

CHLORINATED PARAFFINS

INDUSTRY ASSOCIATION

1250 Connecticut Avenue, NW • Suite 700 • Washington, DC 20036 • 202-419-1500 • info@regnet.com

Update on Canadian Assessment and Proposed Actions for Chlorinated Paraffins April 2009

CPIA Challenges Canada's Proposed CEPA Toxic Designation

In September 2008, Environment Canada (EC) proposed that all chlorinated paraffins (CPs) should be added to the Canadian Environment Protection Act (CEPA), Schedule 1 list of "Toxic" substances. The EC proposal was based on Canada's August 2008 CP Risk Assessment. Canada also proposed to place CPs with up to 20 carbons on its "Virtual Elimination" list based on Canada's view that these compounds were persistent, bioaccumulative and toxic (PBT).

The Chlorinated Paraffins Industry Association (CPIA) submitted comments in response to the official Canada Gazette notice. The comments challenged the basis for the CEPA Toxic designation. In addition to raising several new technical and policy concerns, the CPIA submission reiterated some of the issues raised with the previous draft Canada CP Risk Assessment as these had not been addressed.

CPIA also filed a formal Notice of Objection contending that EC does not have an adequate basis for its proposed actions. (CPIA's comments and the Notice of Objection are embedded below).



Letter CPIA
Comments and Notice



CPIA Comments and
Notice of Objection, 1

To date, there has been no response from Canada.

CPIA Outreach Efforts With Downstream Industry

As part of the industry's advocacy efforts, CPIA has been working closely with downstream companies and trade associations, particularly those with an interest in Canada. Several webcasts have been organized for CP formulator and user facilities to explain the status of the Canadian proposal and to encourage the downstream industry to become actively engaged in the advocacy efforts.

CPIA has been working with the Independent Lubricant Manufacturers Association (ILMA; www.ilma.org). On February 20, 2009, ILMA sent a letter objecting to Canada's actions, noting significant technical concerns with the Risk Assessment. ILMA's letter emphasized

that in many cases, adequate alternatives do not exist for metalworking fluids (MWFs). CPIA and Dover Chemical Corporation authored an article (embedded below) that was published in the April 2009 edition of ILMA's Compoundings journal. The article was written to inform downstream users about these issues and to encourage their active involvement.



Compoundings CP
Article April 2009.pdf

CPIA sent to Canada the recently completed Environmental Risk Assessment on long-chain chlorinated paraffins (LCCPs) prepared by the United Kingdom (UK). Among other things, the UK report concluded that, "the available data suggest that these substances [LCCPs] do not meet the screening criteria for PBT classification." These technical issues are especially important since Canada is considering a "prohibition regulation" that could likely lead to restrictions on many uses of CPs.

A new report from the UK further substantiates that for various uses there are no adequate alternatives for CPs. This new REACH Annex XV dossier on medium-chain chlorinated paraffins (MCCPs) contains an evaluation of uses, alternatives and risk management options. The UK evaluation of substitutes for MCCPs concluded that for metalworking fluids, "no single substance could offer the same performance and cost effectiveness achieved with MCCPs across the full spectrum of its application." While the UK found that some substitutes worked in some applications, both performance (staining, temperature limitations, etc.) and health and environmental concerns were identified with all the alternatives evaluated. Importantly, the UK noted that when proper workplace hygiene and environmental waste management practices are in place, the risks associated with the use of MCCPs should be below a level of concern. CPIA does not endorse all aspects of this dossier; technical issues associated with the report will likely be addressed as part of the REACH registration for MCCPs.

CPIA is continuing its advocacy efforts to convince Canada that restricting the use of CPs is not necessary given that there are effective means to safely manufacture, process and use CPs. CPIA is seeking downstream industry partners to work on developing product stewardship guidelines that can document these effective practices. Ideally, these guidelines can be offered as an alternative to the prohibition regulations being considered by Canada. Even if Canada proceeds with its CEPA Toxic designation, these advocacy efforts will be important to assure a reasonable risk management program.

For additional information contact:

Chlorinated Paraffins Industry Association
1250 Connecticut Avenue, NW
Suite 700
Washington, DC 20036
USA
info@regnet.com