

April 20, 2009

The Honourable Stephen Harper  
Prime Minister  
House of Commons  
PRIME MINISTER'S OFFICE  
111 Wellington Street  
Ottawa ON K1A 0A6 Canada

*Transmission by Fax: 613-941-6900*

Dear Mr. Prime Minister:

***Re: Canadian public interest organizations seek your commitment to support the global elimination of new POPs chemicals under the Stockholm Convention on POPs***

Canada has long been a leader in global efforts to eliminate persistent organic pollutants (POPs). These toxic chemicals are used extensively in industrial applications and consumer products. They are found to be persistent, bioaccumulative, and toxic and have the potential to travel thousands of kilometres from point of source. POPs are a particular concern in Canada because of their tendency to be deposited in the Arctic and their potential impact to the quality of the environment and human health. The need to take global action to eliminate POPs is an urgent matter of protecting Canadians and our environment in the North.

The undersigned Canadian environmental and health public interest organizations urge you and your Ministers to strengthen global efforts to eliminate persistent organic pollutants under the Stockholm Convention on Persistent Organic Pollutants (POPs) by adding nine new POPs chemicals and classes under Annex A (elimination).

Canada and the other 162 Parties to the Stockholm Convention will have the opportunity to add new POPs for international elimination efforts at the Fourth Conference of the Parties (COP4) scheduled May 4-8, 2009 in Geneva, Switzerland. The new POPs proposed for listing in Annex A (elimination) of the Stockholm Convention are listed below.

Pentabromodiphenyl ether (Penta BDE);	Octabromodiphenyl ether (OctaBDE)	Hexabromobiphenyl (HBB)
Lindane	Alpha hexachlorocyclohexane (Alpha HCH);	Beta hexachlorocyclohexane (Beta HCH)
Perfluorooctane sulfonate (PFOS)	Chlordecone	Pentachlorobenzene (PeCB)

These POPs currently have a wide range of applications. They are found in industrial settings, consumer products, and in pesticide products or produced as waste by-products.

We strongly urge Canada to support the listing of these POPs for elimination under Annex A of the Stockholm Convention at COP4 without exemptions.

It is our view that Canada is ideally positioned to seek the elimination of all POPs chemicals under consideration at COP4. Appropriate regulations or policy initiatives are in place to address all POPs chemicals in Canada and that will permit our country to meet these international obligations. **See attached table.**

There are a few POPs candidates for which Canada has exercised limited specific use exemptions, including PFOS and lindane. In these cases, appropriate measures can be taken by Canada over the next year to ensure that the complete elimination of these POPs is sought both in Canada and globally. For example, there are specific use exemptions for only five years as outlined for PFOS under the *Perfluorooctane Sulfonate and its Salts and Certain Other Compounds Regulations (SOR/2008-178)*. Despite these exemptions, the goal of elimination for PFOS in Canada is achievable under the current regulations. At COP4, Canada should advocate for a listing of PFOS in Annex A. This should be done with no exemptions for dispersive uses and all other uses should apply time-limited exemptions as was done for PCBs.

Canada prohibits the use of lindane as an active ingredient in pest control products. However, we allow its pharmaceutical use for the treatment of lice. Lindane is currently undergoing special review for this pharmaceutical application. A decision from this special review is long overdue. These matters should not stop Canada from seeking the most protective provisions for Canadians under the Stockholm Convention on POPs.

Since Canada continues to be a recipient of POPs deposition, strengthening the Stockholm Convention through the listing of nine POPs in Annex A (elimination) should be a matter of priority for the Canadian delegation at the COP4. This approach would be in keeping with the intent and spirit of the Stockholm Convention which called on the global community to seek the goal of eliminating the 12 POPs targeted under the Convention. Furthermore, a Canadian call for global action to eliminate these POPs will demonstrate our commitment, as an Arctic nation, to protect the Canadian environment and all its citizens from POPs exposure.

Other Parties to the Convention will be monitoring the Canadian position regarding global action on new POPs. As in 2001, when Canada was the first country to sign and ratify the Stockholm Convention, we hope to see Canada once again lead in protecting its environment and the health of its population by supporting the goal of elimination of the nine POPs chemicals.

If you wish to contact us, our contact information is provided below. Thank you for your consideration.

Yours truly,



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c.c. Minister Jim Prentice, Minister of the Environment; Minister Lawrence Cannon, Minister of Foreign Affairs; Minister Leona Aglukkaq, Minister of Health

