



# BATCH 3

## **Guidance document for responding to the CEPA (1999) paragraph 71(1)(b) *Notice with respect to Batch 3 Challenge substances*, published on August 18, 2007**

This document provides guidance for responding to the *Notice with respect to Batch 3 Challenge substances*. This notice was published in the *Canada Gazette*, Part I, on August 18, 2007, pursuant to paragraph 71(1)(b) of the *Canadian Environmental Protection Act, 1999* (CEPA 1999). The document is available for guidance only and, in case of discrepancy between this document and the notice or the Act, the notice and the Act take precedence.

On December 9, 2006, the Minister of the Environment and the Minister of Health (the Ministers) published in the *Canada Gazette*, Part I, the *Notice of intent to develop and implement measures to assess and manage the risks posed by certain substances to the health of Canadians and their environment*. The notice of intent identified a list of 193 substances (the Challenge substances) as priority for action. Under the Challenge, these substances have been divided into a number of batches, of substances. The Ministers intend to publish, on a quarterly basis, a notice in the *Canada Gazette*, Part 1, pursuant to paragraph 71(1)(b) of the CEPA 1999, that requires information regarding the presence or use of Challenge substances that would be identified in the particular notice. The August 18, 2007 notice requires specific information for the third batch, consisting of 19 Challenge substances.

In addition, in the section 71 notice of intent, published on December 9, 2006, the Ministers invite the submission of additional information that is deemed beneficial by interested stakeholders, relating to the extent and nature of the management/stewardship of the Challenge substances. A questionnaire is available that provides a detailed template as an example for the submission of this information. Guidance on how to respond to the Challenge questionnaire is also offered. Stakeholders who wish to do so may submit additional information in respect of the Challenge substances, using this questionnaire.

The August 18, 2007 notice and all documents related to the collection of information, including the Challenge questionnaire, are available through the Government of Canada Chemicals Substances Portal at [http://www.chemicalsubstanceschimiques.gc.ca/challenge-defi/index\\_e.html](http://www.chemicalsubstanceschimiques.gc.ca/challenge-defi/index_e.html). An advisory letter, concerning this notice and the collection of information, was sent to a target community of approximately 9000 companies and industry associations.

## **Information for Completion of the August 18, 2007 section 71 notice**

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## 1. What is the purpose of the notice?

Section 71 notices may be used for the purpose of assessing whether a substance is toxic or capable of becoming toxic, or for the purpose of assessing whether to control, or the manner in which to control, a substance.

The purpose of the current section 71 notice for Batch 3 substances is to identify:

- whether the substances covered under the notice are manufactured, imported or used in Canada;
- the relative quantities of these substances manufactured, imported, used and released in Canada, as well as quantities transferred to an off-site waste management facility;
- the industrial sectors involved in the manufacture, import or use of the substances;
- the uses of the substances in Canadian commerce;
- the type of mixture, product or manufactured item containing the substances and the top five trade names of these mixtures, products or manufactured items;
- the concentration or range of concentration of the substances;
- the name and address of the head office of the supplier;
- the procedures and/or policies in place to minimize releases;
- the studies or data that measure the effect of the above procedures and/or policies; and
- the degree of exposure to the substances to individuals in Canada and the environment.

The second major goal is to identify persons, including companies, having current activity with respect to any of these substances, to allow for follow-up, where necessary, to gather more detailed information. The more detailed information could include use-pattern information, which will allow for the prioritization of future assessment and/or risk management activities. Requirement for future detailed data collection regarding these substances will be developed, taking into consideration the level of activity and sectors identified in the responses to the notice.

