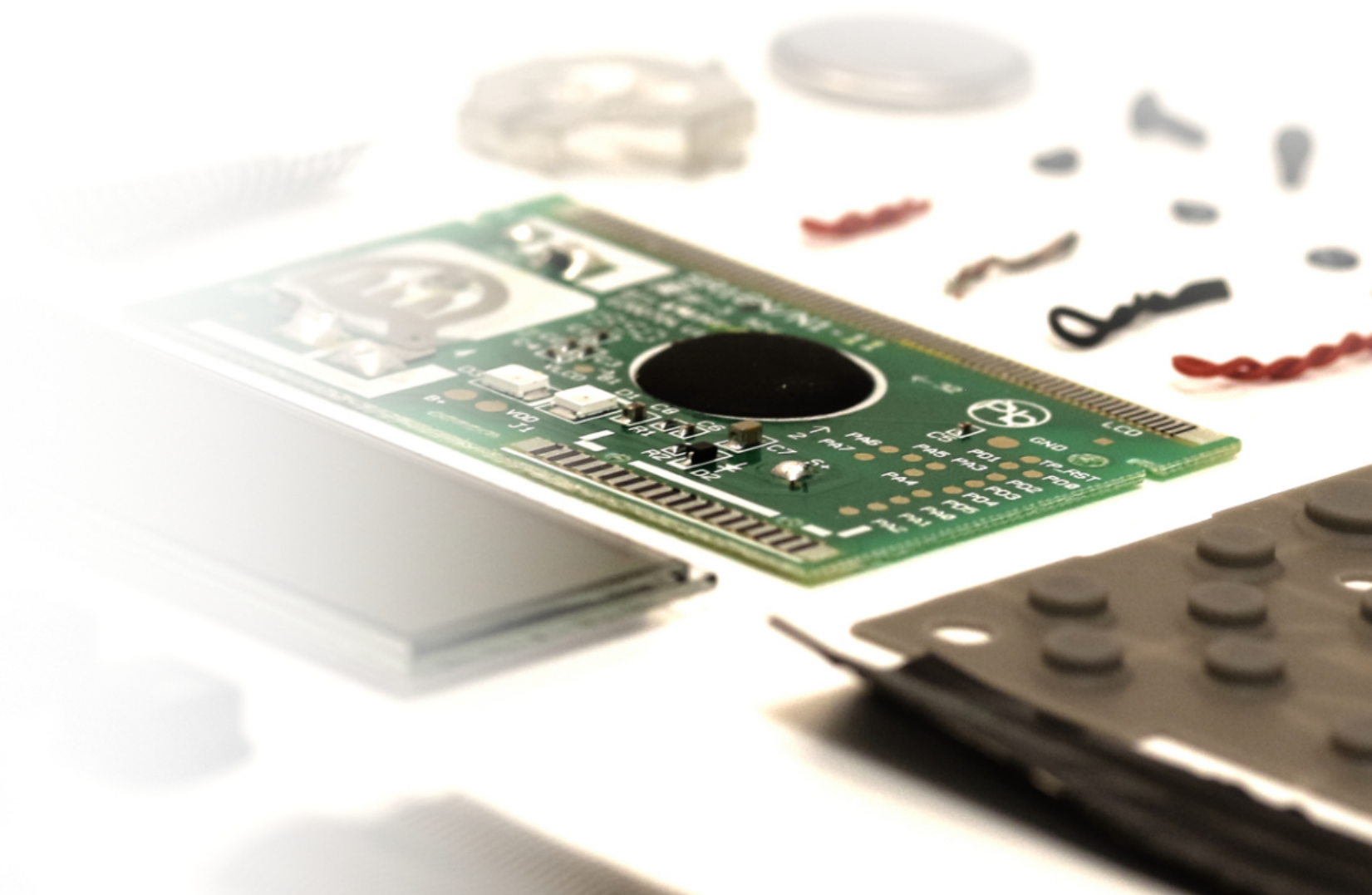


# Canadian PFAS Reporting Section 71 Reporting - Jan 2025

Presented by:  
Bruce Calder  
VP Consulting

August 14, 2024



# Overview - Agenda

- Introduction
- Summary
- CEPA
  - Section 71 notices (PFAS reporting)
  - Section 46 notices (Plastics registry)
  - Prohibition (chemical restriction)
- PFAS Reporting
  - Notice
  - Guidance
  - Reporting form
- Scope & Key Definitions
- PFAS Reporting Details
  - Details on each reporting requirement
- Overlap with other regulations
- Q&A

## Canada Gazette, Part I, Volume 158, Number 30: SUPPLEMENT

July 27, 2024

### DEPARTMENT OF THE ENVIRONMENT

#### CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

##### *Notice with respect to certain per- and polyfluoroalkyl substances (PFAS)*

Pursuant to paragraph 71(1)(b) of the *Canadian Environmental Protection Act, 1999* (the Act), notice is hereby given that the Minister of the Environment requires, for the purpose of assessing whether the substances described in Schedule 1 to this notice are toxic or are capable of becoming toxic, or for the purpose of assessing whether to control, or the manner in which to control the listed substances, any person described in section 2 of this notice who possesses or who may reasonably be expected to have access to the information required in sections 8 to 14 of this notice to provide that information no later than January 29, 2025.

