

November 25, 2024 (correction November 27, 2024)

RE: NGO response to Proposed Addition of Certain Per- and Polyfluoroalkyl Substances (PFAS) to the National Pollutant Release Inventory: Consultation document (September 2024)

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Below is a list of environmental non-governmental organizations that support the following comments and recommendations in response to the Proposed Addition of Certain Per- and Polyfluoroalkyl Substances (PFAS) to the National Pollutant Release Inventory: Consultation document (September 2024), released by Environment and Climate Change Canada (ECCC) for public comment.

General Comments covered under the Consultation Document (reference to specific sections, if applicable)	ENGO Comments	ENGO Recommendations
ECCC proposals to list PFAS for reporting under NPRI starting with 2025 reporting year (refer to Section 3)	ENGO Comments Canada's own updated Draft State of PFAS report documents the extensive and growing use of PFAS substances in Canada and globally from various applications - industrial applications, consumer products, textile sector, paper and medical equipment, plastics, electronic production, and use as fire-fighting foam. The body of evidence demonstrates the significant impacts from PFAS substances to the environment and human health, and their presence in all environmental media (air, water, land including in waste management streams and wastewater effluents), plus food and drinking water. <i>Therefore, we support the finding:</i>	ENGO Recommendation 1: <i>We support the ECCC's proposal to require reporting of PFAS substances under Canada's National Pollutant Release Inventory starting in the 2025 reporting year.</i>

	<p><i>Perfluoroalkyl and polyfluoroalkyl substances (PFAS) meet the decision factors for reporting to the NPRI and should be added to the NPRI 2025-2027 Gazette Notice. PFAS are known to be processed or used and to be incidentally manufactured in Canada, are of environmental and human health concern, and are released into and present in the Canadian environment. (p 4)</i></p> <p>Reporting PFAS releases and transfers under the NPRI will support community right to know as well as provide valuable data to inform regulatory and policy programs to address PFAS substances in Canada.</p>	
<p>NPRI Criteria</p> <p>See, Section 4.1:Rationale for deciding if PFAS should be added to the NPRI: “ECCC agrees that PFAS meet the decision factors for addition to the NPRI”</p>	<p>ENGO Comments</p> <p>We agree that the Consultation Paper has outlined that PFAS substances effectively meet all the NPRI factors for reporting.</p>	<p>ENGO Recommendation 2:</p> <p><i>We agree with the finding that PFAS meets the NPRI Factors for reporting.</i></p>
<p>Promoting Community Right to Know</p> <p>Also see Consultation Paper, Section: 4.1. Rationale for deciding if PFAS should be added to the NPRI #2:2. Does inclusion of the substance support one or more of the objectives of the NPRI? [including]</p> <ul style="list-style-type: none"> • To improve public understanding 	<p>ENGO Comments</p> <p>The NPRI remains the most important tool for Canadians to access pollution data in their community. Improving the data collected through the NPRI to include reporting on PFAS improves Canada’s inventory.</p> <p>Prioritizing the community’s right to know is essential. Ensuring transparency and access to environmental information empowers communities to make informed decisions and advocate for their health and safety and provides critical information about facilities in their communities that are reporting to the NPRI. While it’s important to consider the practicalities of reporting for facilities, the goal should always be to provide the public with accurate and accessible data on pollutant releases and transfer.</p> <p>NPRI is a valuable tool for implementing the right to know. It provides data that allows ordinary citizens to access information about pollutant releases, which is often not easily available. By visualizing the geographical locations of these sources, NPRI enhances transparency and empowers communities to make informed decisions about their environment. This accessibility to information is essential for public awareness and engagement in environmental protection efforts. It also enables</p>	<p>ENGO Recommendation 3:</p> <p><i>A prime purpose for reporting PFAS substances to the NPRI is to support community right to know.</i></p>

companies to better understand their use of PFAS and the need to reduce emissions, transfers and use.