## 2. Where can I get a copy of the notice?

The notice was published in Part 1 of the *Canada Gazette*, pursuant to paragraph 71(1)(b) of CEPA 1999 on August 18, 2007. Electronic copies of the notice can be found on the Internet site at the following addresses:

[www.ec.gc.ca/CEPARegistry/notices](http://www.ec.gc.ca/CEPARegistry/notices) or [www.chemicalsubstances.gc.ca](http://www.chemicalsubstances.gc.ca)

### 3. What substances are included?

This notice includes a list of 19 substances, identified as Batch 3 in the notice of intent published in the *Canada Gazette*, Part I, on December 9, 2006. They have been identified as priorities for action. This list includes:

#### Batch 3 Substances

<u>CAS RN</u>	<u>Name of the substance</u>
81-68-5	Benzenesulfonamide, N-(4-amino-9,10-dihydro-3-methoxy-9,10-dioxo-1-anthracenyl)-4-methyl-
110-49-6	Ethanol, 2-methoxy-, acetate
111-15-9	Ethanol, 2-ethoxy-, acetate
111-77-3	Ethanol, 2-(2-methoxyethoxy)-
1589-47-5	1-Propanol, 2-methoxy-
1594-08-7	9,10-Anthracenedione, 1-hydroxy-4-[[4-[(methylsulfonyl)oxy]phenyl]amino]-
20241-76-3	9,10-Anthracenedione, 1,8-dihydroxy-4-nitro-5-(phenylamino)-
2425-85-6	2-Naphthalenol, 1-[(4-methyl-2-nitrophenyl)azo]-
2814-77-9	2-Naphthalenol, 1-[(2-chloro-4-nitrophenyl)azo]-
3468-63-1	2-Naphthalenol, 1-[(2,4-dinitrophenyl)azo]-
4395-65-7	9,10-Anthracenedione, 1-amino-4-(phenylamino)-
6410-09-9	2-Naphthalenol, 1-[(2-nitrophenyl)azo]-
6410-13-5	2-Naphthalenol, 1-[(4-chloro-2-nitrophenyl)azo]-
6410-41-9	2-Naphthalenecarboxamide, N-(5-chloro-2,4-dimethoxyphenyl)-4-[[5-[(diethylamino)sulfonyl]-2-methoxyphenyl]azo]-3-hydroxy-
6471-01-8	2-Anthracenesulfonic acid, 4,4'-[(1-methylethylidene)bis(4,1-phenyleneimino)]bis[1-amino-9,10-dihydro-9,10-dioxo-, disodium salt
25155-25-3	Peroxide, [1,3(or 1,4)-phenylenebis(1-methylethylidene)]bis[(1,1-dimethylethyl)
60352-98-9	1-Propanaminium, 3-[[4-[(2,4-dimethylphenyl)amino]-9,10-dihydro-9,10-dioxo-1-anthracenyl]amino]-N,N,N-trimethyl-, methylsulfate
72243-90-4	Benzenesulfonic acid, 3-[[4-amino-9,10-dihydro-9,10-dioxo-3-[sulfo-4-(1,1,3,3-tetramethylbutyl)phenoxy]-1-anthracenyl]amino]-2,4,6-trimethyl-, disodium salt
74336-60-0	9,10-Anthracenedione, 1-[(5,7-dichloro-1,9-dihydro-2-methyl-9-oxopyrazolo[5,1-b]quinazolin-3-yl)azo]-

### 4. Who is required to respond and what sections need to be completed?

As outlined in Schedule 2 to the notice, the notice applies to any persons who satisfy any of the following criteria:

- a) during the 2006 calendar year, manufactured or imported a total quantity greater than 100 kilograms of a substance listed in Schedule 1 to this notice, whether alone, in a mixture, in a product or in a manufactured item; or
- b) during the 2006 calendar year, used a total quantity greater than 1000 kilograms of a substance listed in Schedule 1 to this notice, whether alone, in a mixture, in a product or in a manufactured item, at any concentration..

Examples:

1) Company meets the reporting threshold:

In 2006, if your company used 210000 kilograms of Product-Z which contained a substance listed in Section 2 of Schedule 1 to this notice at a concentration of 5 %, the total quantity of the substance used is 10500 kilograms. The reporting threshold is met, regardless of the intended use of the substance.

In 2006, if your company used 2000 kilograms of Product-X which contained a substance listed in Section 2 of Schedule 1 to this notice at a concentration of 55 %, the total quantity of the substance used is 1100 kilograms. The reporting threshold is met, regardless of the intended use of the substance.

2) Company doesn't meet the reporting threshold:

In 2006, if your company used 20000 kilograms of Product-Z which contained a substance listed in Section 2 of Schedule 1 to this notice at a concentration of 2 %, the total quantity of the substance used is 400 kilograms. The reporting threshold is not met.

