
84-61-7	1,2-Benzenedicarboxylic acid, dicyclohexyl ester	Dicyclohexyl phthalate
84-64-0	1,2-Benzenedicarboxylic acid, butyl cyclohexyl ester	Butyl cyclohexyl phthalate
84-69-5	1,2-Benzenedicarboxylic acid, bis(2-methylpropyl) ester	Diisobutyl phthalate
131-11-3	1,2-Benzenedicarboxylic acid, dimethyl ester	Dimethyl phthalate
523-31-9	1,2-Benzenedicarboxylic acid, bis(phenylmethyl) ester	Dibenzyl phthalate
3648-20-2	1,2-Benzenedicarboxylic acid, diundecyl ester	Diundecyl phthalate
5334-09-8	1,2-Benzenedicarboxylic acid, cyclohexyl 2-methylpropyl ester	Cyclohexyl isobutyl phthalate
16883-83-3	1,2-Benzenedicarboxylic acid, 2,2-dimethyl-1-(1-methylethyl)-3-(2-methyl-1-oxopropoxy)propyl phenylmethyl ester	benzyl 3-isobutyryloxy-1-isopropyl-2,2-dimethylpropyl phthalate
26761-40-0	1,2-Benzenedicarboxylic acid, diisodecyl ester	Diisodecyl phthalate
68515-49-1 ²	1,2-Benzenedicarboxylic acid, di-C9-11-branched alkyl esters, C10-rich	Diisodecyl phthalate
27215-22-1	1,2-Benzenedicarboxylic acid, isooctyl phenylmethyl ester	Benzyl 2-ethylhexyl phthalate
27987-25-3	1,2-Benzenedicarboxylic acid,	Bis(methylcyclohexyl)

¹ CAS RN: Chemical Abstracts Service Registry Number. The Chemical Abstracts Service information is the property of the American Chemical Society and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government of Canada when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

² Due to international variations in the nomenclature used the substance 1,2-Benzenedicarboxylic acid, diisodecyl ester (CAS RN 26761-40-0) may also be represented by the following substance 1,2-Benzenedicarboxylic acid, di-C9-11-branched alkyl esters, C10-rich (CAS RN 68515-49-1)

	bis(methylcyclohexyl) ester	phthalate
28553-12-0	1,2-Benzenedicarboxylic acid, diisononyl ester	Diisononyl phthalate
68515-48-0 ³	1,2-Benzenedicarboxylic acid, di-C8-10-branched alkyl esters, C9-rich	Diisononyl phthalate

Part 2 Substances

CAS RN ¹	Name of the Substance	Common Name
68515-40-2	1,2-Benzenedicarboxylic acid, benzyl C7-9-branched and linear alkyl esters	Benzyl octyl phthalate
71888-89-6	1,2-Benzenedicarboxylic acid, di-C6-8-branched alkyl esters, C7-rich	Diisoheptyl phthalate
85507-79-5 ⁴	1,2-Benzenedicarboxylic acid, diundecyl ester, branched and linear	Diundecyl phthalate, branched and linear

Part 3 Substances

CAS RN ¹	Name of the Substance	Common Name
84-66-2	1,2-benzenedicarboxylic acid diethyl ester	Diethyl phthalate
84-74-2	1,2-Benzenedicarboxylic acid dibutyl ester	Dibutyl phthalate
84-75-3	1,2-benzenedicarboxylic acid, dihexyl ester	Dihexyl phthalate
85-68-7	1,2-Benzenedicarboxylic acid, butyl phenylmethyl ester	Butyl benzyl phthalate
117-81-7	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester	Dioctyl phthalate
117-84-0	1,2-Benzenedicarboxylic acid, dioctyl ester	Di-n-octyl phthalate; dioctyl phthalate
131-16-8	1,2-Benzenedicarboxylic acid, dipropyl ester	Dipropyl phthalate
131-17-9	1,2-Benzenedicarboxylic acid, di-2-propenyl ester	Diallyl phthalate
27554-26-3	1,2-Benzenedicarboxylic acid, diisooctyl ester	Diisooctyl phthalate
119-06-2 ⁵	1,2-Benzenedicarboxylic acid, ditridecyl ester	Ditridecyl phthalate

³ Due to international variations in the nomenclature used the substance 1,2-Benzenedicarboxylic acid, diisononyl ester (CAS 28553-12-0) may also be represented by the following substance 1,2-Benzenedicarboxylic acid, di-C8-10-branched alkyl esters, C9-rich (CAS RN 68515-48-0)

⁴ Due to international variations in the nomenclature used, the substance 1,2-Benzenedicarboxylic acid, diundecyl ester (CAS RN 3648-20-2) may also be represented by the following substance 1,2-Benzenedicarboxylic acid, diundecyl ester, branched and linear (CAS RN 85507-79-5).

⁵ Due to international variations in the nomenclature used, the substance 1,2-Benzenedicarboxylic acid, di-C11-14-branched alkyl esters (CAS RN 68515-47-9) may also be represented by the following substances: 1,2-Benzenedicarboxylic acid, ditridecyl ester (CAS RN 119-06-2).

Part 4 Substances

CAS RN ¹	Name of the Substance	Common Name
68515-43-5	1,2-Benzenedicarboxylic acid, di-C9-11-branched and linear alkyl esters	(C9-C11) dialkyl phthalate
68515-47-9	1,2-Benzenedicarboxylic acid, di-C11-14-branched alkyl esters, C13-rich	Undecyl dodecyl phthalate
68648-93-1	1,2-Benzenedicarboxylic acid, mixed decyl and hexyl and octyl diesters	Mixed hexyl, octyl, decyl phthalates
111381-89-6	1,2-Benzenedicarboxylic acid (C7,C9) ester, branched and linear	Heptyl nonyl phthalate, branched and linear
111381-91-0	1,2-Benzenedicarboxylic acid (C9,C11) ester, branched and linear	Branched and linear nonyl undecyl phthalate

4. Who is required to respond to the Notice and which sections need to be completed?

As outlined in Schedule 2 to the Notice, the Notice applies to any person who, during the 2012 calendar year, satisfied any of the following criteria:

(a) **manufactured** a total quantity greater than 100 kg of a substance listed in Schedule 1 to the Notice, at a concentration equal to or above 0.001 percent by weight (w/w%);

(b) **imported** a total quantity greater than 100 kg of a substance listed in Schedule 1 to the Notice, at a concentration equal to or above 0.001 percent by weight (w/w%), whether alone, in a mixture or in a product;

(c) **imported** a total quantity greater than 100 kg of a substance listed in Schedule 1 to the Notice, at a concentration equal to or above 0.001 percent by weight (w/w%), in a manufactured item that is:

- i. intended to be used by or for children under the age of six years,
- ii. intended to come into contact with the mucosa of an individual, other than eyes,
- iii. intended to come into direct contact with food or beverage, unless the component that comes into direct contact with food or beverage is made of glass, stainless steel or porcelain,
- iv. bulk packaging material that is intended to come into direct contact with a cosmetic, or a personal care product,
- v. intended to release the substance during conditions of use such that the substance may be inhaled or come into dermal contact with an individual,
- vi. clothing or footwear,

- vii. furniture intended to be used in a residence; or a furnishing intended to be used in a residence if the substance is contained in a textile,
- viii. vinyl or laminate flooring that is intended to be used in a residence, or
- ix. an electronic, or electrical appliance or equipment, intended to be used in a residence.

Please note that the categories above (i-ix) **only** apply to imported **manufactured items**. To determine whether your imported good is a manufactured item, refer to section **4.3** of this document.

(d) **used** a total quantity greater than 1 000 kg of a substance listed in Schedule 1 to the Notice, at a concentration equal to or above 0.001 percent by weight (w/w%) either:

- (i) used alone in the manufacture of a mixture, a product or a manufactured item; or
- (ii) used in a mixture, in the manufacture of a mixture, a product or a manufactured item.

A person must respond to this Notice if they meet any of these reporting requirements.

If you do not meet the reporting threshold for a substance listed in Schedule 1 to this Notice, you are encouraged to complete the sections in this Notice, voluntarily, with information that you possess.

4.1- How to determine which sections are applicable?

If you meet the reporting requirements as set out in Schedule 2 to the Notice, then you must respond to the appropriate sections of Schedule 3 to the Notice:

Table 1: The sections of Schedule 3 to complete based on activity, substance and concentration.

Activity	Substance	Conc.	Applicable section(s) of Schedule 3 to be completed									
			4	5	6	7	8	9	10	11	12	13
Manufacture	All	0.001 - 0.01%	✓	✓								
	Part 1	≥ 0.01%	✓		✓	✓	✓	✓	✓		✓	✓
	Part 2	≥ 0.01%	✓		✓	✓	✓	✓	✓	✓	✓	✓
	Part 3	≥ 0.01%	✓		✓		✓	✓			✓	
	Part 4	≥ 0.01%	✓		✓		✓	✓		✓	✓	
Import	All	0.001- 0.01%	✓	✓								
	Part 1	≥ 0.01%	✓		✓	✓	✓	✓	✓			
	Part 2	≥ 0.01%	✓		✓	✓	✓	✓	✓	✓		
	Part 3	≥ 0.01%	✓		✓		✓	✓				
	Part 4	≥ 0.01%	✓		✓		✓	✓		✓		
Use	All	0.001- 0.01%	✓	✓								
	Part 1	≥ 0.01%	✓		✓	✓	✓	✓	✓		✓	✓
	Part 2	≥ 0.01%	✓		✓	✓	✓	✓	✓	✓	✓	✓
	Part 3	≥ 0.01%	✓		✓		✓	✓			✓	
	Part 4	≥ 0.01%	✓		✓		✓	✓		✓	✓	

4.2- Do I meet the reporting threshold?

The quantity of a substance that a person manufactured, imported or used should be determined based on the quantity of the substance itself, and not on the quantity of the product, mixture or manufactured item containing the substance.

Examples of how to determine whether the reporting threshold is met are provided below:

Example 1:

1) Company meets the reporting threshold:

In 2012, if your company imported 400 kg of Product X that contains 50% of a reportable substance, then a total quantity of 200 kg of the substance was imported. The reporting threshold of 100 kg of the substance imported is met.

2) Company meets the reporting threshold:

In 2012, if your company imported 500 kg of Product X that contains 10% of a reportable substance and 300 kg of Product Y that contains 50% of the same reportable substance, then a total quantity of 200 kg of the substance was imported. The reporting threshold of 100 kg of the substance imported is met.

