

Minister of the Environment



Ministre de l'Environnement

The Honourable L'honorable

Jim Prentice

Ottawa, Canada K1A 0H3

Mr. Karluss V. Thomas
Executive Director
Silicones Environmental, Health and
Safety Council of North America
2325 Dulles Corner Boulevard, Suite 500
Herndon, VA 20171
U.S.A.

Dear Mr. Thomas:

I am responding to the Notice of Objection you filed on July 10, 2009, regarding the proposed Order to add Cyclotetrasiloxane, octamethyl (D4) and Cyclopentasiloxane, decamethyl (D5) to Schedule 1 to the *Canadian Environmental Protection Act, 1999*, which was published in the *Canada Gazette*, Part I, on May 16, 2009.

I have carefully considered your submission and request to establish a Board of Review pursuant to section 333 of the *Canadian Environmental Protection Act, 1999* for both substances. I am of the view that your Notice does not bring forth new scientific data or information that would likely lead to a different conclusion respecting D4, as detailed in the final screening assessment report published in January 2009. Therefore, I will not establish a Board of Review for D4. Further periods for comment, as well as opportunities to file notices of objection will be made available following the publication of proposed instruments for the preventive or control action of D4, such as a proposed regulation.

With respect to D5, I agree that a further inquiry into the nature and extent of the danger posed by this substance is warranted, considering the advent of information and data not previously examined. Therefore, I will establish a Board of Review for D5 and will publish a Ministerial Order to this effect in the *Canada Gazette*, Part I. The Board of Review will comprise three distinguished members of the Canadian academic community. The Board Chair will be Dr. John Giesy of the University of Saskatchewan, and the other members will be Dr. Keith Solomon of the University of Guelph and Dr. Sam Kacew of the University of Ottawa.

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I appreciate your bringing the Silicones Environmental, Health and Safety Council of North America's concerns to my attention, and extend my best wishes.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

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