

To: National Pollutant Release Inventory, Environment and Climate Change Canada

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## NGO PROPOSAL TO ADD PFAS TO THE NPRI SUBSTANCES LIST

The following is a proposal from the ENGO members of the NPRI Multi-Stakeholder Work Group to add PFAS to the work group's activities for 2022-2024. Our intent is to have NPRI facilities report on their PFAS releases and transfers starting with the reporting year 2025.

PFAS (per-and poly-fluorinated substances) are a class of over 5000 chemicals often referred to as the "Forever Chemicals" because they persist in the environment for very long periods of time and are widespread in the environment as a result of human use. In December 2021, the Government of Canada released a report entitled *Per- and polyfluoroalkyl substances (PFAS) in Canadians*. Under the heading "What are the potential health impacts of PFAS?", the government stated:

Studies in laboratory animals show that exposure to certain PFAS is associated with reproductive, developmental, endocrine, liver, kidney and immunological effects. Studies in people have found that exposure to PFOA and PFOS can affect the liver, birth weight, metabolism and immune system. The International Agency for Research on Cancer has classified PFOA as possibly carcinogenic to humans.

The U.S. Environmental Protection Agency recently released *PFAS Strategic Roadmap: EPA's Commitments to Action 2021-2024*. They explained the reason for their decision to take extensive actions on the PFAS issue as follows:

A growing body of scientific evidence shows that exposure at certain levels to specific PFAS can adversely impact human health and other living things. Despite these concerns, PFAS are still used in a wide range of consumer products and industrial applications [p. 5.]

Included in the U.S. EPA's strategy is to "enhance PFAS reporting under the Toxics Release Inventory" [TRI] [p. 11.]

Canada has designated some types of PFAS as toxic under the Canadian Environmental Protection Act; these types have been regulated under the Prohibition of Certain Toxic Substances Regulation, 2012. Canada has stated its intention to carry out monitoring programs, etc. to address the PFAS issue. This also includes a notice of intent to address the broad class of PFAS released in April 2021 (refer to: [14](https://www.canada.ca/en/health-</a></p></div><div data-bbox=)

canada/services/chemical-substances/other-chemical-substances-interest/per-polyfluoroalkyl-substances.html)

Collecting data on the release and transfer of PFAS through NPRI should be a central component of Canada's strategy for addressing PFAS. Such data will provide the public, government, and industry with essential information on how best to address the PFAS problem. Such data will also be essential for the public, government, and industry to assess whether progress is being made by the strategies employed, or whether additional approaches are needed.

### **International Obligations:**

Canada also should collect PFAS information under NPRI to help it in fulfilling certain international obligations.

For example, in 2015, Canada and the United States mutually designated some PFAS substances as "chemicals of mutual concern" under the Great Lakes Water Quality Agreement. This requires them to report regularly on progress they have made at addressing PFAS. This should include showing changes in use, release and transfer of PFAS, which would need NPRI data. In another example, under the Stockholm Convention on Persistent Organic Pollutants, PFOS is listed for restriction while PFOA has recently been added for elimination. NPRI data could be an important mechanism for Canada to report on its obligations under this convention. These PFAS substances may also be subject to requirements for establishing acceptable levels of POPs in waste under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

All along their border, Canada and the U.S. share waters and airsheds. To address pollution problems in these areas, it is essential that we have both NPRI and TRI data that we can use to give us an integrated picture of releases to each water body and air shed. The US is already including and further developing PFAS-reporting in its TRI program. It is essential that we also report on releases and transfers of PFAS in the NPRI.

### **The work to be carried out:**

Some PFAS are already being reported to the U.S. TRI. The benefit of this is that many companies, some of which operate in Canada, are already reporting some PFAS to the TRI and have worked out the mechanisms for doing such reporting. It also means we can learn from the U.S. experience. For example, in 2021, the EPA announced changes they are planning to make to the PFAS reporting to correct "exemptions and exclusions" they had originally made.

Some tasks we will need to work through in the multi-stakeholder process include:

- Which PFAS should be listed? Is a class approach possible?
- Which types of facilities and activities (e.g., firefighting activities at facilities) should be covered?

- Will the standard NPRI thresholds, criteria and exemptions need to be adjusted?

We believe that a sub-work group should be set up to work through these and other issues that may arise.

**Submitted by: NGO members of the NPRI Multi-Stakeholder Working Group**