3) Company does not meet the reporting threshold:

In 2012, if your company used 900 kg of a reportable substance, then the reporting threshold of 1000 kg used is not met.

Subsection 71(3) of the Act states that every person to whom a Notice was referred to under paragraph 71(1)(b) of the Act must comply with the Notice within the time specified in the Notice. The time specified in the Notice is **November 13, 5 p.m. Eastern Standard Time**.

4.3- What is a manufactured item?

A **manufactured item** is an item that is formed into a specific physical shape or design during manufacture and has, for its final use, a function or functions dependent in whole or in part on its shape or design.

The categories of imported manufactured items included in the Notice are listed below with examples to help determine whether your manufactured item is reportable or not:

- items intended to be used by or for children under the age of 6 years
 - This category includes: toy for babies and toddlers, beach ball, pacifier, childcare article, puzzle piece, bib, change table and accessories, training pants, skipping rope, diaper bag, stroller, infant/child seat, latex balloon, etc.;
- items intended to come into contact with the mucosa of an individual, other than eyes
 - This category includes: mouthpiece, medical device (such as latex examination gloves, plastic applicator and feeding syringe), contraceptive device, personal hygiene item such as tampons, intimate accessories, etc.;
- items intended to come into direct contact with food or beverage, unless the component that comes into direct contact with food or beverage is made of glass, stainless steel or porcelain
 - This category includes: cutlery, dinnerware, cutting board, counter top, kettle, serving utensil, beverage bottle, reusable food containers, food storage bag, insulated food container, conveyer belt, food processing equipment, food handling gloves, food packaging such as a cereal liner bag, etc.
 - This category does **not** include: box containing individually wrapped cookies, label on food container, etc.;

- bulk packaging material that is intended to come into direct contact with a cosmetic, or a personal care product
 - This category includes: plastic bottles that will be filled with shampoo, jars that will contain face cream, containers for lip products etc.
 - This category does **not** include:
 - **non**-bulk packaging material that is in direct contact with a cosmetic or personal care product such as an individual cardboard box containing a bar of soap, an individual plastic tube containing lip balm, etc.
 - any bulk packaging material that will **not** come into direct contact with a cosmetic or a personal care product such as a cardboard box containing bottles of shampoo, packaging surrounding individual mascara bottles etc.;
- items intended to release the substance during conditions of use such that the substance may be inhaled
 - This category includes: scented candle, air freshener, scented marker, incense, scented eraser, etc.;
- items intended to release the substance during conditions of use such that the substance may come into dermal contact with an individual
 - This category includes: dryer sheet, cleaning wipe, etc.
 - Inhalation or dermal contact is reasonably expected to occur if the substance is intentionally released when used in accordance with instructions or as intended by the manufacturer.
- clothing or footwear
 - This category includes: clothing coated with a layer of plastic/rubber such as rubber coated work gloves, T-shirt with printing/design, sporting gear such as a shin pad or baseball gloves, footwear made of rubber or plastic, fashion accessories made of plastic or rubber, dishwashing gloves, etc.;
- furniture intended to be used in a residence; or a furnishing **intended to be used in a residence** if the substance is contained in a textile
 - This category includes: a mattress, drapes, couch, shower curtain, floor mat, placemat, etc.
 - This category does **not** include: furniture or furnishings **intended to be used exclusively outside of a residence** like a dentist chair, an automotive seat or rubber floor mat, etc.;
- vinyl or laminate flooring that is intended to be used in a residence
 - This category does **not** include: vinyl or laminate flooring that is **intended to be used exclusively outside of the residence** such as flooring in a commercial or manufacturing facility, etc.;
- an electronic, or electrical appliance or equipment **intended to be used in a residence**

- This category includes: electronic cable, power cord, speaker wire, etc.;
- This category does **not** include: electronic, or electrical appliance or equipment, **intended to be used exclusively outside of a residence** such as data transmission and fiber optic cable, professional light and sound equipment, appliance or equipment intended for commercial use, electronic inside a household mechanical system like air conditioner, furnace or hot water tank, etc.

Stakeholders importing goods that meet the definition of a manufactured item listed in at least one of the reportable categories above are required to respond to this notice if they meet the reporting criteria outlined in Schedule 2 to the Notice.

For the purposes of the Notice, it is important to note the following:

- **Direct contact with food, beverage, cosmetic, or a personal care product** occurs when a manufactured item is **not** separated from the food, beverage, cosmetic, or personal care product by an effective functional barrier, so there is potential for substances to migrate to the food, or product.
- **Fabric** means any material woven, knitted, crocheted, knotted, braided, felted, bonded, laminated or otherwise produced from, or in combination with, a textile.
- **Textile** means any natural or manufactured matter that is capable of being made into a yarn or fabric and, without limiting the generality of the foregoing, includes human hair, kapok, feathers and down and animal hair or fur that has been removed from an animal skin.

4.4- What is a mixture?

A **mixture** is a combination of substances that does not produce a substance that is different from the substances that were combined. For the purposes of the Notice, mixtures include, but are not limited to, the following examples:

- hydrates;
- prepared formulations; or
- reaction mixtures that are characterized in terms of their constituents.

Hydrates of a substance or hydrated ions formed by association of a substance with water are considered to be a mixture of that substance and water. Therefore, if you manufactured, imported or used any hydrated form of an anhydrous substance listed in Schedule 1, then you are required to report on this substance if you meet the reporting criteria outlined in Schedule 2 to the notice. The hydrated form is considered a mixture.

It is important to note that polymer resins (polyvinyl chloride (PVC) and non-PVC polymers) and rubbers that form the starting material for mixtures, products and manufactured items made from moulded plastic/rubber (e.g., toys, furniture, rubber gloves, print logos, etc.) are considered mixtures for the purpose of this notice.

For the purposes of the Notice, mixtures that **are reportable** include, but are not limited to, the following examples:

- fragrance mixtures

- textile inks
- printing inks
- gelling agent mixtures and solvent mixtures, and
- PVC, plastisol, cellulosic plastics, polystyrene, polyurethane, polyacrylates, polyacetates, and other similar preparations

Stakeholders importing of mixtures; and/or using these types of mixtures in the manufacture of mixtures, products, or manufactured items, are required to respond to this notice if they meet the reporting criteria outlined in Schedule 2 to the Notice.

4.5- What is a product?

A **product** excludes mixtures and manufactured items. A substance alone is not considered a product. For the purpose of the Notice, products include, but are not limited to, the following examples:

- adhesives and sealants;
- plastics and rubber additives;
- plasticizers;
- enteric coatings;
- viscosity control agents;
- film formers;
- stabilizers;
- dispersants;
- lubricants;
- binders emulsifying agents;
- suspending agents;
- agriculture adjuvants;
- cosmetics and personal care products such as creams, lotions, perfumes, nail polish, shampoo, etc.;
- cleaning liquids, gels or sprays;
- detergents and surfactants;
- paints & coatings;
- pharmaceuticals;
- food products;
- a roll of fabric/textile; or
- a roll of paper, including wallpaper.

Stakeholders **importing** a product containing a reportable substance are required to respond to this notice if they meet the reporting criteria outlined in Schedule 2, Section 2 to the Notice.

Stakeholders **using** a product containing a reportable substance are **not** required to respond to the notice as per the criteria outlined in Schedule 2, Section 3 to the Notice.

4.6- Do I manufacture?

The manufacture of a substance relates to the creation or production of the substance itself, and not to the manufacture of a mixture, product or manufactured item containing the substance.

“Manufacture” includes to produce or to prepare a substance, and also the incidental production of a substance.

Incidental production of a substance may occur if, during the process of blending or formulating, a chemical reaction occurs that results in the production of a substance that is reportable under the Notice.

For the purposes of the Notice, possible situations where you are considered to “manufacture” a substance include, but are not limited to, the following examples:

Example 2:

- You reacted substance A with substance B to produce substance C. You manufactured substance C.
- You blended substance D with substance E, and substance F was produced as a reaction by-product. You manufactured substance F.

If you are aware that a substance you manufactured is listed in Schedule 1 to the Notice, then you are required to report on this substance if you meet the reporting criteria outlined in Schedule 2 to the Notice.

It is important to note that for the purpose of the Notice, using a substance listed in Schedule 1 (either alone, or in a mixture) to create or produce a mixture, product or manufactured item would **NOT** be considered “manufacture” of the substance itself. In this case, you are using the substance. See Section 4.7 of this document for more information on the reporting requirements for users.

4.7- Do I import?

Import relates specifically to the movement into Canada from another country of any substance identified in Schedule 1 to the Notice or any mixture, product or manufactured item that contains such a reportable substance.

For the purpose of the Notice, possible situations where you are considered to “import” include, but are not limited to, the following examples:

Example 3:

- You purchased a substance listed in Schedule 1 from a foreign supplier, and the substance was shipped directly from the foreign supplier to your location in Canada.

- You ordered a mixture containing a substance listed in Schedule 1 from a foreign source, and the mixture containing the substance was shipped directly from the foreign source to a distribution warehouse in Canada, on your request.
- You received a product containing a substance listed in Schedule 1 as an internal company transfer from a foreign source.
- You purchased a manufactured item that contains a substance listed in Schedule 1 from a foreign source, and the manufactured item was shipped directly from the foreign source to your location in Canada.

Your activities do not meet the definition of “import” if you purchased or received a reportable substance or a mixture, product or manufactured item containing a reportable substance that was already located in Canada.

For the purpose of the Notice, possible situations where you **are NOT considered** to “import” a substance include, but are not limited to, the following examples:

Example 4:

- You imported a manufactured item that is not defined by one of the categories of manufactured items in Schedule 2, Section 2(b) (i-ix) to the Notice
- You purchased goods from a Canadian company.
- You ordered a product from a warehouse located in Canada.

4.8- Do I use?

For the purposes of the Notice, the use of a substance or a mixture containing a substance listed in Schedule 1 to manufacture a mixture, product or manufactured item is a reportable activity if the reporting thresholds are met.

For the purpose of the Notice, possible situations where **you are considered** to “use” include, but are not limited to, the following examples:

Example 5:

- You blend a substance listed in Schedule 1 with other components to make Mixture Z.
- You react a substance listed in Schedule 1 with Substance C as a chemical intermediate to prepare Product Y.
- You use a substance listed in Schedule 1 as a catalyst to produce Product X.
- You blend a mixture containing a substance listed in Schedule 1 as an impurity with other components to make another mixture.
- You blend a mixture containing a substance listed in Schedule 1 with other components to produce a manufactured item.
- You use a mixture containing a substance listed in Schedule 1 in the process of manufacturing a manufactured item.
- You use Substance Z alone as a plasticizer to manufacture Product Z.

