

# **Response to the Proposed Prohibition of Asbestos and Asbestos Products Regulations and Proposed Amendment to the Export of Substances on the Export Control List Regulations under CEPA, 1999**

Submitted to:

The Honourable Catherine McKenna, Minister of Environment and Climate Change Canada  
The Honourable Ginette Petitpas Taylor, Minister of Health

Transmitted to:

ec.ministre-minister.ec@canada.ca, hcminister.ministresc@canada.ca,  
ec.amiante-asbestos.ec@canada.ca

March 21, 2018

## SUMMARY OF RECOMMENDATIONS

**RECOMMENDATION 1:** Require Federal-Provincial-Territorial priority harmonization on end of life approach to asbestos and products containing asbestos (including in the built environment) to adopt stringent measures as minimal standards across Canada within a set timeline and with effective public engagement.

**RECOMMENDATION 2:** The Proposed Regulations should be amended to outline obligations to prevent presence of stockpiles of asbestos and products containing asbestos.

**RECOMMENDATION 3:** Provide a definition for asbestos mining residue.

**RECOMMENDATION 4:** We oppose the exclusion of asbestos mining residues in mining activities.

**RECOMMENDATION 5:** We oppose the exception given to provinces to authorize the use of asbestos mining residue for construction or landscaping.

**RECOMMENDATION 6:** “Incidentally present” level of asbestos should be defined to determine situations of non-compliance under the Proposed Regulations.

**RECOMMENDATION 7:** Government should require a systematic review on how to phase out use of asbestos for proposed exclusions to museum displays and laboratory research setting.

**RECOMMENDATION 8:** We do not support Section 8(1) of the Proposed Regulations permitting a 7 year exclusion for a chloro-alkali facility.

**RECOMMENDATION 9:** Require the chlor-alkali industry to comply with the Proposed Regulations by converting to non-asbestos technology no later than 2 years after the regulations enter into force.

**RECOMMENDATION 10:** Government should support the transition of this industry to non-asbestos technology to support affected workers and communities.

**RECOMMENDATION 11:** Canada’s asbestos strategy should establish criteria for eliminating the risk from asbestos mining residues for all mining activities.

**RECOMMENDATION 12:** Canada’s asbestos strategy should prohibit future registration of asbestos in pest control products under the PCPA.

**RECOMMENDATION 13:** Canada needs to demonstrate international leadership on this issue by banning all export of asbestos containing materials.

**RECOMMENDATION 14:** Develop an annual report on asbestos for public release and review.

**RECOMMENDATION 15:** Develop a model Asbestos Management Plan, based on best international practice. This model plan should be a basis for Federal- Provincial-Territorial discussions to harmonize workplace requirements to ensure asbestos exposure elimination. It should include exposure limits based on zero tolerance levels of exposure (ALARA based).

**RECOMMENDATION 16:** The Canadian government should commit to continue work on asbestos and establish a National Asbestos Strategy with key elements listed on page 14 of this submission that are beyond the recent work to propose prohibition on asbestos, propose amendments to the ECLECLR, update the national building code, and complete amendments to the Canadian Labour Code.

March 21, 2018

The Honourable Catherine McKenna  
Minister of Environment and  
Climate Change Canada  
Environment and Climate  
Change Canada  
200 Sacré-Coeur Boulevard  
Gatineau, QC  
K1A 0H3

The Honourable Ginette Petitpas Taylor  
Minister of Health  
Health Canada  
Address Locator 0900C2  
Ottawa, ON  
K1A 0K9

*Original transmission by email:*

*ec.ministre-minister.ec@canada.ca, hcminister.ministresc@canada.ca*

Dear Minister McKenna and Minister Petitpas Taylor:

**Re: Response to the Proposed Prohibition of Asbestos and Asbestos Products Regulations and Proposed Amendment to the Export of Substances on the Export Control List Regulations under CEPA, 1999**

Canada has taken a critical step to manage asbestos in this country. The federal government's announcement in December 2016, which was greatly anticipated across Canada and by the global community, outlined essential steps necessary for Canada to reduce the risks associated with asbestos exposure, and over time, contribute to reducing asbestos related diseases including lung and ovarian cancers, asbestosis, and mesothelioma. With the Proposed Prohibition of Asbestos and Asbestos Products Regulation under CEPA, 1999, Canada will join over 52 countries in the world that have prohibited asbestos use.

