

Assessment and Management of Substances under CEPA 1999

Consultation Meeting on
PFCA Action Plan
February 2006

Overview

CEPA 1999

Assessment – New and Existing
Substances

Management of New Substances

Management of Existing Substances

Toxics Management Process

Consultations

Canadian Environmental Protection Act, 1999

“An Act respecting pollution prevention and the protection of the environment and human health in order to contribute to sustainable development.”

Recognizes that:

- the protection of the environment is essential to the well-being of Canadians;
- pollution prevention is the priority approach to environmental protection;
- there is need to virtually eliminate the persistent and bioaccumulative toxic substances;
- the precautionary principle (as defined in the Act) applies where there are threats of serious or irreversible damage.

CEPA Part 5: Controlling Toxic Substances



Risk Assessment:

- Assessments done jointly by Environment Canada (EC) and Health Canada (HC)

- Is a substance toxic or capable of becoming toxic according to CEPA?

Does it constitute or may constitute a...

- danger to the environment or biodiversity?
- danger to the environment upon which life depends?
- danger to human life or health?

Risk Management:

- How do we reduce or eliminate the risks?

Risk Assessment Considerations

- Science based
- Employ a weight of evidence approach
- Assessments characterize risk, considering for example:
 - Environmental persistence
 - Bioaccumulation
 - Effects
 - Environmental exposure and trends
 - Sources and entry to the Canadian environment
- Ecological risk determined by EC and human health risk determined by HC

New Substances Program

- New substances:
 - substances not on the Domestic Substances List
- New Substances Program in place to :
 - Ensure no new substance is introduced into Canada before an assessment is made whether it is or could be toxic to the environment or human health
 - Ensure risks identified are addressed before creating health or environmental problems

Existing Substances Program

- Existing substances:
 - Substances in commerce (on the Domestic Substances List)
 - Substances used or released into the environment
 - Can include individual compounds, classes, mixtures, effluents
- Existing Substances Program in place to :
 - prioritizing assessments and assessing risks associated with substances already in commerce
 - determining appropriate risk management actions

Where a risk is identified, Minister may take actions to mitigate the risk

- For new substances, the Minister may :
 - Permit the manufacture or import of the substance subject to specified conditions;
 - Prohibit the manufacture or import of the substance for a period not exceeding two years unless a regulation is proposed; or
 - Prohibit the manufacture or import of the substance until additional information or test results have been submitted and assessed.

Where a risk is identified, Minister may take actions to mitigate the risk

For existing substances, the Minister may use a range of risk management measures, including:

- Guidelines
- Codes of Practice
- Pollution Prevention Plans
- Regulations
- Environmental Performance Agreements

Toxics Management Process for Existing Substances

- Gather technical and socio-economic background information;
- Draft a risk management strategy which includes:
 - Proposed risk management objective(s)
 - Proposed risk management instrument(s)
 - Consultation approach
- Consult CEPA National Advisory Committee and all interested stakeholders;
- Amend strategy as required and publish proposed instrument(s) within the prescribed timeframe.

Consultations

- Objective is to obtain advice and comments from stakeholders on the proposed strategy and instrument
- Consultations can take several forms:
 - Consultation meetings
 - Written comments
 - Publication of proposed instruments
- Advice and comments will be taken into consideration