For the purpose of the Notice, possible situations where you **are NOT considered** to “use” (i.e., either because the substance is in a product or because the use is not in

relation to the manufacture of a mixture, product or manufactured item) include, but are not limited to, the following examples:

Example 6:

- You use Product X, which contains a substance listed in Schedule 1, to service machinery and equipment, including machinery and equipment used in the manufacture of your products.
- You load a substance listed in Schedule 1 onto a carrier and ship the substance to three other companies.
- You purchase Mixture Y which contains a substance listed in Schedule 1 from your supplier in Canada, and distribute the product to your customers.
- You use a product containing a substance listed in Schedule 1, to make a manufactured item.
- You use a manufactured item (e.g., rubber equipment parts) containing a substance listed in Schedule 1, to make equipment.
- You use a product that is a plasticizer containing a substance listed in Schedule 1 to manufacture a manufactured item.

4.9- Exclusions

The Notice does not apply to a substance in Schedule 1, whether alone, in a mixture, in a product or in a manufactured item that:

- is in transit through Canada; or
- is, or is contained in, a pest control product within the meaning of subsection 2(1) of the *Pest Control Products Act*, where that pest control product is registered under the *Pest Control Products Act*.

5. How to submit a blind submission

Since customers may purchase several different mixtures, products or manufactured items that contain the substance, or may import the same item from several suppliers, it may be difficult to determine if the total quantity meets the threshold.

If a supplier knows/suspects that a customer should report, based on quantities purchased, the supplier may choose to inform the customer of this.

Customers may ask their suppliers if the products they purchase contain substances listed in Schedule 1 to the Notice. Suppliers looking to protect their formulations as confidential business information may be reluctant to provide the information to their customers. In this case, suppliers and customers can work together in order for each person to provide the information via a "blind submission" to meet the obligation to respond to the Notice.

In a "blind submission", the customer responds to the section 71 Notice, completing as much information as they can, and the supplier submits the information directly to the Substances Management Coordinator, to complete the submission. A cover letter or

note should be provided with each submission indicating that the supplier's submission completes the customer's submission.

Example 7:

During 2012, *Company A* imported *Product 123* into Canada from *Company B*. *Company A* follows up with *Company B* to obtain information on the composition of *Product 123* to determine whether any substance listed in Schedule 1 is present in *Product 123*. *Company B* confirms that *Product 123* contains a substance listed in Schedule 1 to the notice and that based on the total quantity of *Product 123* sold to *Company A* in 2012, *Company A* would meet the reporting criteria outlined in Schedule 2 to the notice for that reportable substance. However, *Company B* is reluctant to share their product composition information with *Company A* since their formulation is confidential.

Company A can pursue a "Blind Submission" with *Company B*, in which:

- Based on information in their possession, *Company A* responds to the Notice providing as much information as they can (e.g., the quantity of *Product 123* imported in 2012, and information on the known or anticipated final mixture, product or manufactured item). Along with their section 71 submission, *Company A* should provide a cover letter to clearly explain the situation and identify *Company B* as their direct foreign supplier.
- *Company B* provides the confidential formulation information required to complete *Company A*'s section 71 submission directly to the Substances Management Coordinator (e.g., the CAS RN, substance name, substance function, and concentration of the reportable substance in *Product 123*, and any unpublished data or studies with regards to the substance). Along with their submission, *Company B* should provide a cover letter to clearly indicate that their information is confidential, and that it completes *Company A*'s section 71 submission.

The Substances Management Coordinator makes the necessary connection between the two submissions in order to complete *Company A*'s section 71 submission, while keeping all information confidential.

For further information on how to submit a blind submission, contact the Substances Management Information Line (see Section 10 of this document for contact information).

6. Information required in the Notice

6.1- How do I report the total quantities?

Within the Notice, it is necessary to report the total quantities of substances listed in Schedule 1 that were manufactured, imported, used, exported, sold, released, treated on site, and/or transferred to an off-site waste management facility during the 2012 calendar year, as follows:

- All quantities should be reported **in kilograms (kg), rounded to two significant digits.** For example:
 - 0.0368 should be reported as 0.037
 - 541 231 should be reported as 540 000
 - 831.29 should be reported as 830
- The quantities reported in the Notice must be for the **substance itself** and not the quantity of the mixture, product or manufactured item containing the substance.
- Reporting “0” for quantity released indicates there were no releases of the substance during the 2012 calendar year.
- If the release section is not applicable, you should indicate “n/a” in the appropriate field, and/or provide an explanatory note to further clarify, if necessary.

6.2- What are the North American Industry Classification System codes?

The North American Industry Classification System (NAICS) is an industrial classification system established to identify production processes by grouping similar activities. The NAICS codes were developed by Statistics Canada, the U.S. Office of Management and Budget, and Mexico's Instituto Nacional de Estadística Geografía e Informática, to enable the national agencies to collect comparable statistical data.

You are required to report each applicable six-digit NAICS code with respect to each substance, or the mixture, product or manufactured item containing the substance. You should report the code(s) that best describes your involvement with the substance, or the product, mixture or manufactured item containing the substance. The code(s) will provide general information on the number and types of sectors involved with the substances listed in the Notice.

To determine which NAICS code applies to your activity with the substance on which you are reporting, the NAICS Canada 2012 list of codes is available at the Statistics Canada Web site (*note that the NAICS code(s) Web address is case sensitive*):

<http://www23.statcan.gc.ca/imdb/p3VD.pl?Function=getVDPPage1&db=imdb&dis=2&adm=8&TV D=118464>

6.3- What are the Substance Function Codes and Consumer and Commercial Codes?

Substance Function Codes and Consumer and Commercial Codes are used to describe the function or use of a substance, respectively. Substance Function Codes and Consumer and Commercial Codes were developed jointly among the United States Environmental Protection Agency, Health Canada and Environment Canada in order to facilitate the exchange of information between the United States and Canada and to encourage consistency in reporting on chemical substances by industry.

Substance function code refers to the function of the substance with regard to the intended physical or chemical characteristic for which a chemical substance is consumed as a reactant; incorporated into a formulation, mixture, product, or manufactured item; or used.

Consumer and commercial code refers to the use of a substance, or a mixture, or a product, or a manufactured item containing a substance with regard to its use or eventual use as a saleable good.

You may be required to report the substance function codes **and** the consumer and commercial codes that apply to each reportable substance. Stakeholders must provide the function of the reportable substance **itself** (i.e. the substance function code) as well as the type of use of the substance, whether alone, in a mixture, product or manufactured item (i.e. the consumer and commercial code). Refer to sections 14 and 15 of Schedule 3 to the Notice or section 6.4 of this document for the list of codes and their corresponding descriptions.

6.4- Code Numbering System for Substance Function Codes and Consumer and Commercial Codes

All code numbers consist of one letter followed by a three-digit number. A basic structure of [**Type**][**Group #**][**Subgroup #**] is applied to all codes where:

[**Type**] is expressed by either the letter “U” for substance function or the letter “C” for consumer and commercial use.

[**Group #**] is a one-digit number to indicate a grouping of chemical substances or products having similar uses. Substance function codes are listed in alphabetical order and are not separated into different groups; therefore, all substance function codes have a group number 0. Consumer and commercial codes use six different group numbers (groups 1 – 5 and group 9).

[**Subgroup #**] is a two-digit number to indicate a specific use or function (within each group for consumer and commercial codes).

Example 8:

Code C205, “Electrical and electronics”, is a consumer and commercial code ([Type] is “C”), which belongs to group 2 ([Group #] is 2), and is the fifth code listed in this group ([Subgroup #] is 05).

It is important to note that number 999 is reserved for the “Other” code in both substance function codes (**U999**) and consumer and commercial codes (**C999**). When selecting this code, a written description of the substances function or the consumer and commercial use of the substance, or the mixture, product or manufactured item containing the substance, must be provided and the description should be as concise as possible.

Example 9:

Code U999 “Other” – Substance is manufactured incidentally during the processing of a mineral ore.

Substance Function Codes and Corresponding Descriptions

Substance Function Codes	Title	Description
U001	Abrasives	Substances used to wear down or polish surfaces by rubbing against the surface.
U002	Adhesives and sealant substances	Substances used to promote bonding between other substances, promote adhesion of surfaces, or prevent seepage of moisture or air.
U003	Adsorbents and absorbents	Substances used to retain other substances by accumulation on their surface or by assimilation.
U004	Agricultural substances (non-pesticidal)	Substances used to increase the productivity and quality of farm crops.
U005	Anti-adhesive agents	Substances used to prevent bonding between other substances by discouraging surface attachment.
U006	Bleaching agents	Substances used to lighten or whiten a substrate through chemical reaction, usually an oxidative process which degrades the color system.
U007	Corrosion inhibitors and anti-scaling agents	Substances used to prevent or retard corrosion or the formation of scale.
U008	Dyes	Substances used to impart color to other materials or mixtures by penetrating into the surface of the substrate.
U009	Fillers	Substances used to provide bulk, increase strength, increase hardness, or improve resistance to impact.
U010	Finishing agents	Substances used to impart such functions as softening, static-proofing, wrinkle resistance, and water repellence.
U011	Flame retardants	Substances used on the surface of or incorporated into combustible materials to reduce or eliminate their tendency to ignite when exposed to heat or a flame.
U012	Fuels and fuel additives	Substances used to create mechanical or thermal energy through chemical reactions, or which are added to a fuel for the purpose of controlling the rate of reaction or limiting the production of undesirable combustion products, or which provide other benefits such as corrosion inhibition, lubrication, or detergency.

