

Extract

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GOVERNMENT NOTICES

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT

Conditions for the Manufacture or Import of Substances New to Canada that are Suspected of Being Toxic

Notice is hereby given, pursuant to subsection 29(5) of the *Canadian Environmental Protection Act*, that the Ministers of Health and of the Environment have assessed information pertaining to substances suspected of being “toxic”, as defined under section 11 of the Act.

The Minister of the Environment is hereby pleased to impose, pursuant to paragraph 29(1)(a) of the *Canadian Environmental Protection Act*, conditions on the import of these substances.

Peroxide, (1-methylpropylidene) bis(1,1-dimethylethyl), CAS Registry Number 2167-23-9. The notifier may import the notified substance subject to the conditions that follow.

1. The notifier may import the notified substance only for use or sale as an initiator in polymerization processes in circumstances where the notifier requests any processor of the notified substance that:
 - a) all liquid wastes resulting from rinsing containers that held the notified substance are introduced into the polymerization reaction; or
 - b) all liquid wastes resulting from rinsing containers or all residual waste not introduced into the polymerization reaction are incinerated as permitted under the laws of the jurisdiction where the disposal facility is located; or
 - c) all liquid wastes resulting from rinsing containers or all residual waste not introduced into the polymerization reaction are solidified, prior to disposal, as permitted under the laws of the jurisdiction where the disposal facility is located.
2. Should the notifier intend to process the notified substance, the notifier shall comply with the conditions set out in item 1.

3. Where any release of the notified substance to the environment occurs in contravention of the conditions set out in item 1, the notifier shall take all appropriate measures to immediately prevent any further release, and the notifier shall notify the Minister of the Environment immediately by contacting an Inspector designated under the *Canadian Environmental Protection Act* (CEPA Inspector) of the closest Regional Office. The notifier shall request the processor to take these measures should the release of the notified substance occur at the processor's facility.
4. The notifier shall maintain, and have available for review by a CEPA Inspector or any other Officer of the Department of the Environment, electronic or paper records with any documentation supporting the validity of the information contained in these records indicating:
 - a) the use of the notified substance;
 - b) the quantity of the notified substance being imported, sold, purchased or used;
 - c) the name and address of each customer buying the notified substance;
 - d) the name and address of the person disposing of the wastes resulting from the use of the notified substance by the notifier's customers;
 - e) that the notifier has informed customers of the conditions and that the receiving company will meet these conditions.
5. The notifier shall maintain electronic or paper records made in item 4 at the notifier's Canadian Headquarters for a period of five years after they are made.
6. The notifier shall request any processor of the notified substance to maintain, and to have available for review by a CEPA Inspector or any other Officer of the Department of the Environment, electronic or paper records with any documentation supporting the validity of the information contained in these records indicating all the information requirements set out in items 4(a) to (e).
7. The notifier shall request any processor of the notified substance to maintain electronic or paper records made in item 6 at their Canadian Headquarters for a period of five years after they are made.
8. The notifier shall inform customers, in writing, prior to their initial use of the notified substance, of all the conditions imposed and obtain written confirmation from the notifier's customers that they will meet these conditions.
9. Should the notifier intend to manufacture the notified substance, the notifier shall inform the Minister of the Environment, in writing, 30 days prior to manufacturing.

Neohexaneperoxoic acid, 1,1-dimethylethyl ester, CAS Registry Number 26748-38-9. The notifier may import the notified substance only in circumstances where: the notifier complies with the terms of the condition; the notifier informs all customers and processors of the notified substance of the terms of the condition; and the notifier obtains, prior to any transfer of the notified substance, written confirmation from customers and processors, as the case may be, that they will meet these conditions.