The precautionary principle must be a foundational element of Canada's strategy on asbestos if it is to ensure protection from asbestos exposure today and in the future. For many decades, the failure to operationalize the precautionary principle has led to devastating loss of human lives and families impacted from asbestos related diseases. Lung cancer, mesothelioma (a rare cancer affecting the lining of the lungs and other organs), cancer of the larynx and ovary, and asbestosis are a few asbestos related diseases, while evidence is also available showing asbestos exposure may also be linked to other cancers, such as colorectal,

pharynx and stomach cancers.<sup>1</sup> In 2011, 1900 cases of asbestos related lung cancer and 430 cases of mesothelioma were recorded in Canada. In 2013, 485 Canadians died from mesothelioma.<sup>2</sup> Most of asbestos related diseases are attributed to workplace asbestos exposure from the 1950s to 1990s. Data indicate that 152,000 Canadians are still exposed to asbestos in workplace settings every year, while the number of other Canadians exposed to asbestos in non-occupational settings is unknown. As buildings and infrastructure continue to age and require renovations and maintenance, deteriorating building materials (old pipes and insulation) and minor construction activities can be sources of asbestos release to the environment posing a risk to building occupants and visitors. To prevent human lives lost to asbestos exposure, a comprehensive national regulatory response to asbestos that addresses both occupational and environmental exposures must be in place to address both the current use and legacy asbestos. An absent or weak response would place ongoing risk to the health of Canadians.

The undersigned health, labour, environmental and public interest organizations provide the following response to the Proposed Prohibition of Asbestos and Asbestos Products Regulation (Proposed Regulations) and amendment to the Export of Substances on the Export Control List Regulations under the *Canadian Environmental Protection Act 1999* (CEPA 1999) as released for public comment in on January 6, 2018.<sup>3</sup> The following comments and recommendations are intended to strengthen Canada's approach to regulate asbestos use in Canada aimed for a complete prohibition of asbestos and uphold an urgent need for Canada to continue its focus to develop a National Asbestos Strategy beyond the Proposed Regulations.

---

<sup>1</sup> Occupational Cancer Research Centre and Cancer Care Ontario. 2017. Burden of Occupational Cancer in Ontario: Major Workplace Carcinogens and Prevention of Exposure. Accessed at <https://www.cancercareontario.ca/sites/ccocancercare/files/assets/OCRCBurdenofOccupationalCancerReport.pdf>.

<sup>2</sup> Canadian Cancer Society. Accessed at <http://www.cancer.ca/en/cancer-information/cancer-type/mesothelioma/statistics/?region=sk>, dated March 10, 2018.

<sup>3</sup> Prohibition of Asbestos and Asbestos Products Regulations. *Canada Gazette*, Volume 152, Number 1 (January 6, 2018).

## COMMENTS AND RECOMMENDATIONS ON THE PROPOSED REGULATION

### ***Complete Prohibitions Necessary for Protection of Human Health and Environment***

During the initial government consultation on the development of an asbestos regulation conducted in December 2016-January 2017, over 35 organizations across Canada outlined substantial concerns and recommendations to improve Canada's regulatory approach on asbestos. The Proposed Regulation aims to prohibit the future use, sale and import of asbestos and products containing asbestos (with a few proposed exemptions addressed below), but will not prevent asbestos exposure from legacy asbestos that will continue to pose a risk to workers and public health. Canada must be vigilant in its efforts to address asbestos and aim for true asbestos exposure prevention in all aspects of its efforts.

The government's regulatory approach to prohibit asbestos allows several key exclusions and activities that will contribute to ongoing asbestos exposure – the very purpose that was to be addressed with Canada's asbestos ban. These proposed exclusions will create situations for producers, manufacturers and even the federal government which risk future harm and liability for Canadians who expect to be protected from the impacts of asbestos by the Proposed Regulations.