SPECIFIC ISSUES WITH PROPOSAL (Refer to Consultation Document)

1) Reporting on individual PFAS (131) versus class of PFAS

Consultation document: see Section 2: Proposed Changes:

Excerpt: ECCC is proposing to add the 131 PFAS

ECCC’s proposal for PFAS would require reporting of 131 individual PFAS. Section 2, it notes “*The proposed list includes polymeric and non-polymeric per- and polyfluoroalkyl substances. It includes PFOS, PFOA, and some LC-PFCAs, which are already regulated in Canada. Thirty of the substances are on the Domestic Substances List (DSL), 11 are on the Non-Domestic Substances List (NDSL), and 42 are subject to at least partial prohibitions under the Prohibition of Certain Toxic Substances Regulations (PCTSR). Eighteen are also included in the list of PFAS to be reported under the mandatory PFAS survey published under section 71 of CEPA in July 2024. Canadian or international guidelines or standards have been identified for 34 of the 131. A standard*

ENGO Comments

ECCC’s proposed approach of reporting on individual PFAS rather than the class of PFAS does not provide a full picture of the releases and transfers associated with the full class of PFAS. This leaves a community thinking that these specific PFAS are the only PFAS to be concerned about. In par. 4.2.5. ECCC does not propose to add the class of PFAS to the NPRI for various reasons. However, it also states that the existing methods for reporting on the full class of PFAS can be used as indicators to estimate PFAS presence. For affected communities, this information is important as it can provide clarity and creates important links between PFAS contamination and, for example, impacts to community health and their environment such as the level of PFAS in drinking and groundwater, or increases in cancer associated with PFAS exposure including thyroid, kidney and liver. Reporting on the class of PFAS will help communities expose facility operators that are releasing PFAS and support community efforts to seek remedies and compensation/clean up costs. In the case of wastewater treatment plants and landfill leachate sources, it will support the government’s intention in the State of PFAS report to address PFAS as a class, while underscoring the need to include fluoropolymers which are in microplastic form were recently found to have the biggest impact on male reproductive health. See: [https://www.thelancet.com/journals/ebiom/article/PIIS2352-3964\(24\)00405-5/fulltext](https://www.thelancet.com/journals/ebiom/article/PIIS2352-3964(24)00405-5/fulltext)

ENGO Recommendation 4:

We recommend that PFAS as a class be reported as well as some selected individual PFAS

ENGO Recommendation 5:

If ECCC does not require reporting on the class of PFAS starting with 2025, ECCC should work with the NPRI WG or PFAS sub-group to develop a system for full class reporting and put it into implementation by the 2028 reporting year

ENGO Recommendation 6:

We recommend both methods be used, such as Total Organic Fluorine, plus measurement for the specific 131 individual PFAS. We understand that TOF will not ‘provide data on actual PFAS releases and transfers’ but communities need to know if they live next to facilities that manufacture, process, otherwise use or release PFAS to the environment

<p><i>analytical method has been identified by NPRI for 63, and 36 of them have been estimated and reported in the US based on methods other than analytical methods (mass balance, emission factors, and engineering estimates).</i></p>		
<p>2) Apply 2021 OECD definition</p>	<p>ENGO Comment</p> <p>Based on ECCC’s proposal to report on 131 PFAS substances, it is not clear if there are PFAS substances that would have been identified if the OECD definition was applied as the primary criteria for inclusion. Fluoropolymers, which meet the OECD definition, were intentionally excluded without demonstrating what makes them different from other PFAS under the OECD definition.</p>	<p>ENGO Recommendation 7:</p> <p><i>Apply 2021 OECD Definition for PFAS to avoid exclusion of key subgroups of PFAS.</i></p>
<p>3) Fluoropolymers ECCC proposes to exclude fluoropolymers from reporting to NPRI in the PFAS category</p>	<p>ENGO Comment</p> <p>ECCC’s Consultation Document provides very limited and unsubstantiated evidence to propose the exclusion of fluoropolymer substances from listing on the NPRI. Substantial evidence demonstrates that fluoropolymers meet the 2021 OECD definition for PFAS and was substantially discussed within the work of the PFAS Subgroup where evidence was not presented that these substances are not PFAS substances. It is particularly important to address fluoropolymers as PFAS given that these substances are important throughout their lifecycle, they are key substances in the production of some PFAS and can also be precursors for transformation to other PFAS released into the environment as we emphasized in our previous comments submitted on June 1 2024.</p> <p>Most NPRI substances have not been designated as toxic under CEPA. This is not a prerequisite for reporting under NPRI.</p> <p>Therefore, the NPRI does not need to wait for a designation for the toxicity for fluoropolymers subgroup under CEPA to require NPRI reporting. Given the extent of their use in various industrial applications, particularly</p>	<p>ENGO Recommendation 8:</p> <p><i>ENGOS recommend that ECCC add fluoropolymers for reporting to the NPRI starting for the year 2025.</i></p> <p>ENGO Recommendation 9:</p> <p><i>Reporting on PFAS under NPRI should be comprehensive to account for the life cycle of PFAS including those PFAS that may transform or degrade to other PFAS substances.</i></p>

