Process for Proposing and Considering Changes to the National Pollutant Release Inventory

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1. Introduction

The NPRI is Canada's legislated, publicly-accessible inventory of pollutant releases (to air, water and land), disposals and transfers for recycling. It supports a wide number of environmental initiatives, including pollution prevention and abatement. More details on the purpose of the NPRI are described on the NPRI website[1].

The NPRI is one of a number of information gathering tools available to Environment and Climate Change Canada (ECCC). Keeping in mind the scope of the NPRI, as well as evolving progress and knowledge about pollutants in Canada, there are a variety of potential drivers for changes to the NPRI, including (but not limited to):

- Ensuring that the NPRI substance list and reporting thresholds are appropriate for gathering data on pollutant releases in Canada;
- Ensuring that the NPRI substance list and reporting thresholds, and information collected, meet proponent (and other users) needs. For example:
    - supporting the risk management of substances,
    - supporting the development of other pollutant inventories (such as the Air Pollutant Emissions Inventory), and related international reporting commitments,
    - supporting international initiatives such as the CEC's *Action Plan to Enhance the Comparability of Pollutant Release and Transfer Registers (PRTRs) in North America*, which aims to enhance the comparability of the NPRI with other PRTRs such as the U.S. Toxics Release Inventory, where such alignment would also be in the Canadian interest and appropriate, and
    - adapting to input received from the community of NPRI stakeholders, reporters and data users and other parties;
- Strategic alignment opportunities between the NPRI and other ECCC programs such as the Chemicals Management Plan (CMP) where appropriate; and
- Consideration of substances on the List of Toxic Substances *[Canadian Environmental Protection Act* (CEPA), Schedule 1] that are released by facilities.

This document presents:

- Guidance on how to propose changes to the NPRI program;
- A summary of the considerations to determine if NPRI is the right information gathering tool for the data needs and to determine whether a proposed change to the NPRI is warranted; and
- A description of the consultation process used by ECCC when considering changes to the NPRI (including communications with the change proponent).

The *Process for Proposing and Considering Changes to the NPRI* is has been developed with the assistance of members of the NPRI Multi-Stakeholder Work Group and is intended to support the *Guidelines for the Use of Information Gathering Authorities under Section 46 of the Canadian Environmental Protection Act* (CEPA). This document is based on, and replaces *Modifying the NPRI: A Guide to the Procedures to Follow When Submitting Proposals and a Description of the*

[1] http://www.ec.gc.ca/inrp-npri/

Stakeholder Consultation Process (2001) and the draft *Framework for Listing/Delisting of Substances at an Alternate Threshold in the NPRI* (2008).

2. How to Propose Changes to the NPRI Program

2.1 Who Can Submit a Change Proposal?

Any party in Canada (person, government or organization, including ECCC itself), hereafter called the "proponent", may submit proposals to ECCC for modifications to the NPRI program, such as adding or deleting substances, changing reporting thresholds, or other types of changes to the reporting criteria or to the information requirements.

2.2 What Information Must be Included in a Change Proposal?

The full list of information to be provided to the NPRI program office when submitting a change proposal is outlined in Appendix A. The success of any proposal however hinges on appropriate justification for the change, and to this end, key considerations to address when proposing changes to the NPRI are described in section 3.

If the proponent cannot provide rationales in support of the considerations in section 3, a proposal can still be submitted to ECCC; however information/justification gaps may delay the evaluation, or result in a rejection, of the change proposal.

2.3 When Should a Change Proposal be submitted?

A proposal may be submitted at any time during a calendar year. Depending on the quality and completeness of the proposal, the urgency and/or complexity of the issue, and/or other priorities of the NPRI program, the subsequent timeline for consideration will be determined.

Note that if/when a change proposal is successful, it's implementation will be subject to the timing of the NPRI Canada Gazette notice publication, which is published biennually prior to (or as early as possible during) the first year to which the 2-year notice applies.

An acknowledgement of receipt of the proposal will be provided to the proponent within a reasonable time frame. Other correspondence will follow that will indicate if and/or when and how ECCC will proceed with the proposal (see section 4.1 for more details on the process and options for proceeding).