The Regulatory Impact Analysis Statement (RIAS) highlights the availability of non-asbestos substitutes for key industry sectors including the automotive and maintenance, construction and the chlor-alkali sector, while indicating that for many of these non-asbestos substitutes have been available to these sectors for some time. The availability of non-asbestos substitutes should facilitate compliance with the Proposed Regulations. The government's position to ensure the auto and construction sectors fully comply with the Proposed Regulations is an important development. However, proposed exclusions to the chlor-alkali sector and permitted use of asbestos mining residues and the justification given for these exclusions are not acceptable. Allowing these exclusions places continued uncertainty on the level of protection from asbestos given to workers in these fields and the public. The long latency period and severity of the health outcomes from asbestos exposure justify the

urgency for avoiding continued use of asbestos and manufacturing of products containing asbestos.

### **Gaps in Proposed Regulations Weaken Exposure Prevention**

#### *1) Scope of Proposed Regulations Does Not Address the Life Cycle Approach on Asbestos*

The Proposed Regulation falls short of taking a life cycle management approach to asbestos by focusing on prohibiting the manufacture, use, sale and import of asbestos and products containing asbestos, but does not include an effective regulatory regime to address stockpiles of asbestos or products containing asbestos including in the built environment or the end of life or disposal phase. Over time, this can be a major source of exposure if not managed effectively. While waste management generally remains under provincial-territorial authority, the federal government's authority on waste management has mostly focused on federally owned land. The absence of federal obligations to address end of life or disposal management for asbestos means that different waste management regimes may exist across the provinces and territories to manage asbestos and products containing asbestos. These differences will result in dramatically different outcomes for asbestos exposure from province to province to territory. Federal-Provincial-Territorial efforts should be made to elevate priorities on asbestos end of life management issues as this proposed regulation is developed.

The RIAS also notes that stockpiles of asbestos and products containing asbestos are not expected to be a significant issue, once the Proposed Regulations come into effect. In our view, this continues to be a source of significant concern as there are no provisions in the Proposed Regulations or in Canada's asbestos strategy to require management of existing stockpiles or a timeframe to address stockpiles. In fact, the Proposed Regulations do not limit or prevent the movement of asbestos and products containing asbestos outside of Canada through exports. Movement of stockpiles of asbestos will continue to be a source of exposure for those responsible for transporting asbestos and for the importing country. The Proposed Amendments to the Export Substances Listed under the Export Control List of CEPA, 1999 will

facilitate the movement of asbestos and products containing asbestos so long as permits and prior informed consent are obtained.

**RECOMMENDATION 1: Require Federal-Provincial-Territorial priority harmonization on end of life approach to asbestos and products containing asbestos (including in the built environment) to adopt stringent measures as minimal standards across Canada within a set timeline and with effective public engagement.**

**RECOMMENDATION 2: The Proposed Regulations should be amended to outline obligations to prevent presence of stockpiles of asbestos and products containing asbestos.**

2) *Definitions required to support the scope of Proposed Regulations*

The proposed regulation does not provide definitions for several key terms such as “asbestos mining residues” and “incidentally present”. The absence of definitions for these concepts weakens the proposed regulation and creates uncertainty in the level of asbestos that is permitted in products. It does not establish boundaries on what would constitute acceptable levels of asbestos in both situations. The overall objective of the Proposed Regulations is to prohibit the manufacture, safe, import and use of asbestos and products containing asbestos. However, the failure to provide substantial definitions for these key terms could mean that asbestos may be present even at low levels and remain in compliance. The use of the word “prohibition” should mean ultimately that asbestos should not be permitted at any level.

*Proposed Regulations permit use of Asbestos Mining Residues and perpetuate exposure while the level of protection is uncertain*

The Proposed Regulations do not apply to asbestos mining residue as noted in section 1 of the Proposed Regulations. However, the use and sale of asbestos mining residues in construction or landscaping located at asbestos mining sites are prohibited unless “the use is

authorized by the province in which the construction or landscaping is to occur.”<sup>4</sup> Asbestos mining residue cannot be used to manufacture products containing asbestos because it furthers exposure exponentially every time it is disturbed and distributed.

