

Canada Gazette

[Home](#)

> [Publications](#)

> [ARCHIVED — Vol. 145 \(2011\)](#)

> [ARCHIVED — September 17, 2011](#)

> ARCHIVED — GOVERNMENT NOTICES

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Vol. 145, No. 38 — September 17, 2011

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Ministerial Condition No. 8720a (Variation to Ministerial Condition No. 8720)

Whereas the Minister of the Environment has previously imposed Ministerial Condition No. 8720 pertaining to the substance 1,2-Benzenedicarboxylic acid, 3,4,5,6-tetrabromo-, bis(2-ethyl-hexyl) ester, Chemical Abstracts Service No. 26040-51-7, on July 1, 2000;

Whereas the Minister of Health and the Minister of the Environment have assessed additional information pertaining to the substance;

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The Minister of the Environment hereby varies Ministerial Condition No. 8720 pursuant to subsection 84(3) of the *Canadian Environmental Protection Act, 1999*, in accordance with the following annex.

PETER KENT
Minister of the Environment

ANNEX

Variation to Ministerial Condition No. 8720

(Subsection 84(3) of the *Canadian Environmental Protection Act, 1999*)

1. Items 1 to 3 of Ministerial Condition No. 8720 as well as the preceding header and paragraph are replaced by the following:

1. The following definitions apply in these ministerial conditions:

“notifier” means the person who has, on March 22, 2011, provided to the Minister of the Environment additional information in accordance with the present ministerial conditions as they read on that day.

“substance” means 1,2-Benzenedicarboxylic acid, 3,4,5,6-tetrabromo-, bis(2-ethyl-hexyl) ester, Chemical Abstracts Service No. 26040-51-7.

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

ministerial conditions.

Restriction

3. The notifier may import the substance in order to use it only as a flame retardant component of thermoplastic parts and thermoplastic coatings.

4. At least 120 days prior to beginning the manufacturing of the substance in Canada, the notifier shall inform the Minister of the Environment, in writing, and provide the following information:

- (a) the information specified in Schedule 4 to the *New Substances Notification Regulations (Chemicals and Polymers)*;
- (b) the information specified in item 8 of Schedule 5 to those Regulations;
- (c) the information specified in item 11 of Schedule 6 to those Regulations;
- (d) a brief description of the manufacturing process that details precursors of the substance, reaction stoichiometry, nature (batch or continuous) and scale of the process;
- (e) a flow diagram of the manufacturing process that includes features such as process tanks, holding tanks and distillation towers; and
- (f) a brief description of the major steps in manufacturing operations, the chemical conversions, the points of entry of all feedstock and the points of release of substances, and the processes to eliminate environmental release.

Application

5. Items 6 to 9 do not apply if the substance is imported already compounded into thermoplastic material in the form of pellets or flakes.

Returnable Vessels

6. 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.

Non-returnable Vessels

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

Handling of the Substance

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

- (a) any handling, processing and formulation involving 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;
- (c) effluents from the cleaning of the equipment that has been in contact with the substance shall be collected; and
- (d) off-specification formulations containing the substance must be collected.

Disposal

9. The substance, the effluents described in paragraph 8(c), the off-specification formulations described in paragraph 8(d) or the non-returnable vessels described in item 7 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

10. Where any release of the substance to the environment occurs, other than those resulting from its normal use as a flame retardant component of thermoplastic parts and thermoplastic coatings, 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

11. (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 destroyed or disposed of the substance for the notifier, the effluents that have been in contact with the substance, the off-specification formulations containing the substance or the non-returnable vessels that contained the substance, the method used to do so, and the quantities of each 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 from the day they are made.

Other Requirements

12. 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 were informed of the terms of these ministerial conditions. This written confirmation shall be maintained at the notifier's principal place of business in Canada for a period of at least five years from the day it was received.

Coming into Force

13. The present variation to ministerial condition No. 8720 comes into force on September 7, 2011.

[38-1-o]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Significant New Activity Notice No. 16421

Significant New Activity Notice

(Section 85 of the *Canadian Environmental Protection Act, 1999*)

Whereas the Minister of the Environment and the Minister of Health have assessed information in respect of the substance 2-Propenoic acid, 2-methyl-, alkyl ester, polymer with perfluoroalkylethyl 2-methyl-2-propenoate and vinyl chloride, under section 83 of the *Canadian Environmental Protection Act, 1999*;

Whereas the substance is not specified on the *Domestic Substances List*;

And whereas the Ministers suspect that a significant new activity in relation to the substance may result in the substance becoming toxic within the meaning of section 64 of the *Canadian Environmental Protection Act, 1999*,

Therefore, the Minister of the Environment indicates, pursuant to section 85 of the *Canadian Environmental Protection Act, 1999*, that subsection 81(4) of that Act applies to the substance in accordance with the Annex.

