

CHLORINATED PARAFFINS

INDUSTRY ASSOCIATION

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REGULATORY UPDATE

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CANADA

Environment Canada and Health Canada released for public comment Follow-up Reports on chlorinated paraffins addressing short-chain chlorinated paraffins (SCCPs), medium-chain chlorinated paraffins (MCCPs) and long-chain chlorinated paraffins (LCCPs). The Reports, announced in a June 11 Canada Gazette notice, were anticipated as Canada committed several years ago to update its assessments of CPs.

The Chlorinated Paraffins Industry, most notably Dover Chemical Corporation (the only current North American manufacturer) and the various European producers, in consultation with chlorinated paraffin manufacturers from around the globe, submitted an extensive set of highly critical comments. The Industry raised numerous technical and policy concerns with the Reports. The comments emphasized that the Environment Canada Follow-up Report significantly overestimates the potential release and estimated environmental levels of CPs in the Canadian environment, primarily due to the use of overly conservative, “extreme” worst assumptions and reliance on outdated information not directly germane to Canada.

For example,

- In the case of LCCPs, the Report used a mid-1980’s measurement from a drainage ditch associated with a US manufacturing plant;
- The environmental assessment used the highest measurement ever been obtained from the effluent of the now closed MCCPs/LCCPs manufacturing plant on the St. Lawrence River (Cornwall, Ontario) even though measurements in the Canadian environment were non-detectable; and,
- Similarly for sediment, the Report used the highest measured value from a sewage treatment plant in the UK despite the fact that levels of CPs were non-detectable in the sediment downstream from the Canadian CP manufacturing plant.

The comments also encouraged Environment Canada to consider the approach used by the US Environmental Protection Agency (EPA) in its assessment of CPs.

The CP Industry restated its recommendation that the Agency promote a Life Cycle Management Program to assure effective management of these substances.

The Industry Coordinating Group (ICG) for CEPA also submitted comments on the Environment Canada Report. The ICG, which represents various Canadian and US trade associations, focused its comments on several of the broader policy issues.

UNITED STATES

There are no new regulatory developments in the United States regarding CPs. Several years ago, the US Environmental Protection Agency concluded that there was no need to impose any restrictions on the manufacture, processing or use of any chain length chlorinated paraffin. Chlorinated paraffins remain excluded from federal hazardous waste regulations. CPs in waste oils, however, must be managed as hazardous waste in the state of Washington. The only requirement in the US remains reporting of short-chain chlorinated paraffins as part of the Toxic Release Inventory.

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