No conditions or criteria are outlined to assess how a province determines if authorization is given for use of asbestos mining residue. There are no limits on the quality and quantity of asbestos mining residue raising substantial concern for public and occupational risk. Over time, authorized use of asbestos mining residue in construction or landscaping activities will inevitably lead to deterioration and crumbling, resulting in asbestos releases to the environment and posing a risk hazard to the public. Regardless of the perceived benefit of relying on asbestos mining residue, the federal government should not permit provinces to authorize its use. The exception given to provinces for asbestos mining residue should be rejected.

Allowing the ongoing use of asbestos mining residues in mining sites is a dangerous precedent that has no fixed end point. It is particularly troubling that the health impacts associated with asbestos exposure are disregarded in favour of the potential economic benefits of extracting and processing valuable metals and minerals that may be contained where asbestos mining residues are present.

**RECOMMENDATION 3: Provide a definition for asbestos mining residue.**

**RECOMMENDATION 4: We oppose the exclusion of asbestos mining residues in mining activities.**

**RECOMMENDATION 5: We oppose the exception given to provinces to authorize the use of asbestos mining residue for construction or landscaping.**

The term “incidentally present” is also undefined in the Proposed Regulations. Canada has consistently avoided presenting definitions for this term when passing regulations on other

---

<sup>4</sup> Prohibition of Asbestos and Asbestos Products Regulations. Canada Gazette, Volume 152, Number 1 (January 6, 2018).

toxic chemicals. Canada's approach often defers to decisions made under international agreements including the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal to establish the acceptable levels of hazardous substances.<sup>5</sup> The absence of a definition for "incidentally present" levels of asbestos in the Proposed Regulation creates uncertainty about the minimal acceptable levels of asbestos found in products and may defer to levels defined under Provincial- Territorial regulations, if available.

**RECOMMENDATION 6: "Incidentally present" level of asbestos should be defined to determine situations of non-compliance under the Proposed Regulation.**

### 3) *Exclusions Weaken Prohibition Goals*

The Proposed Regulations outline a number of exclusions that weaken the effectiveness of the regulation and will continue to put workers and the public at risk from asbestos exposure for many years to come. We noted the urgency for complete asbestos prohibition.

#### a) Proposed exclusions for museum displays, laboratory research and chlor-alkali industry raise substantial concerns

Government efforts must continue to examine how to move away from specific asbestos use in museum display as well as in laboratory research settings. The on-going exclusions will be a potential source of asbestos exposure. It is particularly problematic that the use of asbestos in laboratory and research settings do not include a cap for total use. The preparation of Asbestos Management Plans will remain key documents to track, and monitor the asbestos use for this exclusion.

---

<sup>5</sup> Note: Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal has established low POP levels for substances such as dioxins and furans and polybrominated diphenyl ethers, which are listed under Annex A(Elimination) under the Stockholm Convention for Persistent Organic Pollutants.

The government's rationale to propose an exclusion for the chlor-alkali industry that permits the facility to continue its use of asbestos for up to 7 years is excessive. The cost benefit analysis provides two scenarios (low cost and high cost scenarios) to highlight the cost of transition to non-asbestos technology (low cost) or contract the production of cell diaphragm (out of country). Allowing the on-going use of asbestos until the end of 2025 with no guarantees that the facility will adopt the non-asbestos technology demonstrates an approach that places an unnecessary burden of asbestos exposure risk to workers in that facility. It also results in potential revenue lost to the facility and to the community if a decision is made to relocate the production of cell diaphragms and contracted out of the country. It should be further noted that the low cost scenario that involves a transition to non-asbestos technology is substantially achievable with associated costs for the transition to be completed in 4 years and a 2016 revenue of \$350 million for the facility. In addition, the transitioning to non-asbestos technology would also result in substantial energy savings of \$29 million annually after installation. Chlor-alkali plants in Japan, Brazil and Saudi Arabia already use electrolysis membrane technology.<sup>6,7</sup> The remaining chlor-alkali facility in Brazil using asbestos seeking a delay to transition from asbestos was denied by the Supreme Court.

Finally, the RAIS analyses noted that "there would only be five to six workers per year that would be handling asbestos, and workplace health and safety procedures are in place to protect against exposure risks."<sup>8</sup> While the expected number of workers that may be at risk of exposure is low, the analysis does not provide sufficient analysis showing consideration for past exposure, nor does it define the required workplace health and safety procedures necessary to eliminate all asbestos exposures. Greater value on human life must be central to any cost-benefit analysis conducted. In addition, the RIAS does not acknowledge that the facility also produces waste containing asbestos. The lack of consideration to the waste stream and the life cycle of asbestos should be reconsidered in the decision to permit the exclusion to the chlor-alkali facility.