3. Considerations for Assessing Proposed Changes to the NPRI

3.1 Decision Factors for the Addition and Deletion of Substances

The decision factors outlined in this section help to determine if the NPRI is the appropriate vehicle to collect the information sought by the change proposal and whether the change is warranted. As written, they apply to additions and deletions of substances. However, the same concepts apply to the consideration of other types of changes to the reporting requirements, where appropriate. Along with the decision factors, the additional considerations (see Section 3.3) should also be evaluated.

1. Does the substance meet all of the NPRI criteria, that is:

a) ***Is the substance manufactured, processed or otherwise used* (MPO) *by facilities in Canada?***[2]
b) ***Is the substance of health and/or environmental concern?***
c) ***Is the substance released to the Canadian environment or disposed***[3] ***of by facilities, and do facilities contribute significant releases of the substance*?**
d) ***Is the substance present in the Canadian environment?***

The first two criteria are intended to be absolute, in the sense that a substance must be MPO by facilities in Canada, and be of health and/or environmental concern, to be on or added to the NPRI. If these criteria are not satisfied for a substance being proposed to the NPRI it should not be added, and if they are not satisfied for a substance currently on the NPRI, it should be deleted.

For the third criteria, there are various ways in which 'significant' can be characterized. The concept relates not only to the proportionate quantity of a substance released by facilities relative to other sources of release of that substance, but also to the absolute quantity in terms of potential for health or environmental impacts from the releases. In other words, even if facilities do not account for a major proportion of total releases, the absolute magnitude of facility releases may nonetheless be significant in the context of environmental/human health impacts depending on such factors as location, timing, concentration, and the potential environmental or health risk associated with the substance.

The fourth criteria indicates that there must be reasonable expectation that a substance is present and of concern as a result (at least in part) of being or potentially being released into the Canadian environment in order for it be added to or retained on the NPRI. In cases of naturally-occurring substances, the contribution of facility releases to environmental presence will be acknowledged in the context of available information on background levels.

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[2] Note that MPO includes both intentional and unintentional manufacture and/or production (i.e. co-incidentally produced, or produced as a by-product)

[3] a disposal of a substance is defined as its:
(a) final disposal to landfill, land application or underground injection, either on-site or off-site;
(b) transfer off-site for storage or treatment prior to final disposal; or
(c) movement into an area where tailings or waste rock are discarded or stored, and further managed to reduce or prevent releases to air, water or land, either on-site or off-site.

2. Does inclusion of the substance support one or more of the objectives of NPRI?

The following are the objectives of the NPRI:

- To improve public understanding
- To identify priorities for action
- To encourage voluntary action to reduce releases
- To allow tracking of progress in reducing releases (including successful reductions)
- To support targeted regulatory initiatives
- To support development of other pollutant release inventories, such as the Air Pollutant Emissions Inventory, and related international reporting obligations, where appropriate.

In looking at whether the change would meet the objectives of the NPRI, the additional considerations below in section 3.3, such as value, costs and the ability of facilities to obtain and report data of meaningful quality, should also be taken into account.

3. Is the substance reported elsewhere in Canada? If it is reported elsewhere, is there nonetheless additional value in reporting the information through the NPRI?

If a substance is reported or regulated elsewhere, the benefit of adding or deleting it from the NPRI would be evaluated, taking into account whether doing so would fill information needs (described by the proponent) and whether the NPRI is an appropriate vehicle to collect the information. For example, consideration would be given to whether:

- The existing information on the substance is as publicly available as it would be through the NPRI (keeping in mind the importance of existing confidentiality protections where appropriate);
- The existing information is available at the facility level, as it would be through the NPRI;
- The existing information is comparable in terms of comprehensiveness that would be captured by the NPRI; and
- The quality and type of existing data is comparable to what NPRI would collect (e.g., absolute quantities versus concentration).

If a substance reported elsewhere in Canada is deemed appropriate to include or retain in the NPRI, to the greatest extent possible, efforts will be made to consolidate the reporting requirements to effectively and efficiently meet multiple data needs (assuming compatibility of data requirements, confidentiality, timing, etc.).

4. Is the substance already on the NPRI in some form? If it is already on the NPRI in some form, is there nonetheless additional value in including it in another form?

