

# Canada Gazette

[Home](#)

> [Publications](#)

> [ARCHIVED — Vol. 145 \(2011\)](#)

> [ARCHIVED — July 30, 2011](#)

> ARCHIVED — GOVERNMENT NOTICES

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## ARCHIVED — GOVERNMENT NOTICES

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Vol. 145, No. 31 — July 30, 2011

### DEPARTMENT OF THE ENVIRONMENT

#### CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice is hereby given that, pursuant to section 127 of the *Canadian Environmental Protection Act, 1999*, Disposal at Sea Permit No. 4543-2-03535 authorizing the loading for disposal and the disposal of waste or other matter at sea is approved.

1. *Permittee*: 568849 B.C. Ltd., Surrey, British Columbia.
2. *Waste or other matter to be disposed of*: Inert, inorganic geological matter.
  - 2.1. *Nature of waste or other matter*: Inert, inorganic geological matter; all wood, topsoil, asphalt and other debris is to be segregated for disposal by methods other than disposal at sea.
3. *Duration of permit*: Permit is valid from September 6, 2011, to September 5, 2012.
4. *Loading site(s)*:
  - (a) Various approved excavation sites in Metro Vancouver, British Columbia, at approximately 49°16.35 N, 123°06.70 W (NAD83); and
  - (b) Various approved excavation sites within Southern Vancouver Island, British Columbia, at approximately 48°39.00 N, 123°22.00 W (NAD83).
5. *Disposal site(s)*: Point Grey Disposal Site, within a one nautical mile radius of 49°15.40' N, 123°21.90' W (NAD83).
6. *Method of loading*: Loading will be carried out using land-based heavy equipment, trucks, or conveyor belts.
7. *Route to disposal site(s) and method of transport*: Most direct navigational route from the loading site to the disposal site via hopper scow or towed scow.
8. *Method of disposal*: Disposal will be carried out by bottom dumping or end dumping.
9. *Total quantity to be disposed of*: Not to exceed 100 000 m<sup>3</sup> place measure.
10. *Approvals*: The Permittee shall obtain from the permit-issuing office a letter of approval for each loading and disposal activity prior to undertaking the work, and conduct these activities in accordance with the relevant letter of approval. The Permittee shall follow the procedures outlined

in the document titled "Multi-Site Excavation Projects involving Disposal at Sea: Requests for Letters of Approval — Standard Procedures" (February 2011).

11. *Fees*: The fee prescribed by the *Disposal at Sea Permit Fee Regulations* shall be paid by the Permittee in accordance with those Regulations.

12. *Inspection*:

12.1. By accepting this permit, the Permittee and their contractors accept that they are subject to inspection pursuant to Part 10 of the *Canadian Environmental Protection Act, 1999*.

12.2. The Permittee shall ensure that records of all loading and disposal activities are kept on site for the duration of the permit and are available for inspection by any enforcement officer or analyst, for two years following the expiry of the permit.

12.3. Ships operating under the authority of this permit shall carry and display a radar-reflecting device at all times mounted on the highest practical location.

13. *Contractors*:

13.1. The loading or disposal at sea referred to under this permit shall not be carried out by any person without written authorization from the Permittee.

13.2. The Permittee shall ensure that all persons involved in the loading, transport or disposal activities authorized by this permit conduct these activities in accordance with the relevant permit conditions.

14. *Reporting and notification*:

14.1. The Permittee shall provide the following information at least 48 hours before loading and disposal activities commence: name or number of ship, platform or structure used to carry out the loading and/or disposal, name of the contractor including corporate and on-site contact information, and expected period of loading and disposal activities. The above-noted information shall be submitted to Environment Canada's Environmental Enforcement Division, Pacific and Yukon Region, 604-666-9059 (fax) or das-pyr@ec.gc.ca (email).

14.2. The Permittee shall submit a written report to the Minister, as represented by the Regional Director of Environmental Protection Operations Directorate, Pacific and Yukon Region, 201-401 Burrard Street, Vancouver, British Columbia V6C 3S5, 604-666-5928 (fax) or das.pyr@ec.gc.ca (email), within 30 days of either the completion of the work or the expiry of the permit, whichever comes first. This report shall contain the following information: a list of all work completed pursuant to the permit, including the location of the loading and disposal sites used, the quantity of matter disposed of at the disposal site(s), and the dates on which disposal activities occurred.

14.3. At all times, a copy of this permit and of documents and drawings referenced in this permit shall be available at the loading site and on all powered ships directly engaged in the loading and disposal operations.

15. *Special precautions*:

15.1. The loading and disposal at sea activities referred to under this permit shall be carried out in accordance with the mitigation measures summarized in the document titled "Environmental Assessment Report: 568849 B.C. Ltd. — Loading and Disposal at Sea 4543-2-03535" (July 2011).

DANIEL WOLFISH  
Regional Director  
Environmental Protection Operations Directorate  
Pacific and Yukon Region  
On behalf of the Minister of the Environment

[31-1-o]

**DEPARTMENT OF THE ENVIRONMENT**

## CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice is hereby given that, pursuant to section 127 of the *Canadian Environmental Protection Act, 1999*, Disposal at Sea Permit No. 4543-2-04376 authorizing the loading for disposal and the disposal of waste or other matter at sea is approved.

1. *Permittee*: Department of Public Works and Government Services Quebec.

2. *Waste or other matter to be disposed of*: Dredged material.

