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September 24, 2018

Sent via E-mail to ec.ministre-minister.ec@canada.ca

Hon. Catherine McKenna
Minister of Environment and Climate Change
Environment and Climate Change Canada
200 Sacré-Coeur Boulevard
Gatineau QC K1A 0H3

Dear Minister McKenna:

Re: Request for Addition of Single-Use Plastics, Microplastics and Microfibers to Priority Substances List Pursuant to s. 76(3) of the *Canadian Environmental Protection Act, 1999*
-Reply to letter of September 14, 2018

Thank you for your letter of September 14, 2018.

As you know, our letter of June 7, 2018 requested, pursuant to subsection 76(3) of the *Canadian Environmental Protection Act, 1999 (CEPA)*, that you add single-use plastics, microplastics and microfibers to the Priority Substances List.

As per subsection 76(4) of the *CEPA*, you and your colleague, the Minister of Health, must consider a subsection 76(3) request. Within 90 days after the request is filed, you must inform the person who filed the request of how you intend to deal with it and the reasons for dealing with it in that manner. Unfortunately, your letter does not state how you intend to deal with our request, including whether it is granted or denied, and no reasons are provided.

The statutory deadline for a response to our subsection 76(3) request expired on September 5, 2018, and no response was received before or after that date, despite the requirements of subsection 76(4) of *CEPA*. *CEPA* does not provide for any extensions to this deadline.

As well, our letter of June 7, 2018 referenced bans on various single-use plastics announced/imposed in many other OECD jurisdictions. As per subsections 75(2) and 75(3) of *CEPA*, the letter requested that you assess whether due notice of these bans has been received.

Where notice has been received, you are required to assess whether those banned single-use plastics are toxic or capable of becoming toxic. We received no response to this request nor any indication of the steps being taken in connection with these OECD bans.

As you will appreciate, and as per our letter of June 7, 2018, elimination of plastic pollution in the environment is of the highest importance to us, and to the members of the organizations on whose behalf we have written. It is therefore of great concern that we have received neither a response to our requests nor any explanation for the delay in providing them.

We therefore respectfully request that you provide a response to our request forthwith and without further delay.

Sincerely,



James Gunvaldsen Klaassen
Barrister & Solicitor

c.

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