



PRIME TIME NEWS

“Big corporations are under pressure to take real action on emissions or risk the wrath of protesters, investors and even shareholders.”

Mark Carney (former governor Bank of England and Bank of Canada)



PRESIDENT'S MESSAGE

More Costs Coming for Waste Recycling in Ontario

CPCA, and other industry associations, remain concerned with the delivery of waste recovery services by a delegated authority like RPRA in Ontario. First and foremost, the MECP may wish to recall the words of Don Drummond in his seminal and highly respected Drummond Report on Delegated Authorities:

- “The **legislative assembly** retains overall accountability and control over what is set out in the enabling legislation, and the government retains overall accountability and control over what is set out in the regulations;
- The government approves rules covering such matters as the composition of the board of directors, fee-setting process, and conflict of interest.” monitors, and remains accountable to the legislative assembly for, the overall performance of the DAAdminister

The challenges with accountability and transparency have not been addressed by the Ministry of Environment, Conservation, and Parks (MECP) and really cannot or should not be delegated to RPRA per se. Under the Resource Recovery and Circular Economy Act (RRCEA) the MECP must ensure that RPRA is fully transparent and fully accountable to the producers or ‘regulated parties’ under the Act. Many have argued that this has not been the case, given the fact that the Ford Government did not fully address the matter in the recent Red Tape Reduction Bill, nor in MECP Minister Piccini’s Ministerial Direction to RPRA, dated October 15, 2021. The MECP and the Ford Government did however acknowledge the critical need to do so in a meaningful way. The Minister did address the need for more transparency and accountability in his recent Ministerial Direction Letter to RPRA, dated October 15, 2021. So did the recent Red Tape Reduction Bill of October 7, 2021, wherein it stated:

- “Ontario is taking steps to ensure that the Resource Productivity and Recovery Authority (RPRA) is transparent, accountable, and provides effective oversight for our new producer responsibility model. We are now proposing to make more changes to further increase RPRA’s transparency and accountability to the people of Ontario.”

proven their commitment to EPR programs in Ontario since their inception, especially the paint program, and that strong record will not improve unless current regulatory approaches make it more difficult to deliver better outcomes. Time will soon tell for the HSP programs. In fact, recycling programs already under new regulations for more than a year have not produced better outcomes despite higher regulatory costs with increased administrative burden.

The MECP is fully responsible for the HSP and other regulations, but in fact, delegated fee setting for the HSP and other Regulations to RPRA. Now it wishes to do the same for administrative monetary penalties when it rightfully belongs under the MECP as noted in the RRCEA and in the Drummond Report: *“The **minister monitors, and remains accountable to the legislative assembly for, the overall performance of the DAA.**”* The only question is what will that cost be for the manufacturing industry in Ontario? Once again delegating such legislative actions to an authority — without an effective ‘appeals process’ in place — ensures that ‘regulated parties’ (Ontario Manufacturers) will have little choice but to accept the penalties whether warranted or not. Those penalties can reach a maximum of \$1 million, without any real prospect of an expedited appeal for any penalty levied. In some cases, this may lead to unintended consequences such as causing damage to the reputation of long-established brands in Ontario, Canada, and indeed other countries.

Delegating more administration of the RRCEA to RPRA will only add to the excessive red tape already witnessed with a five-fold increase in RPRA staff over a few years, a five-fold increase in the budget over the same timeframe, and more than a 400% increase in regulatory fees for paint recycling in Ontario. As such, it is unclear what outcomes are projected and/or expected in the future for waste recovery in Ontario with the continued increases in costs of oversight and administration, which is not linked to better outcomes.



For industry insights, articles, and updates on current issues follow or connect with me on LinkedIn!



Gary LeRoux, President & CEO, CPCA

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COMING THIS FALL NEW — BIOCIDES SUBSTANCE DATABASE

CPCA's CMP Substance Database houses over 1,100 CASE related chemicals. This fall CPCA will launch it's NEW Biocide database complete with over 1,000 registrations sorted by CAS-RN, providing members the current status of biocidal agents used in commerce and any changes being considered.