2.1. *Nature of waste or other matter*: Dredged material consisting of gravel, sand, silt, clay and colloids.

3. *Duration of permit*: Permit is valid from September 21, 2011, to July 31, 2012.

3.1. The loading and disposal at sea activities are restricted to the following periods: from September 21, 2011, to April 9, 2012, and from June 16, 2012, to July 31, 2012. The Permittee may modify the duration of the restriction periods with the written approval of the Department of the Environment.

4. *Loading site(s)*: Anse-à-la-Barbe Harbour, Quebec, 48°11.25' N, 64°53.57' W (NAD83), as described in Annex 1 of the screening report titled "Dragage d'entretien du havre de l'Anse-à-la-Barbe 2011" by the Department of Publics Works and Government Services and approved by the Department of the Environment, submitted in support of the permit application.

5. *Disposal site(s)*: G-5, 48°10.80' N, 64°50.00' W (NAD83). The disposal site is located at approximately 5 km southeast from the loading site.

6. *Method of loading*: Dredging will be carried out using a clamshell dredge or a hydraulic shovel.

7. *Route to disposal site(s) and method of transport*: Most direct navigational route from the loading site to the disposal site via towed scow.

8. *Method of disposal*: Disposal will be carried out by bottom dumping, and levelling of the seabed by a steel beam, a scraper blade or a hydraulic shovel.

9. *Total quantity to be disposed of*: Not to exceed 2 000 m<sup>3</sup> scow measure.

10. *Fees*: The fee prescribed by the *Disposal at Sea Permit Fee Regulations* shall be paid by the Permittee in accordance with those Regulations.

11. *Inspection*: By accepting this permit, the Permittee and their contractors accept that they are subject to inspection pursuant to Part 10 of the *Canadian Environmental Protection Act, 1999*.

11.1. The Permittee shall ensure that records of all loading and disposal activities are kept on site for the duration of the permit and are available for inspection by any enforcement officer or analyst, for two years following the expiry of the permit.

12. *Contractors*: The loading or disposal at sea referred to under this permit shall not be carried out by any person without written authorization from the Permittee.

12.1. The Permittee shall ensure that all persons involved in the loading, transport or disposal activities authorized by this permit conduct these activities in accordance with the relevant permit conditions.

13. *Reporting and notification*: The Permittee shall provide the following information at least 48 hours before loading and disposal activities commence: name or number of ship, platform or structure used to carry out the loading and/or disposal, name of the contractor including corporate and on-site contact information, and expected period of loading and disposal activities. The above-noted information shall be submitted to the Regional Director, Environmental Protection Operations Division, Department of the Environment, Quebec Region, 105 McGill Street, 4th Floor, Montréal, Quebec H2Y 2E7, 514-496-6982 (fax), immersion.dpe@ec.gc.ca (email).

13.1. The Permittee must complete the *Register of Disposal at Sea Operations* as provided by the

Department of the Environment. This register must, at all times, be kept aboard any vessel involved with the disposal operations and be accessible to enforcement officers designated under the *Canadian Environmental Protection Act, 1999*.

13.2. The Permittee shall submit a written report to the Minister, as represented by the Regional Director identified in paragraph 13, within 30 days of either the completion of the work or the expiry of the permit, whichever comes first. This report shall contain the following information: a list of all work completed pursuant to the permit, including the names of the loading and disposal sites used, the quantity of matter disposed of at the disposal site(s), the dates on which disposal activities occurred and the *Register of Disposal at Sea Operations*.

13.3. The Permittee must keep a written register of the time of departure of the vessel to the disposal site and advise the Canadian Coast Guard station once per day of the departure times entered in the register. The Permittee must record these communications in the register mentioned in paragraph 13.1.

13.4. At all times, a copy of this permit, documents and drawings referenced in this permit shall be available at the loading site and on all powered ships directly engaged in the loading and disposal operations.

JEAN-PIERRE DES ROSIERS  
*Regional Director*  
*Environmental Protection Operations Division*  
*Quebec Region*  
On behalf of the Minister of the Environment

[31-1-o]

## DEPARTMENT OF THE ENVIRONMENT

### CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice is hereby given that, pursuant to section 127 of the *Canadian Environmental Protection Act, 1999*, Disposal at Sea Permit No. 4543-2-06686 authorizing the loading for disposal and the disposal of waste or other matter at sea is approved.

1. *Permittee*: Notre Dame Seafoods Incorporated, Comfort Cove, Newfoundland and Labrador.
2. *Waste or other matter to be disposed of*: Fish waste and other organic matter resulting from industrial fish processing operations.
  - 2.1. *Nature of waste or other matter*: Fish waste and other organic matter consisting of fish and shellfish waste.
3. *Duration of permit*: Permit is valid from September 3, 2011, to September 2, 2012.
4. *Loading site(s)*: Comfort Cove, Newfoundland and Labrador, at approximately 49°24.30' N, 54°51.30' W (NAD83).
5. *Disposal site(s)*: Comfort Cove, within a 250 m radius of 49°24.75' N, 54°50.40' W (NAD83), at an approximate depth of 60 m.
6. *Method of loading*:
  - 6.1. The Permittee shall ensure that the material is loaded onto floating equipment complying with all applicable rules regarding safety and navigation and capable of containing all waste cargo during loading and transit to the approved disposal site.
  - 6.2. The Permittee shall ensure that the waste to be disposed of is covered by netting or other material to prevent access by gulls and other marine birds, except during direct loading or disposal of the waste.
  - 6.3. Material loaded for the purpose of disposal at sea may not be held aboard any ship for more than 96 hours from the commencement of loading without the written consent of an enforcement

officer designated pursuant to subsection 217(1) of the *Canadian Environmental Protection Act, 1999*.