Persons satisfying any criteria are required to provide the information specified in the notice for the 2006 calendar year. Subsection 71(3) of CEPA 1999 states that every person to whom a notice issued under paragraph 71(1)(b) of the Act is directed, must comply with the notice within the time specified in the notice.

If the person subject to the notice is a company, response to the notice must be submitted on a company-wide basis. The responder will include information with respect to each facility in their single response on behalf of the entire company.

Respondents to this notice who,

- a) manufactured a substance listed in Schedule 1 to this notice must complete sections 4, 5, 6, 9 and 10 in Schedule 3 to this notice;
- b) imported a substance whether alone, in a mixture, in a product or in a manufactured item listed in Schedule 1 to this notice, must complete sections 4, 5, 7, 9 and 10 in Schedule 3 to this notice;
- c) used a substance listed in Schedule 1 to this notice, whether alone, in a mixture, in a product or in a manufactured item, must complete sections 4, 5, 8, 9, and 10 in Schedule 3 to this notice.

## **4.1- Do I manufacture?**

The term "manufacture" in the notice reads as follows:

"manufacture" includes to produce or prepare a substance; and includes the incidental production of a substance at any level of concentration as a result of the manufacturing, processing or other uses of other substances, mixtures, or products.

This definition relates to the creation/production of a substance, listed in Schedule 1 to the notice. The term “manufacture”, as used in the notice, applies only to the production of the substance itself, and not to that of a product or mixture using a reportable substance.

In general, using one or more of the reportable substances to blend or formulate products or mixtures does not meet the definition of “manufacture” under the present notice. However, incidental manufacture of a reportable substance may occur if, during the process of blending or formulating, a chemical reaction occurs that results in the production of a substance (or by-product) that is reportable under the notice. If so, the incidental production of the reportable substance would meet the definition of “manufacture” under the notice.

## **4.2- Do I import?**

The term “import” in the notice reads as follows:

“import” includes movement into Canada, including internal company transfers across the Canadian border, but does not include transit through Canada.

Import then relates specifically to the movement into Canada from another country of any substance identified in Schedule 1 to the notice or any mixture, product or manufactured item that contains such a reportable substance.

If you are aware that an imported manufactured item contains a substance included in this notice, you are required to report on this substance if you meet the threshold for reporting. You are required to provide information that your company possesses or to which your company may reasonably be expected to have access.

For the purpose of the notice, possible situations where you are considered to “import” include, but are not limited to, the following examples:

1. You are an individual, company or other body (in Canada) that ordered or purchased from a foreign supplier, a reportable substance or a mixture, product or manufactured item containing a reportable substance that was shipped directly from a foreign source (such as a person or company situated outside of Canada) to your location in Canada.
2. You are an individual, company or other body (in Canada) that ordered or purchased from a foreign supplier, a reportable substance or mixture, product or manufactured item containing a reportable substance that was shipped directly from a foreign source to an address in Canada (including a distribution warehouse) on your request.
3. You are an individual, company or other body (in Canada) that received a reportable substance or mixture, product or manufactured item containing a reportable substance as an internal company transfer from a foreign source.

Individuals, companies or other bodies in Canada that are required to respond can also meet their obligation when a third party is responding on their behalf.

Your activities do not meet the definition of “import” under the notice if you, your company or other body purchased or received a reportable substance or a mixture, product or manufactured item containing a reportable substance that was already located in Canada.

### **4.3- Do I “use” a substance included in the notice?**

The term “use” in the notice reads as follows:

“use” excludes sale, distribution, and repackaging.

Examples of a “user” include:

1) **Blending or mixing substances**

You are an individual, company or other body (in Canada) who obtains a reportable substance (Substance A) from another individual or company in Canada. You blend Substance A with Substance B to make Product AB. You are a user of Substance A.

2) **Filling, charging, pressurizing or maintaining equipment**

You are an individual, company or other body (in Canada) who obtains a reportable substance (Substance A). You clean your equipment with Substance A. You are a user of Substance A.

3) **Reacting a substance**

You are an individual, company or other body (in Canada) who obtains a reportable substance (Substance A). You use substance A as a chemical intermediate to manufacture Substance B. You are a user of Substance A.