Intended to be 50  
minutes  
/w 10 min Q&A

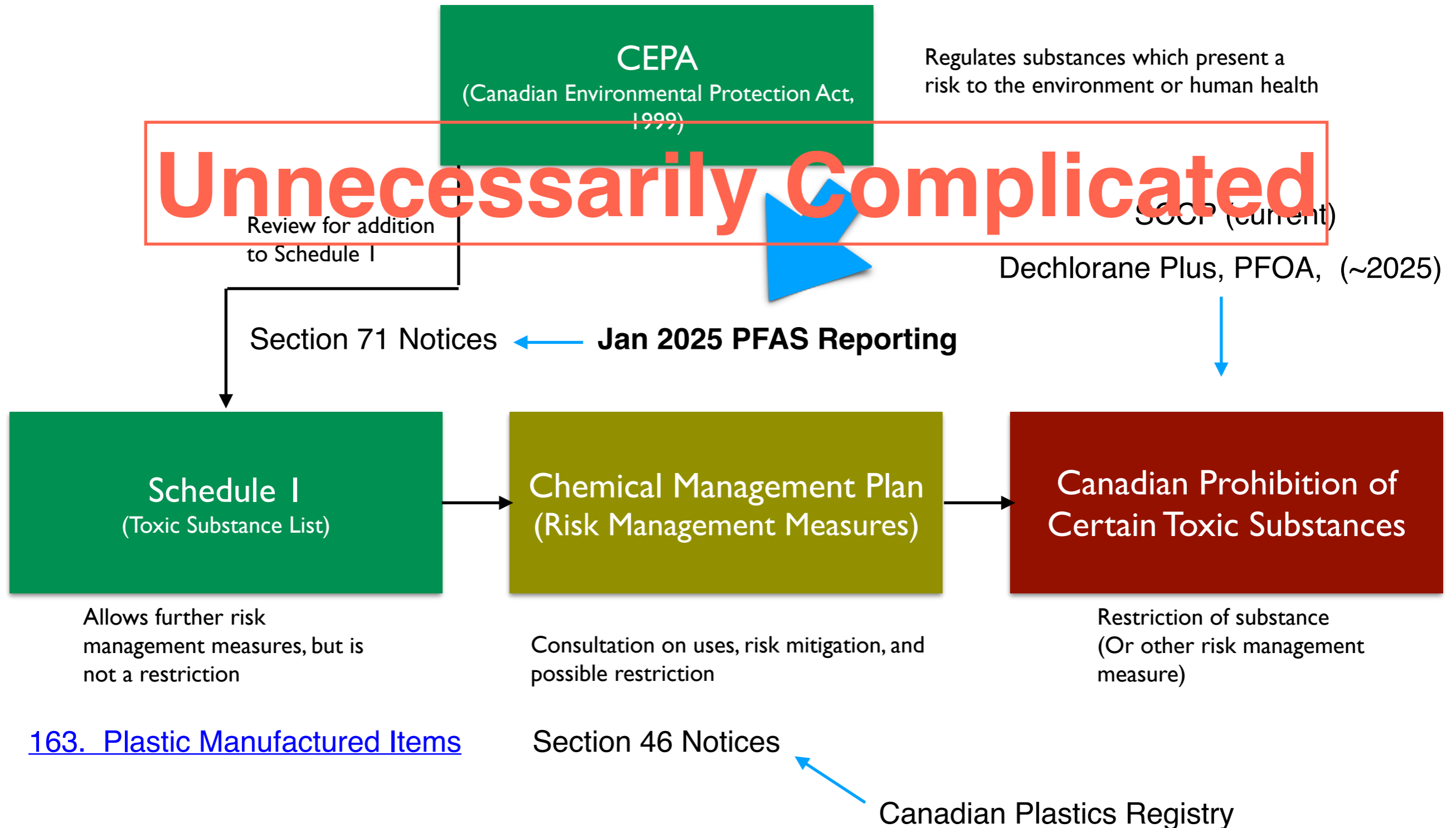
# Canadian PFAS Reporting

## Brief summary

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- **Mandatory Data Gathering**
  - Section 71 Notice under Canadian Environmental Protection Act (CEPA)
- **Importers and manufacturers of specific PFAS in**
  - Chemicals, and
  - Physical products (articles)
- **Are required to report**
  - Chemical ID
  - Volumes in 2023
  - Product types using each PFAS
  - Application codes
  - Function codes
- **By January 29 2025**

# Canadian Chemical Regulation



# Canadian PFAS Reporting PFAS Section 71 Notice

- **Notice -**
  - From the [Canadian Gazette Part I](#)



Government  
of Canada

Gouvernement  
du Canada



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[Home](#) › [How government works](#) › [Treaties, laws and regulations](#) › [Canada Gazette](#) › [Publications](#) › [Part I: Vol. 158 \(2024\)](#) › [July 27, 2024](#)

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# Canadian PFAS Reporting PFAS Section 71 Guidance

- **Guidance [manual](#) from**
  - Environment and Climate Change Canada, and
  - Health Canada



Government  
of Canada

Gouvernement  
du Canada



MENU ▾

[Canada.ca](#) > [Health](#) > [Product safety](#) > [Chemical safety](#) > [Chemical substances](#)

> [A-Z index: substances addressed in the third phase of the Chemicals Management Plan](#)

## Guidance manual for responding to the: Notice with respect to certain per- and polyfluoroalkyl substances (PFAS)

Official title: Guidance manual for responding to the: Notice with respect to certain per- and polyfluoroalkyl substances (PFAS)

Published in the *Canada Gazette*, Part I on July 27, 2024

Cat. No.: En14-559/2024E-PDF

ISBN: 978-0-660-72417-1



[Guidance manual for responding to the: Notice with respect to certain per- and polyfluoroalkyl substances \(PFAS\)](#)

[PDF - 598 KB]