6.4. The loading and transit shall be completed in a manner that ensures that no material contaminates the marine environment, notably the harbour and adjacent beaches. The Permittee shall also ensure that the loading sites are cleaned up and, if necessary, that spilled wastes are recovered.

7. *Route to disposal site(s) and method of transport*: Most direct navigational route from the loading site to the disposal site.

8. *Method of disposal*:

8.1. The Permittee shall ensure that the waste to be disposed of is discharged from the equipment or ship while steaming within the disposal site boundaries and in a manner which will promote dispersion.

9. *Total quantity to be disposed of*: Not to exceed 750 tonnes.

10. *Inspection*:

10.1. By accepting this permit, the Permittee and their contractors accept that they are subject to inspection pursuant to Part 10 of the *Canadian Environmental Protection Act, 1999*.

11. *Contractors*:

11.1. The loading or disposal at sea referred to under this permit shall not be carried out by any person without written authorization from the Permittee.

11.2. The Permittee shall ensure that all persons involved in the loading, transport or disposal activities authorized by this permit conduct these activities in accordance with the relevant permit conditions.

12. *Reporting and notification*:

12.1. The Permittee shall provide the following information at least 48 hours before loading and disposal activities commence: name or number of ship, platform or structure used to carry out the loading and/or disposal, name of the contractor including corporate and on-site contact information, and expected period of loading and disposal activities. The above-noted information shall be submitted to Mr. Rick Wadman, Environmental Protection Operations Directorate, Environment Canada, 6 Bruce Street, Mount Pearl, Newfoundland and Labrador A1N 4T3, 709-772-5097 (fax), rick.wadman@ec.gc.ca (email).

12.2. The Permittee shall submit a written report to the Minister, as represented by the Regional Director of the Environmental Protection Operations Directorate, Atlantic Region, c/o Mr. Rick Wadman, as identified in paragraph 12.1, within 30 days of either the completion of the work or the expiry of the permit, whichever comes first. This report shall contain the following information: the quantity of matter disposed of at the disposal site(s) and the dates on which disposal activities occurred.

12.3. This permit shall be displayed in an area of the plant accessible to the public.

I. R. GEOFFREY MERCER  
*Regional Director*  
*Environmental Protection Operations Directorate*  
*Atlantic Region*  
On behalf of the Minister of the Environment

[31-1-o]

## DEPARTMENT OF THE ENVIRONMENT

### CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

*Ministerial Condition No. EAU-591*

Whereas the Minister of the Environment and the Minister of Health have assessed information pertaining to the substance 1-Octanamine, N,N'-(1,10-decanediyl-di-1(4H)-pyridinyl-4-ylidene)bis-, hydrochloride (1:2), Chemical Abstracts Service No. 70775-75-6;

And whereas the ministers suspect that the substance is toxic or capable of becoming 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.

PETER KENT  
*Minister of the Environment*

**This Web page has been archived on the Web.**

#### Conditions

(Paragraph 84(1)(a) of the *Canadian Environmental Protection Act, 1999*)

1. The following definitions apply in these ministerial conditions:

"notifier" means the person who has, on March 17, 2011, provided to the Minister of the Environment the prescribed information concerning the substance, in accordance with subsection 81(1) of the *Canadian Environmental Protection Act, 1999*.

"substance" means 1-Octanamine, N,N'-(1,10-decanediyl-di-1(4H)-pyridinyl-4-ylidene)bis-, hydrochloride (1:2), Chemical Abstracts Service No. 70775-75-6.

2. The notifier may manufacture or import the substance in accordance with the present ministerial conditions.

#### *Restriction*

3. The notifier may manufacture or import the substance in order to use it only at a concentration of 1.0% or less in personal care products other than spray-applied products.

#### *Restrictions for Returnable Vessels*

4. Prior to returning returnable vessels that contained the substance to the supplier, the notifier shall follow the following procedures:

- (a) the vessels shall be sealed to prevent the release of the substance; or
- (b) all residual substance shall be removed from the vessels and collected.

#### *Restrictions for Non-returnable Vessels*

5. When disposing of, destroying or reusing non-returnable vessels that contained the substance, the notifier shall follow the following procedures:

- (a) the vessels shall be sealed prior to being destroyed or disposed of; or
- (b) all residual substance shall be removed from the vessels and collected before the vessels are disposed of, destroyed or reused.

#### *Restrictions for Handling of the Substance*

6. When handling the substance, the notifier shall follow the following procedures:

- (a) any handling of the uncontained substance shall be carried out in a contained facility where any release of the substance to the environment is prevented;
- (b) any spillage of the substance must be collected; and
- (c) effluents from the cleaning of the equipment that has been in contact with the substance shall be collected.

#### *Disposal Restrictions*

7. The substance collected in application of paragraphs 4(b), 5(b) and item 6, and the non-returnable vessels described in paragraph 5(a), must be destroyed or disposed of by

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

(b) deposition in a secure landfill, in accordance with the laws of the jurisdiction where the landfill is located.

