

# REGULATORY RADAR

*Enhancing your company's  
regulatory compliance efforts.*



## About the NEW Canada CoatingsHUB

CPCA will migrate to the HUB all key committee information previously communicated via e-mail and newsletters. Members can decide which notification/action they need to receive on a regular basis. The Regulatory Radar and Business Development and Market Analysis publications will continue to include relevant information, and key resources and news stories that CPCA has chosen to highlight, ensuring nothing is missed or overlooked by members, most especially compliance dates and deadlines. Members are strongly encouraged to review all posts in more detail on the HUB as you receive them and to check back regularly for critical dates, deadlines and surveys. During the transition period, CPCA staff will do all they can to ensure you do not miss anything of importance. It is our goal to have a more responsive member's only section on a digital platform that is easily referenced and searched, on the HUB.

## Tools and Terminology While Navigating the HUB

**CPCA Compliance Calendar vs. Events Calendar**

The “Event Calendar” displays the main national and international events organized for the CASE industry. This calendar is publicly accessible. The “Compliance Calendar” is accessible to members only. This calendar displays all survey and consultation end dates for national regulatory proposals as well as all final dates for the coming into force of specific regulatory actions affecting or possibly affecting CPCA members.

## **CPCA Notification of New Resource Postings on the HUB**

Status for each relevant posting to the member resources on the Hub is one of the following:

### **1) Member Information Only**

CPCA information-only posts will be posted as a new resource but members will **‘not’** be notified via email alerts, but members can see it when logged into their account to view new posts. These include general reference documents, committee minutes, CPCA submissions, position papers, CPCA bulletins, etc. Members need to visit the site from time to time to directly access it via a simple search or viewing individual resource postings. Also, at the end of each month, these informational resources along with the others will be captured in the **Regulatory RADAR** posted on the Hub to ensure nothing relevant to ongoing issue management by you or your team is missed.

### **2) Member Action Required**

There are important and specific compliance actions requiring members to act. These include timing of important government consultations, member surveys requiring a response, relevant deadlines such as Canada Gazette notices, enforcement dates for any type of regulations, etc. In those cases, a “direct notification” called “Member Alert” will be sent to those members who have specifically asked to be notified on these issues by selecting those ‘priority issues’ in the ‘edit my account’ section of the Hub. These may also include notifications of CPCA annual conferences, training sessions, webinars, or networking events, inviting members to register by a specific date. Finally, in cases where there is a **compliance deadline**, members will receive two further alerts, one called “30-day Compliance Alert” and then a final “Final 7-day Compliance Alert” notification email. There will be no further email notification alerts on the matter after the final alert.

### **3) Member Compliance Calendar**

The “Compliance Calendar” is accessible to members **ONLY** on the Hub, as it is different from the “Events Calendar” on the public site. This calendar displays all survey and consultation end dates for national regulatory proposals as well as all final dates for the coming into force of specific regulatory actions affecting or possibly affecting CPCA members.

If you have any questions regarding the HUB, your account, or setting up your notifications, do not hesitate to reach out to **CPCA's webmaster**.