When considering adding a substance in another form (e.g., tetraethyl lead as a separate listing from lead and its compounds), efforts should be made to avoid the potential for double-counting. In other words, where possible, the listing of a compound as both an individual substance and included as part of an aggregate category should be avoided. In any case, a clear substance definition is very important to minimize potential for double-counting and confusion among reporting facilities and data users.

3.2 Categories and Criteria for Threshold selection (including Alternate Thresholds)

Once a substance has met the decision factors for its inclusion on the NPRI (see section 3.1), one must then look at the overall NPRI criteria describing what facilities are subject to the Canada Gazette reporting requirement notice[4] to ascertain whether these criteria impact achievement of the data objectives. Specifically, this includes looking at the:

- The 20,000 hour employee threshold,
- The list of specified activities for which reporting to the NPRI is required, irrespective of employee-hour count.

If either of these present a barrier to collecting the data being sought by the proponent, then the proponent should explain how, and may opt to propose the exclusion/exemption of these criteria (with clear justification) for the threshold at hand. The proponent is encouraged to look at current NPRI reporting requirements (e.g., Part 1-Part 5)[5] for examples of threshold design.

Following this, analysis must be undertaken to determine and justify an appropriate reporting threshold type and quantitative level. Unless otherwise justified, the standard default reporting threshold of the NPRI is 10 tonnes MPO (at a concentration of 1% or more except for by-products), and is a good starting point for this analysis[4]. However, to best meet the data objectives of the NPRI and the change being proposed, the proponent can propose an alternate threshold with justification as to why this would better achieve the objectives.

The following paragraphs outline the options (both type and quantitative level) for thresholds. Feasibility factors to consider such as various costs, benefits, and other considerations for determining what threshold is appropriate, are discussed in greater detail in Section 3.3.

3.2.1 Selection of Threshold Type

As mentioned above, once a substance has met the decision factors for its inclusion on the NPRI (see section 3.1), analysis must be undertaken to determine and justify an appropriate reporting threshold type and quantitative level. The three different types of thresholds currently used under the NPRI are described in the following sections.

Manufacture, Process and Other Use (MPO) Thresholds:

The MPO threshold is the standard default type of threshold for NPRI substances. Once the 20 000-hour employee threshold is met or specified activities take place at the facility, facilities would consider the quantity of the substance MPO at a concentration at or above a specified concentration threshold (and by-products and mine tailings at any concentration) to determine if they need to report to the NPRI.

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[4] More information available at:
Canada Gazette notices - http://www.ec.gc.ca/inrp-npri/default.asp?lang=En&n=71D56679-1

[5] More information available at:
Canada Gazette notices - http://www.ec.gc.ca/inrp-npri/default.asp?lang=En&n=71D56679-1
and
Summary of NPRI reporting requirements - http://www.ec.gc.ca/inrp-npri/default.asp?lang=en&n=629573FE-1

An MPO reporting threshold should be used when the substance of concern is a commercial chemical or product, or a contaminant in a commercial chemical and/or product. More information on levels (quantities and concentrations) for this type of threshold are discussed below in section 3.2.2.

Release-based Thresholds:

A release threshold (usually defined as an annual sum quantity released, or loading) can be used when the substance of concern is primarily incidentally manufactured and MPO data is difficult to obtain, or release data is available. For example, when a substance is a combustion product, or is not a commercial chemical or product.

While incidental manufacture is considered to be a form of manufacture in NPRI, in cases where it is difficult for facilities to estimate the quantity of the substance that is incidentally manufactured, an MPO threshold may not be appropriate. On the other hand, information on these types of substances may be more readily accessible in the form of measurements or estimations (e.g., based on emission factors) of releases to the environment (or disposals or transfers), and in these cases a reporting threshold based on this release (or disposal or transfer) information can be more appropriate. Care should be taken when considering thresholds that rely on estimation methods such as emission factors, as these are not without uncertainty, tend to evolve over time and therefore may need more frequent updating.

Activity-based Thresholds:

An activity-based threshold may be considered where the types of facilities, or activities, or processes associated with the substance releases (and/or impacts of concern) are well defined, and where it may be difficult to establish an appropriate MPO or release-based threshold. This type of threshold would typically require all facilities of a specified type, or where specified activities take place, to report for a substance or substances regardless of the quantity of substance MPO or released. In some cases it may be useful to also include a minimum limit to preclude reporting from facilities who handle very small quantities. The 20 000-hour employee threshold can be included or removed for this type of threshold depending on the data objectives.