---

<sup>6</sup> Paidar, M., Fateev, v., Bouzek, K. Membrane Electrolysis: History, current status and perspective. *Electrochimica Acta*, 209 (2016), 737–75. See: <https://www.sciencedirect.com/science/article/pii/S0013468616313007>, dated March 10, 2018.

<sup>7</sup> European Union Trade Institute. Note on the derogation on the use of asbestos in electrolysis cells (undated). Accessed at: [https://www.etui.org/content/download/6574/61942/file/Asbestos\\_Note-ETUC.pdf](https://www.etui.org/content/download/6574/61942/file/Asbestos_Note-ETUC.pdf), dated March 10, 2018.

<sup>8</sup> "Prohibition of Asbestos and Asbestos Products Regulations. *Canada Gazette*, Volume 152, Number 1 (January 6, 2018)

Since the scope of the Proposed Regulations focuses on the use, sale and import of asbestos, disposal issues were not considered and expected to be addressed under other regulations. However, to inform and justify the proposed exclusion for the chlor-alkali industry under the Proposed Regulations until 2025, the amount of asbestos in the disposal stream should be reviewed and considered carefully. For example, one chlor-alkali-plant in Quebec, Olin Canada ULC located in Bécancour, Quebec has reported on asbestos under the National Pollutant Release Inventory since 1999. In the timeframe between 2012-2016, the most recent year available, asbestos released for disposal off site ranged from 14 tonnes (2012) to 34 tonnes (2014), representing a 41% increase in off-site disposal for asbestos.<sup>9</sup> The cost and benefit analysis completed for this industry on asbestos does not adequately justify the exclusion proposed as the government has failed to consider asbestos presence throughout its full life cycle in the facility, and acknowledge that this industry's use of asbestos has been going on for many decades posing exposure risks to workers' health and community for many years.

**RECOMMENDATION 7: Government should require a systematic review on how to phase out use of asbestos for proposed exclusions to museum displays and laboratory research setting.**

**RECOMMENDATION 8: We do not support Section 8(1) of the Proposed Regulations permitting a 7 year exclusion for a chloro-alkali facility.**

**RECOMMENDATION 9: Require the chlor-alkali industry to comply with the Proposed Regulations by converting to non-asbestos technology no later than 2 years after the regulations enter into force.**

**RECOMMENDATION 10: Government should support the transition of this industry to non-asbestos technology to support affected workers and communities.**

---

<sup>9</sup> National Pollutant Release Inventory. Search results for asbestos for Olin Canada ULC. Accessed at [http://ec.gc.ca/inrp-npri/donnees-data/index.cfm?do=facility\\_history&lang=En&opt\\_npri\\_id=0000002855&opt\\_report\\_year=2016#note2](http://ec.gc.ca/inrp-npri/donnees-data/index.cfm?do=facility_history&lang=En&opt_npri_id=0000002855&opt_report_year=2016#note2), dated March 5, 2018.

b) Asbestos under Pest Control Product Act outside the scope of the Proposed Regulation

The Proposed Regulations do not capture mining sites where asbestos is present nor does it apply to asbestos under the Pest Control Products Act (PCPA). These exclusions could potentially be sources of asbestos exposure for years to come. No restrictions have been placed on mining activities where asbestos is present, leaving substantial questions on remaining gaps in the Canadian asbestos strategy.

While there are currently no registrations for asbestos under the PCPA, it does not mean future registrations have been prohibited for use. The government's approach does not indicate that future registrations for asbestos under PCPA will be prohibited.