Thank you, CPCA

**ACTIVATE MY ACCOUNT**

*Stay logged-in to access resources listed below.*

CPCA ADVOCACY REPORT  
MEMBER ACTION REQUIRED  
FEDERAL REGULATORY UPDATE  
PROVINCIAL REGULATORY UPDATE

U.S. REGULATORY UPDATE  
INTERNATIONAL REGULATORY UPDATE  
UPCOMING EVENTS  
CPCA CONNECTS

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## CPCA ADVOCACY REPORT

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- CPCA Expects Launch Date for New National VOC Survey on Architectural Paint Products in June
- CPCA Seeking Results of the PRA Report on 1-Litre VOC Exemption Survey for Upcoming Paint and Coatings Working Group Meeting
- Ontario Members Encouraged to Participate in MHSW's Wind-up Plan Consultation
- Recent CPCA Webinar with Product Care Focused MHSW's Wind-up Plan Proposal and Status of \$15 Million in Surplus Funds
- CPCA to File Formal Comments on Ontario Government's New Waste and Litter Policy by April 20
- CPCA to File Comments and Recommendations on MHSW's Wind-up Plan Before May 1
- Formal Request Made to ECCC to Clarify the Scope, Definitions and Timelines of the Third VOC Regulations in Canada Gazette, Part I
- Formal Inquiry Made with PMRA Officials on Status of Review for OIT Prior to the Effective Date Banning Paint and the
- Members Alerted on GHG Pricing Federal Fuel Charge (Federal Carbon Tax) in Effect Since April 1, 2019
- CPCA Bulletin Details Transport Canada Consultation on International Harmonization Updates to the Transportation of Dangerous Goods Regulations
- CPCA Participated in ICG Bilateral Meeting with Government Officials on Post-2020 and Posted a Brief Summary of Presentations and Discussions on the CoatingsHUB
- CPCA Submits Comments on Draft Screening Assessment Report for Ketones
- CPCA Representatives Participate in CIC Face-to-Face Meeting in Ottawa on April 11-12 on Workplace Health and Safety
- Members Reminded of the Final E2 Regulation Coming Into Force on August 25
- CPCA Board of Directors Met on April 2 in Toronto
- CPCA CEO Participated in ACA Board Meeting in Cleveland
- CPCA Board Examines Update on the Digital Strategy
- CPCA Makes Canada CoatingsHUB [Member Guide Available](#)

## MEMBER ACTION REQUIRED

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**CPCA MEMBERS:** Below is a summary listing of emerging industry issues that require your attention. Please check the CPCA Compliance Calendar regularly for important dates and deadlines, and monitor particular industry resources within the Canada CoatingsHUB which contain up to date information on emerging issues potentially impacting your business. Compliance notifications have been sent to members over the past month. If you have activated your account and subscribed to receive these notifications and have not please notify **CPCA** immediately.

### Chemicals Management Plan

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#### Resources



**Reminder: Final Environmental Emergency Regulations Come Into Force on August 25**

[Read More...](#)

**NPRI Reports Due on June 3: 8 Substances Added, 26 Deleted and Some Thresholds Changed**

[Read More...](#)

### Chemicals Management Plan Phase 1

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#### Resources



**Final Reminder: Members Urged to Ensure Full Compliance with the MEKO Code of Practice Prior to National Survey Launch in June**



If the industry fails the Code, **a mandatory instrument will likely be imposed**. A SNAC is expected for ethylbenzene.

## New Final Pollution Prevention Plan for TDIs Published

**Any Canadian facility** releasing 100+ kg of TDIs / calendar year will have to develop a P2 plan.

## New Ministerial Condition Limits Use of CAS RN 478945-46-9 in Paint and Coatings

[Read more...](#)

## Chemicals Management Plan Phase 2

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### Resources



### FSAR for CMP-2 Flame Retardants Subgrouping Coming Up in the Spring, Two FR Candidates for Prohibitions

**Three of the 10 Flame Retardants** were proposed for addition to Schedule 1: TCPP, DP and DPDEP. The last two are candidates for prohibitions.

## Chemicals Management Plan Phase 3

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### Resources



### CPCA Submits Comments on Draft Screening Assessment Report (DSAR) for Ketones

**Health Canada intends to reduce the concentrations** of MEK, MIBK and 2,4-PD, in certain paints and coatings products and certain DIY products that are available to consumers in Canada, such as lacquer removers, adhesive removers, paint thinners, paint removers, adhesives and PVC cement/primer.

### DSAR Concludes That All Substances in the CMP-3 Phenol-Formaldehyde Resins Group Do Not Meet Any of the Toxicity Criteria

**The polymer is composed of two monomers** (formaldehyde and phenol) which are known to have human health concerns but when polymerized together, the formaldehyde is consumed and cannot be regenerated by degradation.

