

INTERNATIONAL CHLORINATED PARAFFINS

INDUSTRY ASSOCIATION

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Canada Places C₁₀-C₂₀ Chlorinated Alkanes on CEPA Schedule 1

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In the October 12, 2011 Canada Gazette, Environment Canada issued an order placing chloroalkanes C₁₀-C₂₀ on Schedule 1 of the Canadian Environmental Protection Act (CEPA). Schedule 1 is often referred to as the “CEPA Toxic” list. The official notice can be viewed at:

<http://www.gazette.gc.ca/rp-pr/p2/2011/2011-10-12/html/sor-dors212-eng.html>

This order is in follow-up to the 2008 proposal from Environment Canada and Health Canada to place C₁₀-C₃₈ chloroalkanes on Schedule 1; however, the final action was revised in light of the recent determination by Health Canada that long-chain chlorinated alkanes/paraffins (also known as LCCPs) do not meet the toxic criteria in CEPA Section 64(c).

This final action does not restrict the use of C₁₀-C₂₀ chloroalkanes in Canada; it provides the basis for Environment Canada to issue risk management regulations on this class of chloroalkanes. There are hundreds of chemicals on CEPA Schedule 1 that continue to be used in a variety of applications. Environment Canada, in consultation with industry and other stake-holders, develops use regulations for the substances on Schedule 1.

For short-chain (C₁₀-C₁₃) chloroalkanes, Environment Canada has already issued a separate proposal to prohibit their use. This proposed action is not anticipated to impact Canadian industry as C₁₀-C₁₃ chloroalkanes are not currently manufactured in or imported into Canada.

For risk management of the C₁₄-C₂₀ chloroalkanes, which primarily impacts medium-chain chlorinated paraffins (MCCPs), the CP industry intends to work closely with Environment Canada regarding the development of workable risk management rules. The fact that Environment Canada chose to limit the prohibition of chloroalkanes to just the short-chain (C₁₀-C₁₃) and also did not take any action in this most recent rule to place these substances on the Virtual Elimination (VE) list, which they had originally proposed to do, indicates a good opportunity to work with Environment Canada to develop reasonable risk management rules.

ICPIA will continue to coordinating industry efforts regarding the regulation of chlorinated paraffins (chloroalkanes) in Canada. We will have additional correspondence and possibly a follow-up webinar in the near future. For more information, please contact Andrew Jaques at ajaques@regnet.com or 202-419-1500.