**RECOMMENDATION 11: Canada's asbestos strategy should establish criteria for eliminating the risk from asbestos mining residues for all mining activities.**

**RECOMMENDATION 12: Canada's asbestos strategy should prohibit future registration of asbestos in pest control products under the PCPA.**

4) Ongoing Concerns with Stockpiles of Asbestos and Products containing Asbestos

Many stakeholders submitted comments and recommendations outlining substantial concerns over the possibility of growing stockpiles of asbestos and products containing asbestos when regulations enter into force. The RIAS outlines "that information collected through mandatory surveys indicates that there are minimal stockpiles of products containing asbestos. The Proposed Regulations will prohibit the use and sale of any asbestos, or products that contain asbestos.....remaining stockpiles would need to be disposed of or destroyed."<sup>10</sup> However, the government strategy does not have any specific approach to address stockpiles of asbestos or products containing asbestos, even the appropriate technology or process that should be followed to dispose of or destroy remaining asbestos

---

<sup>10</sup> Prohibition of Asbestos and Asbestos Products Regulations. *Canada Gazette*, Volume 152, Number 1 (January 6, 2018).

inventory. Furthermore, we are troubled that the government provides no timelines in the Proposed Regulations on stockpiles.

Industry with stockpiles of asbestos and products containing asbestos may eliminate them through export. The proposed amendments to the Export of Substances on the Export Control List Regulations (ESECLR) will provide opportunities for permitted export with limited obligations for importing countries to give prior informed consent. These amendments are outlined in the proposed new section following section 4 of the ESECLR which states the conditions of exports permitted. We are concerned with this option for the following reasons:

- a) Exports of stockpiles may end up in countries that may not have adequate legislation in place to protect workers and the public from asbestos exposure. Regardless of meeting the requirements to exchange information related to the hazards of asbestos and obtaining necessary prior consent, transferring liability regarding the hazards associated with asbestos to another jurisdiction is inadequate accountability.
- b) Entrenches the exclusions outlined in the Proposed Regulations particularly for use of asbestos for museum displays and laboratory and research.
- c) Permitting, Notification and Reporting under the ESECLR are relevant administrative requirements facilitating the export of asbestos and products containing asbestos through the proposed amendments made to the ESECLR. Exporters and the Canadian government rely on the permitting and notification (obtaining necessary prior informed consent) framework to permit the movement of asbestos and products containing asbestos, knowing that it is a highly hazardous product that is a known carcinogen. There are ongoing concerns with a regime that permits the export of asbestos and products containing asbestos including the ability to track the movement of an export once it reaches its destination. For importing countries that do not have strong regulatory and legislative frameworks in place to protect workers and the public from asbestos exposure, obtaining consent does not mean health and safety protection is always ensured. Canada's history with asbestos export to some

of the most vulnerable developing countries has been devastating for many workers and their families because of the absence of exposure control practices in place.

**RECOMMENDATION 13: Canada needs to demonstrate international leadership on this issue by banning all export of asbestos containing materials.**

5) Increase Public Reporting, Transparency and Accountability

The Proposed Regulations outline requirements to develop and maintain Asbestos Management Plans. However, there is no provision in the Proposed Regulations for public review of these plans. The loss of human lives as a result of asbestos exposure should require substantial public transparency with these plans. Furthermore, a requirement for a public report on asbestos use in Canada should be required. A public report should outline key information including but not limited to the permitted use of asbestos, details on contact and location, quantity and quality of asbestos, any incidence associated with exposure to asbestos and export activities, as well as collecting data on asbestos reported under the National Pollutant Release Inventory. Currently, the basic information that is released on asbestos in Canada is through the CEPA Annual Report outlining information that includes permits issued for export under the Export Control Regulations. Using the CEPA Annual Report is not sufficiently comprehensive. Similarly, the contents of an Asbestos Management Plan may not fully satisfy the needs of an annual report on asbestos released to the public. The data that are released should be analyzed to identify areas of improvement or decline in government's approach to asbestos.

**RECOMMENDATION 14: Develop an annual report on asbestos for public release and review.**

**RECOMMENDATION 15: Develop a model Asbestos Management Plan, based on best international practice. This model plan should be a basis for Federal- Provincial- Territorial discussions to harmonize workplace requirements to ensure asbestos**

**exposure elimination. It should include exposure limits based on zero tolerance levels of exposure (ALARA based).**

### **Continuing Need for a Comprehensive National Asbestos Strategy**

Several submissions by public interest organizations from across Canada recommended the need for a strong federal government and national strategy on asbestos. Proposed Regulations on asbestos will contribute to reducing asbestos exposure in the future. The issue of legacy asbestos will continue to be a significant source of exposure to workers and the public for many decades to come. We hope the Canadian government will continue its diligent commitment on asbestos by advancing work necessary to address legacy asbestos.

