

Canada Gazette

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Vol. 143, No. 49 — December 5, 2009

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Ministerial Condition No. 15713

Whereas the Minister of the Environment and the Minister of Health have assessed information pertaining to the substance 1-Butanol, 2,2-bis[(2-propenyloxy)methyl]-, polymer with 1,1,3,3-tetramethyldisiloxane, 3-(2-hydroxyalkoxy)propyl-terminated;

And whereas the Ministers suspect that the substance is toxic,

The Minister of the Environment, pursuant to paragraph 84(1)(a) of the *Canadian Environmental Protection Act, 1999*, hereby permits the manufacture or import of the substance in accordance with the conditions of the following annex.

JIM PRENTICE
Minister of the Environment

ANNEX

Conditions

(Section 84 of the *Canadian Environmental Protection Act, 1999*)

The person who complies with subsection 81(1) of the *Canadian Environmental Protection Act, 1999*, (the Notifier hereafter) may manufacture or import the substance if that person also complies with the following conditions:

Restriction

1. The Notifier may import the substance only

(a) as a component of a finished clear coat product to be applied to the exterior of automobiles as part of refinishing operations; or

(b) for blending to create a finished clear coat product to be applied to the exterior of automobiles as part of refinishing operations, if, at least 120 days prior to the beginning of the importation, the Notifier informs the Minister of the Environment, in writing, and provides the Minister with the following information:

(i) the information specified in item 5 of Schedule 10 to the *New Substances Notification Regulations (Chemicals and Polymers)*,

(ii) the information specified in paragraph 11(c) of Schedule 11 to those Regulations, and

(iii) the following information related to the blending of the substance in Canada:

(A) a flow diagram of the blending process that includes features such as process tanks and holding tanks, and

(B) a brief description of the major steps in blending operations, the points of entry of all feedstock, the points of release of substances, and the processes to eliminate environmental releases.

2. The Notifier may manufacture the substance, if, at least 120 days prior to the beginning of the manufacturing, the Notifier informs the Minister of the Environment, in writing, and provides the Minister with the following information:

(a) the information specified in item 5 of Schedule 10 to the *New Substances Notification Regulations (Chemicals and Polymers)*;

(b) the information specified in paragraph 11(c) of Schedule 11 to those Regulations; and

(c) the following information related to the manufacturing of the substance in Canada:

(i) a brief description of the manufacturing process that details precursors of the substance, reaction conditions (e.g. temperature, pressure, catalysts and reaction stoichiometry), and the nature (batch or continuous) and scale of the process,

(ii) a flow diagram of the manufacturing process that includes features such as process tanks, holding tanks and distillation towers, and

(iii) a brief description of the major steps in manufacturing operations, the chemical conversions, the points of entry of all feedstock, the points of release of substances, and the processes to eliminate environmental releases.

Disposal Restriction of the Substance

3. (1) The Notifier must destroy or dispose of the substance or any waste containing it by

(a) incinerating it in accordance with the laws of the jurisdiction where the disposal facility is located; or

(b) depositing it in a secure landfill, in accordance with the laws of the jurisdiction where the landfill is located, if it cannot be destroyed or disposed of in accordance with paragraph (a).

(2) For the purpose of subitem (1), "waste" includes wastes resulting from rinsing transport vessels, storage vessels or blending vessels that contained the substance, process effluents, and any residual amounts of the substance.

Environmental Release

4. Where any release of the substance to the environment occurs, the Notifier shall immediately take all measures necessary to prevent any further release, and to limit the dispersion of the substance. Furthermore, the Notifier shall inform the Minister of the Environment immediately by contacting an enforcement officer, designated under the *Canadian Environmental Protection Act, 1999*, of the Environment Canada Regional Office that is closest to where the release occurred.

Record-keeping Requirements

5. (1) The Notifier shall maintain electronic or paper records, with any documentation supporting the validity of the information contained in these records, indicating

(a) the quantity of the substance that the Notifier manufactures, imports, purchases, sells and uses;

(b) the name and address of each person obtaining the substance from the Notifier; and

(c) the name and address of the person in Canada who has disposed of the substance or of the waste containing the substance for the Notifier, the method used to do so, and the quantities of the substance or waste shipped to that person.

(2) The Notifier shall maintain electronic or paper records mentioned in subitem (1) at the Notifier's principal place of business in Canada for a period of at least five years after they are made.

Other Requirements

6. The Notifier shall inform all persons who obtain the substance from the Notifier, in writing, of the terms of the present ministerial conditions. The Notifier shall obtain, prior to any transfer of the substance, written confirmation from these persons that they will use the substance only as a component of a finished clear coat product to be applied to the exterior of automobiles as part of refinishing operations, and comply with the terms of the present ministerial conditions as if they had been imposed on them. These records shall be maintained at the Notifier's principal place of business in Canada for a period of at least five years after they are made.

Coming into Force

7. This Ministerial Condition comes into force on November 24, 2009.

[49-1-o]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice with respect to substances in the National Pollutant Release Inventory for 2009

Notice is hereby given, pursuant to subsection 46(1) of the *Canadian Environmental Protection Act, 1999*, that for the purpose of conducting research, creating an inventory of data, formulating objectives and codes of practice, issuing guidelines or assessing or reporting on the state of the environment, any person who owns or operates a facility described in Schedule 3 to this notice, and who possesses or who may reasonably be expected to have access to information described in Schedule 4, shall provide the Minister of the Environment with this information no later than June 1, 2010, 11:59 p.m. Eastern Daylight Time. Certain terms contained in this notice have been defined in Schedule 2.

This notice applies to the calendar year 2009.

If a person who owns or operates a facility, with respect to which information was submitted in response to the *Notice with respect to substances in the National Pollutant Release Inventory for 2008*, determines that the facility does not meet the criteria for reporting set out in this notice, the person shall notify the Minister of the Environment that the facility does not meet these criteria no later than June 1, 2010.

Persons subject to the notice shall address responses or enquiries to the following address:

National Pollutant Release Inventory
Environment Canada
Fontaine Building, 9th Floor
200 Sacré-Cœur Boulevard
Gatineau, Quebec
K1A 0H3
Telephone: 1-877-877-8375
Fax: 819-953-0461
Email: NPRI@ec.gc.ca

Pursuant to subsection 46(8) of the *Canadian Environmental Protection Act, 1999*, persons to whom this notice applies shall keep copies of the information required under this notice, together with any calculations, measurements and other data on which the information is based, at the facility to which the calculations, measurements and other data relate, or at the principal place of

business in Canada of the person who owns or operates the facility, for a period of three years from the date the information is required to be submitted.

The Minister of the Environment intends to publish, in part, the information submitted in response to this notice. Pursuant to section 51 of the *Canadian Environmental Protection Act, 1999*, any person who provides information in response to this notice may submit, with their information, a written request that it be treated as confidential based on the reasons set out in section 52 of the Act. The person requesting confidential treatment of the information shall indicate which of the reasons in section 52 of the Act applies to their request. Nevertheless, the Minister may disclose, in accordance with subsection 53(3) of the *Canadian Environmental Protection Act, 1999*, information submitted in response to this notice.

GEORGE ENEI
Acting Director General
Science and Risk Assessment
On behalf of the Minister of the Environment

SCHEDULE 1

Substances

The substances captured under this notice are those set out in Parts 1 through 5 of this Schedule.

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PART 1

GROUP 1 SUBSTANCES

<i>Name</i>	<i>CAS Registry Number[†]</i>
1. Acetaldehyde	75-07-0
2. Acetonitrile	75-05-8
3. Acetophenone	98-86-2
4. Acrolein	107-02-8
5. Acrylamide	79-06-1
6. Acrylic acid ¹	79-10-7
7. Acrylonitrile	107-13-1
8. Alkanes, C ₆₋₁₈ , chloro	68920-70-7
9. Alkanes, C ₁₀₋₁₃ , chloro	85535-84-8
10. Allyl alcohol	107-18-6
11. Allyl chloride	107-05-1
12. Aluminum ²	7429-90-5

13.	Aluminum oxide ³	1344-28-1
14.	Ammonia (total) ⁴	*
15.	Aniline ¹	62-53-3
16.	Anthracene	120-12-7
17.	Antimony ⁵	*
18.	Asbestos ⁶	1332-21-4
19.	Benzene	71-43-2
20.	Benzoyl chloride	98-88-4
21.	Benzoyl peroxide	94-36-0
22.	Benzyl chloride	100-44-7
23.	Biphenyl	92-52-4
24.	<i>Bis</i> (2-ethylhexyl) adipate	103-23-1
25.	<i>Bis</i> (2-ethylhexyl) phthalate	117-81-7
26.	Boron trifluoride	7637-07-2
27.	Bromine	7726-95-6
28.	1-Bromo-2-chloroethane	107-04-0
29.	Bromomethane	74-83-9
30.	1,3-Butadiene	106-99-0
31.	2-Butoxyethanol	111-76-2
32.	Butyl acrylate	141-32-2
33.	<i>i</i> -Butyl alcohol	78-83-1
34.	<i>n</i> -Butyl alcohol	71-36-3
35.	<i>sec</i> -Butyl alcohol	78-92-2

36.	<i>tert</i> -Butyl alcohol	75-65-0
37.	Butyl benzyl phthalate	85-68-7
38.	1,2-Butylene oxide	106-88-7
39.	Butyraldehyde	123-72-8
40.	C.I. Acid Green 3	4680-78-8
41.	C.I. Basic Green 4	569-64-2
42.	C.I. Basic Red 1	989-38-8
43.	C.I. Direct Blue 218	28407-37-6
44.	C.I. Disperse Yellow 3	2832-40-8
45.	C.I. Food Red 15	81-88-9
46.	C.I. Solvent Orange 7	3118-97-6
47.	C.I. Solvent Yellow 14	842-07-9
48.	Calcium cyanamide	156-62-7
49.	Calcium fluoride	7789-75-5
50.	Carbon disulphide	75-15-0
51.	Carbon tetrachloride	56-23-5
52.	Carbonyl sulphide	463-58-1
53.	Catechol	120-80-9
54.	CFC-11	75-69-4
55.	CFC-12	75-71-8
56.	CFC-13	75-72-9
57.	CFC-114	76-14-2
58.	CFC-115	76-15-3
59.	Chlorendic acid	115-28-6

60.	Chlorine	7782-50-5
61.	Chlorine dioxide	10049-04-4
62.	Chloroacetic acid ¹	79-11-8
63.	Chlorobenzene	108-90-7
64.	Chloroethane	75-00-3
65.	Chloroform	67-66-3
66.	Chloromethane	74-87-3
67.	3-Chloro-2-methyl-1-propene	563-47-3
68.	3-Chloropropionitrile	542-76-7
69.	Chromium ⁷	*
70.	Cobalt ⁵	*
71.	Copper ⁵	*
72.	Cresol ^{1,8}	1319-77-3
73.	Crotonaldehyde	4170-30-3
74.	Cumene	98-82-8
75.	Cumene hydroperoxide	80-15-9
76.	Cyanides ⁹	*
77.	Cyclohexane	110-82-7
78.	Cyclohexanol	108-93-0
79.	Decabromodiphenyl oxide	1163-19-5
80.	2,4-Diaminotoluene ¹	95-80-7
81.	2,6-Di- <i>t</i> -butyl-4-methylphenol	128-37-0
82.	Dibutyl phthalate	84-74-2

83.	<i>o</i> -Dichlorobenzene	95-50-1
84.	<i>p</i> -Dichlorobenzene	106-46-7
85.	3,3'-Dichlorobenzidine dihydrochloride	612-83-9
86.	1,2-Dichloroethane	107-06-2
87.	Dichloromethane	75-09-2
88.	2,4-Dichlorophenol ¹	120-83-2
89.	1,2-Dichloropropane	78-87-5
90.	Dicyclopentadiene	77-73-6
91.	Diethanolamine ¹	111-42-2
92.	Diethyl phthalate	84-66-2
93.	Diethyl sulphate	64-67-5
94.	Dimethylamine	124-40-3
95.	<i>N,N</i> -Dimethylaniline ¹	121-69-7
96.	<i>N,N</i> -Dimethylformamide	68-12-2
97.	Dimethyl phenol	1300-71-6
98.	Dimethyl phthalate	131-11-3
99.	Dimethyl sulphate	77-78-1
100.	4,6-Dinitro- <i>o</i> -cresol ¹	534-52-1
101.	2,4-Dinitrotoluene	121-14-2
102.	2,6-Dinitrotoluene	606-20-2
103.	Dinitrotoluene ¹⁰	25321-14-6
104.	Di- <i>n</i> -octyl phthalate	117-84-0
105.	1,4-Dioxane	123-91-1

106.	Diphenylamine	122-39-4
107.	Epichlorohydrin	106-89-8
108.	2-Ethoxyethanol	110-80-5
109.	2-Ethoxyethyl acetate	111-15-9
110.	Ethyl acrylate	140-88-5
111.	Ethylbenzene	100-41-4
112.	Ethyl chloroformate	541-41-3
113.	Ethylene	74-85-1
114.	Ethylene glycol	107-21-1
115.	Ethylene oxide	75-21-8
116.	Ethylene thiourea	96-45-7
117.	Fluorine	7782-41-4
118.	Formaldehyde	50-00-0
119.	Formic acid	64-18-6
120.	Halon 1211	353-59-3
121.	Halon 1301	75-63-8
122.	HCFC-22	75-45-6
123.	HCFC-122 ¹¹	41834-16-6
124.	HCFC-123 ¹²	34077-87-7
125.	HCFC-124 ¹³	63938-10-3
126.	HCFC-141b	1717-00-6
127.	HCFC-142b	75-68-3
128.	Hexachlorocyclopentadiene	77-47-4

129.	Hexachloroethane	67-72-1
130.	Hexachlorophene	70-30-4
131.	<i>n</i> -Hexane	110-54-3
132.	Hydrazine ¹	302-01-2
133.	Hydrochloric acid	7647-01-0
134.	Hydrogen cyanide	74-90-8
135.	Hydrogen fluoride	7664-39-3
136.	Hydrogen sulphide	7783-06-4
137.	Hydroquinone ¹	123-31-9
138.	Iron pentacarbonyl	13463-40-6
139.	Isobutyraldehyde	78-84-2
140.	Isophorone diisocyanate	4098-71-9
141.	Isoprene	78-79-5
142.	Isopropyl alcohol	67-63-0
143.	<i>p,p'</i> -Isopropylidenediphenol	80-05-7
144.	Isosafrole	120-58-1
145.	Lithium carbonate	554-13-2
146.	Maleic anhydride	108-31-6
147.	Manganese ⁵	*
148.	2-Mercaptobenzothiazole	149-30-4
149.	Methanol	67-56-1
150.	2-Methoxyethanol	109-86-4
151.	2-Methoxyethyl acetate	110-49-6
152.	Methyl acrylate	96-33-3