### DSAR Published for the CMP-3 Group: Used and Re-refined Oils Assessment

It is proposed to conclude that used and **refined oils do not meet any of the toxicity criteria**. All 9 substances can be found in used oil residue sold to road and construction industries where it is mixed at up to 10% w/w with asphalt for use as a flux, sealant, filler, and extender, as well as in asphalt mixtures used in roofing applications.

### CMP-3 Spring Publication to Watch: 9 Groups Containing Compounds Used in CASE Products

[Read More...](#)

### It Will be Difficult for ECCC/Health Canada to Conclude CMP Phase 3 from Today's Perspective by March 2021

[Read More...](#)

## CPCA Learns that the Next DSAR on Copper and Compounds Will Not Target the Paint Sector

[Read More...](#)

## More on CMP-3 Manganese Compounds Risk Assessment

[Read More...](#)

# Chemicals Management Plan Phase Post-2020

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## Resources



### Private BILL C-438 Act to Enact the Canadian Environmental Bill of Rights, Reaches First Reading on April 5, 2019

This private bill calls for the right to a healthy and ecologically balanced environment, to reasonable, timely and affordable access to information regarding the environment, to effective, informed and timely public participation in decision-making, to bring a matter regarding the protection of the environment before courts or tribunals, and to request a review of any Act of Parliament respecting the environment, any instrument under such an Act or any policy.

### Government Publishes Summary Results of the 2017 Inventory Update

The 2017 IU collected information on 1,430 chemicals and polymers. Information was received for 531 substances from 284 unique organizations. See the top five most frequently reported substances intended for use in commercial activities, consumer activities and in products intended for children. Full datasets are available for downloads.

# Biocide Preservatives

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## Resources



### CPCA and ACC Registrants Actively Press PMRA Officials to Expedite Their Review for OIT Prior to Its Cancellation of Use in Paint and Coatings on May 31, 2019

CPCA has repeatedly been reaching out to PMRA officials and registrants seeking for a positive status update on OIT. CPCA and ACC registrants have provided all the necessary raw data regarding a wall wipe study report to PMRA, are ensuring to finalize a Letter of Access to any related data and filed a formal request for an expedited review. They hope that their efforts will lead to PMRA's OIT re-evaluation process on time before the deadline of May 31.

[Read More...](#)

### Pest Management Regulatory Agency Recommendations for Proposed Reform (Phase 2) to Current Re-evaluation Pesticide Program Expected in Spring 2019

CPCA attended all meetings and filed a submission.

## EU Reminder: MIT to be Eliminated as a Consumer Waterborne Paint Preservative By 2021

[Read More...](#)

## Workplace Health and Safety

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### Resources



#### Bill C-97 Containing the Proposed Amendments to HMIRA Introduced on April 8

[Read More...](#)

#### CIC Update on HMIRA Modernization Proposal

The [Current Issues Committee](#) (CIC) was consulted in September 2018, December 2018 and January 2019 to discuss the proposal to modernize the Hazardous Materials Information Review Act (HMIRA). See a summary of this HMIRA modernization project.

## Supply Chain Management

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### Resources



#### CVSA's New 2019 North American Standard Out-of-Service Criteria is Effect Since April 1

The [North American Standard Out-of-Service Criteria](#) is the pass-fail criteria for roadside safety inspections. The purpose of the criteria is to identify critical safety violations.

#### New Final Regulations Amends Containers for Transport of Dangerous Goods by Rail

This amendment incorporates by reference the 2018 edition of TP 14877 in the TDGR and comes into force on July 2.

#### International Roadcheck Set for June 4-6

[Read More...](#)

## Trade & Policies

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### Resources



#### Greenhouse Gas Pollution Pricing Federal Fuel Charge (Federal Carbon Tax) in Effect on April 1, 2019

Effective now is the [Fuel Charge](#) applicable on purchases and consumption of specified fossil fuels in the provinces of Sask, Man, Ont and NB. Every interjurisdictional road carrier that uses fuel that is gasoline, light fuel oil (diesel), marketable natural gas or propane, in a specified commercial vehicle, in a listed province, is required to be registered as a road carrier.