This particular type of threshold has been used for dioxins/furans and hexacholorobenzene (HCB). Activities that were identified under the Canada-wide Standards as sources of these substances, as well as “titanium dioxide pigment production using chloride process”, are the activities that are listed in the NPRI notice and require reporting for these substances. Further details on this example can be found in the NPRI Part 3 reporting requirements.

3.2.2 Selection of Quantitative Threshold Levels

In combination with choosing a threshold type (see section 3.2.1) for substances that have met the criteria for inclusion in the NPRI, the change proposal must also justify a quantitative level for the threshold. Many substances have unique contexts (e.g., chemical properties, quantities MPO, sources of releases, and level and types of environmental and/or health impacts), therefore the selection of quantitative aspects of their NPRI thresholds must account for the context at hand. Keeping in mind the data objectives of the change proposal, there are two ways in which the quantitative aspects of a threshold are commonly selected and justified:

1. Using a coverage-based analysis
2. Using a level that aligns with appropriate science-based impact thresholds, and/or with other compatible reporting levels as appropriate and justified.

The approach a proponent chooses to justify quantitative aspects of the threshold is made based on context (e.g., data objectives of the change proposal and availability of information, etc.) and a rationale statement should be included in the proposal.

In a coverage-based approach, a proponent can leverage various data (e.g., facility production or release data, among others) if available to calculate coverage rates expected at various threshold levels, to identify a level at which an appropriate balance of value (e.g., achieving satisfactory data) and costs/other feasibility factors (discussed below in section 3.3) is judged to be reached. Ideally, the optimal coverage rate should be established using the proportion of releases from industrial sources that would be reported to the NPRI at different threshold levels. However, in cases where this type of analysis is not possible (e.g., limited availability of data), the proportion of quantities used (e.g., MPO) or the number of facilities captured may be considered. ECCC will try to provide this coverage analysis within consultation documents to promote meaningful consultation, where that data may not be available to the proponent or stakeholders. In cases where the data used by ECCC are not publicly available, a summary will be provided, if possible.

In certain cases where context and proponent data objectives allow and align, it may be more appropriate to streamline threshold levels with other reporting activities (e.g., past or current, intermittent or ongoing, for business or environmental programs). This option could be used when a coverage-based approach cannot be (e.g., information to calculate potential coverage rates is limited or not available, and data objectives allow), and/or could be used strategically to mitigate reporting burden for compatible data (e.g., leverage existing methodologies; measure and report once to meet multiple data/program needs). In this case, a proponent must include a rationale statement behind the threshold alignment. Threshold levels may be based on thresholds used in CEPA section 71 notices for the substance and/or risk-assessment information, and/or risk management instruments for the substance. For example, a reporting threshold already used by a Pollution Prevention (P2) Planning requirement for the substance might be strategic to use for the NPRI if it eases reporting burden, creates efficiency and meets the data objectives of the proposal and the NPRI. Leveraging thresholds from risk assessments or risk management instruments may be appropriate if they are risk-based, suitable to NPRI reporting and achieve the data needs of the proponent. Harmonizing reporting requirements with other Pollutant Release and Transfer Registers internationally may also be of value if the threshold level is also in the Canadian interest and meets the stated objectives without undue burden. As with the coverage-based approach above, the goal is to identify a threshold level at which an appropriate balance of value (e.g., achieving satisfactory data) and costs/other feasibility factors (discussed below in section 3.3) is judged to be reached.

To minimize complexity, the threshold level being proposed should be chosen from a limited number of defined threshold values (e.g., 5 kg, 50 kg, 100 kg, 1 000 kg, 10 tonnes) with supporting justification.

As the threshold quantity is chosen, the (default) 1% concentration by weight exemption should be reviewed, and modified or excluded if it is expected to present a barrier to reporting coverage. Similarly, if there is a more appropriate value (e.g., risk-based and/or efficiency-based such as alignment with other reporting activities like safety data sheets), the proponent can propose this with justification as to why this would better achieve the data objectives.