153.	Methyl <i>tert</i> -butyl ether	1634-04-4
154.	<i>p,p'</i> -Methylenebis(2-chloroaniline)	101-14-4
155.	1,1-Methylenebis(4-isocyanatocyclohexane)	5124-30-1
156.	Methylenebis(phenylisocyanate)	101-68-8
157.	<i>p,p'</i> -Methylenedianiline	101-77-9
158.	Methyl ethyl ketone	78-93-3
159.	Methyl iodide	74-88-4
160.	Methyl isobutyl ketone	108-10-1
161.	Methyl methacrylate	80-62-6
162.	N-Methylolacrylamide	924-42-5
163.	2-Methylpyridine	109-06-8
164.	N-Methyl-2-pyrrolidone	872-50-4
165.	Michler's ketone ¹	90-94-8
166.	Molybdenum trioxide	1313-27-5
167.	Naphthalene	91-20-3
168.	Nickel ⁵	*
169.	Nitrate ion ¹⁴	*
170.	Nitric acid	7697-37-2
171.	Nitrilotriacetic acid ¹	139-13-9
172.	<i>p</i> -Nitroaniline	100-01-6
173.	Nitrobenzene	98-95-3
174.	Nitroglycerin	55-63-0
175.	<i>p</i> -Nitrophenol ¹	100-02-7

176.	2-Nitropropane	79-46-9
177.	N-Nitrosodiphenylamine	86-30-6
178.	Nonylphenol and its ethoxylates ¹⁵	*
179.	Octylphenol and its ethoxylates ¹⁶	*
180.	Paraldehyde	123-63-7
181.	Pentachloroethane	76-01-7
182.	Peracetic acid ¹	79-21-0
183.	Phenol ¹	108-95-2
184.	<i>p</i> -Phenylenediamine ¹	106-50-3
185.	<i>o</i> -Phenylphenol ¹	90-43-7
186.	Phosgene	75-44-5
187.	Phosphorus ¹⁷	7723-14-0
188.	Phosphorus (total) ¹⁸	*
189.	Phthalic anhydride	85-44-9
190.	Polymeric diphenylmethane diisocyanate	9016-87-9
191.	Potassium bromate	7758-01-2
192.	Propargyl alcohol	107-19-7
193.	Propionaldehyde	123-38-6
194.	Propylene	115-07-1
195.	Propylene oxide	75-56-9
196.	Pyridine ¹	110-86-1
197.	Quinoline ¹	91-22-5

198.	<i>p</i> -Quinone	106-51-4
199.	Safrole	94-59-7
200.	Selenium ⁵	*
201.	Silver ⁵	*
202.	Sodium fluoride	7681-49-4
203.	Sodium nitrite	7632-00-0
204.	Styrene	100-42-5
205.	Styrene oxide	96-09-3
206.	Sulphur hexafluoride	2551-62-4
207.	Sulphuric acid	7664-93-9
208.	1,1,1,2-Tetrachloroethane	630-20-6
209.	1,1,2,2-Tetrachloroethane	79-34-5
210.	Tetrachloroethylene	127-18-4
211.	Tetracycline hydrochloride	64-75-5
212.	Thiourea	62-56-6
213.	Thorium dioxide	1314-20-1
214.	Titanium tetrachloride	7550-45-0
215.	Toluene	108-88-3
216.	Toluene-2,4-diisocyanate	584-84-9
217.	Toluene-2,6-diisocyanate	91-08-7
218.	Toluenediisocyanate ¹⁰	26471-62-5
219.	Total reduced sulphur ¹⁹	*
220.	1,2,4-Trichlorobenzene	120-82-1
221.	1,1,2-Trichloroethane	79-00-5

222.	Trichloroethylene	79-01-6
223.	Triethylamine	121-44-8
224.	1,2,4-Trimethylbenzene	95-63-6
225.	2,2,4-Trimethylhexamethylene diisocyanate	16938-22-0
226.	2,4,4-Trimethylhexamethylene diisocyanate	15646-96-5
227.	Vanadium ²⁰	7440-62-2
228.	Vinyl acetate	108-05-4
229.	Vinyl chloride	75-01-4
230.	Vinylidene chloride	75-35-4
231.	Xylene ²¹	1330-20-7
232.	Zinc ⁵	*

[†] The Chemical Abstracts Service (CAS) Registry Number is the property of the American Chemical Society and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

* No single CAS Registry Number applies to this substance.

¹ "and its salts" — The CAS Registry Number corresponds to the weak acid or base. However, this substance includes the salts of these weak acids and bases.

² "fume or dust"

³ "fibrous forms"

⁴ "Ammonia (total)" means the total of both of ammonia (NH₃ — CAS No. 7664-41-7) and the ammonium ion (NH₄⁺) in solution.

⁵ "and its compounds"

⁶ "friable form"

⁷ "and its compounds," except hexavalent chromium compounds

⁸ "all isomers," including the individual isomers of cresol: *m*-cresol (CAS No. 108-39-4), *o*-cresol (CAS No. 95-48-7) and *p*-cresol (CAS No. 106-44-5)

⁹ "ionic"

¹⁰ "mixed isomers"

- 11 "all isomers" including, but not limited to, HCFC-122 (CAS No. 354-21-2)
- 12 "all isomers" including, but not limited to, HCFC-123 (CAS No. 306-83-2) and HCFC-123a (CAS No. 90454-18-5)
- 13 "all isomers" including, but not limited to, HCFC-124 (CAS No. 2837-89-0), and HCFC-124a (CAS No. 354-25-6)
- 14 "in solution at a pH of 6.0 or greater"
- 15 Includes nonylphenol, its ethoxylates and derivatives with CAS Nos. 104-40-5; 25154-52-3; 84852-15-3; 1323-65-5; 26523-78-4; 28987-17-9; 68081-86-7; 68515-89-9; 68515-93-5; 68081-86-1; 104-35-8; 20427-84-3; 26027-38-3; 27177-05-5; 27177-08-8; 28679-13-2; 27986-36-3; 37251-69-7; 7311-27-5; 9016-45-9; 27176-93-8; 37340-60-6; 51811-79-1; 51938-25-1; 68412-53-3; 9051-57-4; 37205-87-1; 68412-54-4; 127087-87-0.
- 16 Includes octylphenol and its ethoxylates with CAS Nos. 140-66-9; 1806-26-4; 27193-28-8; 68987-90-6; 9002-93-1; 9036-19-5.
- 17 "yellow or white"
- 18 Does not include phosphorus (yellow or white) with CAS No. 7723-14-0.
- 19 This class of substances, expressed in terms of hydrogen sulphide, is restricted to the following substances: hydrogen sulphide (CAS No. 7783-06-4), carbon disulphide (CAS No. 75-15-0), carbonyl sulphide (CAS No. 463-58-1), dimethyl sulphide (CAS No. 75-18-3), dimethyl disulphide (CAS No. 624-92-0), methyl mercaptan (CAS No. 74-93-1).
- 20 "(except when in an alloy) and its compounds"
- 21 "all isomers," including the individual isomers of xylene: *m*-xylene (CAS No. 108-38-3), *o*-xylene (CAS No. 95-47-6) and *p*-xylene (CAS No. 106-42-3)

GROUP 2 SUBSTANCES

<i>Name</i>	<i>CAS Registry Number</i> [†]
233.	Mercury ⁵ *

[†] The Chemical Abstracts Service (CAS) Registry Number is the property of the American Chemical Society and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

* No single CAS Registry Number applies to this substance.

⁵ "and its compounds"

GROUP 3 SUBSTANCES

<i>Name</i>	<i>CAS Registry Number</i> [†]
234.	Cadmium ⁵ *

[†] The Chemical Abstracts Service (CAS) Registry Number is the property of the American Chemical

Society and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

* No single CAS Registry Number applies to this substance.

⁵ "and its compounds"

GROUP 4 SUBSTANCES

<i>Name</i>	<i>CAS Registry Number[†]</i>	
235.	Arsenic ⁵	*
236.	Hexavalent chromium ⁵	*
237.	Lead ^{22, 23}	*
238.	Tetraethyl lead	78-00-2

[†] The Chemical Abstracts Service (CAS) Registry Number is the property of the American Chemical Society and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

* No single CAS Registry Number applies to this substance.

⁵ "and its compounds"

²² "and its compounds," except tetraethyl lead (CAS No. 78-00-2)

²³ Does not include lead (and its compounds) contained in stainless steel, brass or bronze alloys.

PART 2

<i>Name</i>	<i>CAS Registry Number[†]</i>	
239.	Acenaphthene	83-32-9
240.	Acenaphthylene	208-96-8
241.	Benzo(a)anthracene	56-55-3
242.	Benzo(a)phenanthrene	218-01-9
243.	Benzo(a)pyrene	50-32-8
244.	Benzo(b)fluoranthene	205-99-2

245.	Benzo(e)pyrene	192-97-2
246.	Benzo(g,h,i)perylene	191-24-2
247.	Benzo(j)fluoranthene	205-82-3
248.	Benzo(k)fluoranthene	207-08-9
249.	Dibenzo(a,j)acridine	224-42-0
250.	Dibenzo(a,h)acridine	226-36-8
251.	Dibenzo(a,h)anthracene	53-70-3
252.	Dibenzo(a,e)fluoranthene	5385-75-1
253.	Dibenzo(a,e)pyrene	192-65-4
254.	Dibenzo(a,h)pyrene	189-64-0
255.	Dibenzo(a,i)pyrene	189-55-9
256.	Dibenzo(a,l)pyrene	191-30-0
257.	7H-Dibenzo(c,g)carbazole	194-59-2
258.	7,12-Dimethylbenz(a)anthracene	57-97-6
259.	Fluoranthene	206-44-0
260.	Fluorene	86-73-7
261.	Indeno(1,2,3-c,d)pyrene	193-39-5
262.	3-Methylcholanthrene	56-49-5
263.	5-Methylchrysene	3697-24-3
264.	1-Nitropyrene	5522-43-0
265.	Perylene	198-55-0
266.	Phenanthrene	85-01-8
267.	Pyrene	129-00-0

[†] The Chemical Abstracts Service (CAS) Registry Number is the property of the American Chemical Society and any use or redistribution, except as required in supporting regulatory requirements

and/or for reports to the Government when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

PART 3

<i>Name</i>	<i>CAS Registry Number[†]</i>	
268.	2,3,7,8-Tetrachlorodibenzo- <i>p</i> -dioxin	1746-01-6
269.	1,2,3,7,8-Pentachlorodibenzo- <i>p</i> -dioxin	40321-76-4
270.	1,2,3,4,7,8-Hexachlorodibenzo- <i>p</i> -dioxin	39227-28-6
271.	1,2,3,7,8,9-Hexachlorodibenzo- <i>p</i> -dioxin	19408-74-3
272.	1,2,3,6,7,8-Hexachlorodibenzo- <i>p</i> -dioxin	57653-85-7
273.	1,2,3,4,6,7,8-Heptachlorodibenzo- <i>p</i> -dioxin	35822-46-9
274.	Octachlorodibenzo- <i>p</i> -dioxin	3268-87-9
275.	2,3,7,8-Tetrachlorodibenzofuran	51207-31-9
276.	2,3,4,7,8-Pentachlorodibenzofuran	57117-31-4
277.	1,2,3,7,8-Pentachlorodibenzofuran	57117-41-6
278.	1,2,3,4,7,8-Hexachlorodibenzofuran	70648-26-9
279.	1,2,3,7,8,9-Hexachlorodibenzofuran	72918-21-9
280.	1,2,3,6,7,8-Hexachlorodibenzofuran	57117-44-9
281.	2,3,4,6,7,8-Hexachlorodibenzofuran	60851-34-5
282.	1,2,3,4,6,7,8-Heptachlorodibenzofuran	67562-39-4
283.	1,2,3,4,7,8,9-Heptachlorodibenzofuran	55673-89-7
284.	Octachlorodibenzofuran	39001-02-0
285.	Hexachlorobenzene	118-74-1

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PART 4 — CRITERIA AIR CONTAMINANTS (CACs)

<i>Name</i>	<i>CAS Registry Number[†]</i>
286.	Carbon monoxide 630-08-0
287.	Nitrogen oxides (expressed as NO ₂) 11104-93-1
288.	PM _{2.5} *
289.	PM ₁₀ *
290.	Sulphur dioxide 7446-09-5
291.	Total particulate matter *
292.	Volatile organic compounds ²⁴ *

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* No single CAS Registry Number applies to this substance.

²⁴ As defined in Schedule 2 to this Notice, and not limited by other parts of this Schedule.

PART 5 — VOLATILE ORGANIC COMPOUNDS WITH ADDITIONAL REPORTING REQUIREMENTS
INDIVIDUAL SUBSTANCES

<i>Name</i>	<i>CAS Registry Number[†]</i>
293.	Acetylene 74-86-2
294.	Adipic acid 124-04-9
295.	Aniline ¹ 62-53-3
296.	Benzene 71-43-2
297.	1,3-Butadiene 106-99-0
298.	2-Butoxyethanol 111-76-2
299.	<i>n</i> -Butyl acetate 123-86-4
300.	Chlorobenzene 108-90-7

301.	<i>p</i> -Dichlorobenzene	106-46-7
302.	1,2-Dichloroethane	107-06-2
303.	Dimethylether	115-10-6
304.	Ethyl acetate	141-78-6
305.	Ethyl alcohol	64-17-5
306.	Ethylene	74-85-1
307.	Formaldehyde	50-00-0
308.	Furfuryl alcohol	98-00-0
309.	<i>n</i> -Hexane	110-54-3
310.	Isopropyl alcohol	67-63-0
311.	D-Limonene	5989-27-5
312.	Methanol	67-56-1
313.	Methyl ethyl ketone	78-93-3
314.	2-Methyl-3-hexanone	7379-12-6
315.	Methyl isobutyl ketone	108-10-1
316.	Myrcene	123-35-3
317.	beta-Phellandrene	555-10-2
318.	Phenyl isocyanate	103-71-9
319.	alpha-Pinene	80-56-8
320.	beta-Pinene	127-91-3
321.	Propane	74-98-6
322.	Propylene	115-07-1
323.	Styrene	100-42-5

324.	Tetrahydrofuran	109-99-9
325.	Toluene	108-88-3
326.	1,2,4-Trimethylbenzene	95-63-6
327.	Trimethylfluorosilane	420-56-4
328.	Vinyl acetate	108-05-4

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¹ “and its salts” — The CAS Registry Number corresponds to the weak acid or base. However, this substance includes the salts of these weak acids and bases.