Substance Function Codes	Title	Description
U013	Functional fluids (closed systems)	Liquid or gaseous substances used for one or more operational properties in a closed system. This code does not include fluids used as lubricants.
U014	Functional fluids (open systems)	Liquid or gaseous substances used for one or more operational properties in an open system.
U015	Intermediates	Substances consumed in a reaction to produce other substances for commercial advantage.
U016	Ion exchange agents	Substances that are used to selectively remove targeted ions from a solution. This code also includes aluminosilicate zeolites.
U017	Lubricants and lubricant additives	Substances used to reduce friction, heat, or wear between moving parts or adjacent solid surfaces, or that enhance the lubricity of other substances.
U018	Odor agents	Substances used to control odours, remove odours, mask odours, or impart odours.
U019	Oxidizing or reducing agents	Substances used to alter the valence state of another substance by donating or accepting electrons or by the addition or removal of hydrogen to a substance.
U020	Photosensitive substances	Substances used for their ability to alter their physical or chemical structure through absorption of light, resulting in the emission of light, dissociation, discoloration, or other chemical reaction.
U021	Pigments	Substances used to impart color to other materials or mixtures by attaching themselves to the surface of the substrate through binding or adhesion.
U022	Plasticizers	Substances used in plastics, cement, concrete, wallboard, clay bodies, or other materials to increase their plasticity or fluidity.
U023	Plating agents and surface treating agents	Substances applied to metal, plastic, or other surfaces to alter physical or chemical properties of the surface.
U024	Process regulators	Substances used to change the rate of a reaction, start or stop the reaction, or otherwise influence the course of the reaction.
U025	Processing aids, specific to petroleum production	Substances added to water, oil, or synthetic drilling muds or other petroleum production fluids to control foaming, corrosion, alkalinity and pH, microbiological growth or hydrate formation, or to improve the operation of processing equipment during the production of oil, gas, and other products or mixtures from beneath the earth's surface.
U026	Processing aids, not otherwise covered in this table	Substances used in applications other than the production of oil, gas, or geothermal energy to control foaming, corrosion or alkalinity and pH, or to improve the operation of processing equipment.
U027	Propellants and blowing agents	Substances used to dissolve or suspend other substances and either to expel those substances from a container in the form of an aerosol or to impart a cellular structure to plastics, rubber, or thermo set resins.
U028	Solids separation agents	Substances used to promote the separation of suspended solids from a liquid.
U029	Solvents (for cleaning or degreasing)	Substances used to dissolve oils, greases and similar materials from textiles, glassware, metal surfaces, and other articles.
U030	Solvents (which become part of formulation or mixture)	Substances used to dissolve another substance to form a uniformly dispersed solution at the molecular level.
U031	Surface active agents	Substances used to modify surface tension when dissolved in water or water solutions, or reduce interfacial tension between two liquids or between a liquid and a solid or between liquid and air.

Substance Function Codes	Title	Description
U032	Viscosity adjustors	Substances used to alter the viscosity of another substance.
U033	Laboratory substances	Substances used in a laboratory for chemical analysis, chemical synthesis, extracting and purifying other chemicals, dissolving other substances, and similar activities.
U034	Paint additives and coating additives not otherwise covered in this table	Substances used in a paint or coating formulation to enhance properties such as water repellence, increased gloss, improved fade resistance, ease of application or foam prevention.
U061	Pest control substances	Substances used as active ingredients or formulants in products, mixtures or manufactured items used for directly or indirectly controlling, destroying, attracting or repelling a pest or for mitigating or preventing its injurious, noxious or troublesome effects.
U999	Other (specify)	Substances with a function not otherwise described in this table. A written description of the substance function must be provided when using this code.

Consumer and Commercial Codes and Corresponding Descriptions

List of Consumer and Commercial Code Groups

Group #	Group Description
1	Chemical substances in furnishing, cleaning, treatment or care
2	Chemical substances in construction, paint, electrical or metal
3	Chemical substances in packaging, paper, plastic or hobby
4	Chemical substances in automotive, fuel, agriculture or outdoor use
5	Chemical substances in items for food, health or tobacco
9	Substances in products, mixtures or manufactured items not described by other codes

Group 1: Furnishings, cleaning, treatment or care

Consumer and Commercial Codes	Title	Description
C101	Floor Coverings	Substances contained in floor coverings.
C102	Foam Seating and Bedding	Substances contained in foam mattresses, pillows, cushions, and any seating, furniture and furnishings containing foam.
C103	Furniture and Furnishings not otherwise covered in this table	Substances contained in furniture and furnishings made from metal, wood, leather, plastic or other materials.
C104	Fabric, Textile and Leather articles not otherwise covered in this table	Substances contained in fabric, textile and leather products to impart color and other desirable properties such as water, soil, stain repellence, wrinkle resistance, or flame resistance.
C105	Cleaning and Furnishing Care	Substances contained in products, mixtures or manufactured items that are used to remove dirt, grease, stains, and foreign matter from furniture and furnishings, or to cleanse, sanitize, bleach, scour, polish, protect, or improve the appearance of surfaces.
C106	Laundry and Dishwashing	Substances contained in laundry and dishwashing products, mixtures or manufactured items.

C107	Water Treatment	Substances contained in water treatment products, mixtures or manufactured items that are designed to disinfect, reduce contaminants or other undesirable constituents, and condition or improve aesthetics of water.
C108	Personal Care	Substances contained in personal care products, mixtures or manufactured items that are used for cleansing, grooming, improving or altering skin, hair, or teeth.
C109	Air Care	Substances contained in products, mixtures or manufactured items that are used to odorize or de-odorize indoor air in homes, offices, motor vehicles, and other enclosed spaces.
C110	Apparel and Footwear Care	Substances contained in apparel and footwear care products, mixtures or manufactured items that are applied post-market.
C160	Pet Care	Substances contained in pet care products, mixtures or manufactured items that are used for cleansing, grooming, improving or altering skin, hair or teeth and intended for animal use.

Group 2: Construction, paint, electrical or metal

Consumer and Commercial Codes	Title	Description
C201	Adhesives and Sealants	Substances contained in adhesive or sealant products or mixtures used to fasten other materials together or prevent the passage of liquid or gas.
C202	Paints and Coatings	Substances contained in paints or coatings.
C203	Building or Construction Materials - Wood and Engineered Wood	Substances contained in building and construction materials made of wood and pressed or engineered wood products, mixtures or manufactured items.
C204	Building or Construction Materials not otherwise covered in this table	Substances contained in building and construction materials not otherwise covered in this table.
C205	Electrical and Electronics	Substances contained in electrical and electronic products, mixtures or manufactured items.
C206	Metal materials not otherwise covered in this table	Substances contained in metal products, mixtures or manufactured items not otherwise covered in this table.
C207	Batteries	Substances contained in non-rechargeable and rechargeable batteries including dry and wet cell units that store energy.

Group 3: Packaging, paper, plastic or hobby

Consumer and Commercial Codes	Title	Description
C301	Food Packaging	Substances contained in single or multi-layered packaging consisting of paper, plastic, metal, foil or other materials which have or may have direct contact with food.
C302	Paper Products, mixtures or manufactured items	Substances contained in paper products, mixtures or manufactured items.
C303.01	Plastic materials not otherwise covered in this table	Substances contained in plastic products, mixtures or manufactured items not otherwise covered in this table.
C303.02	Rubber materials not otherwise covered in this table	Substances contained in rubber products, mixtures or manufactured items not otherwise covered in this table.

Consumer and Commercial Codes	Title	Description
C304	Toys, Playground and Sporting Equipment	Substances contained in toys, playground, and sporting equipment made of wood, metal, plastic or fabric.
C305	Arts, Crafts and Hobby Materials	Substances contained in arts, crafts, and hobby materials.
C306	Ink, Toner and Colourants	Substances contained in ink, toners and colourants used for writing, printing, and creating an image on paper, and substances contained in other substrates, or applied to substrates to change their colour or hide images.
C307	Photographic supplies, film and photo-chemicals	Substances contained in photographic supplies, film, photo-processing substances, and photographic paper.

Group 4: Automotive, fuel, agriculture or outdoor use

Consumer and Commercial Codes	Title	Description
C401	Automotive Care	Substances contained in products, mixtures or manufactured items used in automotive cleaning and care of exterior and interior vehicle surfaces.
C402	Lubricants and Greases	Substances contained in products, mixtures or manufactured items to reduce friction, heat generation and wear between solid surfaces.
C403	Anti-Freeze and De-icing	Substances added to fluids to reduce the freezing point of the mixture, or substances applied to surfaces to melt or prevent build up of ice.
C404	Fuels and Related Products, mixtures or manufactured items	Substances burned to produce heat, light or power, or added to inhibit corrosion, provide lubrication, increase efficiency of use, or decrease production of undesirable by-products.
C405	Explosive Materials	Substances capable of producing a sudden expansion, usually accompanied by the production of heat and large changes in pressure upon ignition.
C406	Agricultural Products, mixtures or manufactured items (non-pesticidal)	Substances used to increase the productivity and quality of plants, animals, or forestry crops, produced on a commercial scale.
C407	Lawn and Garden Care	Substances contained in lawn, garden, outdoor or potted plant and tree care products, mixtures or manufactured items.
C461	Pest Control	Substances contained in any product, mixture or manufactured item for directly or indirectly controlling, preventing, destroying, mitigating, attracting, or repelling any pest.
C462	Automotive, Aircraft and Transportation	Substances contained in automobiles, aircraft and other types of transportation, or used in their manufacture.

Group 5: Items for food, health or tobacco

Consumer and Commercial Codes	Title	Description
C562	Food and Beverage	Substances contained in food and beverage products, mixtures or manufactured items.
C563	Drugs	Substances contained in prescription and non-prescription drugs intended for humans or animals.
C564	Natural Health	Substances used in natural health products, mixtures or manufactured items intended for humans or animals.
C565	Medical Devices	Substances contained in products, mixtures or manufactured items used for either the diagnosis, treatment, mitigation or prevention of a disease, disorder, or an abnormal physical state; or those used in

Consumer and Commercial Codes	Title	Description
		restoring, correcting or modifying organic functions in humans or animals.
C566	Tobacco Products, mixtures or manufactured items	Substances contained in products, mixtures or manufactured items composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves.

Group 9: Products, mixtures or manufactured items not described by other codes

Consumer and Commercial Codes	Title	Description
C999	Other (specify)	Substances contained in products, mixtures or manufactured items that are not described within any other Consumer and Commercial Code. A written description of the product, mixture or manufactured item must be provided when using this code.

6.5- What is a release?

The term “release” reads in subsection 3(1) of the Act as follows:

"release" includes discharge, spray, inject, inoculate, abandon, deposit, spill, leak, seep, pour, emit, empty, throw, dump, place and exhaust.

Release includes emission or discharge of a substance in any form (liquid, solid or gas) and in any media (air, water or soil), whether the release is intentional or non-intentional.