ADVOCACY REPORT

CPCA Advocacy Efforts Supporting a Stronger Canadian Coatings Industry

- CPCA Comments on Ontario's Proposed Administrative Monetary Penalties for Waste Recycling Regulations
- CPCA Bulletin Alerts Members to Possible Ban of CASE-implicated Phenol-methylstyrenated
- CPCA Bulletin: Section 71 Survey Launched on the Import/Manufacture/Use of 188 Bisphenol A Structural Analogues and Functional Alternatives
- Government Delays Changes to the "Prohibition of Certain Toxic Substances Regulations, 2012"
- Government Expected to Publish State of PFAS Report Within the Next 2-3 Years

NOTE: Members requiring further information on any items included in this newsletter can search them on the CoatingsHUB or contact CPCA directly.

CPCA Comments on Ontario's Proposed Administrative Monetary Penalties for Waste Recycling Regulations

The Ontario Ministry of the Environment, Conservation and Parks (MECP), which is fully responsible for all waste recycling regulations, delegated the fee setting for regulations to RPRA and has done the same for the proposed administrative monetary penalties. This responsibility rightfully belongs under the MECP as noted in the *Resource Recovery and Circular Economy Act* (RRCEA) and the highly acclaimed *Drummond Report*: "The minister monitors, and remains accountable to the legislative assembly for, the overall performance of the Delegated Administrative Authorities." Once again delegating such authority without an effective 'appeals process' in place ensures that the 'regulated parties' (Ontario manufacturers) will have little choice but to accept the penalties whether or not they are fair or warranted. Ongoing challenges with accountability and transparency continue, which were not yet fully addressed in the recent Red Tape Reduction Bill, nor in Minister Piccini's Ministerial Direction to RPRA, dated October 15, 2021. The MECP and the Ford Government have not acknowledged that in delegating RRCEA objects to RPRA, both the 'legislative assembly' and the 'minister' remain fully accountable for the performance of RPRA.

The big unanswered question for the MECP, and RPRA, is how much 'more' waste has been recovered for those who have already transitioned to the new Act? And, how much more waste

recovery is forecasted when all sectors are transitioned to the new Act with RPRA's budget
e... how exponentially over the next several years? RPRA's recent business p...
that in just five years starting has gone from 10 to 70 and revenues from \$2 million to \$17 million in 2022. As yet no improvement in waste recovery outcomes have been announced.

The only 'obligated stewards' or 'regulated parties' under the RRCEA are Ontario manufacturers, also known as producers or brand owners. **The bottom line is that Ontario manufacturers are the ones delivering current and future waste recovery outcomes as per the objects outlined for them in the RRCEA.** If improved outcomes are not achieved, it will be clear that the painfully long 5-6 year 'transition' to the new regulations have reaped no benefit for Ontarians or the environment. The former will have paid higher costs for products in an already high inflation environment. Sadly, that likely eventuality will be laid at the feet of Ontario manufacturers and consumers at higher prices.

Furthermore, it's unclear why more powers are required for RPRA, when environmental penalties are outlined in the "Guideline for Implementing Environmental Penalties" (Ontario Regulations 2223/07 and 223/07). The approach to administering monetary penalties seems to be already firmly established under the RRCEA, this 'Guideline', and the requirements and responsibilities outlined under the Environmental Bill of Rights, etc. The RRCEA and other legislation have clearly outlined that the MECP is responsible for administering monetary penalties and as such it is unclear why it is required to delegate administration when the government already has the ability to do so and for which it will be held accountable. Moreover, there is a clear appeal process when decisions are in the hands of the MECP, which provide assurances that unintended consequences can be fully addressed, but not when those decisions are in the hands of a delegated Authority. When decisions on monetary penalties are made by the 'delegated' authority, RPRA, any complaints or redress sought via litigation or otherwise, will rest squarely on the Government of Ontario.

