



The Honourable L'honorable

Jim Prentice

Ottawa, Canada K1A 0H3

JUL 06 2010

Ms. Susan Van Volkenburg
Manager, Product Safety and Regulatory Affairs
Lanxess
111 RIDC Park West Drive
Pittsburgh, PA 15275
U.S.A.

Dear Ms. Van Volkenburg:

I am responding to the Notice of Objection that you filed on November 18, 2008, regarding the proposed Order adding Propanedinitrile, [[4-[[2-(4-cyclohexylphenoxy)ethyl]ethylamino]-2-methylphenyl]methylene]- (CAS No. 54079-53-7; CHPD) to the List of Toxic Substances in Schedule 1 to the *Canadian Environmental Protection Act, 1999* (CEPA 1999), that was published in the *Canada Gazette*, Part I, on September 20, 2008.

In your Notice of Objection, you expressed concern that the proposed order to add CHPD to Schedule 1 to CEPA 1999 was based on an assessment that fails to appropriately characterize the true nature and extent of danger posed by the substance, notably with regards to the bioaccumulation potential of CHPD. You also indicated that you would be generating new bioaccumulation data that could impact the conclusion reached on CHPD, data that have since been received by Environment Canada.

I have reviewed your submissions, and have fully and carefully considered the issues raised and the data submitted. I wish to inform you that a revised draft screening assessment of CHPD was published on July 3, 2010, under subsection 77(1) of CEPA 1999, in the *Canada Gazette*, Part I, for a 60-day public comment period. The draft screening assessment reflects our current understanding of the nature and effect of CHPD on the environment and human health, and is available for public comment via the Government of Canada's Chemical Substances website (www.chemicalsubstances.gc.ca). The screening assessment published under subsection 77(6) of CEPA 1999, on July 5, 2008, is annulled.

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The conclusions in the draft screening assessment state that CHPD does not meet any of the criteria set out under section 64 of CEPA 1999, and that it does not meet the criteria for virtual elimination. As we propose to take no further action on the substance at this time, CHPD will therefore not be added to Schedule 1 to CEPA 1999. Given this proposed course of action, you will appreciate that the circumstances do not warrant the establishment of a board of review, which you had requested. I therefore decline your request.

I appreciate your bringing the company's concerns to my attention, and look forward to working with you in the future on matters of environmental or human health interest to your organization.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Jim Prentice', with a long horizontal line extending to the right.

The Honourable Jim Prentice, P.C., Q.C., M.P.