PETER KENT
Minister of the Environment

ANNEX

Information Requirements

(Section 85 of the *Canadian Environmental Protection Act, 1999*)

1. In relation to the substance 2-Propenoic acid, 2-methyl-, alkyl ester, polymer with perfluoroalkylethyl 2-methyl-2-propenoate and vinyl chloride, a significant new activity is the use of the substance in aerosol or spray-applied products intended for consumers.

2. The following information must be provided to the Minister, at least 90 days before the commencement of each proposed significant new activity:

- (a) a description of the proposed significant new activity in relation to the substance;
- (b) the information specified in Schedule 9 to the *New Substances Notification Regulations (Chemicals and Polymers)*;
- (c) the information specified in item 5 of Schedule 10 to those Regulations;
- (d) the following information:

- (i) the test data and a test report of a 90-day inhalation study in rats on 6:2 Fluorotelomer alcohol, conducted according to the methodology described in the Organisation for Economic Co-operation and Development (OECD) Test Guideline No. 413 titled *Subchronic Inhalation Toxicity: 90-day Study*, and in conformity with the *OECD Principles of Good Laboratory Practice (GLP)* set out in Annex 2 of the *Decision of the Council Concerning the Mutual Acceptance of Data in the Assessment of Chemicals*, adopted on May 12, 1981, and where both the OECD Test Guideline and principles of GLP are current at the time the test data are developed, or
- (ii) any other equivalent study or information, which will permit assessment of the subchronic inhalation toxicity of 6:2 Fluorotelomer alcohol; and

(e) all other information or test data concerning the substance that are in the possession of the person who intends to use the substance for the proposed significant new activity, or to which they have access, and that are relevant to determining whether the substance is toxic or capable of becoming toxic, including information or test data that are relevant to determining the subchronic inhalation toxicity of the fluorotelomer-based degradation products of the substance.

3. The above information will be assessed within 90 days after the day on which it is received by the Minister.

EXPLANATORY NOTE

(This explanatory note is not part of the Significant New Activity Notice.)

A Significant New Activity Notice is a legal instrument issued by the Minister of the Environment pursuant to section 85 of the *Canadian Environmental Protection Act, 1999*. The Significant New Activity Notice sets out the appropriate information that must be provided to the Minister for assessment prior to the commencement of a new activity as described in the Notice.

Substances that are not listed on the *Domestic Substances List* can be manufactured or imported only by the person who has met the requirements set out in section 81 of the *Canadian Environmental Protection Act, 1999*. Under section 86 of the *Canadian Environmental Protection*

Act, 1999, in circumstances where a Significant New Activity Notice is issued for a new substance, it is the responsibility of every person who transfers the physical possession or control of the substance to notify all persons to whom the possession or control is transferred of the obligation to comply with the Significant New Activity Notice and of the obligation to notify the Minister of the Environment of any new activity and all other information as described in the Notice. It is the responsibility of the users of the substance to be aware of and comply with the Significant New Activity Notice and to submit a Significant New Activity notification to the Minister prior to the commencement of a significant new activity associated with the substance. However, as mentioned in subsection 81(6) of the *Canadian Environmental Protection Act, 1999*, a Significant New Activity notification is not required when the proposed new activity is regulated under an act or regulations listed on Schedule 2 to the *Canadian Environmental Protection Act, 1999*.

A Significant New Activity Notice does not constitute an endorsement from Environment Canada or the Government of Canada of the substance to which it relates, or an exemption from any other laws or regulations that are in force in Canada and that may apply to this substance or activities involving the substance.

[38-1-o]

DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

CRIMINAL CODE

Revocation of designation as fingerprint examiner

Pursuant to subsection 667(5) of the *Criminal Code*, I hereby revoke the designation of the following persons of the London Police as fingerprint examiners:

Gregory Childs

T. Brent Shea

Lino Emmanuel Prelazzi

Ottawa, August 31, 2011

RICHARD WEX
*Assistant Deputy Minister
Law Enforcement and Policing Branch*

[38-1-o]

DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

CRIMINAL CODE

Revocation of designation as fingerprint examiner

Pursuant to subsection 667(5) of the *Criminal Code*, I hereby revoke the designation of the following persons of the London Police as fingerprint examiners:

Richard Kim Stinson

Chester Yourek Olszewski

Alexander Duch

Rienk Feddema

Brian Stephen Allen

Ottawa, August 29, 2011

RICHARD WEX
*Assistant Deputy Minister
Law Enforcement and Policing Branch*

DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

CRIMINAL CODE

Revocation of designation as fingerprint examiner

Pursuant to subsection 667(5) of the *Criminal Code*, I hereby revoke the designation of the following persons of the Port Moody Police Department as fingerprint examiners:

K. G. A. Lylack

Bryon Ferguson

Byron Ferguson

Ottawa, August 29, 2011

RICHARD WEX
*Assistant Deputy Minister
Law Enforcement and Policing Branch*

[38-1-o]

DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

CRIMINAL CODE

Revocation of designation as fingerprint examiner

Pursuant to subsection 667(5) of the *Criminal Code*, I hereby revoke the designation of the following persons of the Winnipeg Police Service as fingerprint examiners:

Richard J. Beazley

J. Wayne Bellingham

David Buck

Paul Isaak

Brian H. McEachern

Ottawa, August 29, 2011

RICHARD WEX
*Assistant Deputy Minister
Law Enforcement and Policing Branch*

[38-1-o]

DEPARTMENT OF TRANSPORT

CANADA MARINE ACT

*Vancouver Fraser Port Authority — Supplementary letters patent***BY THE MINISTER OF TRANSPORT**

WHEREAS, pursuant to Part 5.1 of the *Port Authorities Management Regulations*, the Governor in Council issued a Certificate to Amalgamate containing Letters Patent to amalgamate the port authorities of Vancouver, Fraser River and North Fraser to continue as the Vancouver Fraser Port Authority ("Authority"), effective January 1, 2008;

WHEREAS Schedule C of the Letters Patent describes the real property, other than federal real property, held or occupied by the Authority and includes the two slivers of land, comprising 2.15

hectares, described below;

WHEREAS the said slivers of land are currently managed by the City of Richmond ("the City") and used for road and drainage ditch purposes;

WHEREAS the City wishes to acquire the said slivers of land from the Authority;

WHEREAS the Authority wishes to dispose of the said slivers of land to the City;

AND WHEREAS the board of directors of the Authority has requested that the Minister of Transport issue Supplementary Letters Patent to amend Schedule C of the Letters Patent to reflect the disposal of the said slivers of land;

NOW THEREFORE, under the authority of section 9 and subsection 46(2) of the *Canada Marine Act*, the Minister authorizes the disposal of the said slivers of land, and amends the Letters Patent to reflect this disposal by adding the following exceptions to the existing exceptions found at the end of the descriptions of real property relating to PID number 013-055-887 and PID number 004-137-973, respectively, in Schedule C of the Letters Patent:

1) to the end of the section describing the PID Number 013-055-887:

Fourthly:

That certain parcel or tract of land, measuring 10,732.5 square metres (1.07325 ha) more or less, situated in the City of Richmond, New Westminster Land Title District in the Province of British Columbia that may be more particularly described as follows:

Commencing at the south-west corner of Section 7, Block 4 North, Range 4 West except firstly: the north-east quarter, secondly: the east 12.5 chains of the south-east quarter and, thirdly: 0.919 acres on the north-west quarter on Plan with bylaw filed 53425 (New Westminster) LTO, said point also being the south-east corner of Section 12, Block 4 North, Range 5 West; thence 89° 56' 15", 13.058 metres to a point on the southerly boundary of said Section 7; thence parallel to the westerly boundary of said Section 7, 359° 50' 04", 807.133 metres; thence 269° 52' 53", 3.000 metres; thence 359° 50' 04", 19.202 metres to a point on the northerly boundary of said Section 7; thence westerly on said northerly boundary 269° 52' 53", 10.058 metres to the north-west corner of said Section 7, said point being also the northeast corner of aforesaid Section 12; thence southerly on the westerly boundary of said Section 7, 179° 50' 04", 826.322 metres, more or less, to the point of commencement.

2) to the end of the section describing the PID Number 004-137-973:

(3) That certain parcel or tract of land, measuring 10,734.2 square metres (1.07342 ha) more or less, situated in the City of Richmond, New Westminster Land Title District in the Province of British Columbia that may be more particularly described as follows:

Commencing at the south-east corner of Section 12, Block 4 North, Range 5 West except (1) Parcel "A" (Reference Plan 14013); (2) Part containing 5260.4 square metres on Plan BCP3593 (New Westminster) LTO, said point being also the south-west corner of Section 7, Block 4 North, Range 4 West; thence 271° 09' 47", 13.058 metres to a point on the southerly boundary of said Section 12; thence parallel to the easterly boundary of said Section 12, 359° 50' 04", 808.059 metres; thence 90° 15' 56", 3.000 metres; thence 359° 50' 04", 18.058 metres to a point on the northerly boundary of said Section 12; thence easterly on said northerly boundary 90° 15' 56", 10.058 metres to the northeast corner of said Section 12, said point being also the north-west corner of aforesaid Section 7; thence southerly on the easterly boundary of said Section 12, 179° 50' 04", 826.322 metres, more or less, to the point of commencement.

These Supplementary Letters Patent are to be effective on the date of registration in the New Westminster Land Title Office of the transfer documents evidencing the transfer of the said slivers of land from the Authority to the City.

Issued under my hand this 31st day of August, 2011.

Denis Lebel, P.C., M.P.

Minister of Transport

[38-1-o]

Date modified: 2011-10-01