3.3 Additional Considerations for Additions, Deletions, Alternate Thresholds, or Other Types of Changes

The decision factors outlined in Section 3.1, as written, apply to additions and deletions of substances. However, the same concepts apply to the consideration of other types of changes to the reporting requirements, where appropriate. In addition to considering the appropriate decision factors, the following points should also be considered for additions, deletions, alternate thresholds, and other types of changes.

3.3.1 Value versus Cost

A change proposal should discuss the value versus the cost of the change being proposed. The drivers behind NPRI change proposals are outlined above (see section 1.0), and so value can be demonstrated when those drivers are fulfilled and information gaps are reduced enough to obtain data that meets the stated objective(s). Key factors to keep in mind when considering the value of a proposed change include whether there is value in requiring the on-going reporting of additional information (e.g., does the change support the drivers listed above)? Are there missing sectors or facilities likely to contribute significant releases that would help fill a gap in the NPRI? Will the data received be of satisfactory quality to meet identified objectives?

Other key factors to account for and justify are the value of the information versus the cost of obtaining it (e.g., technology/capital costs, time, other resources, other indirect/downstream consequences) and making it available through the NPRI. Excessive cost can in some cases be judged to outweigh the value of certain data/levels of detail and thus influence the outcome of the change proposal. Efforts will be made to implement reasonable measures to reduce costs to reporting facilities and government, without compromising the NPRI.

In the case of proposed deletions, a proponent is expected to justify the low value of the data (currently or known/forecast as substance release patterns change) and/or any costs (or cost-savings) associated with the deletion.

3.3.2 Capability of Facilities to Provide the Required Information

Another factor to consider in the change proposal is the capability of reporting facilities to provide the required information (e.g., existence of estimation methods, analytical methodology, or monitoring data) at a reasonable level of quality. Capability refers to the state of knowledge about the source in question. Facilities are required (by CEPA) to report information that is in their possession or to which they may be reasonably expected to have access. Capability at a reasonable level of quality is not static; it can be improved though method development, testing and guidance.

It should not be assumed that facilities can easily report high quality data simply because they already have to determine if they meet a reporting threshold. Typically less robust methodologies are used to test if emissions exceed reporting thresholds. The resulting information may not be of adequate quality for public reporting, and could require substantially more work and cost to ensure that reported data is of sufficient quality (e.g meaning, the data enables an accurate picture of releases and transfers, and allows for appropriate use and interpretation as per the stated objectives). Where data value is high, and cost for method development is also high, ECCC will aim to work in partnership with reporters to develop acceptable reporting methodologies/mechanisms, so that a lack of acceptable estimation methods is not a barrier to reporting for a particular substance or sector.

It is very important to provide a clear definition for a substance listed on the NPRI, to minimize potential for double-counting and confusion among reporting facilities and data users. Where a CAS Registry Number exists for an individual substance or a defined group of substances, it must be included as this is the typical way for a facility to identify whether this substance is MPO and in what quantities. In the cases of aggregate or grouped substance listings, a single CAS Registry Number may not exist. In those cases, the substance may be defined by listing the individual substances that comprise the grouping with their CAS Registry Numbers (e.g., for "nonylphenol and its ethoxylates"), by defining the substance grouping in as much detail as possible and indicating which specific individual compounds are not included (e.g., for "lead (and its compounds)"), or by defining the substance grouping otherwise where a list of CAS Registry Numbers is not possible to define (e.g., "particulate matter < 2.5 microns").

3.3.3 Alternate Means for Reducing Data Gaps

If a change is being proposed to address a (perceived) data gap, the proponent should consider the full context of why the gap exists in the first place before proposing (and justifying) a change. The explanation behind the (perceived) data gap may lead a proponent to consider alternative methods to reduce a data gap (e.g., compliance promotion if appropriate), to alter the type of change proposed, or negate the perceived need for a change proposal altogether. For example, the fact that a substance is consistently unreported is not necessarily grounds for deletion. There could be a number of reasons for this other than the current threshold level, including reporting of data under several different sector codes, communication issues about the requirement to report, reporters switching to an alternate estimation method or substance or technology, or facility closures or shut-down periods, etc. In these cases and others, a change to the NPRI may or may not be warranted, and other options for reducing data gaps may also be (more) appropriate.

