



Fact sheet for the *Prohibition of Certain Toxic Substances Regulations, 2012*

The *Prohibition of Certain Toxic Substances Regulations, 2012* (the Regulations) prevent potential risks of harm to the Canadian environment and, where applicable, human health by **prohibiting the manufacture, use, sale, offer for sale or import of 22 toxic substances** listed in the Annex **and products containing these substances** with a limited number of exemptions.

The Regulations repeal and replace the *Prohibition of Certain Toxic Substances Regulations, 2005* (former Regulations). **Four new toxic substances have been added** to the list of 18 substances already controlled under the former Regulations:

- **Benzenamine N-phenyl, reaction products with styrene and 2,4,4-trimethylpentene (BNST)** – primarily used as an antioxidant in lubricants with minor uses in rubber.
- **Short-chain chlorinated alkanes (SCCAs) formerly called short chains chlorinated paraffins** – mainly used as additive in metalworking fluid with minor uses in paints, adhesives, rubber and plastic.
- **Polychlorinated naphthalenes (PCNs)** – were mainly used in cable insulation, capacitors and gauge.
- **Tributyltins for non-pesticidal uses (TBTs)** – may be found in products that are mainly used in the polyvinyl chloride (PVC) processing industry, and with minor uses in products used for glass coatings and as catalysts.

In addition, the Regulations modify the restrictions on hexachlorobenzene (HCB) by expanding the scope of controls and by removing reporting requirements.

Who is subject to the Regulations and what are the exemptions?

The Regulations apply to any person who manufactures, uses, sells, offers for sale or imports any of the 22 toxic substances listed in the Annex to this fact sheet or a product containing any of these substances.

General exemptions that apply to all 22 substances include:

- manufacture, use, sale, offer for sale or import of products where the substances are incidentally present;¹
- use of substances or products containing them in a laboratory for analysis, scientific research or as an analytical standard.

Specific exemptions for the four new substances include:

Substance or product containing it	Prohibitions	Exemptions
BNST, SCCAs, PCNs and TBTs	Use, sale, offer for sale	<ul style="list-style-type: none"> • Products that are manufactured or imported before March 14, 2013
BNST	Manufacture, use, sale, offer for sale, import	<ul style="list-style-type: none"> • Additive in rubber (except tires) • Additive in lubricant (e.g. vehicle engine oils, commercial and industrial lubricants) until March 14, 2015
	Use, import	<ul style="list-style-type: none"> • Products (e.g. vehicle engine oil) intended for an individual personal use
TBTs	Manufacture, use, sale, offer for sale, import	<ul style="list-style-type: none"> • Tetrabutyltin containing a concentration $\leq 30\%$ by weight of TBTs • Mono- and dibutyltins (in applications such as PVC processing, glass coating or as catalysts because TBTs are incidentally present in these products)

1. Exemption does not apply in the case of a product described in paragraph 6(2)(d) of the Regulations.

Who can apply for a permit?

Persons who were manufacturing or importing a toxic substance (BNST, PCNs, SCCAs, TBTs or HCB) or a product containing it on March 14, 2013, may continue that activity if they have been issued a permit under the Regulations. A permit is valid for one year and can potentially be renewed twice.

Note: A person who manufactures or imports BNST, or a product containing it for use as an additive in lubricants, can apply for a permit after the two-year exemption is over on March 14, 2015.

Who needs to report under the Regulations?

Every person who manufactures or imports SCCAs and benzidine and benzidine dihydrochloride above the reporting thresholds must submit an annual report by March 31st of the following year. Every person who uses more than 10 grams of any toxic substance listed in the Annex or a product containing any such toxic substance in a laboratory for analysis, in scientific research or as a laboratory analytical standard must submit the information set out in Schedule 3 of the Regulations.

