



Submission On:

**Revised risk management scope for per- and polyfluoroalkyl substances
(PFAS) – July 2024**

Department of Environment and Climate Change

September 11, 2024



CIPH

Founded in Montreal in 1933, the CIPH is a not-for-profit trade association that is committed to providing members with the tools for success in today's competitive environment. More than 283 companies are members of this influential Canadian industry association. They are the manufacturers, wholesaler distributors, master distributors, manufacturers' agents, and allied companies who manufacture and distribute plumbing, heating, hydronic, industrial PVF, and waterworks, and other mechanical products. CIPH wholesalers operate more than 700 warehouses and showrooms across Canada. Total industry sales exceed \$9 billion annually and CIPH members have more than 20,000 employees from coast to coast.

PMI

Safe, responsible plumbing – always – is the vision of Plumbing Manufacturers International (PMI), the voluntary, not-for-profit association of plumbing product manufacturers. Producing 90% of the United States' plumbing products and representing more than 150 brands, PMI's members are industry leaders in manufacturing safe, reliable, and innovative water-efficient plumbing technologies, including toilets, urinals, faucets and showerheads.



On July 13, 2024, the Ministers of Health Canada and Environment and Climate Change Canada (the “Ministers”) released both **Updated Draft State of PFAS Report** (the “*PFAS Report*”) and **Revised Risk Management Scope for PFAS** (the “*Risk Management Scope*”). The original *Draft State of PFAS Report* and its associated *Risk Management Scope* document were previously published on May 20, 2023, following a public comment period. On July 27, 2024 the Department of Environment and Climate Change published a guidance manual for new PFAS reporting requirements.

The Canadian Institute of Plumbing and Heating and Plumbing Manufacturers International are pleased to provide the following comments:

Reporting

As part of its risk management program, the government has required any person who, in 2023, manufactured, imported, or used in manufacturing, any of the 312 PFAS-heavy substances to complete detailed reporting relating to each activity, and each individual substance. Specifically, the any person who has undertaken the following are required to report:

- **manufactured** a total quantity greater than 1000 g of a substance listed in Schedule 1
- **imported** a total quantity greater than 10 g of a substance listed in Part 1 of Schedule 1, OR a total quantity greater than 100 kg of a substance listed in Part 2 or Part 3 of Schedule 1, whether the substance was alone, or at a concentration equal to or above 1 ppm in a mixture or in a product or at a concentration equal to or above 1 ppm in one of the categories of manufactured items
- **imported** a total quantity greater than 100 kg of any substance listed in Schedule 1 at a concentration equal to or above 1 ppm in a manufactured item NOT listed in the categories of manufactured items
- **used** a total quantity greater than 10 g of a substance listed in Schedule 1, whether the substance was alone, or at a concentration equal to or above 1 ppm in a mixture or in a product, **in the manufacture** of a mixture, a product or a manufactured item

The reporting is required to be completed no later than January 29, 2025

The CIPH has several concerns about the reporting requirements as published:

- Who is required to report is confusing: Our members continue to have questions about what entities need to report in various manufacturing and import scenarios. Even with additional clarifications, companies need to complete detailed reviews of regulations to confirm whether or not their conduct qualifies. We foresee this confusion, and expedited timeline, resulting in missed filings.
- Industry lacks the requisite supply chain transparency: Reporting regulations require an unreasonable level of retroactive supply-chain transparency. Often manufacturers must rely on several layers of supply chains to get to the single source producer of said material to reveal if PFAS is present or added. Thus, one must rely upon the accuracy of the supply chain (upstream) data reporting. It will be even more difficulty to do this accounting retroactively for the year 2023.



- Assumes the availability of required information: The reporting requirement assumes, without evidence, that distributors presently have the information required to be reported. Whether foreign distributors who were selling in 2023 will continue to engage with the Canadian market, or have the ability or inclination to support a client's Canadian reporting needs. Nevertheless, our members have an obligation to report more information to the government than their supplier might possess on their own products.
- Reporting timeline is too aggressive: For all the reasons above, our members require significant additional time to audit their suppliers, past imports, and manufacturing processes. It is an aggressive timeline to expect such information to be available to customers by 2025.
- Reporting by company is more efficient: The government should streamline the reporting process to allow a company/person to file a single report outlining the reportable substances they have interacted with, along with how they were used. We foresee this greatly reducing the reporting burden on our industry.

Recommendations

The CIPH recommends the government adopt the following:

- Begin reporting for the 2025 calendar year, with a report due by January 29, 2026.
- Create a streamlined reporting portal, with one report per person/company, as opposed to one report per substance, per use as presently contemplated. Additionally, make the Canadian ID number optional for reporting done by companies/persons outside of Canada who do not have a Canadian ID#.