Following are examples of the different sources of releases of the substance either in solid (e.g., powder, pellet, etc.), liquid (e.g., sludge, solution, etc.) or gaseous (e.g., vapour, etc.), state:

- emissions to air - discharges through a stack, vent or other point release, losses from storage and handling of the substance or products containing the substance, fugitive emissions, spills and accidental releases, and other non-point releases;
- releases to surface waters – direct discharges to water bodies, including discharges to municipal wastewater and stormwater collection and/or treatment systems, spills and leaks; and
- releases to land - underground injections, discharges to groundwater, and discharges resulting from spills, leaks and other.

6.6- What is a transfer to an off-site waste management facility?

A transfer to an off-site waste management facility is any movement of a substance, including a mixture, product or manufactured item containing the substance, to a facility,

including a third party facility, which will handle, recycle or dispose of the substance (either as a recyclable, hazardous waste, or non-hazardous waste).

For the purpose of the Notice, a transfer to an off-site waste management facility is not considered to be a release.

7. How to complete the sections of Schedule 3 of the Notice

If you are a company who owns more than one facility, then you must respond to the Notice on a company-wide basis, and your response for each applicable question in the Notice should be an amalgamated response to include information from all facilities owned by the company, **unless otherwise indicated in the Notice**.

You are required to provide information in your possession or to which you are reasonably expected to have access (see Section 8 of this document for more details on the information to which you may reasonably be expected to have access).

As indicated in section 3 of Schedule 3 of the Notice, where information required under Schedule 3 was submitted to the Minister of the Environment, or where information under Schedule 3 was submitted to Health Canada, it may be relied on as a response to any question in Schedule 3 of the Notice if:

- the information previously submitted is applicable to the 2012 calendar year;
- the information meets the requirements of the specific question;
- the person agrees that the previously submitted information referred to is their response to the specified provision of Schedule 3 to the Notice; and
- the person provides the following information:
 - the CAS RN of the substance(s) to which the submitted information relates;
 - the specific section; subsection; or paragraph to the Notice to which the submitted information relates;
 - for each CAS RN, the title or description of the submitted information;
 - the date on which the information was submitted;
 - the name of the person who submitted the information; and
 - the program and individuals at Environment Canada or at Health Canada to which the information was submitted.

It is important to note that the previously submitted information is **not** required to be resubmitted under the Notice; however, the information specified in section 3 of Schedule 3 to the Notice must be provided as an attachment to your submission.

Example 10:

During a voluntary data collection initiative, you provided 2010 data to the Minister of the Environment for a substance listed in Schedule 1 to the Notice, and the data is still applicable for the 2012 calendar year. You should reference the previously submitted information in response to the applicable section(s) of Schedule 3.

7.1- Section 4 of Schedule 3

Identification and Declaration Form

The Identification and Declaration Form is provided for three reasons:

1. to request the identification and contact information of each person who responds to the Notice;
2. to require certification of the accuracy of the response; and
3. to request confidentiality.

When responding to the Notice, you must submit a signed version of the Identification and Declaration Form to the Minister of the Environment, to the attention of the Substances Management Coordinator. See Section 10 of this document for contact information.

Confidentiality requests

Pursuant to section 313 of the Act, any person who provides information in response to the Notice may submit, with the information, a written request that it be treated as confidential. A request for confidentiality may be submitted for all or part of the information provided. When requesting confidentiality, specify the parts (e.g., sections, tables) of the information to be treated as confidential.

A request should only be made for information that is truly confidential.

When submitting a request for confidentiality, the following criteria should be considered:

- the information is confidential to your company and has consistently been treated as such by your company;
- your company has taken, and intends to continue to take, measures that are reasonable in the circumstances to maintain the confidentiality of the information;
- the information is not, and has not been, reasonably obtainable by third persons by use of legitimate means, except with the consent of your company;
- the information is not available to the public;
- disclosure of the information may reasonably be expected to cause substantial harm to the competitive position of your company; or
- disclosure of the information may reasonably be expected to result in a material financial loss to your company or a material financial gain to your company's competitors.

Upon receipt of a request for confidentiality under section 313 of the Act, in relation to information submitted pursuant to the Notice, the Minister of the Environment shall not disclose that information, except in accordance with the law.

7.2- Section 5 of Schedule 3

For each substance listed in Schedule 1 that a person **manufactured, imported or used** during the 2012 calendar year, for which the criteria set out in Schedule 2 have been met, at a concentration between 0.001 and 0.01 percent by weight (w/w %), the person shall provide the following information:

- in column (a) the CAS RN of the substance;
- in column (b) the name of the substance;
- in column (c) the applicable consumer and commercial code(s) set out in section 15 of the Notice; and
- in column (d) for each applicable consumer and commercial code, the description and the common or generic name of the known or anticipated final substance, mixture, product or manufactured item containing the substance.

Example 11:

In 2012, you imported 200 kg of a substance YYYYY listed in Schedule 1 (CAS RN XXXX-XX-X), at a concentration of 0.006 percent by weight (w/w%) contained in electrical casing (Consumer and Commercial Code C205 – Electrical and Electronics).

(a) CAS RN	(b) Name of substance	(c) Consumer and commercial code(s) (set out in section 15)	(d) Description and the common or generic name of the known or anticipated final substance, mixture, product, or manufactured item containing the substance
XXXX-XX-X	YYYYY	C205	Electrical casing for cell phones and electronic remotes

7.3- Section 6 of Schedule 3

For each substance listed in Schedule 1 that a person **manufactured, imported, or used**, during the 2012 calendar year, for which the criteria set out in Schedule 2 have been met, a concentration equal to or above 0.01 percent by weight (w/w %), the person shall provide the following:

- in column (a), CAS RN of the substance;
- in column (b), name of the substance;
- in column (c), each applicable six-digit North American Industry Classification System (NAICS) code(s) that applies with respect to your activity with the substance, or with the mixture, product, or manufactured item containing the substance reported in column (a); and
- in column (d), the total quantity of the substance that was manufactured, imported, used, or exported, reported in kilograms (rounded to two significant digits).

Example 12:

In 2012, you imported a total of 20 670 kg of a substance listed in Part 1 of Schedule 1 (CAS RN XXXX-XX-X), at a concentration of 0.02% within a product. Of the total quantity of CAS RN XXXX-XX-X imported, 6 500 kg was used at your facility in Ontario (Canada) and 10 170 kg was exported to your facility in Ohio (United States). The remaining quantity was kept as inventory. Your primary activity with the product containing CAS RN XXXX-XX-X is using it to manufacture medical devices (NAICS code 339110).

(a) CAS RN	(b) Name of substance	(c) NAICS code(s)	(d) Quantity of the substance in kg (rounded to two significant digits)			
			Manufactured in 2012	Imported in 2012	Used in 2012	Exported in 2012
XXXX-XX-X	XXXXX	339110		21 000	6 500	10 000

7.4- Section 7 of Schedule 3

For each substance listed in Part 1 or Part 2 of Schedule 1, that a person **manufactured, imported or used**, during the 2012 calendar year, for which the criteria set out in Schedule 2 have been met, at a concentration equal to or above 0.01 percent by weight (w/w %), the person shall provide the following information:

- in column (a), CAS RN of the substance;
- in column (b), the applicable substance function code(s) that apply to the function of the substance as listed in column (a);
 - Choose the substance function code(s) that are consistent with the most complete and accurate information available to you.
 - If the substance has a function that is not described in any of the substance function codes provided, then code U999 should be used. A written description of the function of the substance must be provided when using this code and the description should be as concise as possible.
 - Not all persons may know the intended function of the substance. Therefore, a substance function code may be difficult to identify. However, when completing this section of this Notice, respond using the most complete and accurate information available to you.
- in column (c), for each applicable substance function code, the total quantity of the substance **used**, if applicable, reported in kilograms (rounded to two significant digits).

Example 13: In 2012, you imported a mixture that contained a substance listed in Part 2 of Schedule 1 (CAS RN XXXX-XX-X) at a concentration > 0.01 w/w % as a plasticizer (Substance Function Code U022). You used this mixture in the manufacture of a manufactured item, and in total, you used 250 kg of the substance itself during the 2012 calendar year.

In 2012, you also imported a reportable substance (CAS RN YYYY-YY-Y) but only distributed it to your customers and did not use it. You may know that the substance can function as an adhesive (Substance Function Code U002).

(a) CAS RN	(b) Applicable substance function code(s) (set out in section 17)	(c) Total quantity of the substance used, if applicable, reported in kilograms (rounded to two significant digits)
XXXX-XX-X	U022	250
YYYY-YY-Y	U002	0

7.5- Section 8 of Schedule 3

For each substance listed in Schedule 1, that a person **manufactured, imported or used**, during the 2012 calendar year, for which the criteria set out in Schedule 2 have been met, at a concentration equal to or above 0.01 percent by weight (w/w %), the person shall provide the following information:

- in column (a), CAS RN of the substance;
- in column (b), the applicable consumer and commercial code(s) that apply to the substance alone, or to the mixture, product or manufactured item containing the substance listed in column (a);
 - Choose the consumer and commercial code(s) that are consistent with the most complete and accurate information available to you.
 - If none of the consumer and commercial codes provided apply, then code C999 should be used. A written description of the use of the substance, or the mixture, product or manufactured item containing the substance, must be provided when using this code and the description should be as concise as possible;
- in column (c), for each applicable consumer and commercial code listed in column (b), the total quantity of the substance reported in kg (rounded to two significant digits);
- in column (d), for each applicable consumer and commercial code listed in column (b), a statement identifying the description and the common or generic name of the known or anticipated final substance, mixture, product or manufactured item containing the substance. The statement should be as concise as possible. Using trade names is an effective way of summarizing this information;