An example of a Non-user includes:

**Distributor**

You are an individual, company or other body (in Canada) who obtains a reportable substance (Substance A). You load Substance A onto a carrier and ship the substance to three other companies. You are NOT a user of Substance A.

## **5. How to submit a blind submission?**

Customers may ask their suppliers if the products they purchase contain substances listed in this section 71 notice. Suppliers looking to protect their formulations as confidential business information may be reluctant to provide the information to their customers so that those customers can respond to the notice. In this case, suppliers and customers can collaborate on a "blind submission".

Since customers may use or import several different mixtures, products or manufactured items that contain the substance, or may use or import the same item from several suppliers, it may be difficult to determine if the total quantity meets the threshold. If a supplier knows/suspects that a customer should report based on quantities purchase, the supplier should inform the customer of the need to report and if a customer suspects that they may meet the threshold for reporting, then they need to work with their supplier to submit a completed s.71 notice.

To submit a "blind submission":

The customer sends a completed section 71 notice form, completing as much information as necessary:

- the applicable CAS and substance name (if known). If not known, please label as "Substance A", "Substance B", etc. for all applicable products

- the product name for the product purchased from the supplier(s)
- the quantity (in kg) of mixture, product or manufactured items purchased in the timeframe of the notice
- the supplier(s)'s name and address
- other questions in the notice to which the customer can respond.

The supplier then sends:

- the list of customers (names and addresses) to which this supplemental information applies for their section 71 notice submissions
- the applicable CAS and substance name
- the product name for the product sold to the customer(s)
- the concentration of the substance in the product sold
- other questions in the notice to which the supplier can respond.

Any person who provides information in response to the notice may submit, with the information, a written request that it be treated as confidential. See section 8.1 of this guidance document.

## 6. What are the Declaration of Non-Engagement and Stakeholder Interest forms?

### Declaration of Non-Engagement

Persons, including companies, that do not meet the requirements to respond, as outlined in Schedule 2 to the notice, may complete the Declaration of Non-Engagement for the notice. Receipt of this form will allow the Government of Canada to remove the name of these persons from further mailings pertaining to the notice. This form is available on the Chemical Substances web site at [www.chemicalsubstances.gc.ca](http://www.chemicalsubstances.gc.ca).

### Stakeholder Interest

Persons, including companies, who have a current or future interest in any Challenge substances, may identify themselves as a “stakeholder” for the substance. Please identify the substances of interest to your company and specify your activity or potential activity with the substance (import, manufacture, use). You will be included in any future mailings regarding section 71 notices applicable for these substances and may be contacted for further information regarding your activity/interest in these substances. This form is available on the Chemical Substances web site at [www.chemicalsubstances.gc.ca](http://www.chemicalsubstances.gc.ca).

The Ministers of Health and Environment are also inviting the submission of additional information that is deemed beneficial by interested stakeholders, relating to the extent and nature of the management/stewardship of substances listed under the Challenge. Organizations that may be interested in submitting additional information in response to this invitation include those that manufacture, import, export or use this substance whether alone, in a mixture, in a product or in a manufactured item.

A questionnaire is available which provides a detailed template as an example for the submission of this information. Guidance on how to respond to the Challenge questionnaire is also available. Copies of the stakeholder form, questionnaire and associated guidance are available on the Chemical Substances web site at [www.chemicalsubstances.gc.ca](http://www.chemicalsubstances.gc.ca).



## 7. Schedule 3 of the Notice

### **7.1- How do I report the Total Quantities Manufactured, Imported, Used, Released and Transferred?**

It is necessary to report the total quantities manufactured, imported, used, released and transferred for the substances listed on Schedule 1 to the notice.

All reported quantities for manufacture, import and use must be rounded to the nearest kilogram (kg), if less than 1000 kg or rounded to the nearest hundred kg, if greater than 1000 kg. Please use this guide to report a rounded quantity.

Range of quantity (kg)	Quantity to report (kg)
4.00-4.49	4
4.50-4.99	5
1200-1249	1200
1250-1299	1300

All reported quantities for release and transfer must be rounded to the nearest kilogram. Please use this guide to report a rounded quantity.