3.3.4 Coverage and Comprehensiveness

The NPRI should aim to present as complete and comprehensive a picture as possible of the release sources of NPRI substances. As discussed in section 3.2.2, ideally, the proportion of releases captured should be optimized rather than the proportion of quantities used or the number of facilities captured. In addition, it may be appropriate to consider other sources of releases (e.g., from natural background, residential, or transportation, etc.) because some substances may come largely from non-facility-based sources which are not targeted for capture in the NPRI.

All facilities meeting the reporting conditions should report their releases, and sector specific reporting requirements should only be put in place if there is a strong justification. Opportunities for simplicity should be sought, as overly complex requirements may negatively impact the NPRI (e.g., potentially discourage reporters and users). For example, it may be reasonable to exempt certain types of facilities from reporting if determining the quantity of an NPRI substance used or released may be unusually difficult or cost prohibitive. An exemption could also be appropriate when reporting would be an unreasonable burden for a particular type of facility or if it is unlikely that a particular type of facility would meet the reporting conditions. In addition, if the information is already being collected through another program or could be better obtained by means other than reporting to the NPRI, the information could subsequently be incorporated into the NPRI data base in a compatible form.

3.3.5 Other data gathering planned

If there is other data gathering planned or ongoing within ECCC for this substance or in other jurisdictions (e.g., provincial or international programs), there may be benefits in waiting for this information prior to making changes to the NPRI. For example, other data gathering could better inform substance definition, analytical methodologies, or reporting needs/impacts. The proposed change could

be revisited when the data becomes available. Whether to wait for other data gathering to consider or implement a change to the NPRI may depend on a balance of factors such as the timing of data availability and data needs, potential impacts of the substance, and the expected outcomes of the other data gathering.

4. The Stakeholder Consultation Process

4.1 Who We Consult With

The NPRI's Consultation and Engagement Framework[6] outlines the various ways in which the program interacts with stakeholders and users of NPRI data. The NPRI Multi-Stakeholder Work Group is the primary consultative body for the NPRI[7]. It is chaired and coordinated by ECCC, and includes representatives from industry, environmental organizations, and Aboriginal organizations. In addition, consultation documents are shared with the proponents of the change and made available through the ECCC website to allow comments from the general public. ECCC also consults with other federal government organizations (in particular Health Canada) and other Canadian governments (in particular those with pollutant reporting initiatives) on changes to the NPRI that are relevant.

Step-by-step Process

A general summary of the process for change proposals is provided below. This process does not limit ECCC's authority and responsibility to make timely and appropriate changes or decisions regarding the administration of the NPRI program.

1. Receipt of Proposal – ECCC receives proposal, and returns an acknowledgment of receipt to the proponent.

2. Preliminary Review – ECCC does a preliminary review of the rationale provided in the proposal and determines how ECCC intends to proceed. In the case of an incomplete proposal, ECCC may decide to return the proposal to the proponent for completion and resubmission before determining how to proceed, or to refer the proposal to consultations as submitted (in which case ECCC, with assistance of stakeholders as needed, will work to complete any gaps during the consultation process):
    - Referral – A proposal may be referred to the stakeholder consultation process as outlined below.
    - Rejection – A proposal may be rejected, without referral to the full stakeholder consultation process, in the case of changes that clearly do not meet the decision factors or criteria for modifying the NPRI.
    - Acceptance – A proposal may be accepted, without referral to the full stakeholder consultation process, in the case of administrative or minor changes (e.g., substance name changes that do not change the substance definition).
    - Deferral – A determination of how ECCC intends to proceed (i.e. referral, rejection or acceptance) may be deferred in times of high volume or in cases of incomplete

[6] More information on the NPRI consultation can be found in the NPRI Consultation and Engagement Framework http://www.ec.gc.ca/inrp-npri/default.asp?lang=En&n=5FA7E914-1
[7] More information on the NPRI Multi-stakeholder Work Group terms of reference can be found at: http://www.ec.gc.ca/inrp-npri/default.asp?lang=en&n=67D0ECEC-1

submissions and/or pending additional information or resources from the proponent or others.