1. The notified substance may be used only as an initiator in polymerization processes in circumstances where:
 - a) prior to waste water treatment, the processor treats liquid wastes resulting from rinsing containers that held the notified substance through a high temperature waste water stripping column under temperature and residence time conditions ensuring the notified substance experiences a minimum of 5 thermal half lives; or
 - b) all liquid wastes resulting from rinsing containers that held the notified substance are introduced into the polymerization reaction.
2. Where any release of the notified substance to the environment occurs in contravention of the conditions set out in item 1, all appropriate measures shall be taken to immediately prevent any further release, and the Minister of the Environment shall be notified immediately by contacting an Inspector designated under the *Canadian Environmental Protection Act* (CEPA Inspector) of the closest Regional Office.
3. The notifier shall maintain, and have available for review by a CEPA Inspector or any other Officer of the Department of the Environment, electronic or paper records with any documentation supporting the validity of the information contained in these records indicating:
 - a) the use of the notified substance;
 - b) the quantity of the notified substance being imported, sold, purchased or used;
 - c) the name and address of each customer buying the notified substance;
 - d) that the notifier has informed customers of the conditions and that the receiving company will meet these conditions.
4. The notifier shall maintain electronic or paper records made in item 3 at the notifier's Canadian Headquarters for a period of five years after they are made.
5. Any processor of the notified substance shall maintain and have available for review by a CEPA Inspector or any other Officer of the Department of the Environment, electronic or paper records with any documentation supporting the validity of the information contained in these records indicating:
 - a) the temperature of the waste water stripping column and residence time of the notified substance in the waste water stripping column each time it is used to process liquid wastes resulting from rinsing containers that held the notified substance, and
 - b) all the information requirements set out in items 3(a) to (d).
6. Any processor of the notified substance shall maintain electronic or paper records made in item 5 at their Canadian Headquarters for a period of five years after they are made.
7. Should the notifier intend to manufacture the notified substance, the notifier shall inform the Minister of the Environment, in writing, 30 days prior to manufacturing.

Propaneperoxoic acid, 2,2-dimethyl-, 1,1-dimethylpropyl ester, CAS Registry Number 29240-17-3. The notifier may import the notified substance only in circumstances where: the notifier complies with the terms of the condition; the notifier informs all customers and processors of the notified substance of the terms of the condition; and the notifier obtains, prior to any transfer of the notified substance, written confirmation from customers and processors, as the case may be, that they will meet these conditions.

1. The notified substance may be used only as an initiator in polymerization processes in circumstances where:
 - a) prior to waste water treatment, the processor treats liquid wastes resulting from rinsing containers that held the notified substance through a high temperature waste water stripping column under temperature and residence time conditions ensuring the notified substance experiences a minimum of 6 thermal half lives; or
 - b) all liquid wastes resulting from rinsing containers that held the notified substance are introduced into the polymerization reaction.
2. Where any release of the notified substance to the environment occurs in contravention of the conditions set out in item 1, all appropriate measures shall be taken to immediately prevent any further release, and the Minister of the Environment shall be notified immediately by contacting an Inspector designated under the *Canadian Environmental Protection Act* (CEPA Inspector) of the closest Regional Office.
3. The notifier shall maintain, and have available for review by a CEPA Inspector or any other Officer of the Department of the Environment, electronic or paper records with any documentation supporting the validity of the information contained in these records indicating:
 - a) the use of the notified substance;
 - b) the quantity of the notified substance being imported, sold, purchased or used;
 - c) the name and address of each customer buying the notified substance;
 - d) that the notifier has informed customers of the conditions and that the receiving company will meet these conditions.
4. The notifier shall maintain electronic or paper records made in item 3 at the notifier's Canadian Headquarters for a period of five years after they are made.
5. Any processor of the notified substance shall maintain and have available for review by a CEPA Inspector or any other Officer of the Department of the Environment, electronic or paper records with any documentation supporting the validity of the information contained in these records indicating:
 - a) the temperature of the waste water stripping column and residence time of the notified substance in the waste water stripping column each time it is used to process liquid wastes resulting from rinsing containers that held the notified substance, and
 - b) all the information requirements set out in items 3(a) to (d).
6. Any processor of the notified substance shall maintain electronic or paper records made in item 5 at their Canadian Headquarters for a period of five years after they are made.
7. Should the notifier intend to manufacture the notified substance, the notifier shall inform the Minister of the Environment, in writing, 30 days prior to manufacturing.