## Transport Canada Launched Consultation on International Harmonization Updates to the Transportation of Dangerous Goods Regulations

CPCA reviewed the consultation document via a special bulletin posted in the CoatingsHUB.

## VOC Emissions & Air Quality & International Initiatives

### Resources




### ACA Updates CPCA on the US Carcinogenic Classification Status of VOC-exempt PCBTF (Oxsol 100)

ACA will be completing a [Weight of Evidence/Relevance to Human Health Evaluation report](#) to submit to OEHHA in the summer of 2019.

### EU Proposed Decision on TiO2 Carcinogenic Classification: Follow-up of the March 2019 EU and WTO Meetings

[Read More...](#)



## Compliance in a Click!

The CPCA Compliance Calendar is a members only tool on the Hub. The calendar displays all survey and consultation end dates for national regulatory proposals as well as all final dates for the coming into force of specific regulatory actions affecting or possibly affecting CPCA members.



MEMBERS ONLY

CPCA Compliance Calendar

January 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30 Government Asbestos Products Containment	31	1 CPCA Bulletin & Regulations Amend	2 CPCA ALERT All A Government of Canada	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20 Revised Ontario To	21	22	23	24	25	26
27	28	29	30	31	1	2
3	4	5	6 Little Time Left to	7	8	9

Have you checked the  
Compliance Calendar **this Month?**

## FEDERAL REGULATORY UPDATES

### Chemicals Management Plan

2018 Greenhouse Gas (GHG) Reporting Period Now Open for Certain Productions Like Cement, Ammonia, Mining, Petroleum Refinery, Pulp



## and Paper

Each facility belonging to 14 industrial groups having emitted more than 10 kilotonnes of GHG per year must report until June 3.

## 2019 Imports/Manufacture of Products Containing Mercury Need to be Reported in 2020

The Products Containing Mercury Regulations already prohibit the import and manufacture of products containing mercury, or any of its compounds, with some exemptions which have no technically or economically viable alternatives but are subject to reporting.

## Chemicals Management Plan Phase 2

### Proposed Code of Practice for Certain Methylenediphenyl Diisocyanates in Low-Pressure Two-Component Spray Polyurethane Foam Products

The 60-day public comment period ends on June 5.

## VOC Emissions & Air Quality

### CPCA Asks ECCC Unresolved Questions on Third VOC Regulations Scope and Definitions

The Canada Gazette Part I publication is unsure as the department as no control on the TBS schedule, but a fall publication is certain.

## CCME Publishes Canada's Air Report

## Post-Consumer Paint Recycling

### MHSW Wind-Up Plan Consultation Ending on May 1, Plan to be Approved on June 30 and Fully Implemented by the End of 2019

CPCA published a bulletin, held a special webinar with Product Care and will submit formal comments to mostly sort financial issues related to the proposed plan (status of surplus funds for paint).

## Workplace Health & Safety

### Consultation on Ontario's Next Occupational Health and Safety Strategy

The Ministry of Labour is consulting through in-person regional meetings hosted in several as well as via an online survey on the Government of Ontario Consultations Directory during the spring time.

## Trade & Policies

### Treasury Board Publishes "What We Heard Report on Regulatory Reviews and Modernization Stakeholder Consultations"

Budget 2018 made regulatory modernization a priority by announcing that the government would fund "targeted reviews, over the next three years, of regulatory requirements and practices that are bottlenecks to innovation and [economic] growth." The first round of targeted regulatory reviews focused on 3 high-growth sectors: agri-food and aquaculture, health and bio-sciences and transportation and infrastructure.