	<p>used in specialty plastic products, the need to track the release and transfer of fluoropolymers to all environmental media is urgent and appropriate. This is why fluoropolymers must be included for reporting under the NPRI now. New data shows that treatment of landfill leachate is causing the transformation of PFAS in the wastestream to the already banned PFOS and PFOA.</p> <p>See: https://www.frontiersin.org/journals/water/articles/10.3389/frwa.2024.1480241/full?utm_source=F-NTF&utm_medium=EMLX&utm_campaign=PRD_FEOPS_20170000_ARTICLE</p> <p>For example, a facility in North Bay that uses PFAS substances such as fluoropolymers in its operations would not be required to report under NPRI as it does not meet the proposed threshold.</p>	
<p>4) Facilities and activities required to report (Section 5.1)</p> <p>ECCC states that because “PFAS are used in many industrial sectors and are found in a wide range of products” all facilities and activities currently required to report under NPRI will be required to report PFAS provided they meet NPRI’s reporting thresholds. ECCC particularly points out the need to report on PFAS in MSW landfills, MSW incineration, composting of PFAS-containing food packaging, wastewater treatment systems (including the transfer off-site of biosolids for land applications.”</p>	<p>ENGO Comments</p> <p>We support ECCC’s proposal.</p>	<p>ENGO Recommendation 10:</p> <p><i>We support ECCC’s proposal for PFAS reporting for all NPRI sectors and activities.</i></p>

<p>5) Current NPRI exemptions of certain activities from reporting under NPRI.</p> <p>ECCC recommends that all sectors and activities that are required to report under NPRI, also be required to report on PFAS substances under the NPRI.</p>	<p>ENGO Comments</p> <p>We indicated our support for reporting PFAS by all sectors and activities under NPRI. However, we feel that there are some current exemptions from reporting that should be removed so that they would be required to report PFAS and other NPRI substances under NPRI. One example of this is drilling and hydraulic fracking. No substantial efforts have been made to review these exemptions in the past 10 years.</p> <p>Similarly, the NPRI does not require reporting on pesticides. However, studies show extensive use of PFAS in pesticide products.</p>	<p>ENGO Recommendation 11:</p> <p><i>We recommend that the current exemptions for drilling and hydraulic fracking be removed from the reporting exemptions in NPRI.</i></p> <p>ENGO Recommendation 12:</p> <p><i>We recommend that the federal government add pesticides, particularly PFAS in pesticides, for reporting under NPRI.</i></p>
<p>6) Threshold levels:</p> <p>ECCC sets thresholds below which facilities are not required to report. This is based on ECCC’s “principle that the reporting requirements should not pose an unreasonable burden on facilities that have to report, and that small facilities may not have the technical expertise to report quality data.”</p> <p>Refer to Consultation Paper, Part 4: Rationale for the threshold levels</p>	<p>ENGO Comments</p> <p>These two principles for setting thresholds are totally contrary to the necessity for community right-to-know about PFAS, as we emphasized on page 2 on <i>Promoting Community Right to Know</i>.</p> <p>In making a decision more emphasis is often put on the burden on facilities because this burden is easier to state in monetary form.</p> <p>EARTHJUSTICE in a letter to the U.S. Environmental Protection Agency emphasized the problem with the burden on facilities approach:</p> <p><i>When faced with difficult-to-quantify costs or benefits, agencies are permitted to engage in a qualitative analysis of that cost or benefit. Here, EPA appropriately detailed the multitude of benefits associated with the Proposed Rule.</i></p> <p><i>Such benefits include but are not limited to:</i></p> <ul style="list-style-type: none"> ● <i>Creating a more informed public who can use available information to make decisions about where to work and live, make decisions about how to mitigate risks of exposure to toxic chemicals, and advocate for stronger regulation;</i> ● <i>Improving the quality and quantity of available information in the market, which can empower</i> 	<p>ENGO Recommendation 13:</p> <p><i>The overwhelming priority in setting thresholds for PFAS should be on community right-to-know and on a precautionary approach. This is because of:</i></p> <ul style="list-style-type: none"> ● <i>the health and environmental impacts of PFAS at very low concentrations;</i> ● <i>the persistent and ubiquitous nature of PFAS, and</i> ● <i>the widespread use of PFAS.</i>

consumers to pressure firms to reduce the use of harmful PFAS;