# Canadian PFAS Reporting

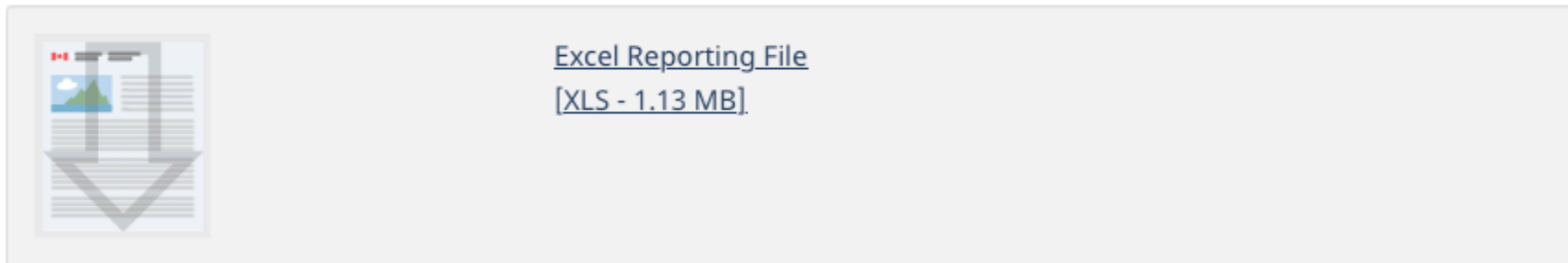
## PFAS Section 71 - Reporting

- **Reporting form for PFAS Notice**
  - Including [excel file](#)
  - To be submitted to online reporting single window

### Responding to the PFAS notice

Notice with respect to certain per- and polyfluoroalkyl substances (PFAS)

Published in the *Canada Gazette*, Part I on July 27, 2024



The Excel Reporting File has been developed to assist you in meeting the reporting requirements of the notice. A complete substance list is available on the last tab of the Excel Reporting File and as a stand-alone [Excel substance list](#). Any person who is required to respond to the notice must do so no later than **January 29, 2025**. Please note that in the case of a discrepancy between the Excel Reporting File, the *Canada Gazette* notice or the *Canadian Environmental Protection Act, 1999 (CEPA)*, the official version of the notice and CEPA take precedence.

**If you determine that you meet the reporting criteria of the notice**, you must provide a section 71 response using the steps outlined below:

1. Download and complete the PFAS Excel Reporting File using the link above. Once completed, save it using the following file naming format "[**ORGANIZATION NAME**] PFAS s71 ERF.xlsx
2. Submit the saved file via [Environment and Climate Change Canada's Single Window](#) online reporting system

# Canadian PFAS Reporting

## PFAS Section 71 - Submission Portal

- **Submission Portal**
- Normally through a personal GCKey

### Choose a secure sign in method

You must sign in to access the Environment and Climate Change Canada ("ECCC") service you requested.

#### Use a Sign-In Partner

Continue to Sign-In Partner

- Use the same sign-in information you use for other online services (e.g. online banking).
- None of your information (e.g. financial, banking) will be shared with ECCC. Your Sign-In Partner will not know which government service you are using.
- You will temporarily leave the ECCC web site to use your Sign-In Partner.



▶ [View the full list of Sign-In Partners](#)

#### Use a GCKey



Please note that users using GCKey to login will be required to set up two-factor authentication to access Single Window starting on **July 31st, 2023**. For additional information on setting up and using two-factor authentication, we have added a "two-factor authentication" section to our [guidance page](#). This will not be required by users using a sign-in partner.



# Key Definitions

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- **Key definitions in Section 7I Notice**
- **Substance**
  - Single chemical
- **Products**
  - Chemical products like sunscreen, not physical products
- **Manufactured items**
  - Physical products like laptops
- **All are in scope but have different requirements**

## Manufactured Products (Articles)

---

- **Fluoropolymer**

- > 1ppm (0.0001 %) of article, and
- > 100 kg per year if
  - In children's products
  - Intended to come in contact with mucosa
  - Would be inhaled, have dermal exposure, or oral exposure if used as intended
  - Cookware or serving utensils (intended for heated food)
  - Food packaging material or re-usable beverage container
  - Food processing equipment
  - Clothing, footwear, bedding, or towels
  - Furniture or carpet

*With simplified reporting requirements*

- **Or in any other product**

# Reportable PFAS

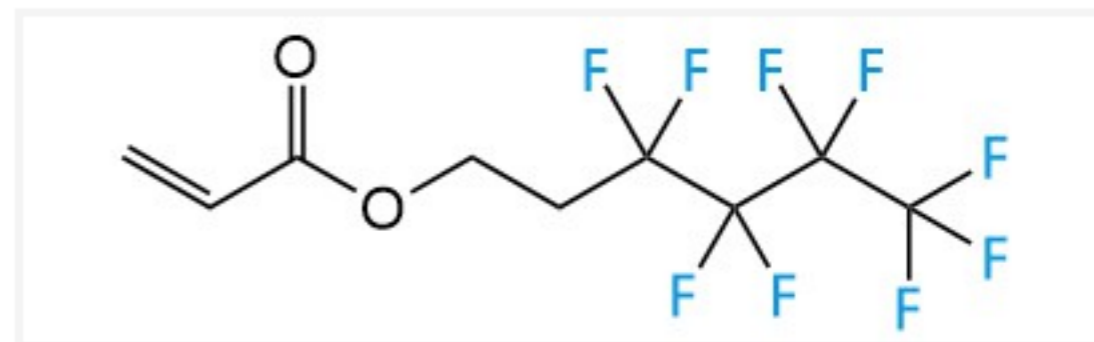
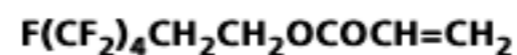
---