#### *Environmental Release*

8. Where any release of the substance to the environment occurs, measures necessary to prevent any further release and to limit the dispersion of the substance shall be taken. 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*

9. (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 use of the substance;

(b) the quantity of the substance that the notifier manufactures, imports, purchases, sells and uses;

(c) the name and address of each person obtaining the substance from the notifier; and

(d) the name and address of the person in Canada who has disposed of the substance or of the vessels for the notifier, the method used to do so, and the quantities of the substance or vessels shipped to that person.

(2) The notifier shall maintain electronic or paper records mentioned in subitem (1) at the principal place of business in Canada of a representative of the notifier for a period of at least five years.

#### *Other Requirements*

10. The notifier shall inform all persons who obtain the substance from them, in writing, of the terms of these ministerial conditions. The notifier shall obtain, prior to any transfer of the substance, written confirmation from these persons that they will comply with the terms of these ministerial conditions as if they had been imposed on them. This written confirmation shall be maintained at the notifier's principal place of business in Canada for a period of at least five years.

#### *Coming into Force*

11. The present ministerial conditions come into force on July 15, 2011.

[31-1-o]

## **DEPARTMENT OF THE ENVIRONMENT**

### **CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999**

*Notice of intent to amend the Domestic Substances List under subsection 87(3) of the Canadian Environmental Protection Act, 1999 to indicate that subsection 81(3) of that Act applies to three substances*

Whereas the three substances set out in Annex 1 to this notice are specified on the *Domestic Substances List*;

Whereas the Minister of the Environment and the Minister of Health have conducted a screening assessment of each of the three substances set out in Annex 1 to this notice, pursuant to section 68 or 74 of the *Canadian Environmental Protection Act, 1999* and have released proposed risk management approaches on August 1 and August 22, 2009, for a 60-day public comment period, in which the risk management objective is to reduce or eliminate the amount currently in use in Canada, and to prevent increases in exposure from these substances;

Whereas the Ministers are satisfied that Sulfuric acid, diethyl ester set out in Annex 1 to this Notice, in any one calendar year, is not being manufactured in Canada by any person in a quantity of more than 100 kg and is only being imported into Canada in a quantity of more than 100 kg for a limited number of uses;

Whereas the Ministers are satisfied that Sulfuric acid, dimethyl ester set out in Annex 1 to this Notice, in any one calendar year, is not being manufactured in Canada by any person in a quantity of more than 100 kg and is only being imported into Canada in a quantity of more than 100 kg for a limited number of uses;

Whereas the Ministers are satisfied that Ethanol, 2-chloro-, phosphate set out in Annex 1 to this Notice, in any one calendar year, is not being manufactured in or imported into Canada by any person in a quantity of more than 100 kg;

And whereas the Ministers suspect that information received in respect of a new activity in relation to any of the substances set out in Annex 1 to this Notice may contribute to determine the circumstances in which a substance is toxic or capable of becoming toxic within the meaning of section 64 of the *Canadian Environmental Protection Act, 1999*,

Therefore, notice is hereby given that the Minister of the Environment intends to amend the *Domestic Substances List* pursuant to subsection 87(3) of the *Canadian Environmental Protection Act, 1999* to indicate that subsection 81(3) of that Act applies to the three substances set out in Annex 1 to this Notice in accordance with Annex 2.

#### Public comment period

Any person may, within 60 days of publication of this notice, file with the Minister of the Environment comments with respect to this proposal. All comments must cite the *Canada Gazette*, Part I, and the date of publication of this notice and be sent to the Executive Director, Program Development and Engagement Division, Department of the Environment, Gatineau, Quebec K1A 0H3, 819-953-7155 (fax), substances@ec.gc.ca (email).

The screening assessment reports and the proposed risk management approach documents for these substances may be obtained from the Government of Canada's Chemical Substances Web site at [www.chemicalsubstanceschimiques.gc.ca](http://www.chemicalsubstanceschimiques.gc.ca).

In accordance with section 313 of the *Canadian Environmental Protection Act, 1999*, any person who provides information in response to this Notice may submit with the information a request that it be treated as confidential.

DAVID MORIN  
*Acting Director General*  
*Science and Risk Assessment Directorate*  
On behalf of the Minister of the Environment  
MARGARET KENNY  
*Director General*  
*Chemicals Sectors Directorate*  
On behalf of the Minister of the Environment

#### ANNEX 1

##### **The substances to which the present Notice applies are**

1. Sulfuric acid, diethyl ester (Chemical Abstracts Service [CAS] Registry No. 64-67-5);
2. Sulfuric acid, dimethyl ester (CAS Registry No. 77-78-1); and
3. Ethanol, 2-chloro-, phosphate (CAS Registry No. 115-96-8).