ISOMER GROUPS

<i>Name</i>	<i>CAS Registry Number[†]</i>	
329.	Anthraquinone ²⁵	*
330.	Butane ²⁵	*
331.	Butene ²⁵	25167-67-3
332.	Cycloheptane ²⁵	*
333.	Cyclohexene ²⁵	*
334.	Cyclooctane ²⁵	*
335.	Decane ²⁵	*
336.	Dihydronaphthalene ²⁵	*
337.	Dodecane ²⁵	*
338.	Heptane ²⁵	*
339.	Hexane ²⁶	*
340.	Hexene ²⁵	25264-93-1

341.	Methylindan ²⁵	27133-93-3
342.	Nonane ²⁵	*
343.	Octane ²⁵	*
344.	Pentane ²⁵	*
345.	Pentene ²⁵	*
346.	Terpenes ²⁵	68956-56-9
347.	Trimethylbenzene ²⁷	25551-13-7
348.	Xylene ²⁵	1330-20-7

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* No single CAS Registry Number applies to this substance.

²⁵ "all isomers"

²⁶ "all isomers," excluding *n*-hexane (CAS No. 110-54-3)

²⁷ "all isomers," excluding 1,2,4-trimethylbenzene (CAS No. 95-63-6)

OTHER GROUPS AND MIXTURES

<i>Name</i>	<i>CAS Registry Number[†]</i>
349. Creosote	8001-58-9
350. Diethylene glycol butyl ether	112-34-5
351. Diethylene glycol ethyl ether acetate	112-15-2
352. Ethylene glycol butyl ether acetate	112-07-2
353. Ethylene glycol hexyl ether	112-25-4
354. Heavy alkylate naphtha	64741-65-7
355. Heavy aromatic solvent naphtha	64742-94-5

356.	Hydrotreated heavy naphtha	64742-48-9
357.	Hydrotreated light distillate	64742-47-8
358.	Light aromatic solvent naphtha	64742-95-6
359.	Mineral spirits	64475-85-0
360.	Naphtha	8030-30-6
361.	Propylene glycol butyl ether	5131-66-8
362.	Propylene glycol methyl ether acetate	108-65-6
363.	Solvent naphtha light aliphatic	64742-89-8
364.	Solvent naphtha medium aliphatic	64742-88-7
365.	Stoddard solvent	8052-41-3
366.	VM & P naphtha	8032-32-4
367.	White mineral oil	8042-47-5

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SCHEDULE 2

Definitions

1. The following definitions apply to this notice and its schedules:

“alloy” means metal products containing two or more elements as a solid solution, intermetallic compounds, and mixtures of metallic phases. « alliage »

“article” means a manufactured item that does not release a substance when it undergoes processing or other use. « article »

“base metal” means copper, lead, nickel or zinc. It does not include aluminum or any other metals. « métal commun »

“by-product” means a substance which is incidentally manufactured, processed or otherwise used at the facility at any concentration, and released to the environment or disposed of. « sous-produit »

“CAS Registry Number” and “CAS No.” refer to the Chemical Abstracts Service Registry Number. « numéro d’enregistrement CAS » or « numéro du CAS »

“contiguous facility” means all buildings, equipment, structures and stationary items that are located on a single site, or on contiguous sites or adjacent sites that are owned or operated by the same person and that function as a single integrated site, including wastewater collection systems that release treated or untreated wastewater into surface waters. « installation contiguë »

- “emission factors” means numerical values that relate the quantity of substances emitted from a source to a common activity associated with those emissions, and that can be categorized as published emission factors or site-specific emission factors. « facteurs d’émission »
- “employee” means an individual employed at the facility and includes the owner of the facility who performs work on site at the facility, and a person, such as a contractor, who, at the facility, performs work that is related to the operations of the facility, for the period of time that the person is performing that work. « employé »
- “external-combustion equipment” means any equipment with a combustion process that occurs at atmospheric pressure and with excess air. « appareil à combustion externe »
- “facility” means a contiguous facility, a portable facility, a pipeline installation, or an offshore installation. « installation »
- “fossil fuel” means fuel that is in a solid or liquid state at standard temperature and pressure, such as coal, petroleum or any solid or liquid fuel derived from such. « combustible fossile »
- “full-time employee equivalent” means the unit obtained by dividing by 2 000 hours the sum of
- (a) the total hours worked by individuals employed at the facility and the total hours of paid vacation and of sick leave taken by individuals employed at the facility;
 - (b) the hours worked on site at the facility by the owner of the facility, if not employed by the facility; and
 - (c) the hours worked on site at the facility by a person, such as a contractor, who, at the facility, performs work related to the operations of the facility. « équivalent d’employé à temps plein »
- “level of quantification” means, in respect of a substance, the lowest concentration that can be accurately measured using sensitive but routine sampling and analytical methods. « limite de dosage »
- “manufacture” means to produce, prepare, or compound a substance, and includes the incidental production of a substance as a by-product. « fabrication »
- “offshore installation” means an offshore drilling unit, production platform or ship, or subsea installation that is related to the exploitation of oil or natural gas and that is attached or anchored to the continental shelf of Canada or within Canada’s exclusive economic zone. « installation extracôtière »
- “other use” or “otherwise used” means any use, disposal or release of a substance which is not included in the definitions of “manufacture” or “process,” and includes the other use of by-products. « autre utilisation » or « utilisation d’une autre manière »
- “parent company” means the highest level company or group of companies that owns or directly controls the reporting facility. « société mère »
- “pipeline installation” means a collection of equipment situated at a single site, used in the operation of a natural gas transmission or distribution pipeline. « installation de pipeline »
- “pit” means an excavation that is open to the air, and any associated infrastructure, that is operated for the purpose of extracting sand, clay, marl, earth, shale, gravel, unconsolidated rock, or other unconsolidated materials, but not bitumen. « sablière »
- “PM_{2.5}” means any particulate matter with a diameter less than or equal to 2.5 micrometres.
« PM_{2,5} »
- “PM₁₀” means any particulate matter with a diameter less than or equal to 10 micrometres. « PM₁₀ »
- “pollution prevention” means the use of processes, practices, materials, products, substances or energy that avoid or minimize the creation of pollutants and waste, and reduce the overall risk to the environment or human health. « prévention de la pollution »

“portable facility” means portable PCB destruction equipment, portable asphalt plants, and portable concrete batching plants. « installation mobile »

“process” means the preparation of a substance, after its manufacture, for commercial distribution and includes preparation of the substance in the same physical state or chemical form as that received by the facility, or preparation which produces a change in physical state or chemical form, and also includes the processing of the substance as a by-product. « préparation »

“quarry” means an excavation that is open to the air and any associated infrastructure, that is operated for the purpose of working, recovering or extracting limestone, sandstone, dolostone, marble, granite, or other consolidated rock. « carrière »

“recycling” means any activity that prevents a material or a component of the material from becoming a material destined for disposal. « recyclage »

“secondary aluminum” means aluminum-bearing scrap or aluminum-bearing materials. « aluminium de récupération »

“secondary lead” means lead-bearing scrap or lead-bearing materials, other than lead-bearing concentrates derived from a mining operation. « plomb de récupération »

“terminal operations” means

(a) the use of storage tanks and associated equipment at a site used to store or transfer crude oil, artificial crude or intermediates of fuel products into or out of a pipeline; or

(b) operating activities of a primary distribution installation normally equipped with floating roof tanks that receives gasoline by pipeline, railcar, marine vessel or directly from a refinery.
« opérations de terminal »

“total particulate matter” means any particulate matter with a diameter less than 100 micrometres.
« matière particulaire totale »

“treatment” means subjecting the substance to physical, chemical, biological or thermal processes.
« traitement »

“volatile organic compounds” means volatile organic compounds as defined in the List of Toxic Substances in Schedule 1 of the *Canadian Environmental Protection Act, 1999*. « composés organiques volatils »

“wood preservation” means the use of a preservative for the preservation of wood by means of heat or pressure treatment, or both, and includes the manufacture, blending, or reformulation of wood preservatives for that purpose. « préservation du bois »

SCHEDULE 3

Criteria for Reporting

GENERAL

1. (1) This notice applies to any person who owns or operates a facility if, during the 2009 calendar year, that facility

(a) is one at which any of the activities set out in section 2 of this Schedule took place;

(b) is one at which the employees work a total of 20 000 hours or more;

(c) is one at which the employees work a total of less than 20 000 hours and that meets the criteria of Part 4 of this Schedule; or

(d) is a pipeline installation; and

meets any of the other criteria set out in this schedule.

(2) Despite subsection (1), this notice does not apply to a facility if, during the 2009 calendar

year, that facility is exclusively engaged in the exploration of oil or gas, or the drilling of oil or gas wells.

2. The activities to which the employee criterion of a total of 20 000 hours or more of work does not apply are identified below:

- (a) non-hazardous solid waste incineration of 26 tonnes or more of waste, including incineration with conical burners and beehive burners;
- (b) biomedical or hospital waste incineration of 26 tonnes or more of waste;
- (c) hazardous waste incineration;
- (d) sewage sludge incineration;
- (e) wood preservation;
- (f) terminal operations;
- (g) discharge of treated or untreated waste water from a waste water collection system with an average discharge of 10 000 cubic metres or more per day into surface waters; or
- (h) operations at pits or quarries where production is 500 000 tonnes or more.

3. (1) In calculating the mass reporting thresholds set out in this Schedule, a person subject to this notice shall exclude the quantity of a substance that is manufactured, processed or otherwise used in the activities listed below:

- (a) education or training of students;
- (b) research or testing;
- (c) maintenance and repair of vehicles, where vehicles include automobiles, trucks, locomotives, ships or aircraft;
- (d) distribution, storage, or retail sale of fuels, except as part of terminal operations;
- (e) wholesale or retail sale of articles or products that contain the substance;
- (f) retail sale of the substance;
- (g) growing, harvesting, or management of a renewable natural resource; or
- (h) the practice of dentistry.

(2) For the purpose of paragraph (1)(c), the painting and stripping of vehicles or their components, and the rebuilding or remanufacturing of vehicle components, are not to be excluded from the calculation of mass reporting thresholds in this Schedule.

(3) Despite subsection (1), the quantity of a substance listed in Part 4 or 5 of Schedule 1 that is released to air as the result of combustion of fuel in stationary combustion equipment shall be included in calculating the mass reporting thresholds set out in Part 4 or 5 of this Schedule.

(4) If the facility is exclusively engaged in one or more of the activities listed in subsection (1), Parts 1 to 3 of Schedules 3 and 4 do not apply.

4. In calculating the mass reporting thresholds set out in this Schedule, a person subject to this notice shall exclude the quantity of a substance that is

- (a) manufactured, processed or otherwise used for the exploration of oil or gas, or the drilling of oil or gas wells; or
- (b) contained in
 - (i) articles that are processed or otherwise used,

- (ii) materials used as structural components of the facility but not the process equipment,
- (iii) materials used in janitorial or facility grounds maintenance,
- (iv) materials used for personal use by employees or other persons,
- (v) materials used for the purpose of maintaining motor vehicles operated by the facility, or
- (vi) intake water or intake air, such as water used for process cooling or air used either as compressed air or for combustion.

5. (1) In calculating the mass reporting thresholds set out in this Schedule, a person subject to this notice shall exclude the quantity of a substance that is contained in

- (a) unconsolidated overburden;
- (b) waste rock that is inert or clean according to the terms or conditions of a valid federal or provincial operating permit issued for the facility; or
- (c) components of tailings that are inert and inorganic and that have not been reduced in size or otherwise physically or chemically altered during the extraction, recovery or beneficiation.

(2) If there is no applicable permit as referenced in paragraph (1)(b), a person subject to this notice shall exclude the quantity of a substance that is contained in waste rock if

- (a) the concentration of sulphur in the waste rock is greater than 0.2%, and the ratio of neutralizing potential to acid generating potential is greater than or equal to 3:1; or
- (b) the concentration of sulphur in the waste rock is less than or equal to 0.2%.

(3) Despite paragraph (1)(b) and subsection (2), a person subject to this notice shall not exclude the quantity of arsenic contained in waste rock if the concentration of arsenic in the waste rock is greater than 12 milligrams of arsenic per kilogram of waste rock.

(4) Despite subsections (1), (2) and (3), a quantity of a substance released to air or surface waters from materials listed under this section shall be included in the mass reporting thresholds.

6. (1) For the purpose of this notice, a disposal of a substance is to be construed as its

- (a) final disposal to landfill, land application or underground injection, either on the facility site or at a location off the facility site;
- (b) transfer to a location off the facility site for storage or treatment prior to final disposal; or
- (c) movement into an area where tailings or waste rock are discarded or stored, and further managed to reduce or prevent releases to air, water or land, either on the facility site or at a location off the facility site.

(2) The quantity of a substance disposed of shall be included in the calculation of the mass reporting thresholds for Parts 1 and 2 of this Schedule.

(3) The disposal of a substance is not to be included as a release.

7. If the person who owns or operates a facility changes on or after January 1, 2009, the person who owns or operates the facility as of December 31, 2009, shall report for the entire 2009 calendar year. If operations at a facility are terminated during the 2009 calendar year, the last owner or operator of that facility is required to report for the portion of the 2009 calendar year during which the facility was in operation.

PART 1

CRITERIA FOR REPORTING SUBSTANCES LISTED IN PART 1 OF SCHEDULE 1

8. (1) A person subject to this notice shall report information pertaining to a contiguous facility or an offshore installation in relation to a substance listed in Part 1 of Schedule 1, whether or not there

is a release, disposal or transfer off-site for recycling of the substance, if, during 2009,

(a) employees at that facility worked a total of 20 000 hours or more or an activity listed in section 2 of this Schedule took place at that facility; and

(b) the substance was manufactured, processed or otherwise used

(i) in a quantity equal to or greater than the applicable mass reporting threshold set out in column 2 of Table 1, and

(ii) at a concentration equal to or greater than the applicable concentration by weight set out in column 3 of Table 1, or regardless of concentration if there is no corresponding value in that column for the substance.