- **Reportable PFAS**
- **Fluoro salts**
  - 273 fluoro salts
  - None of which of any reasonable chance of being above 1 ppm and above 10 g per year
    - PFBA is the only added PFAS salt in manufactured items
    - And not in the list of salts...
- **Fluoropolymers**
  - 26 fluoropolymers
  - Including PTFE, FKM, and PVDF
  - But missing fluoroacrylics and FFKM

# Fluorinated Acrylic Polymers

- Fluorinated acrylic polymers
  - Do not have a CAS number
    - They use PMN or accession numbers, or
    - Are listed as a polymer of their fluorinated acrylic monomer
- Example [monomers](#) that make fluorinated acrylic polymers
  - Only one of the standard fluorinated acrylate monomers is listed in the Section 71 survey - (CAS# 52591-27-2)
  - And this is **not** the polymer

2-(perfluorobutyl)ethyl acrylate



# Fluorinated Acrylic Polymers In Canada in 2024

- In February of 2024,
  - Eleven (11) pairs of children's winter gloves were tested
  - 9 out of 11 pairs had fluorinated acrylic coatings
    - 7 out of these 9 had PFOA-family degradation products
  - **And none would be reportable on the current CEPA survey**

Picture	Material	PFAS Salts	Manufacturer
	Exterior Thumb Fabric	PFBA 0.01ppm  PFPeA 0.05ppm  PFHxA 0.03ppm  PFHpa 0.01ppm  4HPFUnA 0.03ppm	Northface

Degradation products of fluorinated acrylic polymers

# Fluoroacrylics In Manufactured Items

---

- **Main (if not only) PFAS in**
  - In children's products
  - Would be inhaled, have dermal exposure, or oral exposure if used as intended
  - Food packaging material or re-usable beverage container
  - Clothing, footwear, bedding, or towels
  - Furniture or carpet

# Canadian PFAS Reporting

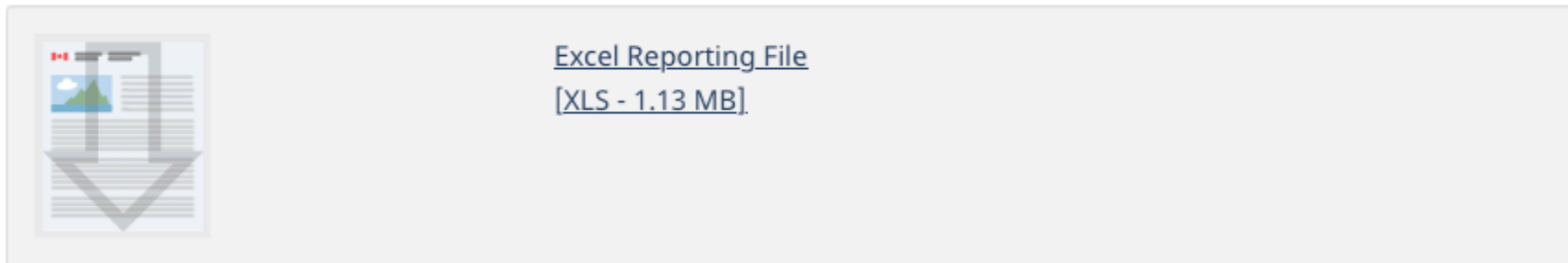
## PFAS Section 71 - Reporting

- **Reporting form for PFAS Notice**
  - Including [excel file](#)
  - To be submitted to online reporting single window

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Notice with respect to certain per- and polyfluoroalkyl substances (PFAS)