Substance or product containing it	Reporting thresholds	
	Annual quantity	Annual weighted average concentration
SCCAs	1000 g	0.5% (w/w)
Benzidine and benzidine dihydrochloride	1000 g	–
Any toxic substances used in laboratory analysis, scientific research or as a laboratory analytical standard	10 g	–

Useful links

- Text of the *Prohibition of Certain Toxic Substances Regulations, 2012*: www.ec.gc.ca/lcpe-cepa/eng/regulations/detailReg.cfm?intReg=207
- BNST: www.ec.gc.ca/toxiques-toxics/Default.asp?lang=En&n=C9EAF6F-1
- Chlorinated Alkanes: www.ec.gc.ca/toxiques-toxics/Default.asp?lang=En&n=148DE7B6-1
- Polychlorinated Naphthalenes: www.ec.gc.ca/toxiques-toxics/Default.asp?lang=En&n=6B6BA7E7-1
- Tributyltins: www.ec.gc.ca/toxiques-toxics/Default.asp?lang=En&n=C608DAAE-1

Information and contacts

For more information on the Regulations, please contact:

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Disclaimer

This fact sheet is issued for information purposes only and may not include all legal requirements. If there is any inconsistency or conflict between the information contained in this document and the *Canadian Environmental Protection Act, 1999* and/or the *Prohibition of Certain Toxic Substances Regulations, 2012*, the official versions of the Act and Regulations take precedence. The official versions of the Regulations can be found at: www.ec.gc.ca/lcpe-cepa/eng/regulations/detailReg.cfm?intReg=207

Annex: List of Substances Subject to the Regulations

1	Dodecachloropentacyclo [5.3.0.0 ^{2,6} .0 ^{3,9} .0 ^{4,8}] decane (Mirex)
2	Polybrominated Biphenyls that have the molecular formula C ₁₂ H _(10-n) Br _n in which “n” is greater than 2 (PBB)
3	Polychlorinated Terphenyls that have a molecular formula C ₁₈ H _(14-n) Cl _n in which “n” is greater than 2 (PCT)
4	Bis(Chloromethyl) ether that has the molecular formula C ₂ H ₄ Cl ₂ O (BCME)
5	Chloromethyl methyl ether that has the molecular formula C ₂ H ₅ ClO (CMME)
6	(4-Chlorophenyl)cyclopropylmethanone,O-[(4-nitrophenyl)methyl]oxime that has the molecular formula C ₁₇ H ₁₅ ClN ₂ O ₃ (NCC ether)
7	N-Nitrosodimethylamine, which has the molecular formula C ₂ H ₆ N ₂ O (NDMA)
8	Hexachlorobutadiene, which has the molecular formula C ₄ Cl ₆ (HCBD)
9	Dichlorodiphenyltrichloroethane, which has the molecular formula C ₁₄ H ₉ Cl ₅ (DDT)
10	Hexachlorobenzene (HCB)
11	Benzidine and benzidine dihydrochloride, which have the molecular formula C ₁₂ H ₁₂ N ₂ and C ₁₂ H ₁₂ N ₂ ·2HCl, respectively
12	Hexane, 1,6-diisocyanato-, homopolymer, reaction products with alpha-fluoro-omega-2-hydroxyethyl-poly(difluoromethylene), C16-20-branched alcohols and 1-octadecanol
13	2-Propenoic acid, 2-methyl-, hexadecyl ester, polymers with 2-hydroxyethyl methacrylate, gamma-omega-perfluoro-C10-16-alkyl acrylate and stearyl methacrylate
14	2-Propenoic acid, 2-methyl-, 2-methylpropyl ester, polymer with butyl 2-propenoate and 2,5 furandione, gamma-omega-perfluoro-C8-14-alkyl esters, tert-Bu benzenecarbo peroxyate-initiated
15	2-Propen-1-ol, reaction products with pentafluoroiodoethane tetrafluoroethylene telomer, dehydroiodinated, reaction products with epichlorohydrin and triethylenetetramine
16	2-methoxyethanol, which has the molecular formula C ₃ H ₈ O ₂ (2-ME)
17	Pentachlorobenzene, which has the molecular formula C ₆ HCl ₅ (QCB)
18	Tetrachlorobenzenes, which have the molecular formula C ₆ H ₂ Cl ₄ (TeCB)
19	Polychlorinated Naphthalenes (PCN)
20	Short-Chain Chlorinated Alkanes (SCCA) formerly Chlorinated Paraffins
21	Benzenamine, N-phenyl-, Reaction Products with Styrene and 2,4,4-Trimethylpentene (BNST)
22	Tributyltins (TBTs) for non-pesticidal uses