(2) For the purpose of paragraph (1)(b), the quantity of a substance that is a by-product or is contained in tailings shall be included in the calculation of the mass reporting threshold set out in column 2 of Table 1, regardless of concentration.

(3) For the purpose of paragraph (1)(b), the quantity of a substance contained in waste rock shall be included in the calculation of the mass reporting threshold set out in column 2 of Table 1 if it is at a concentration equal to or greater than the applicable concentration by weight set out in column 3 of Table 1 for Group 1 Substances, or regardless of concentration for Group 2, 3 and 4 Substances.

9. For the purpose of this Part, the person subject to this notice shall calculate the mass reporting threshold for a substance listed in Part 1 of Schedule 1 in accordance with the following:

(a) for a substance that is qualified with the footnote "and its salts," the person shall include the molecular weight of the acid or the base and not the total weight of the salt;

(b) for a substance that is qualified with the footnote "and its compounds," the person shall include the pure element and the equivalent weight of the element contained in any substance, alloy or mixture except for lead and its compounds that are contained in stainless steel, brass or bronze alloys;

(c) for ammonia (total), the person shall include the ammonium ion (NH_4^+) in solution expressed as ammonia and shall also include ammonia (NH_3); or

(d) for vanadium, the person shall include the pure element and the equivalent weight of the element contained in any substance or mixture except when it is contained in an alloy.

Table 1: Mass Reporting Threshold and Concentration by Weight for Substances Listed in Part 1 of Schedule 1

Item	Column 1 Substances in Part 1 of Schedule 1	Column 2 Mass Reporting Threshold	Column 3 Concentration by Weight
1.	Group 1 Substances	10 tonnes	1%
2.	Group 2 Substances	5 kilograms	N/A
3.	Group 3 Substances	5 kilograms	0.1%
4.	Group 4 Substances	50 kilograms	0.1%

PART 2

CRITERIA FOR REPORTING SUBSTANCES LISTED IN PART 2 OF SCHEDULE 1

10. A person subject to this notice shall report information pertaining to a contiguous facility, a portable facility or an offshore installation in relation to substances listed in Part 2 of Schedule 1 if, during 2009,

(a) employees at that facility worked a total of 20 000 hours or more or an activity listed in section 2 of this Schedule took place at that facility; and

(b) the total quantity of all substances listed in Part 2 of Schedule 1 released, disposed of, or transferred off-site for recycling, as a result of incidental manufacture or as a result of the generation of tailings, is 50 kilograms or more.

11. Despite section 10, a person subject to this notice shall report information pertaining to a contiguous facility in relation to substances listed in Part 2 of Schedule 1 if, during 2009,

(a) wood preservation using creosote took place at the facility; and

(b) the substance was released, disposed of, or transferred off-site for recycling as a result of wood preservation using creosote.

PART 3

CRITERIA FOR REPORTING SUBSTANCES LISTED IN PART 3 OF SCHEDULE 1

12. A person subject to this notice shall report information pertaining to a contiguous facility, a portable facility or an offshore installation in relation to substances listed in Part 3 of Schedule 1 if, during 2009,

(a) employees at that facility worked a total of 20 000 hours or more or an activity listed in section 2 of this Schedule took place at that facility; and

(b) one or more of the following activities took place at the facility:

(i) non-hazardous solid waste incineration of 26 tonnes or more of waste per year, including conical burners and beehive burners,

(ii) biomedical or hospital waste incineration of 26 tonnes or more of waste per year,

(iii) hazardous waste incineration,

(iv) sewage sludge incineration,

(v) base metals smelting,

(vi) smelting of secondary aluminum,

(vii) smelting of secondary lead,

(viii) manufacturing of iron using a sintering process,

(ix) operation of electric arc furnaces in steel foundries,

(x) operation of electric arc furnaces in steel manufacturing,

(xi) production of magnesium,

(xii) manufacturing of portland cement,

(xiii) production of chlorinated organic solvents or chlorinated monomers,

(xiv) combustion of fossil fuel in a boiler unit with a nameplate capacity of 25 megawatts of electricity or greater, for the purpose of producing steam for the production of electricity,

(xv) combustion of hog fuel originating from logs that were transported or stored in salt water in the pulp and paper sector,

(xvi) combustion of fuel in kraft liquor boilers used in the pulp and paper sector,

- (xvii) wood preservation using pentachlorophenol, or
- (xviii) titanium dioxide pigment production using the chloride process.

PART 4

CRITERIA FOR REPORTING SUBSTANCES LISTED IN PART 4 OF SCHEDULE 1

13. A person subject to this notice shall report information in relation to a substance listed in Part 4 of Schedule 1 if, during 2009, the substance was released to air from a facility in a quantity equal to or greater than the mass reporting threshold set out in column 2 of Table 2 for that substance.

14. For the purpose of section 13, the person shall include only the quantity of the substance released to air from the combustion of fuel in stationary combustion equipment at the facility when calculating the mass reporting threshold for that substance, if the facility is

- (a) a contiguous facility, a portable facility or an offshore installation where employees worked a total of less than 20 000 hours, but not one at which an activity listed in section 2 of this Schedule took place;
- (b) a pipeline installation; or
- (c) engaged exclusively in an activity listed in section 3 of this Schedule.

15. Despite sections 13 and 14, the person is not required to report information in relation to a substance listed in Part 4 of Schedule 1 if the substance is released to air exclusively from stationary, external combustion equipment, where

- (a) the cumulative nameplate capacity of the equipment is less than 10 million British Thermal Units per hour; and
- (b) the only type of fuel combusted in the equipment is commercial grade natural gas, liquefied petroleum gas, Number 1 or 2 fuel oil or any combination thereof.

16. A person subject to this notice shall express nitrogen oxides as nitrogen dioxide on a mass basis when calculating the mass reporting threshold for nitrogen oxides (expressed as NO₂).

Table 2: Mass Reporting Threshold for Substances Listed in Part 4 of Schedule 1

Item	Column 1 Substance in Part 4 of Schedule 1	Column 2 Mass Reporting Threshold
1.	Carbon monoxide	20 tonnes
2.	Nitrogen oxides (expressed as NO ₂)	20 tonnes
3.	PM _{2.5}	0.3 tonnes
4.	PM ₁₀	0.5 tonnes
5.	Sulphur dioxide	20 tonnes
6.	Total particulate matter	20 tonnes
7.	Volatile organic compounds	10 tonnes

17. A person subject to this notice shall include releases to air from road dust of PM_{2.5}, PM₁₀ and total particulate matter for the calculation of the mass reporting thresholds set out in this Part if, during 2009, vehicles travelled more than 10 000 vehicle kilometres on unpaved roads at the contiguous facility.

PART 5

CRITERIA FOR REPORTING SUBSTANCES LISTED IN PART 5 OF SCHEDULE 1

18. A person subject to this notice shall report information in relation to a substance listed in Part 5 of Schedule 1 if the criteria under section 13 or 14 for volatile organic compounds are satisfied and the substance was released to air in a quantity of 1 tonne or more during 2009.

SCHEDULE 4

Information Required by this Notice and Manner of Reporting

GENERAL

1. If the person is required by federal or provincial legislation or a municipal by-law to measure or monitor releases, disposals or transfers off site for recycling of any of the substances set out in Schedule 1 of this notice, the person shall report those data in response to this notice.

2. If the person is not subject to any of the requirements described in section 1 of this Schedule, the person shall report information by using one of the following methods: continuous emission monitoring, predictive emission monitoring, source testing, mass balance, published emission factors, site-specific emission factors, or engineering estimates.

3. If a person subject to this notice is not required to include a quantity of a substance when calculating the mass reporting threshold pursuant to Schedule 3, the person is not required to report information in respect of those quantities of the substance when reporting under this Schedule.

4. A person subject to this notice shall provide a Statement of Certification or electronic certification certifying that the information is true, accurate and complete or shall authorize another person to act on their behalf and so certify using the Statement of Certification or electronic certification.

5. A person subject to this notice shall provide the required information using the on-line reporting system or by ordinary mail sent to the address provided in this notice.

6. Information required to be reported under this Schedule pertains to the 2009 calendar year.

FACILITY INFORMATION

7. A person subject to this notice shall report the following information in respect of a facility:

(a) the legal and trade name of the person, the facility name, and the street and mailing addresses of the facility;

(b) the National Pollutant Release Inventory (NPRI) identification number;

(c) the number of full-time employee equivalents;

(d) the Dun and Bradstreet number (if applicable);

(e) the two- and four-digit Canadian Standard Industrial Classification (SIC) codes and the four-digit U.S. SIC code;

(f) the two- and four-digit North American Industry Classification System (NAICS) codes and the six-digit NAICS Canada code;

(g) the name, position, street and mailing addresses, and telephone number of the person who is the contact for the public (if available);

(h) the name, position, street and mailing addresses, and telephone number of the person who is

the technical contact;

(i) the name, position, street and mailing addresses, and telephone number of the person coordinating the submission of the report (if applicable);

(j) the name, position, street and mailing addresses, and telephone number of the person who owns or operates the facility subject to this notice, or the company official authorized to act on their behalf pursuant to section 4 of this Schedule;

(k) the business number of the facility;

(l) the latitude and longitude coordinates of the facility (required only if the facility is "portable" or the person is reporting in respect of the facility for the first time);

(m) if applicable, the legal name(s) of the person who is the Canadian parent company, their street and mailing addresses, and their percentage of ownership of the facility, their Dun and Bradstreet number, and their business number;

(n) a statement indicating if an independent contractor completed the report, and if so, the name, company name, street and mailing addresses, and telephone number of the independent contractor;

(o) identification of the activities listed in section 2 of Schedule 3 that took place at the facility;

(p) identification of the activities listed in paragraph 12(b) of Schedule 3 that took place at the facility;

(q) identification of whether or not wood preservation using creosote took place at the facility;

(r) identification of whether or not the person is required to report one or more substances listed in Part 4 of Schedule 1 and, if the reporting is required, the usual daily and weekly operating schedule of the facility for each month and any periods of time longer than one week when operations at the facility were shut down; and

(s) identification of whether, during the 2009 calendar year, the person subject to the notice prepared or was implementing a pollution prevention plan, and if so, whether the pollution prevention plan was

(i) required by a notice published under Part 4 of the *Canadian Environmental Protection Act, 1999*, and, if yes, the reference code for the notice published in the *Canada Gazette*, Part I,

(ii) prepared or implemented for another government or under another Act of Parliament, or

(iii) prepared or implemented by the person at that facility on a voluntary basis.

PART 1

INFORMATION TO PROVIDE RESPECTING SUBSTANCES LISTED IN PART 1 OF SCHEDULE 1

8. A person subject to this notice shall report the following information in respect of each substance listed in Part 1 of Schedule 1 for which the criteria in Part 1 of Schedule 3 have been satisfied:

(a) the identity of the substance, including, if applicable, its CAS Registry Number;

(b) the nature of the manufacturing, if applicable, listed separately by on-site use or processing, for sale or distribution, as a by-product, or as an impurity;

(c) the nature of the processing, if applicable, listed separately as a reactant, as a formulation component, as an article component, for repackaging only, or as a by-product;

(d) the nature of the other use, if applicable, listed separately as a physical or chemical processing aid, as a manufacturing aid, for ancillary or other use, or as a by-product;

(e) the quantity released to air, stated separately by stack or point releases, storage or handling

releases, fugitive releases, spills or other non-point releases;

(f) the quantity released to surface waters, stated separately by direct discharges, spills, or leaks, and the name of, and quantity released to, each receiving surface water body;

(g) the quantity released to land, stated separately by spills, leaks, or other releases to land that are not disposals;

(h) the quantity disposed of on site to landfill, land application, or underground injection, stated separately by landfill, land application, or underground injection;

(i) the net quantity disposed of on site to an area where tailings or waste rock are discarded or stored, and further managed, taking into account any additions or removals of the substance from the area, stated separately by tailings management area, or waste rock management area;

(j) the quantity transferred off site for disposal, stated separately by landfill, land application, underground injection, tailings management area, waste rock management area, or storage, and the name and street address of, and the quantity transferred to, each receiving facility;

(k) the quantity transferred off site for treatment prior to final disposal, stated separately by physical treatment, chemical treatment, biological treatment, incineration or thermal treatment, or treatment in a municipal sewage treatment plant, and the name and street address of, and the quantity transferred to, each receiving facility;

(l) the quantity transferred off site for recycling, stated separately by energy recovery, recovery of solvents, recovery of organic substances (not solvents), recovery of metals and metal compounds, recovery of inorganic materials (not metals), recovery of acids or bases, recovery of catalysts, recovery of pollution abatement residues, refining or re-use of used oil, or other, and the name and street address of, and the quantity transferred to, each receiving facility;

(m) the method used to determine the quantities to be reported for paragraphs (e) through (l), listed separately by continuous emission monitoring, predictive emission monitoring, source testing, mass balance, published emission factors, site-specific emission factors, or engineering estimates;

(n) the concentration of the substance in tailings or waste rock disposed of or transferred off site for disposal under paragraphs (i) and (j);

(o) if a quantity of a substance contained in waste rock has been excluded pursuant to section 5 of Schedule 3, the relevant permit number, name of issuing authority, applicable provisions, and date issued; or the concentration of sulphur and, if applicable, the ratio of neutralizing potential to acid-generating potential, for the waste rock which has been excluded;

(p) the quarterly breakdown of total releases referred to in paragraphs (e) through (g), by percentage;

(q) the reasons for changes in quantities of releases referred to in paragraphs (e) through (g), from the previous year, listed separately by changes in production levels, changes in the method of determining the releases, pollution prevention activities, changes in on-site treatment, changes in disposals, changes in transfers off site for recycling, other (specify), no significant change or no change, or first year reporting the substance;

(r) the reasons for disposals and transfers off site for recycling, listed separately by production residues, off-specification products, expiration date has passed, contaminated materials, unusable parts or discards, pollution abatement residues, machining or finishing residues, site remediation residues, extraction residues, beneficiation residues, or other;

(s) the reasons for changes in quantities disposed of from the previous year, listed separately by changes in production levels, changes in the method of determining the disposals, pollution prevention activities, changes in on-site treatment, changes in transfers off site for recycling, other (specify), no significant change or no change, or first year reporting the substance;

(t) the reasons for changes in quantities transferred off site for recycling from the previous year, listed separately by changes in production levels, changes in the method of determining the transfers, pollution prevention activities, changes in on-site treatment, changes in disposals, other

(specify), no significant change or no change, or first year reporting the substance;

(u) the anticipated total releases described in paragraphs (e) through (g), disposals, and transfers off site for recycling for 2010, 2011, and 2012; and

(v) any pollution prevention activities undertaken by the facility listed separately by

(i) materials or feedstock substitution, listed separately by increased purity of materials, substituted materials, or other (specify),

(ii) product design or reformulation, listed separately by changed product specifications, modified design or composition, modified packaging, or other (specify),

(iii) equipment or process modifications, listed separately by modified equipment, layout, or piping, used different process catalyst, instituted better controls on operating bulk containers, changed from small-volume containers to bulk containers, modified stripping/cleaning equipment, changed to mechanical stripping/cleaning devices, changed to aqueous cleaners, modified or installed rinse systems, improved rinse equipment design, improved rinse equipment operation, modified spray systems or equipment, improved application techniques, changed from spray to other system, other modification (specify),

(iv) spill and leak prevention, listed separately by improved storage or stacking procedures, improved procedures for loading, unloading, and transfer operations, installed overflow alarms or automatic shut-off valves, installed vapor recovery systems, implemented inspection or monitoring program of potential spill or leak sources, modified containment procedures, improved draining procedures, other procedure (specify),

(v) on-site reuse, recycling or recovery, listed separately by instituted recirculation within a process, or other (specify),

(vi) improved inventory management or purchasing techniques, listed separately by instituted procedures to ensure that materials do not stay in inventory beyond shelf-life, initiated testing of outdated material, eliminated shelf-life requirements for stable materials, instituted better labelling procedures, instituted clearinghouse to exchange materials, instituted improved purchasing procedures, other procedure (specify),

(vii) improved operating practices or training, listed separately by improved maintenance scheduling, record keeping or procedures, changed production schedule to minimize equipment and feedstock changeovers, training related to pollution prevention, other practice (specify),

(viii) modifications, procedures or practices other than any set out in the preceding subparagraphs, or

(ix) no pollution prevention activities.