Published in the *Canada Gazette*, Part I on July 27, 2024



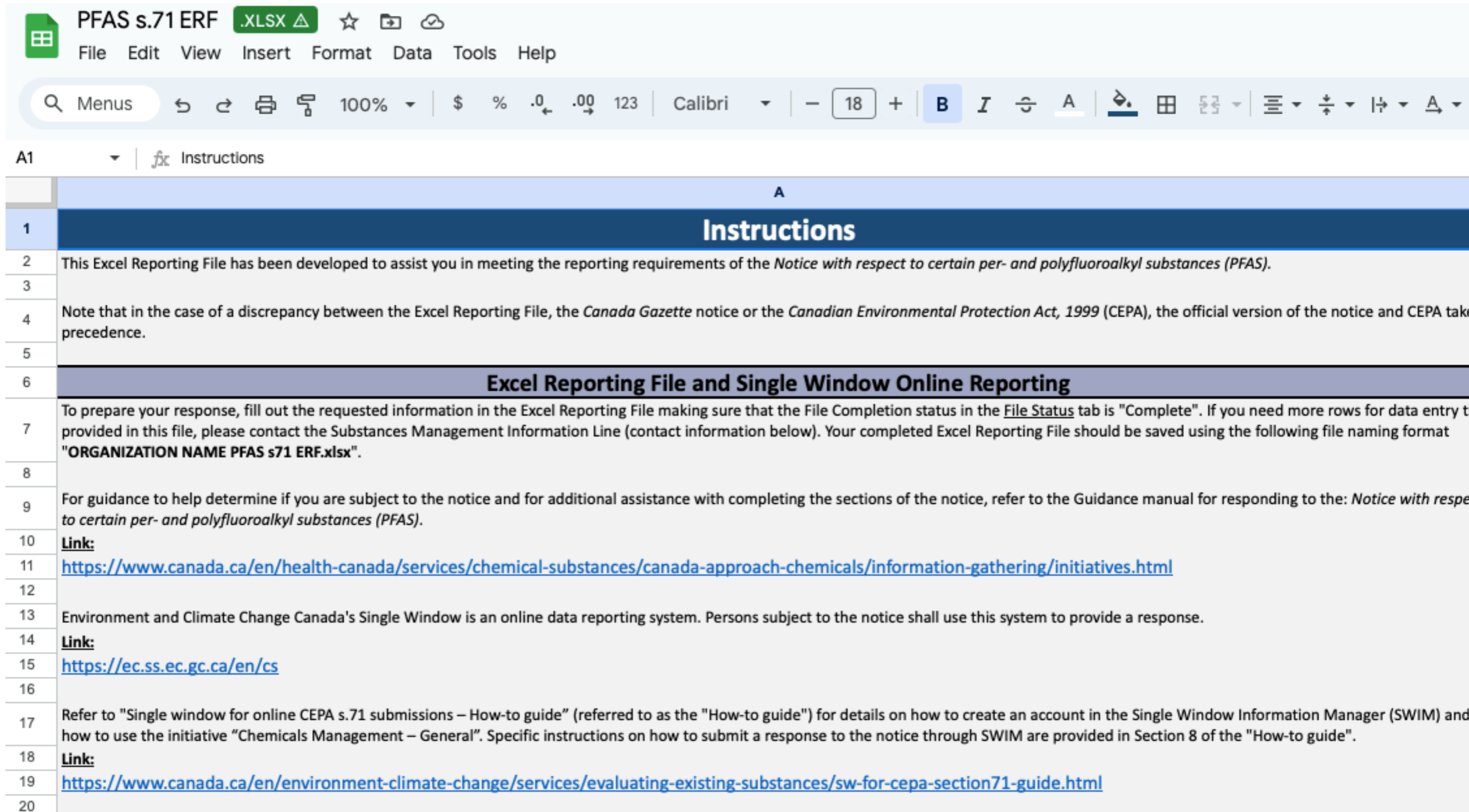
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# Reporting PFAS in Canada

- **Excel file (Instruction Tab)**



PFAS s.71 ERF .XLSX

File Edit View Insert Format Data Tools Help

100% Calibri 18

A1 Instructions

A	
1	<b>Instructions</b>
2	This Excel Reporting File has been developed to assist you in meeting the reporting requirements of the <i>Notice with respect to certain per- and polyfluoroalkyl substances (PFAS)</i> .
3	
4	Note that in the case of a discrepancy between the Excel Reporting File, the <i>Canada Gazette</i> notice or the <i>Canadian Environmental Protection Act, 1999 (CEPA)</i> , the official version of the notice and CEPA take precedence.
5	
6	<b>Excel Reporting File and Single Window Online Reporting</b>
7	To prepare your response, fill out the requested information in the Excel Reporting File making sure that the File Completion status in the <u>File Status</u> tab is "Complete". If you need more rows for data entry than provided in this file, please contact the Substances Management Information Line (contact information below). Your completed Excel Reporting File should be saved using the following file naming format " <b>ORGANIZATION NAME PFAS s71 ERF.xlsx</b> ".
8	
9	For guidance to help determine if you are subject to the notice and for additional assistance with completing the sections of the notice, refer to the Guidance manual for responding to the: <i>Notice with respect to certain per- and polyfluoroalkyl substances (PFAS)</i> .
10	<b>Link:</b>
11	<a href="https://www.canada.ca/en/health-canada/services/chemical-substances/canada-approach-chemicals/information-gathering/initiatives.html">https://www.canada.ca/en/health-canada/services/chemical-substances/canada-approach-chemicals/information-gathering/initiatives.html</a>
12	
13	Environment and Climate Change Canada's Single Window is an online data reporting system. Persons subject to the notice shall use this system to provide a response.
14	<b>Link:</b>
15	<a href="https://ec.ss.ec.gc.ca/en/cs">https://ec.ss.ec.gc.ca/en/cs</a>
16	
17	Refer to "Single window for online CEPA s.71 submissions – How-to guide" (referred to as the "How-to guide") for details on how to create an account in the Single Window Information Manager (SWIM) and how to use the initiative "Chemicals Management – General". Specific instructions on how to submit a response to the notice through SWIM are provided in Section 8 of the "How-to guide".
18	<b>Link:</b>
19	<a href="https://www.canada.ca/en/environment-climate-change/services/evaluating-existing-substances/sw-for-cepa-section71-guide.html">https://www.canada.ca/en/environment-climate-change/services/evaluating-existing-substances/sw-for-cepa-section71-guide.html</a>
20	