#### ANNEX 2

**1. Part 1 of the *Domestic Substances List* is proposed to be amended by deleting the following:**



64-67-5

77-78-1

115-96-8

**2. Part 2 of the List is proposed to be amended by adding the following:**

<b>Column 1 Substance</b>	<b>Column 2 Significant New Activity for which substance is subject to subsection 81(3) of the Act</b>
64-67-5 S'	<ol style="list-style-type: none"> <li>1. Any activity involving, in any one calendar year, more than 100 kg of the substance Sulfuric acid, diethyl ester, other than its use as a processing aid in the manufacture of abrasive grinding tools.</li> <li>2. For each significant new activity, the following information must be provided to the Minister at least 180 days before the day on which the quantity of the substance exceeds 100 kg in any one calendar year: <ol style="list-style-type: none"> <li>(a) a description of the proposed new activity in relation to the substance;</li> <li>(b) the information specified in Schedule 4 to the <i>New Substances Notification Regulations (Chemicals and Polymers)</i>;</li> <li>(c) the information specified in subitems 2(d) to (f) and items 8 and 9 of Schedule 5 to those Regulations; and</li> <li>(d) the information specified in item 11 of Schedule 6 to those Regulations.</li> </ol> </li> <li>3. The above information will be assessed within 180 days after the day on which it is received by the Minister.</li> </ol>
77-78-1 S'	<ol style="list-style-type: none"> <li>1. Any activity involving, in any one calendar year, more than 100 kg of the substance Sulfuric acid, dimethyl ester, other than its use as an alkylating agent in the manufacture of pharmaceutical intermediate in the production of a drug regulated under the <i>Food and Drugs Act</i>.</li> <li>2. For each significant new activity, the following information must be provided to the Minister at least 180 days before the day on which the quantity of the substance exceeds 100 kg in any one calendar year: <ol style="list-style-type: none"> <li>(a) a description of the proposed new activity in relation to the substance;</li> <li>(b) the information specified in Schedule 4 to the <i>New Substances Notification Regulations (Chemicals and Polymers)</i>;</li> <li>(c) the information specified in subitems 2(d) to (f) and items 8 and 9 of Schedule 5 to those Regulations; and</li> <li>(d) the information specified in item 11 of Schedule 6 to those Regulations.</li> </ol> </li> <li>3. The above information will be assessed within 180 days after the day on which it is received by the Minister.</li> </ol>
115-96-8 S'	<ol style="list-style-type: none"> <li>1. Any activity involving, in any one calendar year, more than 100</li> </ol>

- kg of the substance Ethanol, 2-chloro-, phosphate.
2. For each significant new activity, the following information must be provided to the Minister at least 180 days before the day on which the quantity of the substance exceeds 100 kg in any one calendar year:
    - (a) a description of the proposed new activity in relation to the substance;
    - (b) the information specified in Schedule 4 to the *New Substances Notification Regulations (Chemicals and Polymers)*;
    - (c) the information specified in subitems 2(d) to (f) and items 8 and 9 of Schedule 5 to those Regulations; and
    - (d) the information specified in item 11 of Schedule 6 to those Regulations.
  3. The above information will be assessed within 180 days after the day on which it is received by the Minister.

### COMING INTO FORCE

#### 3. The Order would come into force on the day on which it is registered.

[31-1-o]

## DEPARTMENT OF THE ENVIRONMENT

### CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

#### *Order 2011-66-07-01 Amending the Non-domestic Substances List*

The Minister of the Environment, pursuant to subsection 66(2) of the *Canadian Environmental Protection Act, 1999* ([see footnote a](#)), hereby makes the annexed *Order 2011-66-07-01 Amending the Non-domestic Substances List*.

Gatineau, June 20, 2011

PETER KENT  
*Minister of the Environment*

### ORDER 2011-66-07-01 AMENDING THE NON-DOMESTIC SUBSTANCES LIST

#### AMENDMENTS

**1. (1) Part I of the *Non-domestic Substances List* ([see footnote 1](#)) is amended by deleting the following:**

300711-92-6

**(2) Part I of the List is amended by adding the following in numerical order:**

583-71-1

2749-59-9

3279-07-0

5205-95-8

13049-88-2

26504-29-0

35265-04-4

62037-80-3  
64366-80-9  
66456-53-9  
68650-79-3  
78347-54-3  
84238-19-7  
85586-25-0  
91051-16-0  
91051-34-2  
93572-08-8  
100370-05-6  
103051-64-5  
129316-65-0  
135285-90-4  
142994-05-6  
143314-17-4  
156074-98-5  
181940-38-5  
182507-94-4  
342573-75-5  
437708-99-1  
685090-07-7  
705265-31-2  
705948-90-9  
736179-59-2  
742072-74-8  
891196-33-1  
922725-42-6  
950854-40-7  
1005516-89-1  
1008753-84-1  
1034798-23-6  
1048028-77-8  
1062586-89-3

1067881-45-1  
1069136-34-0  
1072006-42-8  
1072846-54-8  
1087244-05-0  
1092785-58-4  
1092785-68-6  
1117804-71-3  
1137739-11-7  
1155405-59-6  
1158078-68-2  
1159574-01-2  
1160106-68-2  
1174016-25-1  
1188537-69-0  
1190961-34-2  
1192165-98-2  
1204212-40-7  
1204213-28-4  
1204213-32-0  
1204213-34-2  
1204515-04-7  
1204515-10-5  
1208234-05-2  
1223312-07-9  
1224429-82-6  
1224877-20-6  
1227181-92-1

**2. Part II of the List is amended by adding the following in numerical order:**

18237-3

Alkylthioic acid, *S*-[3-(triethoxysilyl)propyl]ester, reaction products with 2-methyl-alkyldiol and 3-(triethoxysilyl)-1-propanethiol

18259-7

Tin, substituted [29*H*, 31*H*-phthalocyaninato-*N*29, *N*30, *N*31, *N*32]-

18269-8

Naphthalene sulfonic acid, alkyl derivatives, calcium salts

18278-8

Phosphoric acid, bis(2-ethylhexyl)ester, compound with alkylamines

18279-0

Phosphoric acid, mono(2-ethylhexyl)ester, compound with alkylamines

18281-2

Alkanoic acid, compound with dimethyl-amino alkyl cycloamine

### COMING INTO FORCE

**3. This Order comes into force on the day on which it is published in the *Canada Gazette*.**

[31-1-o]

## DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

*Order 2011-87-07-04 Amending the Non-domestic Substances List*

Whereas, pursuant to subsections 87(1) and (5) of the *Canadian Environmental Protection Act, 1999* ([see footnote b](#)), the Minister of the Environment has added the substances referred to in the annexed Order to the *Domestic Substances List* ([see footnote c](#));

Therefore, the Minister of the Environment, pursuant to subsections 87(1) and (5) of the *Canadian Environmental Protection Act, 1999* ([see footnote d](#)), hereby makes the annexed *Order 2011-87-07-04 Amending the Non-domestic Substances List*.