3. Notification of Preliminary Review – For transparency, the proposal and the determination of how ECCC intends to proceed is sent to the NPRI Multi-Stakeholder Work Group and communicated to the proponent and publicly through the ECCC website. These intentions are considered final if no new information is presented that may change how ECCC intends to proceed. If new information is received, preliminary review is re-opened.

4. Early Engagement – If the proposal is being referred to the stakeholder consultation process, early engagement begins. The purpose of early engagement is to engage stakeholders early in the process so that their input and/or additional information on the issues raised in the proposals can be considered by ECCC prior to developing a formal consultation document. It is an opportunity for stakeholders to provide input on the costs/benefits of the proposed changes, whether the changes meet the NPRI Decision Factors, the proposed timing for the change, thresholds, potential options for implementing changes to the requirements, facilities/sectors that would be affected, availability of data, alignment opportunities, potential complications, and other input on the issues raised in the proposals.

5. Development of Consultation Document – ECCC develops a Consultation Document, taking into account feedback received during early engagement. The Consultation Document contains ECCC's proposed position on whether to make the change and, if applicable, a plan for implementation, to be consulted on.

6. Consultation – Generally, consultation takes one of the following two formats. If required, additional rounds of consultation may be conducted prior to proceeding to Step 7.

    a. Paper-based: The Consultation Document is sent to the Work Group and made available through the ECCC website during the formal consultation period, which lasts a minimum of 60 days, unless this consultation period would unacceptably delay the change. During this time, stakeholders submit formal comments in writing to ECCC. The Consultation Document is also shared with individual facilities, or sectors, or trade associations that may be affected by the proposal, beyond those represented in the Work Group, as needed. Any public comments received during the consultation period are shared with the NPRI Work Group for consideration, and an opportunity is given to consider revisions to the comments they have submitted.

    b. Work Group Recommendations: For complex changes, the Multi-Stakeholder Work Group may be engaged, or a sub-group to the Work Group may be formed, to review and develop recommendations if necessary. This step is in addition to the Consultation Document being made available through the ECCC website for a public consultation period (as above, usually a minimum of 60 days). Any public comments received during the consultation period are shared with the NPRI Work Group for consideration in developing their recommendations.

7. ECCC Response – ECCC considers stakeholder feedback in developing the response to the proposal, which describes the decision being taken. The response to the proposal itself, as well as responses to comments submitted by stakeholders during the consultation period, are then

made available on the ECCC website. NPRI reporting requirements, revised where applicable, are published in the *Canada Gazette* Part I. Typically these changes will be made in the next biennial NPRI notice, however, in certain exceptional situations where this would unacceptably delay the change, the change may be implemented through an amendment to the previously published notice. A final response is also sent to the proponent.

5. Contact Information

When submitting a proposal for modification to the NPRI program, the information outlined in Appendix A should be sent to the NPRI program office (current contact information for the NPRI is available on the NPRI Website[8]).

Appendix A: Summary of Information Requirements for Proposals to Modify the NPRI

The following provides an outline of information that should be addressed in a proposal to change the NPRI. It is important to provide a high quality proposal that addresses as many of the items below and the considerations in this document as possible, to allow evaluation of the proposal.

The following information should be provided in change proposals submitted to the NPRI office:

- Name, address and co-ordinates of the individual who will act as contact for future correspondence on the proposal
- Type of modification requested:
    - Addition of substance;
    - Deletion of substance;
    - Change in reporting thresholds; and/or
    - Other types of changes to the reporting requirements
- Rationale for the Change:
    - For the addition, alternate threshold, or deletion of substances:
        - Proponents should address each decision factor outlined in section 3.1 and the applicable additional considerations outlined in section 3.2, and 3.3.
        - Background on the substance to be added or deleted:
            - Substance definition and CAS Registry Number(s), as available;
            - Specific substance information (uses); and
            - Proposed reporting thresholds for additions (provide justifications).
- Proposed Timing for the Change (proposed year for implementation)
- Information on Sectors that will be Affected by the Change
    - Sectors to be affected by the change;
    - Number of reporting facilities expected to be affected; and
    - Proposals for specific exemptions or requirements (only to be included if there is a strong justification.

[8] http://www.ec.gc.ca/inrp-npri/