# Reporting PFAS in Canada

- **Detailed instruction in Instruction Tab**

## Section Specific Considerations

1. In the [Section 8](#) tab, ensure that the "Business Legal Name" and the "Business Number" are identical to the "Company Name" and the "Business Number (Canada Revenue Agency)" listed on the [Identification](#) page of **CMP's Chemicals Management - General** initiative in Environment and Climate Change Canada's Single Window.
2. In the applicable [Section 11](#) tab, each substance to report must be selected only once in the field "Substance Identifier". An error will be displayed if one substance appears twice or more in the column.
3. In the [Section 9](#) and [Section 11](#) tabs, a Substance lookup function is located in the two first columns (A and B). The substances from the notice can be searched by Substance identifier or by Keyword.
  - a. In the field Search by Substance identifier (column A), you may enter part of, or the whole, Substance Identifier, preceded by an apostrophe ( ' ).
  - b. In the field Search by Keyword (column B), you may enter part of, or the whole, substance name as listed in the notice.Based on the information entered in one or both search fields, the Substance Identifier drop-down list (column C) will display only the substances relevant to the search. Once the Substance Identifier is selected, the Substance name will be displayed (column D). Delete the current search information in the Search fields to display the full list of substances in the Substance Identifier drop-down list, or repeat the steps above.
4. In the [Section 9](#) tab, to meet the reporting threshold related to paragraph 3(c) of the notice, each substance must meet the following requirement:
  - a. Total quantity imported > 100 kg in a manufactured item other than those listed in paragraph 2(2)(c)
5. In the [Section 11](#) tab, to meet the reporting threshold related to paragraphs 3(a) and 3(b) of the notice, each substance must meet at least one of the following requirements:
  - a. Total quantity manufactured (column F) > 1000 g or
  - b. Total quantity imported alone, in a mixture/product and in a manufactured item listed in paragraph 2(2)(c) (Sum of columns I, L and O)
    - (i) > 10 g if the substance is listed in Part 1 of Schedule 1
    - (ii) > 100 kg if the substance is listed in Part 2 or Part 3 of Schedule 1 or
  - c. Total quantity used (column R) > 10 g.
6. In the [Section 11](#) tab, each quantity field must have a Reporting Unit specified. If the selected substance was not involved in certain activities, select any Reporting Unit and enter 0 in the subsequent quantity field.
7. In the [Section 12](#) tab, only the substances selected on the [Section 11](#) tab will be included in the "Substance Identifier" list.
8. In the [Section 13\(a\)\(b\)\(c\)](#) tab, [Section 13\(d\)\(e\)](#) tab and the [Section 13 & 14 Files](#) tab, only the Part 2 substances selected on the [Section 11](#) tab will be included in the "Substance Identifier" list.
9. The complete list of substances, substance function codes, and application codes can be found on the [Substances & Codes](#) tab.

# Reporting PFAS in Canada

## Section 8



- **Section 8 - Company**
  - Company information
  - Authorised individual information

C	D	E	F	G	H	I
<b>8. Any person to whom this notice applies shall provide the following information:</b>						
<b>(b) the address</b>			<b>(c) the business number (Canada Revenue Agency)</b>	<b>(d) the name, email and phone number of an individual authorized to a</b>		
<b>City</b>	<b>Province/Territory</b>	<b>Postal Code</b>	<b>Business Number</b>	<b>First Name of an individual</b>	<b>Last Name of an individual</b>	<b>Email of an in</b>

# Reporting PFAS in Canada

## Section 9



- **Section 9 - Substance Reporting**
  - PFAS substance
  - Manufactured item generic description

*No volume or concentration information*

Substance Lookup		Section 9		9. For each substance, the person shall provide the following information for the 2023 calendar year:		
Search by Substance Identifier	Search by Keyword (Case-sensitive)			(a) description and the common or generic name of each manufactured item containing the substance		
		Substance Identifier	Substance Name	Description and the common or generic name	Description and the common or generic name is confidential?	
<p>In the field Search by Substance identifier, you may enter part of or the whole Substance identifier. (If you copy-paste a whole Substance identifier, do not use the Ctrl+V function, instead you can right click and paste it as "Match Destination Formatting" or "Paste as Values" in the Substance identifier column (Column C).) In the field Search by Keyword, you may enter part of or the whole substance name. This field is case-sensitive.</p> <p>Based on the information entered in one or both of these search fields, the Substance identifier drop-down list will be shortened and will only contain the substances relevant to the search.</p> <p>Once you have selected the Substance identifier, erase your current search or repeat the steps above to update the Substance identifier drop-down list.</p>					No	
					No	
						No
						No
						No
						No
						No
						No
						No
						No
						No
						No
						No
						No
						No

Required for all products

# Reporting PFAS in Canada

## Section 10



- **Section 10 - Use information**
  - Use of PFAS in manufacturing facilities in Canada
  - Rare outside of lubricants and blowing agents

Section 10	10. If the person subject to the notice owns one or more facilities, the person s						
-	(a) the name and physical address of each facility that has manufacturing or use activity with a reportable substance					(b) whether there are known releases from	
Do you own one or more facilities in Canada that has manufacturing or use activity?	Facility Name	Street Address	City	Province	Postal Code	Are any reportable substances known to be released to air?	Release to air is confidential?
▼						▼	No ▼
						▼	No ▼
						▼	No ▼
						▼	No ▼
						▼	No ▼
						▼	No ▼
						▼	No ▼
						▼	No ▼
						▼	No ▼
						▼	No ▼
						▼	No ▼

Required for chemicals being used

# Reporting PFAS in Canada

## Section II



- **Section II - PFAS in Products / Manufactured Items**
  - PFAS in products and manufactured items
  - Detailed reporting table

11. For each substance, the person shall provide the following information for the 2023 calendar year:

(b) the total quantity of the substance that the person imported alone, in a mixture or product, and in a manufactured item, reported in grams or kilograms

Substance alone - Total quantity imported is confidential?	Reporting unit	Substance in a mixture or in a product - Total quantity imported	Substance in a mixture or in a product - Total quantity imported is confidential?	Reporting unit	Substance in a manufactured item - Total quantity imported	Substance in a manufactured item - Total quantity imported is confidential?
No			No			No
No			No			No
No			No			No
No			No			No
No			No			No
No			No			No
No			No			No
No			No			No
No			No			No
No			No			No
No			No			No
No			No			No

