

December 2, 2024

Pascal Roberge
Director

National Pollutant Release Inventory and Substance Information Division
Environment and Climate Change Canada
351 Saint-Joseph Blvd
Gatineau, Quebec K1A 0H3
Canada

Anne Monette
A/Head NPRI Development
Environment and Climate Change Canada
45 Alderney Dr.
Dartmouth, Nova Scotia B2Y 2N6

Transmission: Email: inrp-npri@ec.gc.ca

Re: NGO Response to Proposed reduction of the NPRI reporting threshold for ethylene oxide (October 2024)

Please consider the following comments and recommendations from the Canadian Environmental Law Association and Citizens' Network on Waste Management in response to the following document: "Proposed reduction of the NPRI reporting threshold for ethylene oxide: Consultation document released for public comment in October 2024."¹

Our organizations expressed our initial support for Environment and Climate Change Canada's (ECCC) efforts to reduce the reporting thresholds for ethylene oxide (EtO) (CAS RN 75-21-8) in August 2024. We are expressing our continued support to the proposed reduction in reporting thresholds that will lead to improving utility of the National Pollutant Release Inventory (NPRI) as an important tool for community right to know. Specifically, we welcome the expansion of the proposed changes that includes reducing the mass thresholds (utilizing Manufactured, Produced and otherwise uses (MPO)) to 1 kg (reduced from 10 tonnes) for this pollutant as well as expanding reporting requirements to require facilities involved in education and training of students to report.

The sectors known to report on ethylene oxide are the chemical, other sectors, and waste. The consultation document presents Figure 1 showing the NPRI data on ethylene oxide reported between 1993 to 2023. The time trend using NPRI data show a significant decline in reporting of releases of ethylene oxide with declines from the chemical sector with the largest reduction over that same period. The chemical sector remains the major sector reporting releases on ethylene oxide followed by the sector known as "Other (except manufacturing)", "other manufacturing" and "Waste Treatment." According to the consultation document, the significant decrease in

¹ Environment and Climate Change Canada. October 2024. Proposed reduction of the NPRI reporting threshold for ethylene oxide: Consultation document,

ethylene oxide, particularly after 2006, is “mostly attributable to decreased emissions from the chemical manufacturing sector and potentially related to federal attention on this substance in both Canada and the US at that time... as well as increases in overseas EtO manufacturing.”² Meanwhile reporting from other sectors including those facilities involved in sterilization using ethylene oxide are not well reported under the current reporting thresholds applied under NPRI.

The consultation document effectively outlines the need for lowering thresholds for reporting on ethylene oxide, primarily highlighting the emergence of data from the US EPA demonstrating that the toxicity of ethylene oxide is 30x higher than previously thought. The EPA conclusion on the toxicity of ethylene oxide means that the cancer risk from ethylene oxide to human health is higher than previously estimated. Based on this EPA determined threshold for increased cancer risk, the current Ontario annual ambient air guidelines would be “considered above the EPA-determined threshold for increased cancer risk.”³ Such findings would indicate a need to reassess the annual ambient air guidelines in Ontario as well as demonstrate the need to report on smaller releases of ethylene oxide.

We are encouraged that the proposed reporting threshold change will lead to an increase reporting of releases and transfer of ethylene oxide from all sectors, particularly those facilities (e.g. facilities involved in sterilization processes and educational and training institutes) that have not previous been captured for reporting under the current threshold.

We hope these changes will effectively inform changes needed to effectively manage ethylene oxide under the *Canadian Environmental Protection Act*, where it has been identified to be toxic under CEPA since 2001.

We would further note that the proposed changes in the reporting threshold should also lead to improved reporting on pollution prevention under the NPRI. The ECCC document did not discuss how such changes could improve reporting of pollution prevention activities by reporting facilities, but it would be an important element that deserves further review in the context of these changes.

Recommendation: We support the changes to reporting thresholds for ethylene oxide to report on mass threshold of 1 kg and require reporting from facilities involved in education and training of students.

Recommendation: Ensure that all facilities reporting on ethylene oxide report their pollution prevention activities.

Thank you for considering our comments and recommendations.

² Environment and Climate Change Canada. October 2024. Proposed reduction of the NPRI reporting threshold for ethylene oxide: Consultation document, p. 9.

³ Environment and Climate Change Canada. October 2024. Proposed reduction of the NPRI reporting threshold for ethylene oxide: Consultation document, p. 19

CONTACTS:

CANADIAN ENVIRONMENTAL LAW ASSOCIATION (Contact: Fe de Leon, deleonf@cela.ca)

CITIZENS' NETWORK ON WASTE MANAGEMENT (Contact: John Jackson, jjackson@web.ca)

SUPPORTING ORGANIZATIONS:



Canadian Environmental Law Association
Fe de Leon, MPH, Senior Researcher and Paralegal;
Email: deleonf@cela.ca
(Ontario)



Citizens' Network on Waste Management
John Jackson
Email: jjackson@web.ca
(Ontario)



NB Lung
Melanie Langille, M.Env.Sc., President and CEO
Email: melanie.langille@nblung.ca
(New Brunswick)



Keepers of the Water Society
Crystal Stamp-Cardinal,
Email: projects@keepersofthewater.ca
(Alberta)

Friends of Fish Society
Ian Peace
Email: airtime@agt.net
(British Columbia)

Manitoba Eco-Network Inc./Reseau Du Manitoba Inc.
James Beddome, Executive Director
Email: executivedirector@mbeconetwork.org
(Manitoba)