Benzenemethanaminium, N,N-dimethyl-N-[2-[(1-oxo-2-propenyl)oxy]ethyl]- chloride, polymer with 2-propenamide and N,N,N-trimethyl-2-[(1-oxo-2-propenyl)oxy] ethanaminium chloride, CAS Registry Number 108388-79-0. The notifier may import the notified substance only in circumstances where: the notifier complies with the terms of the condition; the notifier informs all customers and disposal companies of the terms of the condition; and the notifier obtains, prior to any transfer of the notified substance, written confirmation from customers or disposal companies, as the case may be, that they will meet these conditions.

1. The release of the notified substance into regional or municipal wastewater treatment systems, following container cleaning or reconditioning, be limited to circumstances where:
 - a) all containers, to be cleaned in Canada, are returned to the specified facility or to the notifier's cleaning facility, and the quantity of notified substance remaining in spent containers is determined; or
 - b) all containers are rinsed at customer facilities prior to disposal, as permitted under the laws of the jurisdiction where the disposal facility is located and all liquid wastes must be subjected to on-site treatment using flocculation or adsorption before being released into the regional wastewater treatment system.
2. At the specified facility, the effluent containing the notified substance must be treated using a flocculation or adsorption treatment system before being released into the regional wastewater treatment system, and the amount of the notified substance to be treated at the specified facility shall not exceed 19.4kg/day.
3. At the notifier's cleaning facility, without on-site waste treatment procedures, the amount of the notified substance to be released via effluent to the regional wastewater treatment system shall not exceed 0.5kg/day.
4. All liquid waste generated from the cleaning operation must be fully contained until treatment and/or release to the cleaning facility effluent system.
5. Any solid waste containing the notified substance must be disposed of as permitted under the laws of the jurisdiction where the disposal facility is located.
6. The notifier shall maintain, and have available for review by a CEPA Inspector or any other Officer of the Department of the Environment, electronic or paper records with any documentation supporting the validity of the information contained in these records indicating:
 - a) the location of the landfill used to dispose of the solid notified substance;
 - b) the number and capacity of containers, containing the notified substance, forwarded to each customer and the number of these containers reclaimed from each customer;
 - c) the number and capacity of used containers sent to a container cleaning location;
 - d) the name and address of the notifier's customers using the containers; and
 - e) that the notifier has informed customers and disposal companies of the conditions and that they will meet these conditions.
7. The records made in item 6 must be maintained at the notifier's Headquarters in Canada for a period of five years after they are made.

8. The notifier shall maintain and have available for review by a CEPA Inspector or any other Officer of the Department of the Environment, electronic or paper records with any documentation supporting the validity of the information contained in these records indicating:
 - a) the number and capacity of containers, containing the notified substance, received from each customer;
 - b) the date and daily quantity of liquid notified substance released at the notifier's facility; and
 - c) the name and address of each customer.
9. The notifier shall maintain electronic or paper records made in item 8 at the notifier's Canadian Headquarters for a period of five years after they are made.
10. The specified facility shall maintain and have available for review by a CEPA Inspector or any other Officer of the Department of the Environment, electronic or paper records with any documentation supporting the validity of the information contained in these records indicating:
 - a) the number and capacity of containers, containing the notified substance, received from each customer;
 - b) the date and daily quantity of liquid notified substance to be treated prior to release in effluent from the specified facility; and
 - c) the name and address of each customer.
11. The specified facility shall maintain electronic or paper records made in item 10 at the specified facility's Canadian Headquarters for a period of five years after they are made.
12. Customers shall maintain and have available for review by a CEPA Inspector or any other Officer of the Department of the Environment, electronic or paper records with any documentation supporting the validity of the information contained in these records indicating:
 - a) the location of the landfill used to dispose of the solid notified substance;
 - b) the number and capacity of containers, containing the notified substance, received and the number of those containers forwarded to disposal companies; and
 - c) the name and address of disposal companies where the containers containing the notified substance are sent.
13. Customers shall maintain electronic or paper records made in item 12 at their Canadian Headquarters for a period of five years after they are made.
14. When the notifier intends to use any other site for the cleaning of spent containers or intends to change waste disposal practices, other than those specified in items 1(a), 2, or 3, the notifier must inform the Minister of the Environment, in writing, 30 days prior to the new activity.
15. Should the notifier intend to manufacture the notified substance, the notifier shall inform the Minister of the Environment, in writing, 30 days prior to manufacturing.

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On behalf of the Minister of the Environment