Range of quantity (kg)	Quantity to report (kg)
4.00-4.49	4
4.50-4.99	5

Quantities must be estimated for the substance itself, and not the mixture, product or manufactured item in which it may be contained. If you both manufacture and import a given substance, you are asked to report the quantity for each activity as a separate entry.

### **7.2- Manufactured Items**

If you know that an imported item contains a substance included in this notice, you are required to report on this substance, if you meet the threshold for reporting. This would be information to which you can reasonably be expected to have access. Although not exhaustive, the following are examples of types of manufactured items: clothing, empty storage containers, electrical gear and appliances or parts thereof, office and consumer electronics or parts thereof, tapes, tiles, electrical wire, fabric, foam slabs or shapes and plastic film, pipes, tubes or profiles, plywood, brake linings, fibres, leather, paper, yarns, dyed fabric, matches, flares, photographic films, and batteries.

You are required to provide only the information that you or your company possesses or to which you or your company may reasonably be expected to have access. We recognize that some Canadian importers may not have information available to identify the presence, in a manufactured item, of substances listed in Schedule 1 to the notice. However, one goal of this notice is to ensure that when regulations or other instruments are developed, all activity with these substances has been identified and considered. Reporting by those who have this information will help reduce the possibility of individuals, corporations or other bodies learning to their surprise that they fall under risk assessment and risk management activities for the substances listed in Schedule 1 to the notice.

### **7.3- What are the North American Industry Classification System codes?**

You are required to report the North American Industry Classification System (NAICS) code(s) that apply to the activity involving each reportable substance. The code(s) will provide general information on the number and types of sectors involved with the substances listed in the notice.

The NAICS codes were developed by Statistics Canada, the U.S. Office of Management and Budget, and Mexico's Instituto Nacional de Estadística Geografía e Informática, to enable the respective national agencies to collect comparable statistical data.

To determine which NAICS code(s) applies to the activities on which you are reporting, a list of six-digit NAICS codes is available at the following Statistics Canada Internet site:

[www.statcan.ca/english/Subjects/Standard/naics/2002/naics02-menu.htm](http://www.statcan.ca/english/Subjects/Standard/naics/2002/naics02-menu.htm)

*Please note that the NAICS code(s) web address is case sensitive.*

### **7.4- What are the Use Pattern Codes?**

You are required to report the use pattern code that applies to the activity involving each reportable substance. Use pattern codes are two digit codes which denote functional uses of substances for which information must be reported under the notice. Please refer to section 11 of the notice for the list of use pattern codes and their corresponding applications.

### **7.5- What is a Release?**

The term "release" in the notice reads as follows:

"release" means the emission or discharge of a substance from the facility site to air, land (including underground injection and discharge to groundwater), or water (including discharge to surface water or wastewater collection and/or treatment system).

Release includes emission or discharge of a substance, whether the release is intentional or non-intentional. The following are examples of the different sources of releases:

- emissions to air - discharges through a stack, vent or other point release, losses from storage and handling of the substance or products containing the substance, fugitive emissions, spills and accidental releases and other non-point releases
- releases to surface waters - discharges, including discharges to municipal wastewater treatment plants, spills and leaks
- releases to land - discharges resulting from spills, leaks and other

### **7.6- What is a Transfer to an Off-site Waste Management facility?**

A transfer to an off-site waste management facility is any movement of a substance to a facility, including a third party facility, which will handle, recycle or dispose of the substance.

For the purpose of this notice, a transfer to an off-site waste management facility is not considered to be a release.

## **8. How to Complete the Sections of Schedule 3**

### **8.1- Section 4**

#### **Identification and Declaration Form**

The “Identification and Declaration Form” is provided for three reasons:

- to update the identification and contact information of each person who responds to the notice;
- to require certification of the accuracy of the response; and
- to request confidentiality.

Each response must be signed. You must submit an original signed version of the “Identification and Declaration Form” to the Minister of the Environment.

#### **Confidentiality requests**

Pursuant to section 313 of CEPA 1999, any person who provides information in response to the notice may submit, with the information, a written request that it be treated as confidential.