9. A person subject to this notice shall provide the information required by this Part in accordance with section 9 of Schedule 3.

10. A person subject to this notice shall report information in respect of a substance listed in

(a) Group 1 in Part 1 of Schedule 1 in tonnes; or

(b) Groups 2, 3 and 4 in Part 1 of Schedule 1 in kilograms.

PART 2

INFORMATION TO PROVIDE RESPECTING SUBSTANCES LISTED IN PART 2 OF SCHEDULE 1

11. If the criteria in Part 2 of Schedule 3 have been satisfied, a person subject to this notice shall report the information required in section 8, paragraphs (a) through (v), of this Schedule in respect of substances listed in Part 2 of Schedule 1, in kilograms, and in accordance with the following:

(a) if information on an individual substance is available, and that substance was released, disposed of, or transferred off site for recycling, as a result of incidental manufacture or as a result of the generation of tailings, in a quantity of five (5) kilograms or more, the person shall

report information in respect of the individual substance; or

(b) if information on individual substances is not available, the person shall report the information as total unspiciated polycyclic aromatic hydrocarbons.

PART 3

INFORMATION TO PROVIDE RESPECTING SUBSTANCES LISTED IN PART 3 OF SCHEDULE 1

12. (1) A person subject to this notice shall report the information required in section 8, paragraphs (a) through (v), of this Schedule in respect of substances listed in Part 3 of Schedule 1, if the reporting criteria in Part 3 of Schedule 3 have been satisfied.

(2) For the purpose of this Part, toxic equivalent shall be the sum of the masses or concentrations of individual congeners of polychlorinated dibenzo-*p*-dioxins and polychlorinated dibenzofurans multiplied by weighting factors set out in column 3 of Table 3.

13. For the purpose of section 12 and in respect of a substance listed in Part 3 of Schedule 1, the person shall only report information relating to the incidental manufacture of the substance from activities identified in paragraph 12(b) of Schedule 3 or the presence of the substance as a contaminant in pentachlorophenol used for wood preservation.

14. In respect of the information required under section 8, paragraphs (e) through (l), pursuant to section 12, if the method of estimation is monitoring or source testing, a person subject to this notice shall indicate whether the concentration of the substance was less than, equal to or greater than the estimated level of quantification set out in section 16 for that substance in the corresponding medium.

15. If the method of estimation is monitoring or source testing, and the concentration of the substance is less than the estimated level of quantification set out in section 16 for that substance in the corresponding medium, the information requirements of section 8, paragraphs (e) through (l), pursuant to section 12, do not apply for that substance.

16. (1) For the purpose of sections 14 and 15, the estimated level-of-quantification values for dioxins and furans listed in Part 3 of Schedule 1 are

- (a) 32 picograms toxic equivalent of dioxins and furans per cubic metre of gaseous material;
- (b) 20 picograms toxic equivalent of dioxins and furans per litre of liquid material; and
- (c) 9 picograms toxic equivalent of dioxins and furans per gram of solid material.

(2) For the purpose of sections 14 and 15, the estimated level-of-quantification values for hexachlorobenzene are

- (a) 6 nanograms of hexachlorobenzene per cubic metre of gaseous material;
- (b) 70 nanograms of hexachlorobenzene per litre of liquid material; and
- (c) 2 nanograms of hexachlorobenzene per gram of solid material.

17. A person subject to this notice shall report information in respect of substances listed in Part 3 of Schedule 1, in accordance with the following:

- (a) if information on individual substances is available, the person shall report information in respect of the individual substances in grams;
- (b) if information on total dioxins and furans is available, but information on individual substances is not available, the person shall report total dioxins and furans in grams toxic equivalent; or
- (c) if no information is available to determine a quantity required to be reported for a substance, the person shall report "no information available" for that quantity.

Table 3: Toxicity Equivalent Weighting Factors for Dioxins and Furans Listed in Part 3 of Schedule 1

Item	Column 1	Column 2	Column 3
	Substance in Part 3 of Schedule 1	CAS Registry Number [†]	Toxicity Equivalent Weighting Factor
1.	2,3,7,8-Tetrachlorodibenzo- <i>p</i> -dioxin	1746-01-6	1
2.	1,2,3,7,8-Pentachlorodibenzo- <i>p</i> -dioxin	40321-76-4	0.5
3.	1,2,3,4,7,8-Hexachlorodibenzo- <i>p</i> -dioxin	39227-28-6	0.1
4.	1,2,3,7,8,9-Hexachlorodibenzo- <i>p</i> -dioxin	19408-74-3	0.1
5.	1,2,3,6,7,8-Hexachlorodibenzo- <i>p</i> -dioxin	57653-85-7	0.1
6.	1,2,3,4,6,7,8-Heptachlorodibenzo- <i>p</i> -dioxin	35822-46-9	0.01
7.	Octachlorodibenzo- <i>p</i> -dioxin	3268-87-9	0.001
8.	2,3,7,8-Tetrachlorodibenzofuran	51207-31-9	0.1
9.	2,3,4,7,8-Pentachlorodibenzofuran	57117-31-4	0.5
10.	1,2,3,7,8-Pentachlorodibenzofuran	57117-41-6	0.05
11.	1,2,3,4,7,8-Hexachlorodibenzofuran	70648-26-9	0.1
12.	1,2,3,7,8,9-Hexachlorodibenzofuran	72918-21-9	0.1
13.	1,2,3,6,7,8-Hexachlorodibenzofuran	57117-44-9	0.1
14.	2,3,4,6,7,8-Hexachlorodibenzofuran	60851-34-5	0.1
15.	1,2,3,4,6,7,8-Heptachlorodibenzofuran	67562-39-4	0.01
16.	1,2,3,4,7,8,9-Heptachlorodibenzofuran	55673-89-7	0.01

17.	Octachlorodibenzofuran	39001-02-0	0.001
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† The Chemical Abstracts Service Registry Number is the property of the American Chemical Society and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

PART 4

INFORMATION TO PROVIDE RESPECTING SUBSTANCES LISTED IN PART 4 OF SCHEDULE 1

18. A person subject to this notice shall report the following information in respect of each substance listed in Part 4 of Schedule 1 for which the reporting criteria in Part 4 of Schedule 3 have been satisfied:

- (a) the identity of the substance, including, if applicable, its CAS Registry Number;
- (b) the quantity released to air, stated separately by stack or point releases, storage or handling releases, fugitive releases, spills, road dust or other non-point releases;
- (c) for each stack with a height of 50 metres or more above grade, if the substance is released to air from the stack in a quantity equal to or greater than the minimum quantity set out in column 2 of Table 4 corresponding to that substance,
 - (i) the quantity of the substance that was released from the stack, and
 - (ii) the stack height above grade, the equivalent diameter of the stack, the average exit velocity of the release, and the average exit temperature of the release;
- (d) the method used to determine the quantities reported pursuant to paragraph 18(b) and subparagraph 18(c)(i), listed separately by continuous emission monitoring, predictive emission monitoring, source testing, mass balance, published emission factors, site-specific emission factors, or engineering estimates;
- (e) the monthly breakdown of annual releases to air by percentage;
- (f) the reasons for changes in quantities of releases to air from the previous year, listed separately by changes in production levels, changes in the method of determining the releases, pollution prevention activities, changes in on-site treatment, other (specify), no significant change or no change, or first year reporting the substance;
- (g) the anticipated total releases to air for 2010, 2011, and 2012; and
- (h) the pollution prevention information described in paragraph 8(v) in Part 1 of this Schedule.

Table 4: Minimum Quantity Released from Stack During 2009 Calendar Year

Item	Column 1 Substance Name	Column 2 Minimum Quantity Released from Stack
1.	Carbon monoxide	5 tonnes
2.	Nitrogen oxides (expressed as NO ₂)	5 tonnes
3.	PM _{2.5}	0.15 tonnes

4.	PM-10	0.25 tonnes
5.	Sulphur dioxide	5 tonnes
6.	Total particulate matter	5 tonnes
7.	Volatile organic compounds	5 tonnes

19. For the purpose of section 18 of this Schedule, if the facility satisfies the criteria set out in section 14 in Part 4 of Schedule 3, the person subject to the notice shall report only information for releases to air of the substances from the stationary combustion equipment at the facility.

20. A person subject to this notice shall express nitrogen oxides as nitrogen dioxide on a mass basis when reporting information respecting nitrogen oxides (expressed as NO₂).

21. A person subject to this notice shall report information in respect of a substance listed in Part 4 of Schedule 1 in tonnes.

PART 5

INFORMATION TO PROVIDE RESPECTING SUBSTANCES LISTED IN PART 5 OF SCHEDULE 1

22. A person subject to this notice shall report the following information in respect of each substance listed in Part 5 of Schedule 1 for which the reporting criteria in Part 5 of Schedule 3 have been satisfied:

- (a) the identity of the substance, including, if applicable, its CAS Registry Number;
- (b) the quantity released to air, from each stack with a height of 50 metres or more, if the quantity of volatile organic compounds released to air from the stack was 5 tonnes or more during 2009; and
- (c) the quantity of all other releases to air excluding those quantities reported under paragraph 22(b).

23. For the purpose of section 22 of this Schedule, if the facility satisfies the criteria set out in section 14 in Part 4 of Schedule 3 for volatile organic compounds, the person subject to the notice shall report only information for releases to air of the substance from the stationary combustion equipment at the facility.

24. A person subject to this notice shall report information in respect of a substance listed in Part 5 of Schedule 1 in tonnes.

EXPLANATORY NOTE

(This note is not part of the notice.)

Users of this notice should take note that portions of the notice have been restructured and rewritten from previous years' notices, as part of efforts to improve reporting continuously. The only substantive changes to the criteria for reporting or information to be provided are related to the reporting of tailings and waste rock. This notice contains the requirements for tailings and waste-rock reporting for the 2009 reporting year. The *Notice with respect to tailings and waste rock reporting under the National Pollutant Release Inventory for 2006 to 2008* contains the requirements related to the 2006 through 2008 reporting years.

Background about the NPRI

The NPRI is Canada's legislated, publicly accessible inventory of pollutant releases, disposals and recycling. It includes information collected from facilities under the authority of section 46 of the *Canadian Environmental Protection Act, 1999* (the Act), together with air pollutant emission estimates compiled by Environment Canada for facilities not required to report and for non-industrial

sources such as motor vehicles, residential heating, forest fires and agriculture.

The Act contains information-gathering provisions, which allow the Minister of the Environment to require reporting of information on certain substances. The provisions also require the Minister to establish and to publish a national inventory of releases of pollutants. These provisions under the Act form the primary legislative basis for the NPRI.

For the latest reporting year, over 8 500 industrial, commercial and other facilities reported to Environment Canada on their releases, disposals and transfers for recycling of more than 300 substances of concern. Air pollutant emission estimates for other facilities and non-industrial sources were compiled for air pollutants contributing to smog, acid rain and/or poor air quality, selected heavy metals and persistent organic pollutants.

The Government of Canada considers the information provided by the NPRI vital in its efforts to reduce releases of substances of concern to the environment and to the health of Canadians. NPRI information is a major starting point for identifying and monitoring sources of pollution in Canada, as well as in developing indicators for the quality of our air, land and water. The NPRI helps governments determine if regulatory or other action is necessary to ensure reductions, and if so, the form that action should take. NPRI data helps the Government of Canada track progress in pollution prevention, evaluate releases and transfers of substances of concern, identify and take action on environmental priorities, and implement policy initiatives and risk-management measures.

The NPRI provides Canadians with annual information on industrial, institutional, commercial and other releases and transfers in their communities. Public access to the NPRI motivates industry and individuals to prevent and to reduce pollutant releases.

For more information on the NPRI, including guidance documents, annual summary reports, and access to the NPRI data in a variety of formats including an online search and databases, please visit the NPRI Web site at www.ec.gc.ca/npri.

Input from stakeholders and other interested parties on the NPRI is welcome — contact information is provided in the body of this notice.

Reporting to the NPRI

Reporting to Environment Canada of information required under the authority of section 46 of the Act is done through the One-Window to National Environmental Reporting System (OWNERS). OWNERS is a secure on-line reporting mechanism used by Environment Canada, provincial and municipal governments and private-sector organizations to collect environmental data from industry. OWNERS provides a platform for governments to collect environmental information in a more timely, efficient and cost-effective manner, and to improve the quality and accuracy of data.