- in column (e), for each applicable consumer and commercial code listed in column (b), the concentration, or range of concentrations, of the substance by weight (w/w%) in the known or anticipated final substance, mixture, product or manufactured item containing the substance; and
- in columns (f), (g) and (h), for each applicable consumer and commercial code listed in column (b), indicate with a “YES” or “NO” whether any known or anticipated final substance, mixture, product or manufactured item containing the substance is intended for use in commercial activities, for use in consumer activities, or for use by or for children 14 years of age or younger.
 - Not all persons responding to the Notice may know the exact or anticipated final use of the substance or the substance in the mixture, product or manufactured item, therefore, when completing this section of the Notice, respond using the most complete and accurate information available to you.
 - **Commercial activity** refers to the use of a substance or the use of a mixture, product or manufactured item containing a substance, by a commercial enterprise providing saleable goods or services. For example:
 - Substance is contained in a mixture, and the mixture is sold to an enterprise as a resin.
 - Substance is contained in a coating mixture that is used by a company when providing their painting services to other persons or companies.
 - **Consumer activity** refers to the use of a substance that is directly sold or made available to consumers, whether alone or as part of a mixture, a product, or a manufactured item, for their use in or around a permanent or temporary household or residence, a school, or a recreational area. For example:
 - Substance is contained in an imported manufactured item (e.g., a piece of furniture, a rug, a television) that is sold to consumers.
 - Substance is contained in a product (e.g., sealant) sold to consumers for do-it-yourself home maintenance.
 - Substance is contained in food packaging items that are sold to consumers for their personal use.
 - When responding to whether the known or anticipated final substance, mixture, product, or manufactured item containing the reportable substance is intended for use by or for children, the following guidance can be considered:

For the purpose of section 8 of Schedule 3 only, "Children" are considered persons 14 years of age or younger. *(Note that the requirements of Schedule 2, section 2(b)(i), applies to a manufactured item that is intended to be used by or for children under six years old).*

For column (e), your substance, whether alone, in a mixture, in a product, or in a manufactured item containing the reportable

substance, is intended for use by or for children, when you answer “yes” to at least one of the following questions:

1. Is the substance, whether alone, in a mixture, in a product, or in a manufactured item commonly recognized (i.e., by a reasonable person) as being intended for children age 14 or younger?
2. Does the manufacturer of the substance, or mixture, product, or manufactured item containing the substance, state through product labeling or other written materials that the product is intended for or will be used by children age 14 or younger?
3. Is the advertising, promotion, or marketing of the substance, or mixture, product, or manufactured item containing the substance, aimed at children age 14 or younger?

For example, among other items, certain manufactured items such as coloring books, diapers, and video games are typically to be used by children age 14 or younger. Certain products and manufactured items such as household cleaning products, automotive supplies, and lubricants are not typically intended to be used by children age 14 or younger.

Example 14:

In 2012, you imported 874 kg of a substance listed in Part 1 of Schedule 1 (CAS XXXX-XX-X), which was used in the manufacture of foam seating and bedding (consumer and commercial code C102), paints and coatings (C202) and electrical equipment and electronics (C205).

In 2012, you also imported 10 000 kg of a substance listed in Part 1 of Schedule 1 (CAS YYYY-YY-Y), which was used in the manufacture of toys, playground and sporting equipment (C304), other rubber materials (C303.02), and other plastic materials (C303.01).

(a) CAS RN	(b) Consumer and commercial code(s) (set out in section 15)	(c) Total quantity of the substance reported in kg (rounded to two significant digits)	(d) Description and the common or generic name of the known or anticipated final substance, mixture, product or manufactured item containing the substance	(e) Concentration, or range of concentrations, of the substance by weight (w/w%) in the known or anticipated final substance, mixture, product or manufactured item containing the substance	(f) Whether any known or anticipated final substance, mixture, product or manufactured item containing the substance is intended for use in commercial activities (Indicate “yes” or “no”)	(g) Whether any known or anticipated final substance, mixture, product or manufactured item containing the substance is intended for use in consumer activities (Indicate “yes” or “no”)	(h) Whether any known or anticipated final substance, mixture, product or manufactured item containing the substance is intended for use by or for children 14 years of age or younger (Indicate “yes” or “no”)
XXXX- XX-X	C102	600	Top layer of mattress; Foam in baby change pad ABC; Baby/child car seat; bed skirt	5%; 2%; 10%; 20%	Yes	Yes	Yes
	C202	200	Latex Paint 123 for concrete floors	5%	Yes	Yes	No
	C205	70	Electrical wire sheathing; TV casing; Computer connectors	10% - 15%	Yes	Yes	No
YYYY- YY-Y	C304	5 000	Rubber playground equipment	10%	No	Yes	Yes
	C303.02	3 000	Garden hose; Latex examination gloves;	25% 15%	Yes	Yes	Yes

			Latex balloons	10%			
	C303.01	2 000	Water Bottles	5%	Yes	Yes	Yes

7.6- Section 9 of Schedule 3

For each substance listed in Schedule 1, that a person **manufactured, imported or used**, during the 2012 calendar year, for which the criteria set out in Schedule 2 have been met, at a concentration equal to or above 0.01 percent by weight (w/w %), the person shall provide the following information from any calendar year:

- In column (a), the CAS RN of the substance;
- In column (b), list any unpublished data or studies on the substance with regards to any of the following:
 - (i) human health study endpoints:
 - a. acute toxicity (oral, dermal, and inhalation),
 - b. short-term toxicity (oral, dermal, and inhalation),
 - c. sub-chronic toxicity (oral, dermal, and inhalation),
 - d. carcinogenicity,
 - e. genotoxicity (*in vitro*),
 - f. genotoxicity (*in vivo*),
 - g. developmental and reproductivity,
 - h. irritation and sensitization,
 - i. absorption, distribution, metabolism and excretion, and
 - j. biomonitoring.
 - (ii) ecological study endpoints:
 - a. melting point,
 - b. boiling point,
 - c. vapour pressure,
 - d. water solubility,
 - e. octanol-water partition coefficient,
 - f. organic carbon-water partition coefficient,
 - g. acid dissociation constant,
 - h. biodegradation,
 - i. bioaccumulation factor, bioconcentration factor, and biomagnification factor,
 - j. ecotoxicity (experimental acute and chronic studies for pelagic, benthic, and terrestrial organisms),
 - k. environmental monitoring and presence,
 - l. chemical transformation data or studies related to the transformation (degradation, oxidization, curing, reaction, and volatilization) of the substance,

- during the manufacturing of product or article,
 - during other industrial uses (if not manufactured),
 - during pyrolysis, and
 - during the expected service life of each type of product or article
- m. leaching potential data or studies related to, for example,
- the proportion, quantity or concentration of the substance potentially leaching out of the product or manufactured item during its service life or use; and
 - the proportion, quantity or concentration of the substance potentially leaching out of the product or manufactured item at its end-of-life.
- In column (c), the title(s) of the unpublished data or studies that have been submitted for the endpoint listed in column (b); and
 - In column (d), the title(s) of any additional unpublished data or studies not listed in column (b) on the substance with regard to physical-chemical properties, bioaccumulation, persistence, toxicity, metabolism, degradation, release or disposal of the substance from the final mixture, product or manufactured item.

For the purposes of the Notice, data or studies are considered "unpublished" if they are not readily found using standard search engines (e.g., Scopus, Pubmed, Toxline, etc.). **The unpublished data or studies submitted can be from any calendar year.**

Full data or studies should be submitted as an attachment to your submission. You are encouraged to provide the data or studies in electronic format (either on a CD, DVD or USB memory stick), or if the file size is small enough, you can submit it by email.

Example 15:

A person who responds to the Notice possesses unpublished studies on ecotoxicity and biodegradation for a substance listed in Part 1 of Schedule 1. In addition, a person who responds to the Notice possesses unpublished data on mammalian toxicity for a substance listed in Part 2 of Schedule 1.

(a) CAS RN	(b) Unpublished data or studies (Indicate corresponding data types of the submitted data or studies for each CAS RN)	(c) Study title(s) for the data or studies submitted in paragraph (b)	(d) Study title(s) for additional unpublished data or studies not submitted in paragraph (1)(b) (Indicate corresponding data types of the submitted data or studies for each CAS RN)
XXXX-XX-X	Ecotoxicity	A 48-hour flow-through acute toxicity test with <i>Daphnia magna</i> (Peter et al. 1999)	
XXXX-XX-X	Biodegradation	Investigation of biodegradation in sludge, sediments and soil (Johnson et al. 2001) Ready biodegradability by the carbon dioxide evolution test method (Tremblay J. 2009)	
XXXX-XX-X			Acute toxicity study on rats for CAS RN XXX-XX-X (Peterson et al. 2005)

7.7- Section 10 of Schedule 3

For each substance listed in Part 1 or Part 2 of Schedule 1 that a person **manufactured, imported or used** during the 2012 calendar year, for which the criteria set out in Schedule 2 have been met at a concentration equal to or above 0.01 percent by weight (w/w %), the person shall provide the following information:

- in column (a) the CAS RN of the substance sold to each person identified in paragraph (b);
- the names and street addresses of a maximum of 20 persons in Canada to whom the largest quantity of the substance above 100 kg was sold; and
- the total quantity of the substance, that was sold to each person identified in paragraph (b), reported in kilograms (rounded to two significant digits).

Example 16:

In 2012, you manufactured 500 kg of CAS RN XXXX-XX-X and sold it to two companies in Canada (325 kg to Company A Inc. in Big Town, ON, and 175 kg to Company B Inc. in Hometown, BC)

(a) CAS RN ¹	(b) Name and address of a maximum of 20 persons in Canada to whom the largest quantity of the substance above 100kg was sold	(c) Total quantity of the substance that was sold to each person identified in paragraph (b) reported in kg (rounded to two significant digits)
XXXX-XX-X	Company A Inc. 200 1 st avenue Big Town, ON	330
XXXX-XX-X	Company B Inc. 751 Main street Hometown, BC	180

7.8- Section 11 of Schedule 3

For each substance listed in Part 2 or Part 4 of Schedule 1 that a person **manufactured, imported or used**, during the 2012 calendar year, for which the criteria set out in Schedule 2 have been met, at a concentration equal to or above 0.01 percent by weight (w/w %), the person shall provide the following:

- in column (a), the CAS RN of the substance;
- in column (b), the chemical identity or CAS RN of the components of the substance. The minimum level of specificity of each component identified should represent an isomer. Chemical identity is to be represented by CAS RN where known. Otherwise a description including representative structures of the components can be provided;
- in column (c), the concentration or range of concentration of each component listed in column (b) as a weight percentage (w/w%) in the formation of the substance listed in column (a); and
- in column (d), the supporting analytical data and method used to identify the components listed in column (b).

Your response to the notice should contain information on the components of the substances in Part 2 or Part 4 of Schedule 1. The supporting analytical data and methods used to identify the components of the substance may include: chromatograms; spectral analyses (e.g., C- or H-nuclear magnetic resonance (NMR) spectra data, infrared or UV-VIS spectra data, mass spectra (MS) or atomic absorption spectra (AAS) data); and/or reference to peer reviewed articles supporting chemical identity and concentration information, or reference to industry or analytical standards such as the color index or International Organization for Standardization (ISO)-Standards for essential oils.

