

Minister of the Environment



Ministre de l'Environnement

The Honourable L'honorable

Jim Prentice

Ottawa, Canada K1A 0H3

AUG 30 2010

Mr. Hugh Wilkins
Ecojustice Canada
30 St. Patrick Street, Suite 900
Toronto ON M5T 3A3

Dear Mr. Wilkins:

I am responding to the notice of objection that you filed in February 2007 with respect to the proposed *Polybrominated Diphenyl Ethers Regulations*. Since that time, the *Polybrominated Diphenyl Ethers Regulations* were made and came into force on June 19, 2008.

In order to assist me to make an informed decision regarding whether to establish a board of review, an *Ecological State of the Science Report on Decabromodiphenyl Ether (Bioaccumulation and Transformation)* was developed and finalized along with the final Revised Risk Management Strategy on the polybrominated diphenyl ethers. These documents are now accessible to the public via the Government of Canada's Chemical Substances website (www.chemicalsubstanceschimiques.gc.ca/index-eng.php). A summary of my department's responses to public comments received on the draft Ecological State of the Science Report and the Revised Risk Management Strategy, including the comments of Ecojustice, can be viewed at the same location.

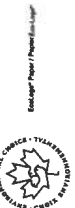
In deciding whether a board of review should be established, I have carefully considered your notice of objection, the information presented in the Ecological State of the Science Report, the final Revised Risk Management Strategy on polybrominated diphenyl ethers, as well as public comments received on these documents. I am of the view that no additional new information would be available for a board of review to consider, respecting the capacity of decabromodiphenyl ether to bioaccumulate in wildlife and biomagnify in food chains, or to transform in the environment to bioaccumulative products, beyond that which has already been considered when finalizing the State of the Ecological Science Report and the final Revised Risk Management Strategy.

Therefore, I will not be establishing a board of review.

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With respect to your concerns related to the exemption for disposal or recycling (paragraph 5(2)(b) of the proposed *Polybrominated Diphenyl Ethers Regulations*, you will note that this exemption was clarified in the final regulations.

I appreciate your bringing your clients' concerns to my attention. I 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, consisting of several overlapping loops and a long horizontal stroke extending to the right.

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