- *In production processes and drive firms to change their behaviour in a manner that minimizes the releases of toxic chemicals, ultimately leading to fewer or a lower quantity of toxic chemicals in use;*
- *Improving the ability of the business community to gauge environmental liabilities, which can inform investment decisions and insurance coverage;*
- *Improving the information available to researchers and scientists to further their understanding of the risks associated with releases of PFAS, pollution prevention opportunities, and the communities affected by PFAS; and*
- *Improving government decision making and activities, including by using available information to guide enforcement activities, prioritization, and data coordination, as well as to measure progress in meeting environmental goals.*

Although the benefits associated with gathering information are difficult to quantify, they are substantial. EPA should continue to give great weight to these substantial benefits regardless of whether they are monetized and should expressly describe these benefits in the preamble to the final rule.¹

The burden of reporting PFAS for facilities cannot be equated with the burden placed on communities who need this information in detail and in an understandable and useful format.

The other challenge that ECCC states for determining thresholds is the challenge for small facilities to obtain the necessary data to report. ECCC can and has in the past developed guidance to help facilities figure out how to report.

Current NPRI thresholds are not appropriate for reporting on PFAS because it would severely reduce the reporting of PFAS and because PFAS matter at very low levels. Because all PFAS are highly persistent or will degrade to highly persistent forms, and because they are widely found in all Canadians and in our environment, these 'forever chemicals' require full transparent reporting.

¹ Eve C. Gartner et al, Letter on Comments on Proposed Changes to reporting Requirements for per-and Polyfluorinated Substances, dated February 3, 2023 on behalf of EARTHJUSTICE, National PFAS Contaminated coalition, Sierra Club, and Union of Concerned Scientists, pp 28-29.

	<p>The lesson that we should learn from the U.S. experience of adding PFAS to the Toxics Release Inventory is that they have been very disappointed at how little reporting has come through in their reports. They acknowledge the reason is because they did not have strict enough requirements for facilities to report, and because the reporting thresholds were too high, and far too lax. As a result, every year the TRI has been lowering thresholds and changing reporting criteria to make PFAS reporting more effective. We should learn from the US TRI experience and not repeat these errors by using thresholds that are too lax.</p>	
<p>ECCC MPO Proposal: Manufactured, Produced or Otherwise Used (MPO) ECCC proposes that a facility be required to report PFAS if at least “1 kg is manufactured, or otherwise used, which applies to each PFAS individually.”</p> <p>Also, ECCC is proposing to create a new Group C under Part 1 of the NPRI substance list for PFAS. Aside from the mass and concentration thresholds, the requirements under Group C will be the same as for Group B.</p>	<p>ENGO Comments</p> <p>There are over 15,000 PFAS in the PFAS class. The proposed threshold of 1 kg will not result in a comprehensive reporting of PFAS. In the situation which we expect with PFAS, where each PFAS will have low usage, this will mean that most PFAS will be left out even if there are 100s or 1000s more that individually will have a low release but cumulatively could be very significant releases.</p> <p>Contrast this with the NPRI’s PAHs requirements. Here if a MPO threshold of 50 kg is reached for a PAH, all PAHs must be reported. This gives a much more complete picture of PAHs than the ECCC’s proposal for PFAS.</p> <p>We support the creation of a new Part C as for listing PFAS in NPRI. The thresholds for Part C should reflect the concerns outlined in this submission. Listing PFAS in its own part will provide the ability to use different criteria than those used elsewhere in NPRI, including requiring that if one PFAS meets a MPO or release threshold, all PFASs must be reported. Remove the MPO proposed for PFAS and require reporting on all PFAS.</p>	<p>ENGO Recommendation 14:</p> <p><i>We support ECCC’s proposal to list PFAS in a new Part C.</i></p> <p>ENGO Recommendation 15:</p> <p><i>If the MPO threshold of 1 kg is met for any individual PFAS, the facility must report on <u>all</u> PFAS.</i></p>
<p>ECCC proposal on concentration: a 0.1% concentration by weight threshold for PFAS in mixtures. ECCC says that once that concentration level has been met all releases and transfers must be reported regardless of</p>	<p>ENGO Comment</p> <p>The TRI’s previous de minimus threshold was 0.1%, the same as ECCC’s proposed concentration level – a level that was found to be inadequate for TRI reporting.</p> <p>The U.S. government found that the reporting of PFAS to TRI has been minimal partly because of the de minimus concentration exemption in calculating MPO and Releases. As a result, the U.S. EPA has changed TRI</p>	<p>ENGO Recommendation 16:</p> <p><i>NPRI should <u>now</u> set as their objective to have no concentration threshold for PFAS.</i></p>