Gatineau, June 21, 2011

PETER KENT  
*Minister of the Environment*

## ORDER 2011-87-07-04 AMENDING THE NON-DOMESTIC SUBSTANCES LIST

### AMENDMENT

**1. Part I of the *Non-domestic Substances List* ([see footnote 2](#)) is amended by deleting the following:**

9006-27-3

50885-72-8

58924-00-8

68649-35-4

118577-90-5

864529-51-1

### COMING INTO FORCE

**2. This Order comes into force on the day on which *Order 2011-87-07-05 Amending the Domestic Substances List* comes into force.**

[31-1-o]

**DEPARTMENT OF HEALTH****CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999***Residential Indoor Air Quality Guideline for Toluene*

Pursuant to subsection 55(3) of the *Canadian Environmental Protection Act, 1999*, the Minister of Health hereby gives notice of a residential indoor air quality guideline for toluene. The following exposure limits are recommended:

Exposure period	Concentration	
	mg/m <sup>3</sup>	ppm
Short-term	15	4.0
Long-term	2.3	0.6

July 12, 2011

KAREN LLOYD  
*Director General*  
*Safe Environments Directorate*  
 On behalf of the Minister of Health

**RESIDENTIAL INDOOR AIR QUALITY GUIDELINE: TOLUENE***Physical and chemical properties*

Toluene is a clear, colourless liquid with a sweet, pungent odour. It is produced commercially, primarily through the catalytic conversion of petroleum or recovered as a by-product of the coke oven industry.

Molecular formula	C <sub>6</sub> H <sub>5</sub> CH <sub>3</sub>
Molecular weight	92.13 g/mol
Vapour pressure	28.7 mm Hg at 25°C
Boiling point	110.6°C
Conversion factor	1 ppm = 3.77 mg/m <sup>3</sup>

*Sources and concentrations in indoor environments*

A review of toluene sources and concentrations has been published by the World Health Organization (1985). Exposure to toluene is generally via indoor air (United States Environmental Protection Agency, 1992; Hodgson, 2000; Kim, Harrad and Harrison, 2001; Hodgson and Levin, 2003; Won et al., 2005; Héroux et al., 2008). Indoor sources of toluene include building materials (e.g. solvent- and water-based adhesives, floor coverings, paint, chipboard), consumer and automotive products (e.g. cleaners, polishes, adhesive products, oils, greases, lubricants), and environmental tobacco smoke. In attached garages, toluene generated by running engines or by product storage may also infiltrate into the indoor environment.

Canadians' exposure to toluene is attributed predominantly to indoor air, because indoor air levels generally exceed ambient air levels, and because of the greater time spent indoors.

Median concentrations of toluene measured in Canadian residences range from 5.5 to 24.7  $\mu\text{g}/\text{m}^3$  (0.0055 to 0.0247  $\text{mg}/\text{m}^3$ ) and average concentrations from 11.5 to 34.4  $\mu\text{g}/\text{m}^3$  (0.0115 to 0.0344  $\text{mg}/\text{m}^3$ ) [Zhu et al., 2005; Héroux et al., 2008; Health Canada, 2010b; Health Canada, 2010c]. Peak concentrations can reach values one to two orders of magnitude higher.

#### *Health effects*

Exposure to toluene has been shown to cause eye, nose, and throat irritation as well as headaches, dizziness, and feelings of intoxication. It has also been linked to neurological effects including poorer performances in tests of short-term memory, attention and concentration, visual scanning, perceptual motor speeds, and finger dexterity in the completion of physical tasks as well as negative effects on colour vision and auditory capacity.

In controlled exposure studies, healthy adults exposed to toluene for 4.5 to 7 hours reported increased eye, nose, and throat irritation as well as headaches, dizziness or feelings of intoxication at concentrations ranging from 189 to 566  $\text{mg}/\text{m}^3$  (Andersen, Lundqvist and Molhave, 1983; Baelum et al., 1990), but not at 38 or 151  $\text{mg}/\text{m}^3$  (Andersen, Lundqvist and Molhave, 1983).

Several occupational studies have reported effects of toluene on neurobehavioural endpoints (tests of manual dexterity, visual competency, and attention span) at concentrations ranging from 264 to 441  $\text{mg}/\text{m}^3$  (Foo, Phoon and Lee, 1988; Foo, Jeyaratnam and Koh, 1990; Boey, Foo and Jeyaratnam, 1997; Eller, Netterstrom and Laursen, 1999; Kang et al., 2005). No effects were seen at concentrations ranging from 75 to 113  $\text{mg}/\text{m}^3$  (Kang et al., 2005), nor was any difference seen between exposed workers (98  $\text{mg}/\text{m}^3$ ) and a reference group (11  $\text{mg}/\text{m}^3$ ) [Seeber et al., 2004; Seeber et al., 2005].