CPCA Bulletin Alerts Members to Possible Ban of CASE-implicated Substance Phenol-methylstyrenated

Environment and Climate Change Canada published its draft screening assessment report for phenol, methylstyrenated (MPS), a variable-composition substance. MSP has been known to be used as synthetic resin and for adhesives, sealants, coatings, printing inks and rubber goods. ECCC proposed MSP toxic for the environment from its current industrial applications. The government outlined possible regulatory measures which include prohibiting the use, manufacture, sale or offer for sales of MSP-containing products or an interim phase-out to prevent or limit releases. In response to previous SNAC provisions, which will be rescinded, MSP was reported as being used in paints and coatings for ships and large equipment. However, there was no report of manufacturing MSP above the 100 kg reporting threshold in Canada or internationally. Members trading products in Canada containing MSP should be apprised of the possible ban of this substance at trace levels and contact CPCA for any concerns.

CPCA Bulletin: Section 71 Survey Launched on the Import/Manufacture/Use of 188 Bisphenol A Structural Analogues and Functional Alternatives

Canada's past regulatory action for Bisphenol A (BPA), which caused consumer and market shifts toward "BPA-free" products, has led to a rise in the use of BPA alternatives, such as Bisphenol S (BPS) and Pergafast 201 and others among 32 bisphenols and other substances sharing similar structural characteristics or functionality. Understanding the potential risk to the environment and human health from substances used as a substitute for BPA is important to ensure the protection of Canadians and the environment and to avoid regrettable substitution. Therefore, a Section 71 Information Gathering Notice has recently been published with respect to BPA and all its structural analogues/functional alternatives in the Canada Gazette Part I. The notice targets any manufacture, import, or use at more than 10kg of 188 substances. In the paint and adhesive industry, BPS is suspected to be used as a BPA alternative in products sold on the North American market. CPCA is asking members using any of the structural analogues/functional alternatives in their consumer/industrial products sold in Canada to confirm their uses and if further substitution would be needed.

Earlier this year, a consultation document was published, outlining a proposal to further restrict five substances that are already subject to the Prohibition Regulations and to add two flame retardants to the list (Dechlorane Plus or DP and decabromodiphenyl ethane or DBDPE). The amended regulations will remove or provide time limits for exemptions for PFOS, PFOA and phase out the use of LC-PFCAs, PBDEs and HBCD while prohibiting the manufacture, import, use, sale and offer for sale of DP and DBDPE. For DBDPE, CPCA notes that the U.S. EPA is not currently evaluating DBDPE which is subject to a SNUR. Meanwhile, the EU has delayed the timing for its risk assessment. CPCA paint and adhesives members still using these substances are encouraged to review the government's consultation paper and contact CPCA concerning any remaining uses.

Canada Expected to Publish a State of PFAS Report Within the Next 2-3 Years

The Canadian Government has published a Notice of Intent in the *Canada Gazette, Part I* to regulate a broad class of 4,700 chemicals known as Per- and polyfluoroalkyl substances (PFAS) in the next phase of CMP. Following the launch of the PFAS information gathering, the government intends to analyze and publish a "State of PFAS Report" to define the adoption, or not, of a class-based regulatory approach, rather than the individual substance or limited group approach that characterized the CMP process to date.

Most fluoropolymers used in formulations are classified as PFAS, which are commonly referred to as 'forever chemicals'. PFASs can be found in five broad types of coatings: powder coatings, radiation-curable coatings, anti-reflective coatings, cable and wiring coatings and coatings used in the energy sector such as solar panel coatings. Therefore, CPCA has been closely monitoring how PFAS regulatory initiatives are being developed in other jurisdictions in parallel to Canada. The US EPA recently published its PFAS Strategic Roadmap 2021-2024, which will target water management and site remediation/waste management while several states have already proposed the ban of certain products (foams, carpets, food packaging or fabrics). Similarly, several EU countries have announced their intent to list PFAS as SVHCs (Annex XV). For coatings and adhesives/sealants applications, although there are non-fluorinated alternatives that are usable in certain applications (i.e. use of silicone polymers in radiation curable coatings), there are many other situations where PFAS have no alternatives as they provide a number of desirable functionalities such as thermal stability, corrosion resistance, flame resistance, weather resistance, UV fade-resistance, and anti-soiling.

More details on these and other industry issues are available for members on the Canada CoatingsHUB or can be found in the Regulatory RADAR.

Not a CPCA Member? Join CPCA Today!





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CPCA'S Annual Guide & Directory for 2022 will soon be available. Complete with market updates, the latest on industry issues, and more...

