

Ministre de l'Environnement



Minister of the Environment

Ottawa, Canada K1A 0H3

September 4, 2012

Mr. John Hilbert
President
Vanadium Producers and Reclaimers' Association
900 Second Street, N.E., Suite 201
Washington, DC 20002
U.S.A.

Dear Mr. Hilbert:

I am responding to the notice of objection and request for a board of review that you filed on December 22, 2010, regarding the proposed Order adding vanadium pentoxide to the List of Toxic Substances in Schedule I to the *Canadian Environmental Protection Act, 1999*, (CEPA 1999) published in the *Canada Gazette*, Part I, on October 30, 2010.

As set out in section 333 of CEPA 1999, the mandate of a board of review in this instance would be to inquire into the nature and extent of the danger posed by vanadium pentoxide.

The basis for the conclusion of the assessment that vanadium pentoxide may be entering the environment in a quantity or concentration or under conditions that constitute or may constitute a danger in Canada to human life or health is the carcinogenic potential of the substance, for which there may be a probability of harm at any level of exposure, together with the potential for general population exposure to vanadium pentoxide. As required under CEPA 1999, the Government applied precaution and weight of evidence in conducting its risk assessment of vanadium pentoxide.

I and the Minister of Health have fully and carefully considered your submission and request to establish a board of review, and are of the view that your Notice does not bring forth any new scientific data or information that would support a change in the conclusion of the assessment. We will therefore not establish a board of review.

Please rest assured that the Government of Canada is committed to consulting with all stakeholders, such as your organization, and with the public on the development of risk management options. All issues raised in the context of these consultations will continue to be considered in an open and transparent manner.

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I appreciate your bringing the concerns of the Vanadium Producers and Reclaimers' Association to our attention, and look forward to working with you in the future on matters of environmental or human health interest to your association.

Sincerely,

The Honourable Peter Kent, P.C., M.P.

c.c.: The Honourable Leona Aglukkaq, P.C., M.P.