concentration. The reason given for this threshold by ECCC is that the “0.1% level was selected to align with the requirements for disclosing substances on Safety Data Sheets (SDSs,) which are used by many facilities to calculate and report quantities of NPRI substances.”

reporting on PFAS so that “ALL concentrations of regulated PFAS in mixtures, no matter how small, must be considered in TRI threshold applicability assessments.”² With this change, many companies that previously fell below the 100-pound TRI reporting thresholds for PFAS using the de minimus exemption will now be required to report.” This change is effective for the 2024 reporting year.

ECCC said that it could not go lower than the 0.1% concentration level because this is the concentration at which the chemical suppliers are required to report to their customers on SDSs. Reporters to NPRI use this data from their suppliers to determine whether or the extent to which a NPRI substance is in their production process. If the substance is in the item they bought at a level lower than 0.1% concentration, it will not appear on the MSDS and the NPRI reporter will assume that there is none of the specific NPRI substance in their line. Therefore, they do not show its presence.

This is only one of the substantial concerns from relying on Material Safety Data Sheets to confirm or inform the use of PFAS and other substances by facilities reporting to NPRI. MSDS are not substantially reviewed for comprehensiveness and accuracy for data or whether they are in compliance with the requirements of existing workplace legislation [their main use] or to fulfil the needs for NPRI reporting.

Nevertheless, ECCC is proposing that MSDS remain a key factor for facilities to determine whether they are required to report on PFAS under NPRI. The quality of data on PFAS releases and transfers will rely heavily on the use of MSDS forms and how information is reasonably accessed. Work to require improvements to the MSDS sheets is necessary and should be discussed substantially with appropriate government departments, particularly how these MSDS sheets can be improved for NPRI reporting. But in the meantime, a sole reliance on MSDS is not sufficient. Additional commentary on the use of Materials Safety Data Sheets is provided in point 7 of this submission.

When the U.S. removed the de minimus criterion for reporting PFAS to NPRI, the government also required “regulated suppliers to disclose TRI-regulated PFAS and existing persistent, bioaccumulative and toxic (PBT)

ENGO Recommendation 17:

If NPRI chooses not to start with a zero concentration threshold in reporting year 2025, they should require reporting with zero concentration threshold in 2026.

² CLIENT ALERT: December 18, 2023, Major Changes to PFAS Reporting Requirements under the Toxic Release Inventory Program to Impact Industries across the US.

	<p>chemicals on the “Chemicals of Special Concern” list at ANY concentration in their products. A company has 30 days to provide/correct their EPCRA Supplier Notifications once they learn of the presence of a TRI-regulated chemical in a product previously sold to a TRI-regulated customer.”</p>	
<p>ECCC Proposal for Employee Threshold:</p> <p>ECCC proposes maintaining the existing standard NPRI employee threshold of 20,000 hours or more, or 10 full-time employee equivalents. The reason ECCC gives is that there is “not enough evidence at this time to justify reducing or removing the employee threshold for PFAS reporting.”</p>	<p>ENGO Comments</p> <p>As stated earlier, all PFAS are extremely persistent or will partially transform into extremely persistent PFAS and will remain in the environment for hundreds or thousands of years. Due to their mobility in water and ability to circulate in air, PFAS are ubiquitous contaminants in the Canadian environment, as described in the Government of Canada’s Draft State of Per-and polyfluorinated substances (PFAS) Report of May 20, 2023. PFAS are used, and/or present and/or released from a very wide range of facilities, both large and small. Based on the current knowledge, facilities do not manufacture PFAS in Canada. Nevertheless, a wide range of types of facilities use PFAS in their facilities and are likely to be releasing and transferring PFAS to the environment. Many of these facilities may be small but these sources matter because all PFAS are harmful to people and the environment even at very low levels.</p> <p>Throughout this report, we have focused on community right-to-know, which means that people need to know what PFAS are being released into their community, even if it is in very small quantities.</p> <p>Therefore, it is essential to capture releases from small facilities – not just mid-sized to large ones.</p>	<p>ENGO Recommendation 18:</p> <p><i>There should be no employee threshold for PFAS.</i></p>
<p>7) Use of Materials Safety Data Sheet to determine presence of PFAS</p>	<p>ENGO Comment</p> <p>Safety data sheets can be utilized within the supply chain to show hazardous chemicals that are used in the manufacturing of products, and thus potentially present in the releases into the workplace or the environment. However, safety data sheets have many limitations including the reporting threshold, and inability to list hazardous chemicals in products.</p> <p>We have substantial concerns with relying on Material Safety Data Sheets to confirm or inform the use of PFAS by facilities. These MSDS are not substantially reviewed</p>	<p>ENGO Recommendation 19:</p> <p><i>ECCC should communicate to Health Canada on the need to review the use of MSDS sheets and their quality to inform reporting requirements by facilities under NPRI.</i></p>