In general, results from animal studies are consistent with data obtained in occupational and controlled human exposure studies. There is evidence of airway inflammation and immunologic response in mice exposed to toluene as well as degeneration in the olfactory and respiratory epithelium of the nasal cavity, and hearing loss and neurological deficits in rats exposed to toluene. Similarities between the effects observed in animal studies and those seen in human studies strengthen the biological plausibility of a link between exposure to toluene and observed outcomes.

#### *Assessment under the Canadian Environmental Protection Act, 1999 (CEPA 1999)*

Toluene was previously assessed as part of the First Priority Substances List (PSL1) assessments under the 1988 *Canadian Environmental Protection Act* in 1992–1993. Toluene was considered as not entering the environment in a quantity or under conditions that may be harmful to the environment, or that may constitute a danger to the environment on which life depends or to human life or health.

On April 27, 2007, the Government of Canada released the Regulatory Framework for Air Emissions, which is a national plan to develop and implement regulations and other measures to reduce air emissions. As part of this plan, Health Canada, in consultation with provincial and territorial health departments, developed a priority list of indoor air contaminants that were national in scope and required government action. Through this process, toluene was identified as an indoor air priority pollutant.

#### *Residential indoor air quality guideline for toluene*

A short-term exposure limit was derived based on a no observed adverse effect level (NOAEL) of 151  $\text{mg}/\text{m}^3$  from the study by Andersen et al. (1983) of healthy adult volunteers exposed for seven hours to toluene, and screened for neurologically related symptoms (headaches, dizziness, intoxication). Applied to this NOAEL was an uncertainty factor of 10 (3.16 for pharmacokinetics and 3.16 for pharmacodynamics) to account for the potential differences in sensitivity among individuals.

A long-term exposure limit was derived from an NOAEL of 98  $\text{mg}/\text{m}^3$  from the studies by Seeber et al. (2004; 2005) of printing shop workers exposed for more than 20 years to toluene, and screened

for neurobehavioural endpoints (attention span, psychomotor function, memory). This value was then adjusted to account for the difference in the duration of exposure for people in a workplace compared to a residence (i.e. from 8 hours/day, 5 days/week to 24 hours/day, 7 days/week). Applied to this value was an uncertainty factor of 10 (3.16 for pharmacokinetics and 3.16 for pharmacodynamics) to account for the potential differences in sensitivity among individuals.

The recommended short- and long-term maximum exposure limits for toluene are presented in the table below, along with the critical health effects on which they were based. The averages over 8- and 24-hour sampling times are recommended as appropriate indicators of short- and long-term exposure levels, respectively. Exposure to indoor air concentrations above these limits may result in potential health effects.

#### Residential maximum exposure limits for toluene

Exposure limit	Concentration		Critical effects
	mg/m <sup>3</sup>	ppm	
Short-term	15	4.0	<ul style="list-style-type: none"> <li>Neurologically related symptoms (headaches, dizziness, and feelings of intoxication)</li> </ul>
Long-term	2.3	0.6	<ul style="list-style-type: none"> <li>Neurobehavioural test results</li> </ul>

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[31-1-o]

## DEPARTMENT OF HEALTH

### FOOD AND DRUGS ACT

#### Food and Drug Regulations — Amendments

##### Interim Marketing Authorization

Provision currently exists in the *Food and Drug Regulations* (the Regulations) for the use of citric acid as a pH-adjusting agent in a variety of foods, including a number of standardized and unstandardized fruit and vegetable products.

Health Canada has received a submission to permit the use of citric acid as a pH-adjusting agent in canned cut baby corn at a maximum level of use of 0.03%. Evaluation of available data supports the safety and effectiveness of citric acid as a pH-adjusting agent in the production of this food product.

The use of citric acid will benefit consumers by increasing the availability of food products. It will also benefit industry through more efficient and improved manufacturing conditions.

Therefore, it is the intention of Health Canada to recommend that the Regulations be amended to permit the use of citric acid as a pH-adjusting agent in the production of canned cut baby corn at a maximum level of use consistent with good manufacturing practice.

As a means to improve the responsiveness of the regulatory system, an Interim Marketing Authorization is being issued to permit the immediate use of citric acid, as indicated above, while the regulatory process is undertaken to amend the Regulations. The standardized food described above is exempt from sections 6 and 6.1 of the *Food and Drugs Act*, paragraphs B.01.042(a) and (c) and B.11.002(d), and section B.16.007 of the Regulations.

The proposed regulatory amendments would be enabling measures to allow the sale of additional foods containing citric acid as a pH-adjusting agent. The amendments are supported by the safety assessment and would have low impact on the economy and on the environment. Consequently, the regulatory amendments may proceed directly to final approval and publication in the *Canada Gazette*, Part II.

Interested persons may make representations, with respect to Health Canada's intention to amend the Regulations, within 75 days after the date of publication of this notice. All such representations must cite the *Canada Gazette*, Part I, and the date of publication of this notice, and be addressed to the contact person identified below.

#### Contact

Rick O'Leary, Acting Associate Director, Bureau of Food Regulatory, International and Interagency Affairs, Health Canada, 251 Sir Frederick Banting Driveway, Address Locator 2203B, Ottawa, Ontario K1A 0K9, 613-957-1750 (telephone), 613-941-6625 (fax), sche-ann@hc-sc.gc.ca (email).