[Read More...](#)

## International Initiatives

## Hazards and Risks of Inhaled Poorly Soluble Particles – Where Do We Stand after 30 Years of Research?

[Read More...](#)

## WCC: Update of Activities of the Responsible Mica Initiative (RMI)

[Read More...](#)

A promotional banner for the CPCA Webinar Series. The background is a bright yellow with a subtle pattern of chemical structures. At the top, the text "CPCA WEBINAR SERIES" is written in large, bold, dark blue letters, with a small white Canadian maple leaf icon to the right of "WEBINAR". Below the main title, there are three smaller rectangular panels, each representing a different webinar topic. The first panel on the left has a blue background and shows a person in a lab coat working with equipment; the text reads "VOC Regulatory Compliance Update for Third VOC Regulation and ECCC Microplastics Survey Project". The middle panel has a green background and shows a hand holding a glowing green sphere; the text reads "Product Stewardship in Ontario: Transition to the New Waste Free Ontario Act in 2020". The third panel on the right has a white background and shows two people in lab coats working with glassware; the text reads "Chemicals Management Plan: Post 2020?". Below these three panels, there is a blue banner with the text "Register TODAY to any one of our upcoming webinars!" in white, italicized font. The bottom of the banner has a red border.

## PROVINCIAL REGULATORY UPDATES

### ONTARIO

#### Drive Clean for Passenger Vehicles Program Ends but On-Road Enforcement of Emissions Standards for Commercial Transport Trucks Expected This Fall

[Read More...](#)

#### Ecojustice Lawyers Sued the Ford Government

Ontario's **Environmental Bill of Rights** requires the government to consult the public and ensure people have the opportunity to weigh in on environmental decision-making. The Ford government claims winning the provincial election absolved it of its legal duty to consult and is axing Ontario's primary tools for combatting climate change.

#### CANECT Environmental Compliance and Due Diligence Event

May 7-9, 2019, Vaughn, Ontario

#### Harassment Is Not A Tort – Good News for Ontario Employers

[Read More...](#)

### QUÉBEC

#### AFNOR and Pôle Éco-conception Develop Eco-Design Process Tool for Product Evaluation

This new tool, which is not a certification, help companies to show that they successfully followed an eco-design product development process.

## NEW BRUNSWICK

### Protection of Workers from Harassment and Violence Now In Effect

[Read More...](#)

## MANITOBA

### Mandatory Training Required for Truck Drivers Starting September 1

[Read More...](#)

## Alberta

### Reminder: "Remediation Regulation" Now in Force

The new Alberta regime for contaminated sites under the Remediation Regulation has two main parts: 1. Deadlines for submitting remediation reports; and 2. Remediation certificates.

## British Columbia

### 2019 Public Hearings on Proposed Regulatory Amendments to Part 16, Mobile Equipment

Written submissions will be accepted until May 10.

### Consultation on Policy Amendments Regarding Activity-Related Soft Tissue Disorders (ASTDs) of the Limbs

Four of the recommendations propose changes to policy relating to the adjudication of ASTD claims.

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## U.S. REGULATORY UPDATES

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### CPCA/ACA Reviews US EPA's Announcement of New Prioritization Candidates for Next Round of TSCA Risk Assessment

[Read More...](#)

### ACA Developing Guidance Document on RMP

Last December, was published the final rule formally incorporating the 2017 Risk Management Program (RMP) Final Rule Amendments into the 40 CFR Part 68. The effective date was delayed to February 2019. These amendments related to the Accidental Release Prevention Requirements.

[Read More...](#)

### ACA: Upcoming Restrictions on Per- and Polyfluoroalkyl Substances (PFAS)

Federal and state groundwater and wastewater restrictions on PFOA, PFOS, and PFAAs are being developed.

### Systematic Review Protocol for the Hexavalent Chromium (Cr(VI))

## **Integrated Risk Information System (IRIS)**

**Assessment Available for Comments** EPA's IRIS Program will consult until April 29 on its Systematic Review Protocol for the Cr(VI) Assessment (Docket ID: EPA-HQ-ORD-2014-0313).