When analytical information is submitted, ensure that sufficient detail of the methodology is provided such that concentration and/or chemical identity information may be interpreted from the information provided.

You may wish to contact your supplier to obtain information on the chemical identity of the components of the substance. If the information is not available, you can provide representative structures for the substance.

Example 17:

In 2012, you imported 1 000 kg of a substance listed in Part 2 of Schedule 1 from one supplier. The supplier has indicated that the substance is composed of Component A at 30-35% and Component B at 65-70%, and provided you with UV-VIS spectra data.

(a) CAS RN	(b) Chemical identity or CAS RN of the components of the substance	(c) Concentration or range of concentrations of each component listed in paragraph (b) (w/w%)	(d) Supporting analytical data and method used to identify the components listed in paragraph (b)
XXXX-XX-X	Component A (CAS RN xx)	30-35	UV-VIS spectra was used as per Smith et al. 1994. Supplementary data attached.
	Component B (CAS RN xx)	65-70	

7.9- Section 12 of Schedule 3

For each substance listed in Schedule 1 that a person **manufactured or used**, during the 2012 calendar year, for which the criteria set out in Schedule 2 have been met, at a concentration equal to or above 0.01 percent by weight (w/w %), the person shall provide the following:

- in column (a), CAS RN of the substance;
- in column (b), the name and street address (street, city and province) of the facility or facilities where the substance was manufactured or used;
- in column (c), for each facility, a description of the environmental monitoring activities for the substance, including monitoring frequency and methodology. For example, provide information such as:
 - the presence or concentration of the substance in samples from your air emissions, wastewater effluents or waste streams: results of these tests,

- units, method detection limits as well as sampling and analytical methods used;
- if not tested: calculated quantities of the substance emitted and/or released (e.g., predicted environmental concentrations), calculation methods, emission factors, supporting data, references, and units used; or
 - for releases of the substance to air: indication as to whether the emissions are from point source or fugitive, the duration and frequency of the emissions, and ground concentration (specify the units).
- in column (d), for each facility, indicate with a “YES” or “NO” whether used storage or transportation containers containing the substance, either alone or in a mixture, were cleaned on site;
 - in column (e), for each facility, a description of the waste management practices, policies or technological solutions in place to prevent or minimize releases of the substance to the environment, including unintended releases; or to prevent or minimize the potential exposure of individuals in Canada to the substance. Provide a brief summary of your waste management practices, policies or technological solutions as an attachment to your submission;
 - Waste and wastewater management practices, policies or technological solutions relate to means put in place in each facility to prevent or minimize releases of the substance to the environment, or exposure of individuals in Canada to the substance. Examples of technological solutions include, but are not limited to:
 - scrubbers, thermal oxidizers and bag filters to prevent releases to air;
 - collection tanks to capture wash water from facility’s floors and drains for treatment and/or disposal;
 - lagoons and ponds to capture storm water and site run-offs for treatment prior to discharge;
 - oil-water separators;
 - primary, secondary or tertiary on/off-site wastewater treatment equipment systems;
 - disposal practices of used containers such as clean on site and/or sent off site for recycling or disposal;
 - wastes and recyclable materials containing phthalates management practices (such as reuse, sent to landfill, sale as under grade product, send to recycling etc.); or
 - environmental management system in place such as ISO 14000, Responsible Care, Code of Practice, etc.
 - in column (f), for each facility, the total quantity of the substance manufactured or used, reported in kilograms (rounded to two significant digits);
 - in column (g), for each facility, the total quantity of the substance that was released from the facility to air, water or land. If you know the substance was not released, indicate “0”;
 - in column (h), for each facility, the source of releases to air, water or land;
 - in column (i), for each facility, the total quantity of the substance whether alone, in a mixture, in a product or in a manufactured item, that was treated on-site, or that was transferred to an off-site hazardous or non-hazardous waste management facility; and

- in column (j), the name and street address (street, city and province), for the off-site hazardous or non-hazardous waste management facility to which the substance or used containers containing the substance, whether alone, in a mixture, in a product or in a manufactured item, were transferred.

For columns (g), (h) and (i), refer to Section 6.5 and 6.6 of this document for more information and examples on releases and transfers.

The effectiveness of environmental technologies is particularly important in exposure analysis and you are encouraged to provide this data via the stakeholder interest form (see Section 9 of this document for more information on submitting voluntary information). The effectiveness refers to, for example, meeting specific regulatory limits or the removal efficiency rate of the wastewater treatment system or air pollution control devices used, including input and output data, units used, number of operating hours or days per year of the control technology, and whether the control technology is bypassed for maintenance or if it remains in operations during routine process shut down.

It is important to note that in the absence of this information, generic emission factors may be used.

Example 18:

In 2012, you used 5 000 kg of a substance listed in Schedule 1 contained in plastic resin shipped in bulk (1 tonne super sack) to your Big Town, ON facility. The resin is then manufactured into electrical conduit using an extruder. The newly formed conduit is then cooled by submerging it in water. Every year, the cooling water is tested to determine the concentration of the substance. The 2012 cooling water sample had a substance concentration of 250 mg/L. Knowing that your facility uses on average 100,000 L/year of cooling water, you estimated that the total substance released with the cooling water is 3 kg/yr. The cooling water is subsequently sent to the Big Town municipal wastewater treatment plant. The extruder area is equipped with fans that direct dust to a bag house. One kg/year of a substance was also estimated to be released to the air from an extruder vent and directed to stack. The collected dust (about 1 000 kg per year of dust containing 5 kg of substance) is sent to the municipal landfill.

(a) CAS RN	XXXX-XX-X
(b) Name and street addresses of the facility or facilities	AAP, 200 1 st Ave., Big Town, ON
(c) Description of environmental monitoring activities for the substance, including monitoring frequency and methodology	Yearly monitoring of the substance in extruder cooling water using enclosed sampling and analytical methods by Lab Inc. Monitoring results enclosed.
(d) Whether used storage or transportation containers containing the substance, either alone or in a mixture, were cleaned on site (Indicate “yes” or “no”)	No
(e) Description of the waste management practices, policies or technological solutions in place to prevent or minimize releases; or to prevent or minimize the potential exposure of individuals in Canada to the substance	Process of resin manufacturing is automated; valves and equipment are automated. Cooling water is recirculated X-times before discharge. A bermed area is used to collect accidental spills from the tank and a secondary containment area is used within the facility to collect drips and spills during cooling process. Facility’s floor drains are

		<p>connected to a collection system emptied once every 6 months by hazardous waste company A.</p> <p>An emergency holding pond is used to capture site run-off; the discharge from the pond (mainly, accumulated rain water and melting snow) is sent to the municipal wastewater system. Empty containers received containing listed substances are not cleaned on site and sent off-site for disposal. Offspecs or resin are sent off-site for recycling. Our company has a Code of Practice for handling substances and for minimization of environmental releases from this facility (see attached). The facility is ISO 14001 and Responsible Care certified.</p>
(f) for each facility, the total quantity of the substance manufactured or used, reported in kilograms (rounded to two significant digits)		5000
(g) Total quantity released in kg to air, water or land (rounded to two significant digits)		(h) Source of releases to air, water or land
Air		1
Water		3
Land		0
(i) Total quantity in kg treated on-site or transferred to an off-site waste management facility (rounded to two significant digits)	On-site waste treatment	0
	Off-site hazardous waste	1
	Off-site non-hazardous waste	5 (bag house dust)
(j) Name and street address for off-site hazardous or non-hazardous waste management facility to which the substance or use containers were transferred		<p>Cooling water discharge: City of Big Town Municipal Wastewater Treatment Plant, Incinerator Rd, Big Town, ON</p> <p>Waste filters: City of Big Town Landfill, Big Town, ON</p>

n/a = not applicable

7.10- Section 13 of Schedule 3

For each substance listed in Part 1 or Part 2 of Schedule 1 that a person **manufactured or used**, during the 2012 calendar year, for which the criteria set out in Schedule 2 have been met, at a concentration equal to or above 0.01 percent by weight (w/w %), the person shall provide the following:

- in column (a), CAS RN of the substance;
- in column (b), the name, and street address (street, city and province) of the facility or facilities where the substance was manufactured or where the substance was used alone or in a mixture, in the manufacture of a mixture, product, or manufactured item;
- in column (c), for each facility, a summary of the manufacturing or the use process including the nature of the process, identifying major steps in the operation and chemical conversions. The summary of the nature of the manufacturing or use process should include, for example:
 - whether the state in which the substance is found is neat, as part of a mixture or as part of product, if applicable;

- whether the physical state of the substance, mixture and/or product is solid (e.g., powder, pellet, etc.), liquid (e.g., sludge, solution, etc.) or gaseous, if applicable;
- whether it is a batch or continuous process, open or closed process, dry or wet process, or process using closed-loop, pressurized or vacuum system;
 - if the substance is used in a batch process: the maximum kg/batch (100% chemical substance basis), hours/batch and batches/year, or
 - if the substance is used in a continuous process: the maximum kg/day (100% chemical substance basis), hours/day and days/year
- the processing temperature and the process pressure if pressurized;
- the scale of the process including facility production rates;
- the process equipment cleaning frequency (e.g., per day or per batch) and type of cleaning solution, if used (e.g., steam, hot water, aqueous caustic solution, and toluene);
- and a flow diagram of the manufacturing or the use process, including releases and the points of entry of feedstocks. The flow diagram of the manufacturing or use process can include features such as:
 - Identity of entry and exit points of incoming and outgoing materials containing the substance (e.g., feedstocks, reactants, solvents, catalysts, and waste products);
 - Reuse and recycling streams, if any; and
 - All streams and points of release of the substance (or product or manufactured item containing the substance) throughout any of its lifecycle stages (e.g., during transportation; handling including storage and repackaging, processing or manufacturing) including open drains and discharge points.