	<p>for their comprehensiveness, accuracy for the data included in MSDS or whether they are in compliance with the requirements of existing workplace legislation. But MSDS would remain a key factor for facilities to determine if they are required to report on PFAS under NPRI. The quality of data on PFAS releases and transfer will rely heavily on the use of MSDS form and how information is reasonably accessed. More work is required to improve the MSDS sheets and should be discussed substantially with appropriate government departments, particularly how these MSDS sheets are being used to determine the ability for facilities to report to the NPRI. The experience of the US TRI and the recent requirement for better reporting from suppliers needs to be taken into account.</p> <p>This requires analysis of quality of MSDS sheets and their application to inform if facilities are required to report to NPRI. Federal departments have processes already in progress to investigate supply chain transparency and labelling.</p>	
<p>8) Specific timelines required to:</p> <ul style="list-style-type: none"> Expand approach for class of PFAS; and add PFAS substances for reporting (e.g., fluoropolymers and results from Section 71 survey) 	<p>ENGO Comment</p> <p>The consultation document outlined the need to consider adding other PFAS substances for reporting to NPRI, considering the results of the Section 71 survey to be completed by January 2025. However, it is not clear when actual work will be undertaken to begin to add new PFAS substances beyond the initial 131 substances. It is necessary to undertake this work in 2025 to ensure that communities have a better sense of the scope of PFAS that are released or transferred in their communities. The commitment to add the initial PFAS substances will be part of a larger effort to address the class of PFAS.</p>	<p>ENGO Recommendation 20:</p> <p><i>Require the addition of other PFAS substances for reporting year 2026.</i></p>
<p>9) Pollution Prevention Reporting under NPRI</p>	<p>ENGO Comment</p> <p>NPRI has certain reporting questions for reporters in their form. As described in a previous ENGO report, <i>Pollution Prevention & NPRI – ENGO Assessment (March 2024)</i>, improvements need to be made to this system. We have made the following recommendations specific to PFAS reporting.</p>	<p>ENGO Recommendation 21:</p> <p><i>Pollution prevention reporting under NPRI should have the following PFAS specific questions:</i></p> <ul style="list-style-type: none"> <i>Pollution Prevention actions for PFAS should be reported separately from pollution control actions.</i>

		<ul style="list-style-type: none"> • <i>Because of the nature of PFAS, substitution of PFAS by another substance should not be considered Pollution Prevention unless the material it was replaced with is not a member of the broad PFAS class.</i> • <i>Providing answers to these questions to NPRI should be required for PFAS.</i>
<p>10) Reporting PFAS transferred off-site in product or as product</p>	<p>ENGO Comment</p> <p>Currently NPRI does not require facilities to report on NPRI substances that they transfer off-site in products or as products. This denies the government and the public important information on the facilities responsible for distributing toxics that will eventually be released to the environment during use, during disposal, treatment, or recycling of the product.</p> <p>All PFAS in products will eventually be released into the environment which makes movement of PFAS off-site in products even more important. This is the underlying rationale for the proposed European Union restriction on PFAS. The ubiquitous nature of PFAS in so many products is a prime example of how the current NPRI system is insufficient to provide this useful information to the public. This current deficiency in producing 'use' data lessens the government's ability to help protect the environment and human health from this extraordinarily persistent class of chemicals with multi-generational health impacts and damaging effects to biodiversity, soil health and water purity well into the future.</p>	<p>ENGO Recommendation 22:</p> <p><i>The NPRI program should be expanded to require reporters to report on the NPRI substances that leave their facility as a product or in products.</i></p>