**Table 1 - Status of Candidate POPs in Canada**

Candidate POPs	Action on POPs in Canada
<p><b>Pentabromodiphenyl ether (Penta BDE)</b></p>	<p>Polybrominated Diphenyl Ethers Regulations (SOR/SOR/2008-218) This regulation aims to</p> <ul style="list-style-type: none"> <li>prohibit the manufacture of PBDEs in Canada (tetraBDE, pentaBDE, hexaBDE, heptaBDE, octaBDE, nonaBDE and decaBDE congeners); and</li> <li>prohibit the use, sale, offer for sale and import of those PBDEs that meet the criteria for virtual elimination under CEPA 1999 (tetraBDE, pentaBDE and hexaBDE congeners), as well as mixtures, polymers and resins containing these substances.</li> </ul> <p>(See: <a href="http://www.ec.gc.ca/CEPARRegistry/regulations/detailReg.cfm?intReg=108">http://www.ec.gc.ca/CEPARRegistry/regulations/detailReg.cfm?intReg=108</a>; COMMERCIAL PENTABROMODIPHENYL ETHER RISK MANAGEMENT EVALUATION Adopted by the Persistent Organic Pollutants Review Committee at its third meeting November 2007 at <a href="http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/chem_review/PentaBDE/PentaBDE_RME_e.pdf">http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/chem_review/PentaBDE/PentaBDE_RME_e.pdf</a>)</p>
<p><b>Octabromodiphenyl ether (OctaBDE)</b></p>	<p>Covered under Polybrominated Diphenyl Ethers Regulations (SOR/SOR/2008-218) described above.</p> <p>(See also COMMERCIAL OCTABROMODIPHENYL ETHER RISK MANAGEMENT EVALUATION Prepared by the ad hoc working group on commercial octabromodiphenyl ether under the Persistent Organic Pollutants Review Committee of the Stockholm Convention, October 2008 at <a href="http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/POPRC4/doc_e/POPRC4_report_add1_e.pdf">http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/POPRC4/doc_e/POPRC4_report_add1_e.pdf</a>)</p>
<p><b>Chlordecone</b></p>	<p>Based on information gathered through the work of the POPRC, production, sale, and use of Chlordecone is currently prohibited for all pesticide uses under the Pest Control Products Act (PCPA). Any stocks that existed at the time that pesticide registration was discontinued or suspended were to be sold, used or disposed of in accordance with an established timetable, after which their sale or use became a violation of the PCPA.</p> <p>(See: CHLORDECONE RISK MANAGEMENT EVALUATION, Adopted by the Persistent Organic Pollutants Review Committee at its third meeting November 2007 at <a href="http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/chem_review/Chlordecone/Chlordecone_RME_e.pdf">http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/chem_review/Chlordecone/Chlordecone_RME_e.pdf</a>)</p>
<p><b>Hexabromobiphenyl (HBB)</b></p>	<p>Based on information gathered through the work to the POPRC, in Canada Polybrominated Biphenyls that have the molecular formula C<sub>12</sub>H<sub>(10-n)</sub>Br<sub>n</sub>, in which “n” is greater than 2, appear on Schedule 1 (List of Toxic Substances) of CEPA 1999, and are subject to prohibitions on their manufacture, use, sale, offer for sale and import. In addition, these substances appear on Schedule 3, Part 1 (Export Control List – Prohibited Substances) of CEPA 1999, effectively prohibiting their export, except for the purpose of their destruction.</p> <p>(See: HEXABROMOBIPHENYL RISK MANAGEMENT EVALUATION Adopted by the Persistent Organic Pollutants Review Committee at its third meeting November 2007 at <a href="http://www.pops.int/documents/meetings/poprc/chem_review/HBB/HBB_RME_e.pdf">http://www.pops.int/documents/meetings/poprc/chem_review/HBB/HBB_RME_e.pdf</a>)</p>
<p><b>Lindane</b></p>	<p>Based on information gathered through the work of the POPRC, Canada along with Mexico and the United States developed a North American Regional Action Plan (NARAP) on Lindane and Other Hexachlorocyclohexane Isomers, under the Sound Management of Chemicals project. The goal of the NARAP is to reduce the risks associated with exposure of humans and the environment to these substances.</p> <p>In addition, the Government of Canada ended the use of lindane as a pesticide in December 2004. However, it is used as an ingredient in a regulated pharmaceutical product used to treat lice.</p> <p>The Government of Canada is expecting to propose a Significant New Activity provision for lindane under the Canadian Environmental Protection Act, 1999 in Winter 2007.</p> <p>(See: LINDANE RISK MANAGEMENT EVALUATION, Adopted by the Persistent Organic Pollutants Review Committee at its third meeting November 2007 at <a href="http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/chem_review/Lindane/Lindane_RME_e.pdf">http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/chem_review/Lindane/Lindane_RME_e.pdf</a>; See also Chemicals Management Plan at <a href="http://www.chemicalsubstanceschimiques.gc.ca/interest-interet/lindane_e.html">http://www.chemicalsubstanceschimiques.gc.ca/interest-interet/lindane_e.html</a>)</p>
<p><b>Alpha hexachlorocyclohexane (Alpha HCH)</b></p>	<p>Canada, Mexico and the United States signed the North American Regional Action Plan1 (NARAP) on Lindane and other Hexachlorocyclohexane isomers in 2006. The goal of the NARAP is to reduce the risks associated with the exposure of humans and the environment to lindane and its other HCH isomers.</p> <p>HCH (including lindane) is listed as a Level II substance in the Great Lakes Binational Toxics Strategy2 between the United States and Canada,</p>

