

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Significant New Activity Notice No. 16056

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 1-Alkanol, polyfluoro-, reaction products with phosphorus oxide (P_2O_5), ammonium salts, 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 1-Alkanol, polyfluoro-, reaction products with phosphorus oxide (P_2O_5), ammonium salts, a significant new activity is the use of the substance in Canada, in any quantity, other than for use as

(a) an additive in paints and coatings;

(b) an additive in floor waxes and floor finishes; and

(c) a component of a protective sealer for stone, masonry, grout or concrete for application:

(i) in an industrial setting, or

(ii) in any other setting where a label is affixed to the container indicating that the product must not be spray applied.

2. Despite item 1, the use of the substance as a research and development substance, as this term is defined in subsection 1(1) of the *New Substances Notification Regulations (Chemicals and Polymers)*, is not a new activity.

3. 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 4 to the *New Substances Notification Regulations (Chemicals and Polymers)*;
 - (c) the information specified in items 8 and 10 of Schedule 5 to those Regulations;
 - (d) for use of the substance as a component of a product intended to be sprayed outside an industrial setting,
 - (i) the identification of the equipment that may be used for spraying or that is recommended by the product manufacturer for spraying, such as a low pressure hand-held pump spray, an aerosolizing applicator with propellant, or a pneumatic sprayer using a compressor,
 - (ii) the information describing the equipment and its operation, including its normal operating pressure,
 - (iii) the information describing the size and shape of the nozzle of the equipment which controls the spread of the spray jet,
 - (iv) the information regarding the particle size distribution of the applied spray produced by the equipment characterized by mean mass median aerodynamic diameter, and
 - (v) any information regarding safety labelling for the product containing the substance, such as recommended ventilation and personal protective equipment for users; 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.
4. 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.