A request for confidentiality may be submitted for any information item provided on a particular substance in response to the notice. When requesting confidential treatment by the Government of Canada of information provided under the notice, you must provide a reason for your request. The reason may be based upon considerations such as those that appear as examples below:

- the information is confidential to your company and has consistently been treated as such by your company;
- your company has taken, and intends to continue to take, measures that are reasonable in the circumstances to maintain the confidentiality of the information;
- the information is not, and has not been, reasonably obtainable by third persons by use of legitimate means, except with the consent of your company;
- the information is not available to the public;
- disclosure of the information may reasonably be expected to cause substantial harm to the competitive position of your company;
- disclosure of the information may reasonably be expected to result in a material financial loss to your company or a material financial gain to your company’s competitors.

Upon receipt of a request for confidentiality under section 313 of CEPA 1999, in relation to information submitted pursuant to the section 71 notice of CEPA 1999, the Minister of the Environment may not disclose that information, except in accordance with section 315, 316 or 317 of CEPA 1999.

### **8.2- Section 5**

For each substance listed in Schedule 1, list the total quantity of the substance that was **manufactured, imported or used** during the 2006 calendar year, whether alone or as a component in a mixture, product or manufactured item.

Example:

CAS RN <sup>1</sup> of the substance (a)	Name of substance (b)	Total quantity in kg (rounded to the nearest kg, if less than 1000 kg; rounded to the nearest hundred kg, if greater than 1000 kg)			NAICS code(s) (f)
		Manufactured in 2006 (c)	Imported in 2006 (d)	Used in 2006 (e)	
106-89-8	Oxirane, (chloromethyl)-		3000	2500	325610
1344-37-2	C.I. Pigment Yellow 34	10500		11300	325510
12656-85-8	C.I. Pigment Red 104	2500			325520

### 8.3- Section 6

For each substance listed in Schedule 1, list the quantity of the substance that was **manufactured for each use pattern code** during the 2006 calendar year.

If you do not know the exact use to be made of the substance, then choose the use pattern code that is consistent with the most complete and accurate information available to you.

If, during the 2006 calendar year, you used the reportable manufactured quantities, you have to report one or multiple use quantity(ies) related to the use pattern code(s) described in section 11 to the notice.

Example:

CAS RN <sup>1</sup> of the substance that was manufactured (a)	Use pattern code (described in section 11) (b)	Quantity manufactured of the substance in kg (rounded to the nearest kg, if less than 1000 kg; rounded to the nearest hundred kg, if greater than 1000 kg) (c)	Top five trade names of the substance, if applicable (d)
1344-37-2	32	8000	Yellow A, Yellow B, Yellow C, Yellow D, Yellow E
12656-85-8	06	2500	Binder X, Binder Y, Binder Z

### 8.4- Section 7

For each substance listed in Schedule 1, list the quantity of the substance that was **imported for each use pattern code** during the 2006 calendar year.

If you do not know the exact use to be made of the substance or the substance in the mixture, product or manufactured item, then choose the use pattern code that is consistent with the most complete and accurate information available to you.

If the use pattern code is unknown, then provide the quantity of the substance that was imported for each type of mixture, product or manufactured item containing the substance.

If, during the 2006 calendar year, you used the reportable imported quantities, you have to report one or multiple use quantity(ies) related to the use pattern code(s) described in section 11 to the notice.

Example:

CAS RN <sup>1</sup> of the substance that was imported (a)	Type of mixture, product, or manufactured item, if applicable (b)	Concentration or range of concentrations of the substance by weight (w/w%) (c)	Use pattern code (described in section 11) (d)	Quantity imported of the substance in kg (rounded to the nearest kg, if less than 1000 kg; rounded to the nearest hundred kg, if greater than 1000 kg) (e)	Top five trade names representing the highest aggregate quantity of substances in each entry identified in paragraph (b), if applicable (f)
106-89-8	Pure substance	100 %	23	2000	Substance OXI
106-89-8	Solvent	56 %	24	1000	Solvent A, Solvent B

### 8.5- Section 8

For each substance listed in Schedule 1, list the quantity of the substance that was **used for each use pattern code** during the 2006 calendar year, whether alone, in a mixture, product or manufactured item.