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CANADIAN PAINT AND COATINGS ASSOCIATION DE L'INDUSTRIE DE LA PEINTURE ET DU REVÊTEMENT



CPCA IN THE NEWS

CPCA Post on LinkedIn: *The Regulatory Fate of TiO₂ in Europe, the United States, and Canada is of Great Concern to CPCA Members*

Titanium dioxide (TiO₂) is a **critical ingredient in paint**. The EU is now enforcing additional labelling for TiO₂ as a declared carcinogen in powder form **without** strong data to support such action. Canada's draft screening assessment report on TiO₂ and related titanium compounds is still on track for publication next year. At the very least Canada must be aligned with our largest trading partner, the United States, on this and other regulatory actions in a highly integrated sector of the Canadian economy with \$12.2 billion economic impact in Canada. Become a member to stay on top of this important issue.



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CREATING CLEANER AIR **ONE TREE AT A TIME!**

CPCA is a proud supporter of Tree Canada, providing annual donations on behalf of CPCA members, which contributes to reforestation efforts across Canada and helps reduce CO₂ in the air we all breathe.

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GREEN INITIATIVES

Coatings have numerous applications for countless substrates, and what's remarkable about

the environmental advances in this field is that coatings are engineered to perform well under the most demanding conditions and provide advanced performance characteristics to the product. This means, providing protection from degradation like corrosion, abrasion, high or low temperatures, chemicals and ultraviolet rays, moisture, and microbes. All of these applications enhance product stewardship and sustainability.

Dow Plans Program for Carbon-Neutral Silicones in Building Façades

Dow announced its 2022 plan for a launch of the world's first commercially available carbon-neutrality program for silicone materials used for structural glazing, insulating glass, and weather sealing.

LANXESS' New Production Line Offers WB Compounds for Functional Coatings

LANXESS opens a new production line for the manufacture of water-based compounds into operation in China that will allow the company to supply Asian customers with modern and environmentally friendly Pellart products. Under the Pellart brand these products will be used in many functional coatings applications where high requirements in terms of haptics, **chemical resistance**, gloss level, temperature and abrasion resistance and, above all, the lowest possible content of VOCs are required.

BASF and Sport Group Start Global Cooperation in Sports and Outdoor Flooring Systems

BASF is partnering with the largest sport surfaces company in the World for the distribution and installation of new, sustainable flooring systems with its **Infinergy**[®], an eco-friendly high-performance expanded thermoplastic polyurethane specifically designed as a forward-looking alternative to previously used materials. Infinergy can be used outdoors as an elastic layer for unsealed, sustainable, and environmentally friendly sports facilities, running tracks, and playgrounds. This product can be fully recovered and reused without harmful residues.

PPG Launches KNOWLEDGE COLLEGE, an Online Learning Management System for Technicians

The **KNOWLEDGE COLLEGE** instructions ensure the proper application procedures for PPG commercial vehicle paint systems. "The PPG Knowledge College system offers our customers great flexibility since it allows students to decide the best time to undertake training and learn at their own pace," said Robb Power, senior manager, PPG refinish solutions.

World Coatings Council Member, BCF, Joins UK Coatings Industry in Pledge to Achieve Net Zero Emissions by 2050

The **British Coatings Federation** (BCF) Board of Directors have decided to join other industry sectors in pledging to achieve net zero carbon emissions by 2050. The industry has also committed to a highly ambitious target for its paint recycling scheme, PaintCare. "Alongside COP26, we want to highlight and celebrate the work our members are doing to create a more sustainable industry," said Tom Bowtell, BCF CEO.

Glasgow Climate Pact Signed to Keep the Possibility of Limiting Global Warming to 1.5 Degrees Alive

Over 200 countries signed the agreement. After six years of negotiations, pending items that prevented the full implementation of the Paris Agreement on carbon markets and transparency have finally been approved. The UK President of COP26 said: "We can now say with credibility that we have kept 1.5 degrees alive. But, its pulse is weak and it will only survive if we keep our promises and translate commitments into rapid action."

CPCA and its membership are Proud Sponsors of Tree Canada and participate in the National Greening Program.