July 19, 2011

PAUL GLOVER  
*Assistant Deputy Minister  
Health Products and Food Branch*

[31-1-o]

## NOTICE OF VACANCIES

### CANADIAN HUMAN RIGHTS TRIBUNAL

#### *Members (full-time)*

Location: National Capital Region

Salary range: \$135,300–\$159,200

The Canadian Human Rights Tribunal (the Tribunal) is a quasi-judicial body that hears complaints of discrimination referred by the Canadian Human Rights Commission and determines whether the activities complained of violate the *Canadian Human Rights Act* (CHRA). The purpose of the CHRA is to protect individuals from discrimination and to promote equal opportunity. The Tribunal also decides cases brought under the *Employment Equity Act*.

The Tribunal carries out its mandate through public hearings of complaints of discrimination based on the grounds enumerated in the CHRA: race, colour, national or ethnic origin, religion, age, sex, marital status, family status, disability, conviction for which a pardon has been granted and sexual orientation. The Tribunal's jurisdiction covers matters that come within the legislative authority of the Parliament of Canada, including federal government departments, agencies and Crown corporations, as well as banks, airlines and other federally regulated employers and providers of goods, services, facilities and accommodation.

Members are principally responsible for the adjudication of complaints filed under the *Canadian Human Rights Act*. Members, under the direction of the Chairperson, contribute to the development of the Tribunal's policies and procedures for human rights adjudications and to the development of training programs that ensure the best possible adjudication services are provided to Canadians.

Note: This process may also be used to identify candidates for part-time Member positions with a salary range of \$675 to \$795 per diem.

Qualified candidates must have a law degree from a recognized university and be a member in

good standing of the Bar of a province or the *Chambre des notaires du Québec* for at least 10 years. In addition, the qualified candidates must have experience, expertise and interest in, and sensitivity to, human rights issues. Part-time members are not required to be members of the bar of a province or the *Chambre des notaires du Québec*.

The preferred candidates will have demonstrated experience in the interpretation and application of legislation in a quasi-judicial context as well as demonstrated decision-making experience with respect to sensitive issues. Experience as a member or legal counsel of a quasi-judicial tribunal would be considered an asset.

The ideal candidates must have general knowledge of human rights law, as well as knowledge of public law, including administrative and constitutional law, in addition to knowledge of the *Canadian Human Rights Act*, the *Employment Equity Act* and other related legislation. They should also possess knowledge of the principles of natural justice and rules of practice followed by administrative tribunals in Canada, and possess a solid understanding of the procedures and practices involved in conducting a quasi-judicial hearing.

The successful candidates will have the ability to interpret relevant statutes, regulations, and policies. The ability to analyze and evaluate complex and voluminous evidence in order to make sound and equitable decisions and recommendations is required. They should also have the ability to work independently and as a team member, and be able to conduct proactive, fair and efficient quasi-judicial hearings. The ability to communicate effectively both orally and in writing is essential.

The chosen candidates must possess high ethical standards and integrity, superior interpersonal skills, impartiality, sound judgement and tact.

Proficiency in both official languages is preferred. Proficiency in other languages would be considered an asset.

Full-time members of the Tribunal shall reside in the National Capital Region, as described in the schedule to the *National Capital Act*, or within 40 km of that Region (part-time members must reside in Canada). All members must be willing to travel for extended periods of time to attend hearings and conferences in all parts of Canada.

The Government is committed to ensuring that its appointments are representative of Canada's regions and official languages, as well as of women, Aboriginal peoples, disabled persons and visible minorities.

The preferred candidates must comply with the *Ethical and Political Activity Guidelines for Public Office Holders*. These guidelines are available on the Governor in Council Appointments Web site, under "Reference Material," at [www.appointments-nominations.gc.ca](http://www.appointments-nominations.gc.ca).

The selected candidates will be subject to the *Conflict of Interest Act*. Public office holders appointed on a full-time basis must submit to the Office of the Conflict of Interest and Ethics Commissioner, within 60 days of appointment, a Confidential Report in which they disclose all of their assets, liabilities and outside activities. For more information, please visit the Office of the Conflict of Interest and Ethics Commissioner's Web site at <http://ciec-ccie.gc.ca>.

This notice has been placed in the *Canada Gazette* to assist the Governor in Council in identifying qualified candidates for these positions. It is not, however, intended to be the sole means of recruitment.

Further details about the organization and its activities can be found on its Web site at [www.chrt-tcdp.gc.ca](http://www.chrt-tcdp.gc.ca).

Interested candidates should forward their curriculum vitae by August 15, 2011, to the Assistant Secretary to the Cabinet (Senior Personnel), Privy Council Office, 59 Sparks Street, 1st Floor, Ottawa, Ontario K1A 0A3, 613-957-5006 (fax), [GICA-NGEC@pco-bcp.gc.ca](mailto:GICA-NGEC@pco-bcp.gc.ca) (email).

Bilingual notices of vacancies will be produced in an alternative format (audio cassette, diskette, Braille, large print, etc.) upon request. For further information, please contact Publishing and Depository Services, Public Works and Government Services Canada, Ottawa, Ontario K1A 0S5, 613-941-5995 or 1-800-635-7943.

[Footnote a](#)

S.C. 1999, c. 33

[Footnote b](#)

S.C. 1999, c. 33

[Footnote c](#)

SOR/94-311

[Footnote d](#)

S.C. 1999, c. 33

[Footnote 1](#)

Supplement, *Canada Gazette*, Part I, January 31, 1998

[Footnote 2](#)

Supplement, *Canada Gazette*, Part I, January 31, 1998

Date modified: 2011-10-01