

New Federal Chemicals Management Plan requires action

Companies must respond, report

By Aysha Raad Gil

Ottawa introduced the Federal Chemicals Management Plan (FCMP) in December 2006 in an effort to assess and manage a large number of potentially harmful chemical substances currently in use by many Canadian companies.

The FCMP also included a *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* (NOI) which identified 193 priority substances to be assessed for action which have been divided into batches for evaluation.

The government issued the NOI to better understand how these substances are used in Canada, the types of items containing the substances and what companies are making them, the procedures in place to minimize releases and studies showing the effects of these procedures and policies.

These priority substances are currently used by a wide range of industries across Canada, including the manufacturing, chemical, steel, printing and pharmaceutical sectors.

The FCMP has divided the 193 priority substances into batches of approximately 15, which have been released and will continue to be released in increments of three months.

If your company uses, manufactures, imports, sells or disposes any of these chemicals, and meets the threshold specified by Environment Canada, it will be affected by the FCMP. To comply with the NOI, companies will have to provide data regarding the relevant chemicals and how they are used, managed and disposed. Companies will have 120 days to respond to the 'challenge'.

Companies that use the chemicals but do not meet the threshold, or companies that have an interest in the chemicals can respond as a stakeholder and ask to stay engaged in the process. Stakeholders have six months to respond with their information,

Once the deadline has passed, Environment Canada and Health Canada will review the information they received via the 'challenge' and assess whether or not a chemical is toxic or could become toxic at a certain point and whether and how to control and manage the substance. It also intends to improve product labelling programs and better deal with imported products that use these chemicals.

Generally, risk management involves identifying, evaluating and implementing tools to reduce, eliminate or prevent risks.

Stakeholders will then have another 60 days to comment on the assessment report and its suggested risk management approach.

If during the risk assessment process, the chemical is deemed to be toxic, the Ministers will have up to six months to pub-

lish their recommendations and proposed risk management approach. If the Ministers are not satisfied that the risk of the substance cannot be reduced or prevented, it may prohibit the use of the chemical substance altogether.

Companies that use any of the chemicals listed in the NOI will need to dedicate resources and time to collect the necessary data and report to government. Companies affected by the FCMP are encouraged by government to identify themselves as a Stakeholder and provide information so they can be engaged in the process. The government welcomes any information companies can provide about certain substances that will make the assessment process easier.

To date, Batches 1 to 3 have been released, with Batch 4 to likely arrive in November. For more information about the FCMP and the chemicals involved in the process, please go to www.chemical-substanceschimique.gc.ca

Aysha Raad Gil is a Research Analyst, Natural Resources and Environment with Global Public Affairs.

Government Action	Relevant Chemicals	Rationale	Timelines
Challenge to industry to provide information to enable early completion of screening assessments and regulatory action as needed	193 priority substances Please see NOI for complete list	These are the substances of highest concern as a result of categorization; they are: <ul style="list-style-type: none"> • Persistent, accumulative in the food chain, and inherently toxic to the environment, and are known to be in commerce in Canada; and/or • A high hazard to humans and a high likelihood of exposure to individuals in Canada 	<ul style="list-style-type: none"> • Notice of Intent was published in the Canada Gazette, Part I on December 9, 2006 • First batch of 15 released in February of 2007 • Each subsequent batch released in three months intervals • Completion of screening assessments for all substances in three years • Risk management within three years after screening assessment completed.