	<p>which aims to reduce toxic substances in the Great Lakes Basin Ecosystem by pollution prevention activities.</p> <p>(See: <i>ALPHA HEXACHLOROCYCLOHEXANE RISK MANAGEMENT EVALUATION</i>, Prepared by the ad hoc working group on Alpha and beta hexachlorocyclohexane under the Persistent Organic Pollutants Review Committee of the Stockholm Convention October 2008 at <a href="http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/POPRC4/doc_e/POPRC4_report_add3_e.pdf">http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/POPRC4/doc_e/POPRC4_report_add3_e.pdf</a>)</p>
<b>Beta hexachlorocyclohexane (Beta HCH)</b>	<p>Based on the information submitted by Canada, this substance is listed by under the North American Regional Action Plan (NARAP) on Lindane and other Hexachlorocyclohexane isomers in 2006 signed by Canada, Mexico and the United States. The goal of the NARAP is to reduce the risks associated with the exposure of humans and the environment to lindane and its other HCH isomers.</p> <p>HCH (including lindane) is listed as a Level II substance in the Great Lakes Binational Toxics Strategy<sup>2</sup> between the United States and Canada, which aims to reduce toxic substances in the Great Lakes Basin Ecosystem by pollution prevention activities.</p> <p>(See: <i>BETA HEXACHLOROCYCLOHEXANE RISK MANAGEMENT EVALUATION</i>, Prepared by the ad hoc working group on alpha and beta hexachlorocyclohexane under the Persistent Organic Pollutants Review Committee of the Stockholm Convention, October 2008 at <a href="http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/POPRC4/doc_e/POPRC4_report_add4_e.pdf">http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/POPRC4/doc_e/POPRC4_report_add4_e.pdf</a>)</p>
<b>Perfluorooctane sulfonate (PFOS)</b>	<ul style="list-style-type: none"> <li>• <i>Perfluorooctane Sulfonate Virtual Elimination Act</i> – April 17, 2008</li> <li>• Regulations Adding Perfluorooctane Sulfonate and Its Salts to the Virtual Elimination List (SOR/2009-15) – February 4, 2009</li> <li>• Perfluorooctane Sulfonate and its Salts and Certain Other Compounds Regulations (SOR/2008-178) – May 29, 2008</li> </ul> <p>These statutes and regulations promote the prohibition of use, import, sale, manufacture of PFOS substances. Specific exemptions are outlined in the regulations.</p> <p>PFOS has been added to the Virtual Elimination List under the <i>Canadian Environmental Protection Act</i>.</p> <p>(See: <i>Perfluorooctane Sulfonate and its Salts and Certain Other Compounds Regulations (SOR/2008-178)</i> at <a href="http://www.ec.gc.ca/CEPARRegistry/regulations/detailReg.cfm?intReg=107">http://www.ec.gc.ca/CEPARRegistry/regulations/detailReg.cfm?intReg=107</a>; also <i>Regulations Adding Perfluorooctane Sulfonate and Its Salts to the Virtual Elimination List (SOR/2009-15)</i> at <a href="http://www.ec.gc.ca/CEPARRegistry/regulations/detailReg.cfm?intReg=164">http://www.ec.gc.ca/CEPARRegistry/regulations/detailReg.cfm?intReg=164</a>)</p>
<b>Pentachlorobenzene (PeCB)</b>	<p>Based on information gathered by the POPRC, PeCB is included under the Prohibition of Certain Toxic Substances Regulations, 2005 (hereinafter referred to as the Regulations) under the Prohibited Toxic Substances List in Schedule 2, Part 2 of the Regulations. These regulations enacted a ban on the manufacture, use, sale, offer for sale and import of PeCB or any mixture or product containing these substances, but allow exemptions where they are used with PCBs. PCBs are regulated under the Chlorobiphenyls Regulations and Storage of PCB Material Regulations. Various other initiatives also contribute to reductions in PeCB emissions in Canada, such as:</p> <ul style="list-style-type: none"> <li>•the Canada-wide Standards for dioxins and furans;</li> <li>•the regulatory approaches in other Canadian jurisdictions to either prohibit open burning, or permit it only under pre-approved conditions;</li> <li>•proposed revisions to the PCB regulatory framework;</li> <li>•the Wood Preservation Strategic Options Process; and</li> <li>•the regulations for the control of tetrachloroethylene from the dry-cleaning sector.</li> </ul> <p>(See: <i>PENTACHLOROBENZENE RISK MANAGEMENT EVALUATION</i>, Prepared by the ad hoc working group on Pentachlorobenzene under the Persistent Organic Pollutants Review Committee of the Stockholm Convention, October 2008 at <a href="http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/POPRC4/doc_e/POPRC4_report_add2_e.pdf">http://chm.pops.int/Portals/0/docs/from_old_website/documents/meetings/poprc/POPRC4/doc_e/POPRC4_report_add2_e.pdf</a>)</p>