Required only for chemicals and specifically listed manufactured items

# Reporting PFAS in Canada

## Section 12



- **Section 12 - Application and Function Codes**

- Application of manufactured item containing PFAS
- Function code of PFAS in manufactured item
- *Only for the specifically listed manufactured items (not the 'other' category)*

(a) the application code(s) set out in Schedule 2 that applies to the substance		(b) the substance function code(s) set out in Schedule 3 that applies to each application code			
Application Code	Application Code is confidential?	MAIN Substance Function Code	MAIN Substance Function Code is confidential?	Other Substance Function Code(s)	Other Substance Function Code(s) are confidential?
▼	No ▼	▼	No ▼		No ▼
▼	No ▼	▼	No ▼		No ▼
▼	No ▼	▼	No ▼		No ▼
▼	No ▼	▼	No ▼		No ▼
▼	No ▼	▼	No ▼		No ▼
▼	No ▼	▼	No ▼		No ▼
▼	No ▼	▼	No ▼		No ▼

Required only for chemicals and specifically listed manufactured items

# Summary of Reporting Requirements (Articles)

---

- **Reporting requirements for manufactured items**
  - Name and contact details of business
  - Product families with reportable PFAS
  - PFAS in product families
    - Name of reportable PFAS
  - For specifically list products
    - Per product family
      - Application of product
      - Function of PFAS
      - Quantity of PFAS
      - Min and max concentration of PFAS

# Claigan Process

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- **Claigan process**
  - Use representative products
  - Leverage
    - US TSCA PFAS reporting
    - Canadian plastics registry
      - All polymers not just fluoropolymers



# Complications with Data Gathering

---

- **Don't get caught up in details**

- PFAS reporting is very high level
  - PFAS in products (not components)

**Don't overcomplicate the problem**

- 2025 manufacturing and importation data only
- Very technical
  - Both chemical and regulatory
- Use information is more important than chemical information (*for some products*)
  - Is that what you are gathering?
- Most companies have to 'manipulate' the data to get the output
- Five months until deadline (CAN). Ten months for US

## PFAS (CAN), PFAS (US), Plastic Registry

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### Simple Products

#### Process

- Choose representative products
- Test
- Create declaration
- **Simple. Fast. Battle tested process.**

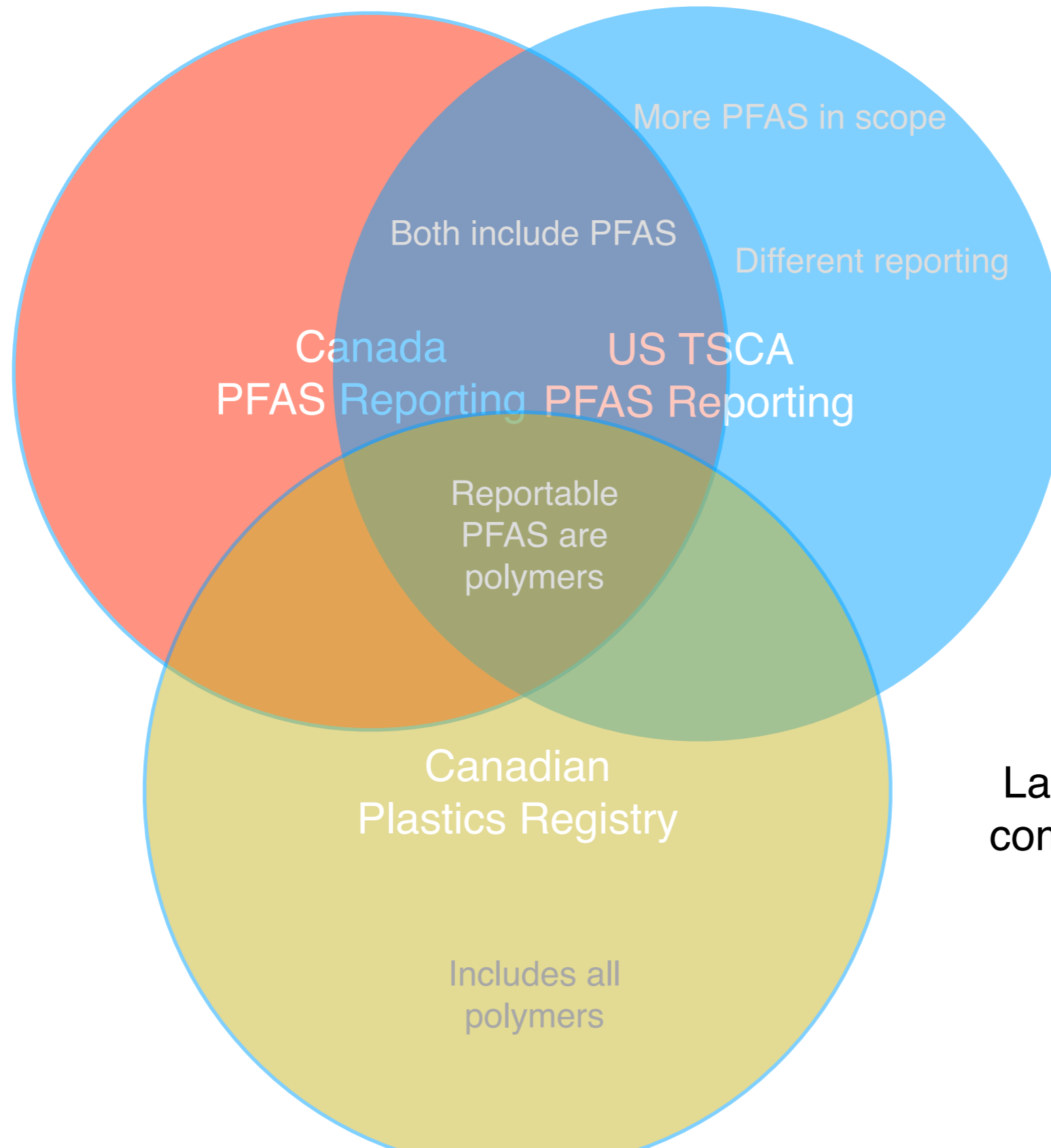


### Complex Products

#### Process

- Choose representative products
- Engineering evaluation and data gathering
- **Simple. Fast. Uncomplicated**