Environment Canada continues to be engaged in efforts to streamline and harmonize governmental data-collection initiatives to reduce an unnecessary administrative burden. To that end, work is being done to harmonize definitions, requirements and reporting systems within the Department. Efforts are also continuing to reduce duplication between federal data-collection initiatives and those of other jurisdictions, to the extent practicable.

For those that meet the requirements of this notice, reporting is mandatory. Obtaining the relevant guidance documents is the responsibility of the person required to report under this notice. Those who have not obtained the guidance documents are encouraged to visit the NPRI Web site or to contact Environment Canada at the address provided in the body of this notice.

Changes to contacts, ownership and reported information

It is important that contact and ownership information be kept up to date and any errors in submitted data be corrected in a timely manner, so that the information provided by the NPRI continues to be relevant and accurate. As such, persons that submitted reports for a previous year are strongly encouraged to update their information, through OWNERS or by contacting Environment Canada directly (contact information is provided in the body of this notice), if

- there is a change in the name, address, telephone number, or email address of the contacts identified for the facility since the submission of the report for the previous year;

- there is a change in the owner or operator of a facility for which a report has been submitted for the previous year; or
- the person becomes aware that the information submitted for any previous year was mistaken or inaccurate.

Compliance with the Act is mandatory

In particular, subsection 272(1) of the Act provides that

272. (1) Every person commits an offence who contravenes

(a) a provision of this Act or the regulations;

(b) an obligation or a prohibition arising from this Act or the regulations;

(c) an order or a direction made under this Act;

(d) an order, direction or decision of a court made under this Act; or

(e) an agreement respecting environmental protection alternative measures within the meaning of section 295.

Subsection 272(2) of the Act provides that

272. (2) Every person who commits an offence under subsection (1) is liable

(a) on conviction on indictment, to a fine of not more than \$1,000,000 or to imprisonment for a term of not more than three years, or to both; and

(b) on summary conviction, to a fine of not more than \$300,000 or to imprisonment for a term of not more than six months, or to both.

Furthermore, with respect to providing false or misleading information, subsection 273(1) of the Act provides that

273. (1) Every person commits an offence who, with respect to any matter related to this Act or the regulations,

(a) provides any person with any false or misleading information, results or samples; or

(b) files a document that contains false or misleading information.

Subsection 273(2) of the Act provides that

273. (2) Every person who commits an offence under subsection (1) is liable

(a) on conviction on indictment, to a fine of not more than \$1,000,000 or to imprisonment for a term of not more than three years, or to both, if the offence is committed knowingly;

(b) on summary conviction, to a fine of not more than \$300,000 or to imprisonment for a term of not more than six months, or to both, if the offence is committed knowingly;

(c) on conviction on indictment, to a fine of not more than \$500,000 or to imprisonment for a term of not more than three years, or to both, if the offence is committed negligently; and

(d) on summary conviction, to a fine of not more than \$200,000 or to imprisonment for a term of not more than six months, or to both, if the offence is committed negligently.

The above provisions of the Act have been reproduced for convenience of reference only. If there is any variance between the above provisions and the wording of the Act, the official version of the Act prevails. For all purposes of interpreting and applying the law, readers should consult the official versions of the Acts of Parliament.

For additional information on the Act and the *Compliance and Enforcement Policy for the Canadian Environmental Protection Act, 1999* and on applicable penalties, please contact the Enforcement Branch at enforcement.environmental@ec.gc.ca. A copy of the *Compliance and Enforcement Policy*

for the *Canadian Environmental Protection Act, 1999* is available at the following Internet site:
www.ec.gc.ca/CEPAregistry/policies.

[49-1-o]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice with respect to tailings and waste rock reporting under the National Pollutant Release Inventory for 2006 to 2008

Notice is hereby given, pursuant to subsection 46(1) of the *Canadian Environmental Protection Act, 1999*, that for the purpose of conducting research, creating an inventory of data, formulating objectives and codes of practice, issuing guidelines or assessing or reporting on the state of the environment, any person who owns or operates a facility described in Schedule 3 to this notice, and who possesses or who may reasonably be expected to have access to information described in Schedule 4, shall provide the Minister of the Environment with this information no later than June 1, 2010, 11:59 p.m. Eastern Daylight Time. Certain terms contained in this notice have been defined in Schedule 2.

This notice applies to the calendar years 2006, 2007 and 2008.

Persons subject to the notice shall address responses or enquiries to the following address:

National Pollutant Release Inventory
Environment Canada
Fontaine Building, 9th Floor
200 Sacré-Cœur Boulevard
Gatineau, Quebec
K1A 0H3
Telephone: 1-877-877-8375
Fax: 819-953-0461
Email: NPRI@ec.gc.ca

Pursuant to subsection 46(8) of the *Canadian Environmental Protection Act, 1999*, persons to whom this notice applies shall keep copies of the information required under this notice, together with any calculations, measurements and other data on which the information is based, at the facility to which the calculations, measurements and other data relate, or at the principal place of business in Canada of the person who owns or operates the facility, for a period of three years from the date the information is required to be submitted.

The Minister of the Environment intends to publish, in part, the information submitted in response to this notice. Pursuant to section 51 of the *Canadian Environmental Protection Act, 1999*, any person who provides information in response to this notice may submit, with their information, a written request that it be treated as confidential based on the reasons set out in section 52 of the Act. The person requesting confidential treatment of the information shall indicate which of the reasons in section 52 of the Act applies to their request. Nevertheless, the Minister may disclose, in accordance with subsection 53(3) of the *Canadian Environmental Protection Act, 1999*, information submitted in response to this notice.

GEORGE ENEI
Acting Director General
Science and Risk Assessment
On behalf of the Minister of the Environment

SCHEDULE 1

Substances

The substances captured under this Notice are those set out in Parts 1 and 2 of this Schedule.

PART 1

GROUP 1 SUBSTANCES

<i>Name</i>	<i>CAS Registry Number[†]</i>
1. Acetaldehyde	75-07-0
2. Acetonitrile	75-05-8
3. Acetophenone	98-86-2
4. Acrolein	107-02-8
5. Acrylamide	79-06-1
6. Acrylic acid ¹	79-10-7
7. Acrylonitrile	107-13-1
8. Alkanes, C ₆₋₁₈ , chloro	68920-70-7
9. Alkanes, C ₁₀₋₁₃ , chloro	85535-84-8
10. Allyl alcohol	107-18-6
11. Allyl chloride	107-05-1
12. Aluminum ²	7429-90-5
13. Aluminum oxide ³	1344-28-1
14. Ammonia (total) ⁴	*
15. Aniline ¹	62-53-3
16. Anthracene	120-12-7
17. Antimony ⁵	*
18. Asbestos ⁶	1332-21-4
19. Benzene	71-43-2
20. Benzoyl chloride	98-88-4
21. Benzoyl peroxide	94-36-0

22.	Benzyl chloride	100-44-7
23.	Biphenyl	92-52-4
24.	<i>Bis</i> (2-ethylhexyl) adipate	103-23-1
25.	<i>Bis</i> (2-ethylhexyl) phthalate	117-81-7
26.	Boron trifluoride	7637-07-2
27.	Bromine	7726-95-6
28.	1-Bromo-2-chloroethane	107-04-0
29.	Bromomethane	74-83-9
30.	1,3-Butadiene	106-99-0
31.	2-Butoxyethanol	111-76-2
32.	Butyl acrylate	141-32-2
33.	<i>i</i> -Butyl alcohol	78-83-1
34.	<i>n</i> -Butyl alcohol	71-36-3
35.	<i>sec</i> -Butyl alcohol	78-92-2
36.	<i>tert</i> -Butyl alcohol	75-65-0
37.	Butyl benzyl phthalate	85-68-7
38.	1,2-Butylene oxide	106-88-7
39.	Butyraldehyde	123-72-8
40.	C.I. Acid Green 3	4680-78-8
41.	C.I. Basic Green 4	569-64-2
42.	C.I. Basic Red 1	989-38-8
43.	C.I. Direct Blue 218	28407-37-6
44.	C.I. Disperse Yellow 3	2832-40-8

45.	C.I. Food Red 15	81-88-9
46.	C.I. Solvent Orange 7	3118-97-6
47.	C.I. Solvent Yellow 14	842-07-9
48.	Calcium cyanamide	156-62-7
49.	Calcium fluoride	7789-75-5
50.	Carbon disulphide	75-15-0
51.	Carbon tetrachloride	56-23-5
52.	Carbonyl sulphide	463-58-1
53.	Catechol	120-80-9
54.	CFC-11	75-69-4
55.	CFC-12	75-71-8
56.	CFC-13	75-72-9
57.	CFC-114	76-14-2
58.	CFC-115	76-15-3
59.	Chlorendic acid	115-28-6
60.	Chlorine	7782-50-5
61.	Chlorine dioxide	10049-04-4
62.	Chloroacetic acid ¹	79-11-8
63.	Chlorobenzene	108-90-7
64.	Chloroethane	75-00-3
65.	Chloroform	67-66-3
66.	Chloromethane	74-87-3
67.	3-Chloro-2-methyl-1-propene	563-47-3
68.	3-Chloropropionitrile	542-76-7

69.	Chromium ⁷	*
70.	Cobalt ⁵	*
71.	Copper ⁵	*
72.	Cresol ^{1, 8}	1319-77-3
73.	Crotonaldehyde	4170-30-3
74.	Cumene	98-82-8
75.	Cumene hydroperoxide	80-15-9
76.	Cyanides ⁹	*
77.	Cyclohexane	110-82-7
78.	Cyclohexanol	108-93-0
79.	Decabromodiphenyl oxide	1163-19-5
80.	2,4-Diaminotoluene ¹	95-80-7
81.	2,6-Di- <i>t</i> -butyl-4-methylphenol	128-37-0
82.	Dibutyl phthalate	84-74-2
83.	<i>o</i> -Dichlorobenzene	95-50-1
84.	<i>p</i> -Dichlorobenzene	106-46-7
85.	3,3'-Dichlorobenzidine dihydrochloride	612-83-9
86.	1,2-Dichloroethane	107-06-2
87.	Dichloromethane	75-09-2
88.	2,4-Dichlorophenol ¹	120-83-2
89.	1,2-Dichloropropane	78-87-5
90.	Dicyclopentadiene	77-73-6

91.	Diethanolamine ¹	111-42-2
92.	Diethyl phthalate	84-66-2
93.	Diethyl sulphate	64-67-5
94.	Dimethylamine	124-40-3
95.	N,N-Dimethylaniline ¹	121-69-7
96.	N,N-Dimethylformamide	68-12-2
97.	Dimethyl phenol	1300-71-6
98.	Dimethyl phthalate	131-11-3
99.	Dimethyl sulphate	77-78-1
100.	4,6-Dinitro- <i>o</i> -cresol ¹	534-52-1
101.	2,4-Dinitrotoluene	121-14-2
102.	2,6-Dinitrotoluene	606-20-2
103.	Dinitrotoluene ¹⁰	25321-14-6
104.	Di- <i>n</i> -octyl phthalate	117-84-0
105.	1,4-Dioxane	123-91-1
106.	Diphenylamine	122-39-4
107.	Epichlorohydrin	106-89-8
108.	2-Ethoxyethanol	110-80-5
109.	2-Ethoxyethyl acetate	111-15-9
110.	Ethyl acrylate	140-88-5
111.	Ethylbenzene	100-41-4
112.	Ethyl chloroformate	541-41-3
113.	Ethylene	74-85-1

114.	Ethylene glycol	107-21-1
115.	Ethylene oxide	75-21-8
116.	Ethylene thiourea	96-45-7
117.	Fluorine	7782-41-4
118.	Formaldehyde	50-00-0
119.	Formic acid	64-18-6
120.	Halon 1211	353-59-3
121.	Halon 1301	75-63-8
122.	HCFC-22	75-45-6
123.	HCFC-122 ¹¹	41834-16-6
124.	HCFC-123 ¹²	34077-87-7
125.	HCFC-124 ¹³	63938-10-3
126.	HCFC-141b	1717-00-6
127.	HCFC-142b	75-68-3
128.	Hexachlorocyclopentadiene	77-47-4
129.	Hexachloroethane	67-72-1
130.	Hexachlorophene	70-30-4
131.	<i>n</i> -Hexane	110-54-3
132.	Hydrazine ¹	302-01-2
133.	Hydrochloric acid	7647-01-0
134.	Hydrogen cyanide	74-90-8
135.	Hydrogen fluoride	7664-39-3
136.	Hydrogen sulphide	7783-06-4

137.	Hydroquinone ¹	123-31-9
138.	Iron pentacarbonyl	13463-40-6
139.	Isobutyraldehyde	78-84-2
140.	Isophorone diisocyanate	4098-71-9
141.	Isoprene	78-79-5
142.	Isopropyl alcohol	67-63-0
143.	<i>p,p'</i> -Isopropylidenediphenol	80-05-7
144.	Isosafrole	120-58-1
145.	Lithium carbonate	554-13-2
146.	Maleic anhydride	108-31-6
147.	Manganese ⁵	*
148.	2-Mercaptobenzothiazole	149-30-4
149.	Methanol	67-56-1
150.	2-Methoxyethanol	109-86-4
151.	2-Methoxyethyl acetate	110-49-6
152.	Methyl acrylate	96-33-3
153.	Methyl <i>tert</i> -butyl ether	1634-04-4
154.	<i>p,p'</i> -Methylenebis(2-chloroaniline)	101-14-4
155.	1,1-Methylenebis(4-isocyanatocyclohexane)	5124-30-1
156.	Methylenebis(phenylisocyanate)	101-68-8
157.	<i>p,p'</i> -Methylenedianiline	101-77-9
158.	Methyl ethyl ketone	78-93-3
159.	Methyl iodide	74-88-4
160.	Methyl isobutyl ketone	108-10-1

161.	Methyl methacrylate	80-62-6
162.	N-Methylolacrylamide	924-42-5
163.	2-Methylpyridine	109-06-8
164.	N-Methyl-2-pyrrolidone	872-50-4
165.	Michler's ketone ¹	90-94-8
166.	Molybdenum trioxide	1313-27-5
167.	Naphthalene	91-20-3
168.	Nickel ⁵	*
169.	Nitrate ion ¹⁴	*
170.	Nitric acid	7697-37-2
171.	Nitrilotriacetic acid ¹	139-13-9
172.	<i>p</i> -Nitroaniline	100-01-6
173.	Nitrobenzene	98-95-3
174.	Nitroglycerin	55-63-0
175.	<i>p</i> -Nitrophenol ¹	100-02-7
176.	2-Nitropropane	79-46-9
177.	N-Nitrosodiphenylamine	86-30-6
178.	Nonylphenol and its ethoxylates ¹⁵	*
179.	Octylphenol and its ethoxylates ¹⁶	*
180.	Paraldehyde	123-63-7
181.	Pentachloroethane	76-01-7
182.	Peracetic acid ¹	79-21-0