## **EPA Makes 24 More Studies Available on Pigment Violet 29**

The release does not change the Agency's proposed "no unreasonable risk" determination as concluded in the **draft evaluation of November**.

## **EPA Funding Cut by 31 Percent in Fiscal 2020**

The **EPA budget will plummet** to almost \$6.1 billion.

## **ACA Challenges NYSDEC VOC AIM Rules Proposal to Remove Small Container Exemption**

**NY state plans to remove the small container exemption** and other OTC states may follow.

## **EPA Conducting Risk and Technology Review National Emission Standards for Hazardous Air Pollutants for Miscellaneous Organic Chemical Manufacturing**

[Read More...](#)

## **Significant New Use Rules Published for 13 Chemical Substances**

[Read More...](#)

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# **INTERNATIONAL REGULATORY UPDATES**

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## **ECHA/REACH**

### **EU Drafted a Law on Cobalt Compounds in Electronic Products**

As the **deadline of March 2, 2020** approaches, it is imperative that companies proactively collect the necessary data to prevent delays in approvals for electronic products in the EU market.

### **ECHA: Overcoming a Substitution Challenge: Antifouling**

[Read More...](#)

### **Community Rolling Action Plan (CoRAP) to Evaluate 31 Substances in 2019**

The **ECHA updated CoRAP** list for substance evaluation contains 100 substances to be evaluated in 2019-2021.

### **EU Enforcement Authorities to Focus on Evaluation Decisions**

[Read More...](#)

## **Other Regions**

### **Updated ISO 18091 Standard Brings Sustainable Development to Local Government**



## CPCA & INDUSTRY UPCOMING EVENTS



*CPCA 106th Annual  
Conference & AGM*

The paint and coatings industry is forward-looking. CPCA seeks to have 20-20 vision for the challenges and opportunities ahead!



*CPCA Webinar: Chemicals  
Management Plan: Post  
2020?*

While we are not yet finished with Phase 3 of the CMP there is much activity related to preparing for a possible Phase 4, a.k.a. Post-2020...

A banner for CPCA Communications &amp; Publications. The top section features the Canadian Paint and Coatings Association logo (a red maple leaf) and the text "CANADIAN PAINT AND COATINGS ASSOCIATION" and "ASSOCIATION CANADIENNE DE L'INDUSTRIE DE LA PEINTURE ET DU REVÊTEMENT". Below this, there are two photographs: a woman in a maroon turtleneck holding a white mug and a tablet, and a man in a suit and glasses holding a tablet. The text "CPCA Communications &amp; Publications" is overlaid on the right side of the photographs. At the bottom, a red banner contains the text "Providing you with timely, accurate and relevant industry insights and information impacting your business."

# CPCA: Protecting Your Interests Since 1913

CPCA regularly publishes several important publications to ensure members are fully informed of ongoing issues and actions impacting the paint and coatings industry in Canada. These include:

## Regulatory RADAR

CPCA Regulatory RADAR reports on news of interest to paint and coatings manufacturers, suppliers and distributors. A members-only publication detailing comprehensive legislative and regulatory actions at all levels of government.

## Prime Time News

A publicly available monthly newsletter sent to members, stakeholders and governments to provide a window into the industry for those with an interest or role in the sector.

## Business Management & Marketing News

A members-only publication addressing relevant issues for those involved in management, sales and marketing in member companies.

## CPCA INSIGHT Guide & Directory

Published annually to report on CPCA's work on behalf of members, key trends in the industry, raising awareness of the issues important for the sector and a guide of CPCA members supporting the important work done to sustain a long-standing and viable Canadian industry

## Regular Bulletins, Updates, Memoranda and Press Releases

CPCA members are fully informed and can have direct input on actions taken by CPCA's board, technical committees and staff to ensure the industry is represented at the table when decisions are made affecting their business.

***All past issues of CPCA Publications can be found online.  
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Please send any questions or comments to the **Editor**.

Editor's Note: All financial information is in Canadian dollars unless otherwise stated.

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