# Overlapping Regulations



Large advantages to completing all three in parallel

# Key take aways

## Canadian PFAS Reporting

---

- **Due January 25 2025**
  - **One time reporting**
    - **DON'T OVERCOMPLICATE THINGS**
  - **Significant overlap with US TSCA PFAS**
    - Due May 2025
  - **Significant overlap with Canadian Plastics Registry**
    - Due September 2025
  - **You may need more than CAS number**
    - You may need function and application (for US and CAN)
- **When in doubt, contact Claigan**

# Claigan PFAS Reporting Project

**Phase 1**  
Client

**Phase 2**  
Claigan

**Phase 3**  
Client

**Phase 4**  
Claigan

**CAN PFAS  
Reporting**

Provide  
available data

Generate  
product  
declarations

Provide 2023  
CAN sales  
data

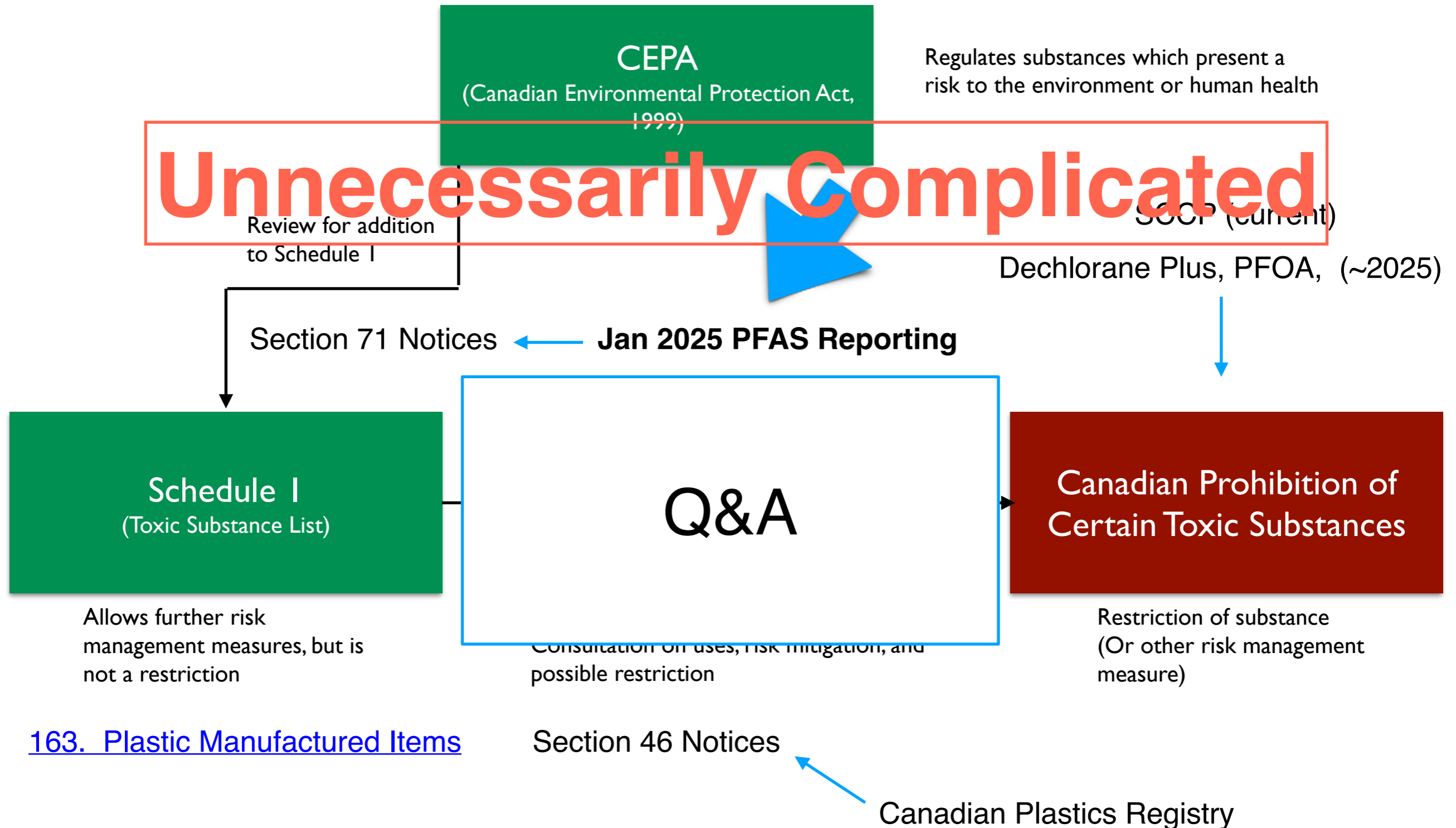
Create  
amalgamated  
submission

Provide product  
Or  
Provide BOM

And support  
submission

Summarize data you have  
and  
Generate data you don't have

# Canadian Chemical Regulation



[163. Plastic Manufactured Items](#)