If you do not know the exact use to be made of the substance or the substance in the mixture, product or manufactured item, then choose the use pattern code that is consistent with the most complete and accurate information available to you.

If, during the 2006 calendar year, you used the reportable quantities, you have to report one or multiple use quantity(ies) related to the use pattern code(s) described in section 11 to the notice.

Example:

CAS RN <sup>1</sup> of the substance that was used (a)	Type of mixture, product, or manufactured item, if applicable (b)	Concentration or range of concentrations of the substance by weight (w/w%) (c)	Name and head office address of the supplier (d)	Use pattern code (described in section 11) (e)	Quantity used of the substance, in kg (rounded to the nearest kg, if less than 1000 kg; rounded to the nearest hundred kg, if greater than 1000 kg) (f)	Known or anticipated final substance, mixture, product or manufactured item (g)
1344-37-2	paint	55.0 % – 66.0 %		32	3000	Wall paint
1344-37-2	inks	60.0 % – 70.0 %	Name-AZ, XXX Roxy Avenue, Toronto ON M2G 3T8	15	2000	Ink Cartridge
106-89-8	solvent	15.0 %	Name OX, XXX Jay Dr. NY, NY 23456	46	15 000	Paint stripper

### 8.6- Section 9

For each substance listed in Schedule 1 that was **manufactured, imported or used**, whether alone, in a mixture, in a product or in a manufactured item, during the 2006 calendar year, provide the total quantity released and/or transferred to an off-site waste management facility.

Note: transfer to an off-site waste management facility is not considered to be a release for the purpose of this notice.

Example:

CAS RN <sup>1</sup> of the substance (a)	Facility name and address (b)	Total quantity in 2006 (rounded to the nearest kg)					
		Released to (c)			Transferred to an off-site facility (d)		
		Air	Water	Land	Non-hazardous waste	Hazardous waste	
1344-37-2	Company ABC, Chemicals Division XXX Newdar Avenue, Toronto ON M2G 3T8		500			500	
106-89-8	Company DEF XXX Yawn Street, Montreal QC H1T 2T9		30				680
70161-19-2	Company XYZ XXX Painter Av., Calgary AB A5C 2Y8			200			

## 8.7- Section 10

For each substance listed in Schedule 1 that was manufactured, imported, or used, whether alone, in a mixture, in a product or in a manufactured item, during the 2006 calendar year, describe the procedures and/or policies in place to minimize releases of the substance to the environment and the potential exposure of the substance to the Canadian public.

### **Procedures and/or policies in place to prevent or minimize releases of the substance to the environment and/or the potential exposure of individuals in Canada to the substance (10b)**

Provide a description of the procedures and/or policies at your facility(ies) for each stage of the life cycle of the substance, where applicable, from manufacture/import through to transportation, distribution, use, storage and ultimate disposal.

The procedures and/or policies can include consideration of:

1. handling procedures to minimize dusts/vapours/spills;
2. clean-up procedures;
3. emergency planning;
4. regulatory/voluntary agreements in place to minimize releases.

### **Studies or data that measure the effect of the procedures and/or policies (10c):**

Provide a description of reporting mechanisms in place for inspection and monitoring procedures at your facility(ies). These may include on-site ambient monitoring for release of the substance, municipal/provincial/territorial permitting and oversight programs, environmental or other independent audits and site inspection compliance reports.

### **Studies or data that measure the exposure to the substance of individuals in Canada and the environment (10d):**

You are required to report any studies in your possession dealing with the measurement of concentrations of the substance in environmental media (e.g., indoor air, ambient air, surface water, drinking water, soil, sediment) or releases of the substance from final mixtures, products, or manufactured items (e.g. migration studies from food packaging). Published as well as unpublished studies must be provided. If available, a copy of the complete study must be provided. If a copy of the study is not in your possession and you do not have access to it, or if more than five studies exist, then provide a list including a complete reference and a detailed summary outlining the test method, sampling location, sampling time and frequency, concentration range, mean value, number of samples, and any additional information that you judge is pertinent. The environmental media studies may be site specific monitoring studies (e.g., concentration of the substance in wastewater

effluent from a manufacturing plant or concentration of the substance from stack emission into outdoor air) or may report on measured levels of the substance in the general environment (e.g., concentration of the substance in Great Lakes surface water).