PPG Receives 2021 Carnegie Science Award for Corporate Leadership at 25th Annual Celebration

“The Carnegie Science Awards celebrate the accomplishments of the creative and forward-thinking minds in Pittsburgh’s science, technology and education communities and provide opportunities for them to meet and share their stories,” said Jason Brown, Henry Buhl, Jr., director, Carnegie Science Center.

Société Laurentide Wins BMR Group Hardware Vendor of Year Award

Last April, Groupe BMR partnered with Société Laurentide to launch its new house brand of paints: Splendi and Splendi Supreme. So less than a year after the production and marketing of SPLENDI, Société Laurentide was proud to receive the Vendor of Year award for BMR hardware stores. The Groupe BMR inc regroups 325 home renovation centers and hardware stores in Quebec, Ontario, Atlantic and Saint Pierre and Miquelon.

Axalta Named 2021 Global Commercial Vehicle Coatings Company of the Year by Frost & Sullivan

The annual Best Practices award recognizes Axalta for developing innovative coatings that address OEMs' evolving needs in designing lighter-weight vehicles and exterior components and for its leadership in innovation and the commercialization of highly efficient coating solutions.

PPG Earns R&D 100 Awards for Paint, Coatings Technologies

Three of PPG innovative coatings technologies have earned 2021 R&D® 100 Awards: PPG BFP-SE Battery Fire Protection, PPG ENVIROCRON™ Extreme Protection thermally conductive powder coatings, and PPG HI-TEMP® 1027 HD coating.

Read CPCA's Economic Impact Study which provides an overview of the real contributions made by the Canadian Paint and Coatings Industry to the Canadian economy.



CANADIAN ECONOMY

Conference Board of Canada: Canadian Manufacturing Sales on the Decline

In September, Canadian manufacturing sales fell by an additional 3 percent as well as new orders. Sales decreased in 10 of 12 industries and motor vehicle manufacturing sales contributed the most to the decline. For almost a year, transportation equipment has lost its lead as the largest manufacturing subsector. CBoC expects that weak manufacturing sales will drag Canada’s near-term GDP growth well into 2022.

EDC Global Export Forecast: Brighter Days Ahead

After sustaining a 13 percent drop in 2020, Canadian export growth is expected to rise by 17 percent this year, and by just 3 percent in 2022. Seven of 11 merchandise export sectors are currently well above pre-pandemic exports, led by forest products and mining, where global demand remains red-hot. Chemicals and plastics and food and consumer goods exports also remain strong. Weakness next year will be concentrated in forestry and energy exports and in the shipments of ores and metals. In contrast, the auto sector, aerospace, industrial machinery and equipment, advanced technology will all get a double-digit payback.

On October 18, the [Canadian Securities Administrators \(CSA\)](#) proposed National Instrument 51-107 Disclosure of Climate-related Matters and its companion policy. The rules would come into force on December 31, 2022 requiring reporting issuers to disclose climate-related information in line with certain recommendations of the Taskforce on Climate-related Financial Disclosures.

Emissions and Sustainability Concerns Help Drive Move Toward Automated Manufacturing

A [recent report](#) anticipates a significant transition in manufacturing on the horizon, with 80 percent of it being automated within 10 years. Environmental impacts were seen as the biggest reason to implement Information and Communication Technology (ICT) production tools. The shift will include nine ICT tools, including AI software, digital twins and automated machines and vehicles. Automation cuts emissions and energy costs while growing productivity.

Sustainability Efforts Must Carry an Economic Incentive for Leaders to Jump on Board

Last month, Wakefield interviewed [300 high-ranking employees](#) to find that the prevailing attitude among business leaders is that certain prerequisites must be met before sustainability improvements can be made. 91% reported feeling significant pressure to set and meet aggressive sustainability goals while 79% admitted supply chain disruptions have set back their progress on existing sustainability goals; 33% said they prevented them from setting more aggressive goals; and, 93% reported data-related challenges when analyzing sustainability performance.

General Motors to Install up to 40,000 level 2 Electric Vehicle Chargers across U.S. and Canada in 2022

[GM will install Ultium charging stations](#) at many locations including in workplaces, which will be available to all-electric vehicles, including those not sold by GM.

