

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 a substance suspected of being "toxic," as defined under section 11 of the Act.

Oxirane, methyl-, polymer with oxirane, mono[3-[1,3,3,3-tetramethyl-1-[(trimethylsilyl)oxy]disiloxanyl] propyl] ether, CAS #134180-76-0. This substance may be imported by the notifier subject to the following conditions:

1. The substance may be imported for export only or for use as a component within products formulated for export only.
2. The quantity of the substance being imported or formulated at one given facility shall not exceed 60 000 kilograms per year.
3. The substance shall not be released into the environment.
4. The handling, processing and formulating of the substance must occur in a fully contained process.
5. Any waste containing the substance must be recovered and re-processed, or disposed of through a waste handler duly authorized under the applicable laws of Canada.
6. Where any release of the substance to the environment occurs, the notifier shall notify the Minister forthwith by reporting it to an Environment Canada inspector at the closest Regional Office.
7. Any processor of the substance must maintain electronic or paper records indicating:
 - a) the quantity of the substance being manufactured, imported, formulated or exported;
 - b) for each product containing the substance: the name, quantity of the substance contained in the product, the total quantity being produced and the exported quantity;

- c) these records must be made each time that the substance is being manufactured, imported, formulated, or exported; and
 - d) the notifier shall keep any document supporting the validity of the information contained in these records.
8. The above noted records must be maintained at the processor's headquarters in Canada for a period of five years after they are made and must be made available to Environment Canada at the Minister's request.
9. Where the notifier proposes to sell the substance, the notifier must provide the Minister 30 days prior to the sale, with documentation which demonstrates that the receiving company will be able to meet the conditions specified in items 1 to 8; should the notifier intend to manufacture the substance the notifier shall inform the Minister, in writing, 30 days prior to manufacturing.
10. The notifier shall maintain electronic or paper records indicating:
- a) the quantity of the substance being imported;
 - b) the quantity of the substance being sold;
 - c) the name and address of each customer;
 - d) these records shall be made each time the substance is being imported, or sold; and
 - e) the notifier shall keep any document supporting the validity of the information contained in these records.
11. The above-noted records must be maintained at the notifier's headquarters in Canada for a period of five years after they are made and must be made available to Environment Canada at my request.
12. The above-mentioned conditions only apply if the number average molecular weight of the substance and percent of its components with molecular weights of less than 1 000 and 500 daltons do not meet those specified in paragraph 19(1)(a) or (b) of the *New Substances Notification Regulations* of CEPA.

For further information, contact R.S. Howarth, Commercial Chemicals Evaluation Branch, Department of the Environment, Place Vincent Massey, 14th Floor, Hull, Quebec K1A 0H3, (819) 953-1665 (Telephone), (819) 953-4936 (Facsimile).

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On behalf of the Minister of the Environment