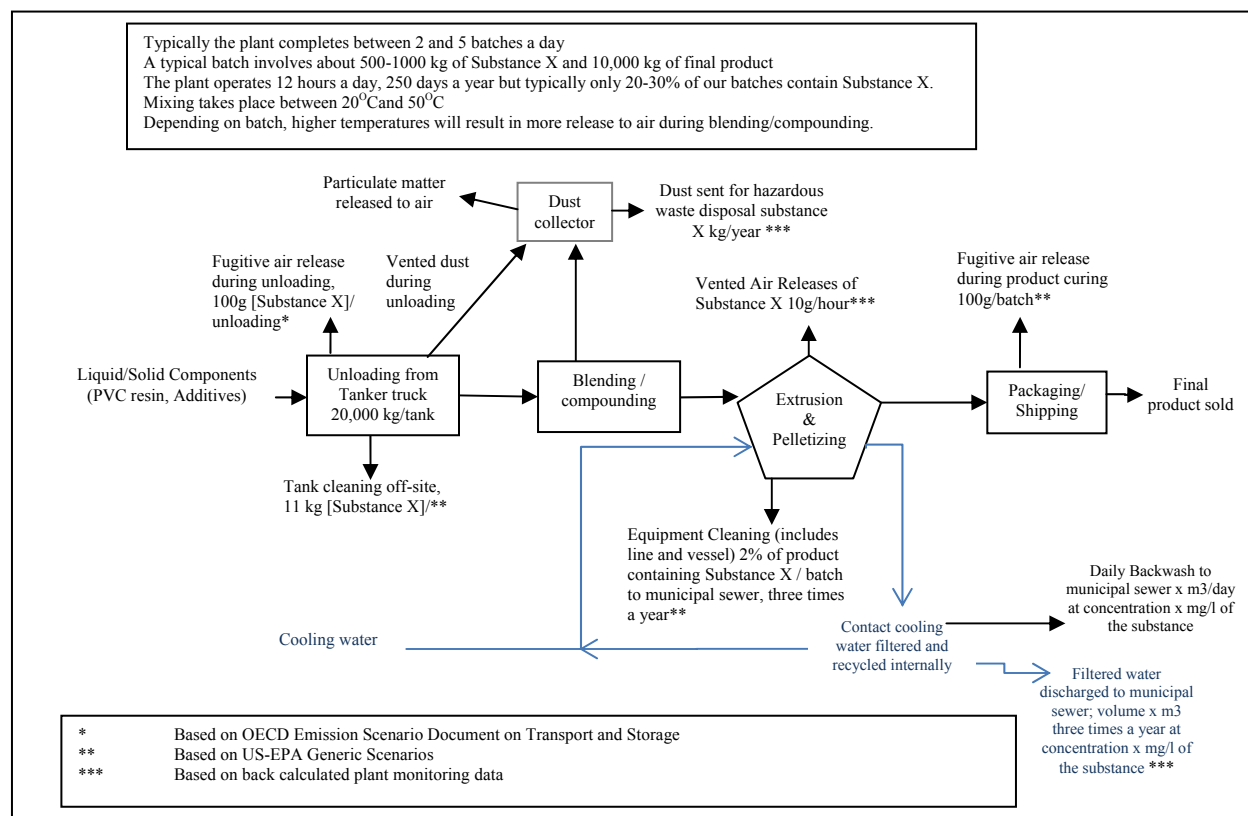
In responding to this question, one description and one flow diagram per manufacturing or use process can be provided for all of the substances related to that process. Note that flow diagrams should be provided as an attachment to your submission.

Example 19:

In 2012, you used a substance listed in Part 1 of Schedule 1 at two of your facilities (Facility A and Facility B) to produce Product Z. The use process is the same at both facilities.

(a) CAS RN	(b) Name, and street addresses of the facility or facilities	(c) Summary of the manufacturing or the use process including the nature of the process, identifying major steps in the operation and chemical conversions
XXXX-XX-X	Facility A 123 First Street, Toronto ON	Description of your operations at each facility. For example: descriptive site plans, process diagrams, flow charts, site wastewater treatment plant diagrams, etc. for each facility. See example (Figure 1) below.
	Facility B 456 Snow Street, Montreal QC	

Figure 1: Example of a Process Summary and Flow Diagram



8. Information to which you may reasonably be expected to have access

You are required to provide information that your company possesses or to which you may reasonably be expected to have access. For example, when importing a substance, mixture, product or manufactured item, you may reasonably be expected to have access to import records and the relevant Material Safety Data Sheet (MSDS). An MSDS is an important source of information on the composition of a purchased product. Note that the goal of the MSDS is to protect the health of the workers, not the environment. Therefore, a MSDS may not list all product ingredients on which the Minister of the Environment is requiring information under the Notice. You may wish to contact your supplier for more detailed information on product composition. Manufacturers would be reasonably expected to have access to their formulations.

Also, a company may have access to its parent company's information regarding substances, mixtures, products or manufactured items. You are not required to conduct tests to comply with the Notice.

9. Declaration of Non-Engagement and Declaration of Stakeholder Interest Forms

Persons who do not meet the requirements to respond to the Notice and have **no current or future interest in the substances listed** in the Notice may complete a **Declaration of Non-Engagement Form**.

Persons who do not meet the requirements to respond to the Notice, but who have a current or future interest in any of the substances listed in the Phthalate Substance Grouping (regardless of whether or not the substance is listed in the Notice), are encouraged to identify themselves as a “stakeholder” for the substance by completing the **Declaration of Stakeholder Interest Form**. Interested stakeholders will be included in future mailings regarding these substances and may be contacted for further information regarding their activity or interest in these substances. When completing the form, you should:


- identify the substance(s) of interest to you, and
- specify your activity or potential activity with the substance(s) (e.g., import, manufacture, or use)

The Declaration of Stakeholder Interest Form also lists **voluntary information** that stakeholders are encouraged to provide on the substances described in the Notice. This information will help the Government of Canada improve decision making for these substances and ensure all activities are considered before moving forward with further actions regarding these substances.

Examples of the type of additional information that could help inform the risk assessment process include, but are not limited to:

- A description of any activities you had with the substance(s) other than those described in Schedule 2 of the Notice, either with the substance alone, or in a mixture, product, or manufactured item, during the 2012 calendar year, along with the quantity of the substance that was manufactured, imported, or used for each activity;
- Trade names of the substance, mixture, product or manufactured item containing the substance;
- Analogues or alternatives for these substances, and their advantages and disadvantages;
- Quantities of the substances manufactured, imported, used, and/or exported per calendar year, for the last 5 years;
- Customer contact information;
- Supplier information (name, location and contact information);
- Unpublished data or studies on physical-chemical properties, bioaccumulation, persistence, toxicity, metabolism, degradation, or the release of the substances from the final mixture, product or manufactured item;
- Process information for each facility, such as:
 - Air emissions (e.g., from high-temperature processing)
 - Sources of wastewater that is released and treated at your facility;
 - Type of wastewater treatment methods used at your facility;

- Whether your facility wastewater effluents are re-used in the process;
- Volume of each effluent stream potentially containing the substance (indicate whether the streams are combined with other effluents prior to discharge), and the total volume of all effluent streams discharged in m³ annually;
- Your facility's wastewater effluent flow rates (e.g., average daily volume or 90th percentile in m³ or liters per day), and periods of discharge;
- The fate, quantity (kg) and treatment methods used for your facility wastewater sludge;
- Whether the wastewater effluent is discharged directly to receiving water body, transferred to a waste disposal facility, or to municipal STP;
- Storage and transportation container information (e.g., size and type of container, percentage or actual quantity of residue left in the container after cleaning, and a description of how the empty containers are handled/cleaned/treated (off-site, on-site, other), and how the rinsate is handled/treated); and
- Waste management information for each facility, such as:
 - (i) name and location of the corresponding receiving water bodies and/or waste disposal facilities to where your facility wastewater effluents are discharged or transferred to; and
 - (ii) effectiveness of waste management practices.

Responses to the Declaration of Stakeholder Interest Form and the Declaration of Non-Engagement Form can be submitted via  Environment Canada's Single Window available July 26, 2013, on the Chemical Substances Web site at:

<http://www.chemicalsubstanceschimiques.gc.ca/group/phthalates-eng.php>

Note that if you imported, manufactured and/or used a substance listed in Schedule 1 to the Notice during the 2012 calendar year, but you did not meet the reporting requirements outlined in Schedule 2 to the Notice (i.e., the quantity manufactured, imported or used was below the reporting threshold), you are encouraged to respond to the section 71 Notice voluntarily.

10. How and to whom do I respond?

Responses to the Notice must be submitted to the Minister of the Environment, to the attention of the Substances Management Coordinator. Responses can also be submitted electronically, using the online reporting tool available at:

<http://www.chemicalsubstanceschimiques.gc.ca/group/phthalates-eng.php>

The form must be "Submitted" to transmit the data. For the response to the section 71 Notice, a signed copy of the Online Submission Confirmation page must also be submitted in order for the submission to be considered complete. This page will be

available through the system after clicking "Submit". The signed copy of the Online Submission Confirmation page must be submitted to the Minister of the Environment, to the attention of the Substance Management Coordinator, by e-mail at Substances@ec.gc.ca, by fax at 819-953-7155, or by mail at:

By mail:

Substances Management Coordinator
Chemicals Management Plan
200 Sacré-Coeur Boulevard, 8th Floor
Gatineau QC K1A 0H3

By courier:

Substances Management Coordinator
Chemicals Management Plan
200 Sacré-Coeur Boulevard, 8th Floor
Gatineau QC J8X 4C6

11. What is the deadline for responding?

Every person to whom the Notice applies is required to comply with the Notice no later than **November 13, 5 p.m. Eastern Standard Time**.

12. What if I need an extension?

As provided in subsection 71(4) of the Act, you may submit a written request for an extension of time to comply with the Notice. The request for an extension should include the CAS RN of the substances on which information will be reported and provide a reason for the request. Address your request to the Minister of the Environment, to the attention of the Substances Management Coordinator, Chemicals Management Plan, 200 Sacré-Coeur Boulevard, 8th Floor, Gatineau, QC K1A 0H3. You may send your request by mail, by fax at 819-953-7155 or by e-mail at Substances@ec.gc.ca. It is important to note that you must request an extension of time before **November 13, 5 p.m. Eastern Standard Time** deadline. No extensions will be granted after the deadline has expired. It is recommended that any request for an extension be submitted at least five business days before **November 13, 5 p.m. Eastern Standard Time**, so that a request can be processed by the Minister of the Environment before expiry of the deadline.

13. Inquiries- whom to contact

If you have an inquiry, contact the Substances Management Information Line at the following numbers or email address:

- Telephone:
1-800-567-1999 (Toll-free in Canada) or 819-953-7156 (Outside of Canada)
- Facsimile: 819-953-7155
- e-mail: Substances@ec.gc.ca (Indicate in the subject line "CMP Phthalate Substance Grouping Inquiry")