New Study Shows Huge Benefits from Autonomous Trucking

Potential cost reductions will be [40 percent](#).

Alberta Building a Future for Critical and Rare Earth Minerals

The government is implementing a modern provincial [minerals strategy and action plan](#), which will continue to strengthen and diversify its economy.

The Five Biggest Global Trends Every Business Must Be Ready For

You only need to look at the abnormal weather patterns and natural disasters we're experiencing to know that our planet is under immense strain. China's economy is now predicted to overtake the United States by 2028 and the combined economic power of the E7 economies could double. We should also expect a fragmented political world scenario, intensifying urban population, and [shifting workplace demographics](#).

CPCA's Monthly Report covers recent global mergers and acquisitions and various commercial agreements within the CASE industry and multiple sectors. Members are encouraged to access the Report on the Canada CoatingsHUB.

Read the Monthly Report





AND COATINGS ASSOCIATION DE L'INDUSTRIE DE LA PEINTURE ET DU REVÊTEMENT

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-  Supply Chains of Tomorrow
-  R&D and Sustainable Development
-  Regulations and Sustainability
-  Smart Coatings Innovation



TECH INNOVATIONS

New Color-shifting Coatings for Customizable Security Applications

Penn State researchers use **microstructures to create color-shifting coatings** which, unlike the typical iridescent nanostructures, are more customizable due to their size and shape. By using this new class of microstructures, colours and patterns can be made more tunable. A large manufacturing trial will soon validate the scalability of the color shifting films using roll-to-roll coating processes.

New Heat-sensitive Coating to Maintain Greenhouse Glass' Temperature

A spin-out developed a **cost-effective heat-sensitive coating** for greenhouse glass that would allow passive temperature control throughout the year and remove the annual cost of applying and removing shading. Coating are applied once as a transparent layer. The glass gradually becomes opaque as it heats and becomes clear again as it cools.

Hot Waxing Treatment for the Aging Resistance of Wood

To prevent the degradation of wood surfaces by ultraviolet radiation and liquid water, modified polyethylene wax and modified polyethylene wax/oxidized paraffin composite wax were used for the **protection of wood surfaces with hot wax treatment**.

UK Solar Experts to Develop Anti-soiling Coating for Efficient Solar Modules

This research aims to develop and test a **thin abrasion-resistant inorganic coating** that is durable and low cost. Researchers will focus on solving 'soiling' issues which refer to the accumulation of dirt, dust, snow, and other particles on the solar modules. Soiling is a serious problem that polymer-based hydrophobic anti-soiling coatings cannot withstand 24/7.

Scratch-healable Automotive Clearcoats

A new paper reports a **novel scratch-resistant and healable automotive clear coat** that can not only protect the substrate surface but also facilitate scratch repair.

Influence of Zirconium Dioxide in Polyurethane: Improved Properties

Researchers report that the tensile strength, Young's modulus, hardness, abrasion resistance, and thermal stability of **PU/ZrO₂ composites increased with ZrO₂ content**.

New Nanotechnology-enhanced Icephobic Coating for Aircrafts and More

While certain coatings demonstrate the prevention of ice adhesion, their lack of durability prevents them from being considered a practical solution. The development of a nanotechnology coating with dispersed graphene may have the potential to solve this issue.

Soy-based Sealant Preserves Asphalt Sustainably

The new soy-based sealant called **RePlay is 88 percent bio-based**. When sprayed on asphalt, it penetrates the surface about an inch deep to preserve it.

Research Report Focuses on the Future of Lab Research

The momentum for digital technologies in lab research is growing and was further accelerated by the COVID-19 pandemic. Increasingly broad and powerful digital toolkits in a significantly more automated, efficient and effective **lab of the future** may be closer to reality.

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Market Research Reports

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CPCA Monthly Reports on M&A and Distribution Agreements

Each month CPCA updates recent **M&A activity as well as various commercial agreements by members** and others in the industry of interest to all members. The current list for October 2021 is available on the [Canada CoatingsHUB \(For Members Only\)](#)

CPCA has compiled international market research reports for 2025-2029 for multiple market segments.

[View the Reports](#)



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