183.	Phenol ¹	108-95-2
184.	<i>p</i> -Phenylenediamine ¹	106-50-3
185.	<i>o</i> -Phenylphenol ¹	90-43-7
186.	Phosgene	75-44-5
187.	Phosphorus ¹⁷	7723-14-0
188.	Phosphorus (total) ¹⁸	*
189.	Phthalic anhydride	85-44-9
190.	Polymeric diphenylmethane diisocyanate	9016-87-9
191.	Potassium bromate	7758-01-2
192.	Propargyl alcohol	107-19-7
193.	Propionaldehyde	123-38-6
194.	Propylene	115-07-1
195.	Propylene oxide	75-56-9
196.	Pyridine ¹	110-86-1
197.	Quinoline ¹	91-22-5
198.	<i>p</i> -Quinone	106-51-4
199.	Safrole	94-59-7
200.	Selenium ⁵	*
201.	Silver ⁵	*
202.	Sodium fluoride	7681-49-4
203.	Sodium nitrite	7632-00-0
204.	Styrene	100-42-5
205.	Styrene oxide	96-09-3

206.	Sulphur hexafluoride	2551-62-4
207.	Sulphuric acid	7664-93-9
208.	1,1,1,2-Tetrachloroethane	630-20-6
209.	1,1,2,2-Tetrachloroethane	79-34-5
210.	Tetrachloroethylene	127-18-4
211.	Tetracycline hydrochloride	64-75-5
212.	Thiourea	62-56-6
213.	Thorium dioxide	1314-20-1
214.	Titanium tetrachloride	7550-45-0
215.	Toluene	108-88-3
216.	Toluene-2,4-diisocyanate	584-84-9
217.	Toluene-2,6-diisocyanate	91-08-7
218.	Toluenediisocyanate ¹⁰	26471-62-5
219.	Total reduced sulphur ¹⁹	*
220.	1,2,4-Trichlorobenzene	120-82-1
221.	1,1,2-Trichloroethane	79-00-5
222.	Trichloroethylene	79-01-6
223.	Triethylamine	121-44-8
224.	1,2,4-Trimethylbenzene	95-63-6
225.	2,2,4-Trimethylhexamethylene diisocyanate	16938-22-0
226.	2,4,4-Trimethylhexamethylene diisocyanate	15646-96-5
227.	Vanadium ²⁰	7440-62-2
228.	Vinyl acetate	108-05-4

229.	Vinyl chloride	75-01-4
230.	Vinylidene chloride	75-35-4
231.	Xylene ²¹	1330-20-7
232.	Zinc ⁵	*

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* No single CAS Registry Number applies to this substance.

¹ "and its salts" — The CAS Registry Number corresponds to the weak acid or base. However, this substance includes the salts of these weak acids and bases.

² "fume or dust"

³ "fibrous forms"

⁴ "Ammonia (total)" means the total of both of ammonia (NH₃ — CAS No. 7664-41-7) and the ammonium ion (NH₄⁺) in solution.

⁵ "and its compounds"

⁶ "friable form"

⁷ "and its compounds," except hexavalent chromium compounds

⁸ "all isomers," including the individual isomers of cresol: *m*-cresol (CAS No. 108-39-4), *o*-cresol (CAS No. 95-48-7) and *p*-cresol (CAS No. 106-44-5)

⁹ "ionic"

¹⁰ "mixed isomers"

¹¹ "all isomers" including, but not limited to, HCFC-122 (CAS No. 354-21-2)

¹² "all isomers" including, but not limited to, HCFC-123 (CAS No. 306-83-2) and HCFC-123a (CAS No. 90454-18-5)

¹³ "all isomers" including, but not limited to, HCFC-124 (CAS No. 2837-89-0), and HCFC-124a (CAS No. 354-25-6)

¹⁴ "in solution at a pH of 6.0 or greater"

¹⁵ Includes nonylphenol, its ethoxylates and derivatives with CAS Nos. 104-40-5; 25154-52-3; 84852-15-3; 1323-65-5; 26523-78-4; 28987-17-9; 68081-86-7; 68515-89-9; 68515-93-5; 68081-86-1; 104-35-8; 20427-84-3; 26027-38-3; 27177-05-5; 27177-08-8; 28679-13-2; 27986-36-3; 37251-69-7; 7311-27-5; 9016-45-9; 27176-93-8; 37340-60-6; 51811-79-1; 51938-25-1; 68412-53-3; 9051-57-4; 37205-87-1; 68412-54-4; 127087-87-0.

¹⁶ Includes octylphenol and its ethoxylates with CAS Nos. 140-66-9; 1806-26-4; 27193-28-8; 68987-90-6; 9002-93-1; 9036-19-5.

17 "yellow or white"

18 Does not include phosphorus (yellow or white) with CAS No. 7723-14-0.

19 This class of substances, expressed in terms of hydrogen sulphide, is restricted to the following substances: hydrogen sulphide (CAS No. 7783-06-4), carbon disulphide (CAS No. 75-15-0), carbonyl sulphide (CAS No. 463-58-1), dimethyl sulphide (CAS No. 75-18-3), dimethyl disulphide (CAS No. 62492-0), methyl mercaptan (CAS No. 74-93-1).

20 "(except when in an alloy) and its compounds"

21 "all isomers," including the individual isomers of xylene: *m*-xylene (CAS No. 108-38-3), *o*-xylene (CAS No. 95-47-6) and *p*-xylene (CAS No. 106-42-3)

GROUP 2 SUBSTANCES

<i>Name</i>	<i>CAS Registry Number[†]</i>	
233.	Mercury ⁵	*

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* No single CAS Registry Number applies to this substance.

⁵ "and its compounds"

GROUP 3 SUBSTANCES

<i>Name</i>	<i>CAS Registry Number[†]</i>	
234.	Cadmium ⁵	*

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* No single CAS Registry Number applies to this substance.

⁵ "and its compounds"

GROUP 4 SUBSTANCES

<i>Name</i>	<i>CAS Registry Number[†]</i>	
235.	Arsenic ⁵	*
236.	Hexavalent chromium ⁵	*

237.	Lead ^{22,23}	*
238.	Tetraethyl lead	78-00-2

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* No single CAS Registry Number applies to this substance.

⁵ "and its compounds"

²² "and its compounds," except tetraethyl lead (CAS No. 78-00-2)

²³ Does not include lead (and its compounds) contained in stainless steel, brass or bronze alloys.

PART 2

<i>Name</i>	<i>CAS Registry Number[†]</i>
239.	Acenaphthene 83-32-9
240.	Acenaphthylene 208-96-8
241.	Benzo(a)anthracene 56-55-3
242.	Benzo(a)phenanthrene 218-01-9
243.	Benzo(a)pyrene 50-32-8
244.	Benzo(b)fluoranthene 205-99-2
245.	Benzo(e)pyrene 192-97-2
246.	Benzo(g,h,i)perylene 191-24-2
247.	Benzo(j)fluoranthene 205-82-3
248.	Benzo(k)fluoranthene 207-08-9
249.	Dibenzo(a,j)acridine 224-42-0
250.	Dibenzo(a,h)acridine 226-36-8
251.	Dibenzo(a,h)anthracene 53-70-3
252.	Dibenzo(a,e)fluoranthene 5385-75-1

253.	Dibenzo(a,e)pyrene	192-65-4
254.	Dibenzo(a,h)pyrene	189-64-0
255.	Dibenzo(a,i)pyrene	189-55-9
256.	Dibenzo(a,l)pyrene	191-30-0
257.	7H-Dibenzo(c,g)carbazole	194-59-2
258.	7,12-Dimethylbenz(a)anthracene	57-97-6
259.	Fluoranthene	206-44-0
260.	Fluorene	86-73-7
261.	Indeno(1,2,3-c,d)pyrene	193-39-5
262.	3-Methylcholanthrene	56-49-5
263.	5-Methylchrysene	3697-24-3
264.	1-Nitropyrene	5522-43-0
265.	Perylene	198-55-0
266.	Phenanthrene	85-01-8
267.	Pyrene	129-00-0

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SCHEDULE 2

Definitions

1. The following definitions apply to this notice and its schedules:

“alloy” means metal products containing two or more elements as a solid solution, intermetallic compounds, and mixtures of metallic phases. « alliage »

“article” means a manufactured item that does not release a substance when it undergoes processing or other use. « article »

“by-product” means a substance which is incidentally manufactured, processed or otherwise used at the facility at any concentration, and released to the environment or disposed of. « sous-produit »

“CAS Registry Number” and “CAS No.” refer to the Chemical Abstracts Service Registry Number.

« numéro d'enregistrement CAS » or « numéro du CAS »

“contiguous facility” means all buildings, equipment, structures and stationary items that are located on a single site, or on contiguous sites or adjacent sites that are owned or operated by the same person and that function as a single integrated site, including wastewater collection systems that release treated or untreated wastewater into surface waters. « installation contiguë »

“emission factors” means numerical values that relate the quantity of substances emitted from a source to a common activity associated with those emissions, and that can be categorized as published emission factors or site-specific emission factors. « facteurs d'émission »

“employee” means an individual employed at the facility and includes the owner of the facility who performs work on site at the facility, and a person, such as a contractor, who, at the facility, performs work that is related to the operations of the facility, for the period of time that the person is performing that work. « employé »

“facility” means a contiguous facility. « installation »

“full-time employee equivalent” means the unit obtained by dividing by 2 000 hours the sum of

(a) the total hours worked by individuals employed at the facility and the total hours of paid vacation and of sick leave taken by individuals employed at the facility;

(b) the hours worked on site at the facility by the owner of the facility, if not employed by the facility; and

(c) the hours worked on site at the facility by a person, such as a contractor, who, at the facility, performs work related to the operations of the facility. « équivalent d'employé à temps plein »

“manufacture” means to produce, prepare, or compound a substance, and includes the incidental production of a substance as a by-product. « fabrication »

“other use” or “otherwise used” means any use, disposal or release of a substance which is not included in the definitions of “manufacture” or “process”, and includes the other use of by-products. « autre utilisation » or « utilisation d'une autre manière »

“parent company” means the highest level company or group of companies that owns or directly controls the reporting facility. « société mère »

“process” means the preparation of a substance, after its manufacture, for commercial distribution and includes preparation of the substance in the same physical state or chemical form as that received by the facility, or preparation which produces a change in physical state or chemical form, and also includes the processing of the substance as a by-product. « préparation »

“recycling” means any activity that prevents a material or a component of the material from becoming a material destined for disposal. « recyclage »

SCHEDULE 3

Criteria for Reporting

GENERAL

1. This notice applies to any person who owns or operates a facility if, during the 2006, 2007 or 2008 calendar year, that facility

(a) is one at which the employees work a total of 20 000 hours or more; and

(b) generates or disposes of tailings or waste rock as a result of the extraction or recovery of bitumen, coal, diamonds, metals or potash, or the extraction or beneficiation of metallic ore or ore concentrate; and meets any of the other criteria set out in this schedule.

2. (1) In calculating the mass reporting thresholds set out in this Schedule, a person subject to this notice shall exclude the quantity of a substance that is manufactured, processed or otherwise

used in the activities listed below:

- (a) education or training of students;
- (b) research or testing;
- (c) maintenance and repair of vehicles, where vehicles include automobiles, trucks, locomotives, ships or aircraft;
- (d) distribution, storage, or retail sale of fuels, except as part of terminal operations;
- (e) wholesale or retail sale of articles or products that contain the substance;
- (f) retail sale of the substance; or
- (g) growing, harvesting, or management of a renewable natural resource.

(2) For the purpose of paragraph (1)(c), the painting and stripping of vehicles or their components, and the rebuilding or remanufacturing of vehicle components, are not to be excluded from the calculation of mass reporting thresholds in this Schedule.

3. In calculating the mass reporting thresholds set out in this Schedule, a person subject to this notice shall exclude the quantity of a substance that is

- (a) manufactured, processed or otherwise used for the exploration of oil or gas, or the drilling of oil or gas wells; or
- (b) contained in
 - (i) articles that are processed or otherwise used,
 - (ii) materials used as structural components of the facility but not the process equipment,
 - (iii) materials used in janitorial or facility grounds maintenance,
 - (iv) materials used for personal use by employees or other persons,
 - (v) materials used for the purpose of maintaining motor vehicles operated by the facility, or
 - (vi) intake water or intake air, such as water used for process cooling or air used either as compressed air or for combustion.

4.(1) In calculating the mass reporting thresholds set out in this Schedule, a person subject to this notice shall exclude the quantity of a substance that is contained in

- (a) unconsolidated overburden;
- (b) waste rock that is inert or clean according to terms or conditions of a valid federal or provincial operating permit issued for the facility; or
- (c) components of tailings that are inert, inorganic and have not been reduced in size or otherwise physically or chemically altered during the extraction, recovery or beneficiation.

(2) If there is no applicable permit as referenced in paragraph (1)(b), a person subject to this notice shall exclude the quantity of a substance that is contained in waste rock if

- (a) the concentration of sulphur in the waste rock is greater than 0.2%, and the ratio of neutralizing potential to acid-generating potential is greater than or equal to 3:1; or
- (b) the concentration of sulphur in the waste rock is less than or equal to 0.2%.

(3) Despite paragraph (1)(b) and subsection (2), a person subject to this notice shall not exclude the quantity of arsenic contained in waste rock if the concentration of arsenic in the waste rock is greater than 12 milligrams of arsenic per kilogram of waste rock.

- (4) Despite subsections (1), (2) and (3), a quantity of a substance released to air or surface

waters from materials listed under this section shall be included in the mass reporting thresholds.

5. (1) For the purpose of this notice, a disposal of a substance is to be construed as its

(a) final disposal to landfill, land application or underground injection, either on the facility site or at a location off the facility site;

(b) transfer to a location off the facility site for storage or treatment prior to final disposal; or

(c) movement into an area where tailings or waste rock are discarded or stored, and further managed to reduce or prevent releases to air, water or land, either on the facility site or at a location off the facility site.