Example:

CAS RN <sup>1</sup> of the Substance (a)	Procedures and/or policies in place to prevent or minimize releases of the substance to the environment and/or the potential exposure of individuals in Canada to the substance, if applicable (b)	Studies or data that measure the effect of the procedures and/or policies reported in paragraph (b) (c)	Studies or data that measure the exposure to the substance of individuals in Canada and the environment (d)
	-Wetting of piles	-in facility air monitoring	Study #1 (reference): measured concentration in indoor air 5 µg/m <sup>3</sup>
	-dust filters on vents	-occupational studies	Study #2 (reference): Migration rate of substance from plastic wrap to food 5 mg/cm <sup>2</sup> -h <sup>-1</sup>
	Our company has annual employee training regarding chemical handling		

## 9. Information to which you may reasonably be expected to have access

You are required to provide information that your company possesses or to which you may reasonably be expected to have access. For example, when importing a substance, mixture, product or manufactured item you may reasonably be expected to have access to the relevant Material Safety Data Sheet (MSDS). An MSDS is an important source of information on the composition of a purchased product. Note that the goal of the MSDS is to protect the health of the workers, not the environment. Therefore, an MSDS may not list all product ingredients on which the Minister of the Environment is requiring information under the notice. You may wish to contact your supplier for more detailed information on product composition.

Also, a company may reasonably be expected to have access to a parent company's information regarding substances, mixtures, products or manufactured items. You are not required to conduct tests to comply with this notice.

This notice is seeking to identify all persons with interest in or activity involving the substances listed in Schedule 1 to the notice. The goal is to ensure regulatory decisions are made considering all business activity in Canada. Companies that do not fall under the requirements to respond to the notice, but have an interest in future activity regarding specific substances, may identify themselves as a stakeholder using the Stakeholder Interest form.

## 10. How and to whom do I respond and what address?

Responses to the notice must be submitted to the Minister of the Environment, to the attention of the:

**By mail:**

DSL Surveys Co-ordinator  
Existing Substances Program  
351 Saint-Joseph Boulevard, 20<sup>th</sup> Floor  
Gatineau QC K1A 0H3

**By courier:**

DSL Surveys Co-ordinator  
Existing Substances Program  
351 Saint-Joseph Boulevard, 20<sup>th</sup> Floor  
Gatineau QC J8Y 3Z5

You can provide the information in an electronic format, by fax or return it by mail. However, as indicated above, you must sign and return an original paper copy of the "Identification and Declaration Form" (Section 4 of Schedule 3) for the submission to be complete.

## **11. What is the deadline for response?**

Every person to whom the notice applies is required to comply with the notice no later than **December 18, 2007, 3 p.m. Eastern Daylight Savings Time.**

## **12. What if I need an extension?**

As provided in subsection 71(4) of CEPA 1999, you may submit a written request for an extension of time to comply with the notice. The request for an extension must include the CAS RN numbers of the substances on which information will be reported and provide a reason for the request. Address your request to the Minister of the Environment, to the attention of the DSL Surveys Co-ordinator, Existing Substances Program, 351 Saint-Joseph Boulevard, 20<sup>th</sup> Floor, Gatineau QC K1A 0H3. You may send your request by mail, by fax at 1-800-410-4314/819-953-4936 or by email at [DSL.SurveyCo@ec.gc.ca](mailto:DSL.SurveyCo@ec.gc.ca). Please note that you must request an extension of time before expiry of **the December 18, 2007, 3 p.m. Eastern Daylight Savings Time** deadline. No extensions will be granted after the deadline has expired. It is recommended that any request for an extension be submitted at least five business days before December 18, 2007 so that a request can be processed by the Minister of the Environment before expiry of the deadline.

## **13. Inquiries- whom to contact**

If you have an inquiry, please contact the DSL Surveys Co-ordinator of the Existing Substances Program at the following numbers or email address:

- telephone: 1-888-228-0530/819-956-9313;
- fax: 1-800-410-4314/819-953-4936; or
- email: [DSL.SurveyCo@ec.gc.ca](mailto:DSL.SurveyCo@ec.gc.ca)