CONCLUDING COMMENTS:

The comments and recommendations provided above demonstrate the extensive concerns associated with the class of PFAS and their presence in the environment and impacts to health. The growing body of evidence, as laid out in the revised draft State of PFAS report, confirms:

- the health and environmental impacts of PFAS at very low concentrations;
- the persistent and ubiquitous nature of PFAS, and
- the widespread use of PFAS.

This again, underscores why the overwhelming priority in adding PFAS reporting to the NPRI should be on community right-to-know and on a precautionary approach.

SUMMARY OF RECOMMENDATIONS:

ENGO Recommendation 1:

We support the ECCC's proposal to require reporting of PFAS substances under Canada's National Pollutant Release Inventory starting in the 2025 reporting year.

ENGO Recommendation 2:

We agree with the finding that PFAS meets the NPRI Factors for reporting.

ENGO Recommendation 3:

A prime purpose for reporting PFAS substances to the NPRI is to support community right to know.

ENGO Recommendation 4:

We recommend that PFAS as a class be reported as well as some selected individual PFAS

ENGO Recommendation 5:

If ECCC does not require reporting on the class of PFAS starting with 2025, ECCC should work with the NPRI WG or PFAS sub-group to develop a system for full class reporting and put it into implementation by the 2028 reporting year

ENGO Recommendation 6:

We recommend both methods be used, such as Total Organic Fluorine, plus measurement for the specific 131 individual PFAS. We understand that TOF will not 'provide data on actual PFAS releases and transfers' but communities need to know if they live next to facilities that manufacture, process, otherwise use or release PFAS to the environment

ENGO Recommendation 7:

Apply 2021 OECD Definition for PFAS to avoid exclusion of key subgroups of PFAS.

ENGO Recommendation 8:

ENGOs recommend that ECCC add fluoropolymers for reporting to the NPRI starting for the year 2025.

ENGO Recommendation 9:

Reporting on PFAS under NPRI should be comprehensive to account for the life cycle of PFAS including those PFAS that may transform or degrade to other PFAS substances.

ENGO Recommendation 10:

We support ECCC's proposal for PFAS reporting for all NPRI sectors and activities.

ENGO Recommendation 11:

We recommend that the current exemptions for drilling and hydraulic fracking be removed from the reporting exemptions in NPRI.

ENGO Recommendation 12:

We recommend that work to assess the addition of pesticides, particularly PFAS in pesticides, for reporting under NPRI.

ENGO Recommendation 13:

The overwhelming priority in setting thresholds for PFAS should be on community right-to-know and on a precautionary approach. This is because of:

- the health and environmental impacts of PFAS at very low concentrations;
- the persistent and ubiquitous nature of PFAS, and
- the widespread use of PFAS.

ENGO Recommendation 14:

We support ECCC's proposal to list PFAS in a new Part C.

ENGO Recommendation 15:

If the MPO threshold of 1 kg is met for any individual PFAS, the facility must report on all PFAS.

ENGO Recommendation 16:

NPRI should now set as their objective to have no concentration threshold for PFAS.

ENGO Recommendation 17:

If NPRI chooses not to start with a zero concentration threshold in reporting year 2025, they should require reporting with zero concentration threshold in 2026.

ENGO Recommendation 18:

There should be no employee threshold for PFAS.

ENGO Recommendation 19:

ECCC should communicate to Health Canada on the need to review the use of MSDS sheets and their quality to inform reporting requirements by facilities under NPRI.

ENGO Recommendation 20:

Require the addition of other PFAS substances for reporting year 2026.

ENGO Recommendation 21:

Pollution prevention reporting under NPRI should have the following PFAS specific questions:

- Pollution Prevention actions for PFAS should be reported separately from pollution control actions.

- Because of the nature of PFAS, substitution of PFAS by another substance should not be considered Pollution Prevention unless the material it was replaced with is not a member of the broad PFAS class.
- Providing answers to these questions to NPRI should be required for PFAS.

ENGO Recommendation 22:

The NPRI program should be expanded to require reporters to report on the NPRI substances that leave their facility as a product or in products.

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