(2) The quantity of a substance disposed of shall be included in the calculation of the mass reporting thresholds for Parts 1 and 2 of this Schedule.

(3) The disposal of a substance is not to be included as a release.

6. If the person who owns or operates a facility has changed on or after January 1, 2006, the person who owns or operates the facility as of December 31, 2009, shall report for the entirety of the 2006, 2007 and 2008 calendar years. If operations at a facility terminated on or after January 1, 2006, the last owner or operator of that facility is required to report for any portions of the 2006, 2007 and 2008 calendar years during which the facility was in operation.

PART 1

CRITERIA FOR REPORTING SUBSTANCES LISTED IN PART 1 OF SCHEDULE 1

7. (1) A person subject to this notice shall report information in relation to a substance listed in Part 1 of Schedule 1, whether or not there is a release, disposal or transfer off-site for recycling of the substance, if, during the 2006, 2007 or 2008 calendar year, the substance was manufactured, processed or otherwise used

(a) in a quantity equal to or greater than the applicable mass reporting threshold set out in column 2 of Table 1; and

(b) at a concentration equal to or greater than the applicable concentration by weight set out in column 3 of Table 1, or regardless of concentration if there is no corresponding value in that column for the substance.

(2) For the purpose of subsection (1), the quantity of a substance that is a by-product or is contained in tailings shall be included in the calculation of the mass reporting threshold set out in column 2 of Table 1, regardless of concentration.

(3) For the purpose of subsection (1), the quantity of a substance contained in waste rock shall be included in the calculation of the mass reporting threshold set out in column 2 of Table 1 if it is at a concentration equal to or greater than the applicable concentration by weight set out in column 3 of Table 1 for Group 1 Substances, or regardless of concentration for Group 2, 3 and 4 Substances.

8. For the purpose of this Part, the person subject to this notice shall calculate the mass reporting threshold for a substance listed in Part 1 of Schedule 1 in accordance with the following:

(a) for a substance that is qualified with the footnote "and its salts," the person shall include the molecular weight of the acid or the base and not the total weight of the salt;

(b) for a substance that is qualified with the footnote "and its compounds," the person shall include the pure element and the equivalent weight of the element contained in any substance, alloy or mixture except for lead and its compounds that are contained in stainless steel, brass or bronze alloys;

(c) for ammonia (total), the person shall include the ammonium ion (NH_4^+) in solution expressed as ammonia and shall also include ammonia (NH_3); or

(d) for vanadium, the person shall include the pure element and the equivalent weight of the

element contained in any substance or mixture except when it is contained in an alloy.

Table 1: Mass Reporting Threshold and Concentration by Weight for Substances Listed in Part 1 of Schedule 1

Item	Column 1 Substances in Part 1 of Schedule 1	Column 2 Mass Reporting Threshold	Column 3 Concentration by Weight
1.	Group 1 Substances	10 tonnes	1%
2.	Group 2 Substances	5 kilograms	N/A
3.	Group 3 Substances	5 kilograms	0.1%
4.	Group 4 Substances	50 kilograms	0.1%

PART 2

CRITERIA FOR REPORTING SUBSTANCES LISTED IN PART 2 OF SCHEDULE 1

9. A person subject to this notice shall report information in relation to substances listed in Part 2 of Schedule 1 if, during the 2006, 2007 or 2008 calendar year, the total quantity of all substances listed in Part 2 of Schedule 1 released, disposed of, or transferred off site for recycling from the facility, as a result of incidental manufacture or as a result of the generation of tailings, is 50 kilograms or more.

SCHEDULE 4

Information Required by this Notice and Manner of Reporting

GENERAL

1. If the person is required by federal or provincial legislation or a municipal by-law to measure or monitor releases, disposals or transfers off site for recycling of any of the substances set out in Schedule 1 of this notice, the person shall report those data in response to this notice.

2. If the person is not subject to any of the requirements described in section 1 of this Schedule, the person shall report information by using one of the following methods: continuous emission monitoring, predictive emission monitoring, source testing, mass balance, published emission factors, site-specific emission factors, or engineering estimates.

3. If a person subject to this notice is not required to include a quantity of a substance when calculating the mass reporting threshold pursuant to Schedule 3, the person is not required to report information in respect of those quantities of the substance when reporting under this Schedule.

4. A person subject to this notice shall provide a Statement of Certification or electronic certification certifying that the information is true, accurate and complete or shall authorize another person to act on their behalf and so certify using the Statement of Certification or electronic certification.

5. A person subject to this notice shall provide the required information using the on-line reporting system or by ordinary mail sent to the address provided in this notice.

6. Information required to be reported under this Schedule pertains to each of the 2006, 2007 and 2008 calendar years for which the criteria in Schedule 3 have been satisfied, and shall be reported separately by year and by facility.

FACILITY INFORMATION

7. A person subject to this notice shall report the following information in respect of a facility:

(a) the legal and trade name of the person, the facility name, and the street and mailing addresses of the facility;

(b) the National Pollutant Release Inventory (NPRI) identification number;

(c) the number of full-time employee equivalents;

(d) the Dun and Bradstreet number (if applicable);

(e) the two- and four-digit Canadian Standard Industrial Classification (SIC) codes and the four-digit U.S. SIC code;

(f) the two- and four-digit North American Industry Classification System (NAICS) codes and the six-digit NAICS Canada code;

(g) the name, position, street and mailing addresses, and telephone number of the person who is the contact for the public (if available);

(h) the name, position, street and mailing addresses, and telephone number of the person who is the technical contact;

(i) the name, position, street and mailing addresses, and telephone number of the person co-ordinating the submission of the report (if applicable);

(j) the name, position, street and mailing addresses, and telephone number of the person who owns or operates the facility subject to this notice, or the company official authorized to act on their behalf pursuant to section 4 of this Schedule;

(k) the business number of the facility;

(l) the latitude and longitude coordinates of the facility (required only if the person is reporting in respect of the facility for the first time);

(m) if applicable, the legal name(s) of the person who is the Canadian parent company, their street and mailing addresses, and their percentage of ownership of the facility, their Dun and Bradstreet number, and their business number; and

(n) a statement indicating if an independent contractor completed the report, and if so, the name, company name, street and mailing addresses, and telephone number of the independent contractor.

PART 1

INFORMATION TO PROVIDE RESPECTING SUBSTANCES LISTED IN PART 1 OF SCHEDULE 1

8. A person subject to this notice shall report the following information in respect of each substance listed in Part 1 of Schedule 1, and each of the 2006, 2007 and 2008 calendar years, for which the criteria in Part 1 of Schedule 3 have been satisfied:

(a) the identity of the substance, including, if applicable, its CAS registry number;

(b) the net quantity disposed of on site to an area where tailings or waste rock are discarded or stored, and further managed, taking into account any additions or removals of the substance from the area, stated separately by tailings management area, or waste-rock management area;

(c) the quantity transferred off site for disposal to an area where tailings or waste rock are discarded or stored, and further managed, stated separately by tailings management area, or waste-rock management area, and the name and street address of, and the quantity transferred to, each receiving facility;

(d) the method used to determine the quantities to be reported for paragraphs (b) and (c), listed separately by continuous emission monitoring, predictive emission monitoring, source testing, mass balance, published emission factors, site-specific emission factors, or engineering estimates;

(e) the concentration of the substance in tailings or waste rock disposed of or transferred off site for disposal under paragraphs (b) and (c);

(f) if a quantity of a substance contained in waste rock has been excluded, pursuant to section 4 of Schedule 3, the relevant permit number, name of issuing authority, applicable provisions, and date issued; or the concentration of sulphur and, if applicable, the ratio of neutralizing potential to acid-generating potential, for the waste rock which has been excluded; and

(g) for 2007 and 2008, the reasons for changes in quantities disposed of from the previous year, listed separately by changes in production levels, changes in the method of determining the disposals, pollution prevention activities, changes in on-site treatment, changes in transfers off site for recycling, other (specify), no significant change or no change, or first year reporting the substance.

9. A person subject to this notice shall provide the information required by this Part in accordance with section 8 of Schedule 3.

10. A person subject to this notice shall report information in respect of a substance listed in

(a) Group 1 in Part 1 of Schedule 1 in tonnes; or

(b) Groups 2, 3 and 4 in Part 1 of Schedule 1 in kilograms.

PART 2

INFORMATION TO PROVIDE RESPECTING SUBSTANCES LISTED IN PART 2 OF SCHEDULE 1

11. A person subject to this notice shall report the information required in section 8 paragraphs (a) through (g) of this Schedule in respect of substances listed in Part 2 of Schedule 1, in kilograms, for each of the 2006, 2007 and 2008 calendar years for which the criteria in Part 2 of Schedule 3 have been satisfied, in accordance with the following:

(a) if information on an individual substance is available, and that substance was released, disposed of, or transferred off site for recycling, as a result of incidental manufacture or as a result of the generation of tailings, in a quantity of five (5) kilograms or more during the calendar year, the person shall report information in respect of the individual substance; or

(b) if information on individual substances is not available, the person shall report the information as total unspciated polycyclic aromatic hydrocarbons.

EXPLANATORY NOTE

(This note is not part of the notice.)

This notice contains requirements related to the reporting of tailings and waste rock for the 2006 to 2008 reporting years. The *Notice with respect to substances in the National Pollutant Release Inventory for 2009* contains the requirements for the 2009 calendar year.

For those that meet the requirements of this notice, reporting is mandatory. Obtaining the relevant guidance documents is the responsibility of the person required to report under this Notice. Those who have not obtained the guidance documents are encouraged to visit the NPRI Web site or contact Environment Canada at the address provided at the beginning of this notice.

Changes to contacts, ownership and reported information

It is important that contact and ownership information be kept up to date and any errors in submitted data be corrected in a timely manner, so that the information provided by the NPRI continues to be relevant and accurate. As such, persons that submitted reports for a previous year are strongly encouraged to update their information, through OWNERS or by contacting Environment Canada directly (contact information is provided in the body of this notice), if

- there is a change in the name, address, telephone number, or email address of the contacts identified for the facility since the submission of the report for the previous year;
- there is a change in the owner or operator of a facility for which a report has been submitted

- for the previous year; or
- the person becomes aware that the information submitted for any previous year was mistaken or inaccurate.

Compliance with the Act is mandatory

In particular, subsection 272(1) of the Act provides that

272. (1) Every person commits an offence who contravenes

- (a) a provision of this Act or the regulations;
- (b) an obligation or a prohibition arising from this Act or the regulations;
- (c) an order or a direction made under this Act;
- (d) an order, direction or decision of a court made under this Act; or
- (e) an agreement respecting environmental protection alternative measures within the meaning of section 295.

Subsection 272(2) of the Act provides that

272. (2) Every person who commits an offence under subsection (1) is liable

- (a) on conviction on indictment, to a fine of not more than \$1,000,000 or to imprisonment for a term of not more than three years, or to both; and
- (b) on summary conviction, to a fine of not more than \$300,000 or to imprisonment for a term of not more than six months, or to both.

Furthermore, with respect to providing false or misleading information, subsection 273(1) of the Act provides that

273. (1) Every person commits an offence who, with respect to any matter related to this Act or the regulations,

- (a) provides any person with any false or misleading information, results or samples; or
- (b) files a document that contains false or misleading information.

Subsection 273(2) of the Act provides that

273. (2) Every person who commits an offence under subsection (1) is liable

- (a) on conviction on indictment, to a fine of not more than \$1,000,000 or to imprisonment for a term of not more than three years, or to both, if the offence is committed knowingly;
- (b) on summary conviction, to a fine of not more than \$300,000 or to imprisonment for a term of not more than six months, or to both, if the offence is committed knowingly;
- (c) on conviction on indictment, to a fine of not more than \$500,000 or to imprisonment for a term of not more than three years, or to both, if the offence is committed negligently; and
- (d) on summary conviction, to a fine of not more than \$200,000 or to imprisonment for a term of not more than six months, or to both, if the offence is committed negligently.

The above provisions of the Act have been reproduced for convenience of reference only. If there is any variance between the above provisions and the wording of the Act, the official version of the Act prevails. For all purposes of interpreting and applying the law, readers should consult the official versions of the Acts of Parliament.

For additional information on the Act and the *Compliance and Enforcement Policy for the Canadian Environmental Protection Act, 1999* and on applicable penalties, please contact the Enforcement Branch at enforcement.environmental@ec.gc.ca. A copy of the *Compliance and Enforcement Policy for the Canadian Environmental Protection Act, 1999* is available at the following Internet site:

DEPARTMENT OF TRANSPORT

MOTOR VEHICLE SAFETY ACT

Technical Standards Document No. 123, Motorcycle Controls and Displays — Revision 1

Notice is hereby given, pursuant to section 12 of the *Motor Vehicle Safety Act* and sections 16 and 17 of the *Motor Vehicle Safety Regulations*, that the Department of Transport has revised Technical Standards Document (TSD) No. 123, *Motorcycle Controls and Displays*, which specifies the requirements for identification of controls and indicators that are installed on newly manufactured motorcycles. Revision 1 of TSD No. 123 is effective as of the date of publication of this notice.

TSD No. 123, *Motorcycle Controls and Displays*, reproduces U.S. Federal Motor Vehicle Safety Standard No. 123 of the same title and is incorporated by reference in section 123 of the *Motor Vehicle Safety Regulations*. This revision includes clarification of the text concerning the language of the words accompanying symbols.

Paragraph S5.2.3 of TSD 123 was amended to allow a control or display to be identified by word(s) in only one official language if this control or display is also identified by a symbol whose meaning is explained in the owner's manual in both official languages. This amendment follows the Department's policy that promotes identification of motor vehicle controls and displays by internationally recognized symbols.

Copies of Revision 1 of TSD No. 123 may be obtained on the Internet at www.tc.gc.ca/acts-regulations/regulations/crc-c1038/menu.htm. Any inquiries should be directed to Marcin Gorzkowski, P.Eng., Senior Regulatory Development Engineer, Standards and Regulations Division, Road Safety and Motor Vehicle Regulation Directorate, Department of Transport, 275 Slater Street, Ottawa, Ontario K1A 0N5, 613-998-1967 (telephone), 613-990-2913 (fax), marcin.gorzowski@tc.gc.ca (email).

CHRISTIAN LAVOIE
Director

Standards Research and Development
For the Minister of Transport, Infrastructure and Communities

[49-1-o]

Date modified: 2011-10-01