Some of the elements of this strategy should include:

- Establish an expert review panel on asbestos to identify remaining areas of work on legacy asbestos;
- Promote strong right to know regimes by establishing nationwide buildings and disease registries;
- Strengthen waste management regimes on asbestos across provinces-territories;
- Support for a national mesothelioma health care network;
- Proceed with improved reporting regimes for asbestos under the National Pollutant Release Inventory; and
- Develop an Action Plan to remove **all** exclusions of asbestos containing materials and manufactured articles (including consumer product formulations) and outline just transition plans for affected sectors with socio economic challenges.

**RECOMMENDATION 16: The Canadian government should commit to continue work on asbestos and establish a National Asbestos Strategy with key elements listed above that are beyond the recent work to propose prohibition on asbestos, propose amendments to the ECLECLR, update the national building code, and complete amendments to the Canadian Labour Code.**

Thank you for considering our comments and recommendations. We are available to meet with you to discuss our submission.

Yours truly,

### ***Supporting Organizations***

#### **Canadian Environmental Law Association** [Toronto, Ontario]

Fe de Leon, MPH, Researcher and Paralegal

Email: [deleonf@cela.ca](mailto:deleonf@cela.ca); Tel.: 416-960-2284 ext. 7223

[ISBN: 978-1-77189-888-1; CELA Publication No.: 1182]

#### **Canadian Association of University Teachers** [Ottawa, Ontario]

Laura Lozanski, Occupational Health & Safety Officer

Email: [lozanski@caut.ca](mailto:lozanski@caut.ca); Tel.: 613-820-2270 ext. 168

#### **Western Occupational Health Resources** [British Columbia]

Larry Stoffman, Labour Consultant, Regulatory and Legislative Affairs (OSH)

Email: [larrystoffman@gmail.com](mailto:larrystoffman@gmail.com); Tel.: 604-250-3713

#### **Association des victimes de l'amiante du Québec (AVAQ)** [Montréal, Québec]

Gilles Mercier, président

Email: [avaq.adm@gmail.com](mailto:avaq.adm@gmail.com); Tel.: 514-701-5496

#### **Association pour la santé environnementale du Québec – Environmental Health**

#### **Association of Quebec (ASEQ-EHAQ)** [Saint-Sauveur, Québec]

Michel Gaudet, Executive Director & Vice-President

Email: [bureau@aseq-ehaq.ca](mailto:bureau@aseq-ehaq.ca); Tel.: 514-332-4320

#### **BC Federation of Labour** [Vancouver, British Columbia]

Nina Hansen, Director

Email: [nhansen@bcfed.ca](mailto:nhansen@bcfed.ca); Tel.: 604-436-7039

#### **BC Insulators** [Vancouver, British Columbia]

Lee Loftus, Business Manager

Email: [lloftus@insulators118.org](mailto:lloftus@insulators118.org); Tel.: 604-877-0909

#### **British Columbia Government and Service Employees Union** [Burnaby, British Columbia]

Stephanie Smith, President & Brandon Thistle, BCGEU OHS Officer

Email: [Brandon.thistle@bcgeu.ca](mailto:Brandon.thistle@bcgeu.ca); Tel.: 1-800-663-1674/604-291-9611

**Canada's Building Trades Unions (CBTU)** [Ottawa, Ontario]  
Robert Blakely, Chief Operating Officer  
Email: rblakely@buildingtrades.ca; Tel.: 613-236-0653

**Canadian Association of Physicians for the Environment (CAPE)** [CANADA]  
Kim Perrotta MHS, Executive Director  
Email: kim@cape.ca; Tel: 416-306-2273 ext 2 (office); 905-320-8710 (cell)

**Canadian Mesothelioma Foundation** [Toronto, Ontario]  
Eudice Goldberg, MD, FRCPC, Chair, Board of Directors  
Email: info@cmfonline.org; Tel.: 416-417-5544

**Chemical Sensitivities Manitoba** [Manitoba]  
Sandra Madray, Research & Education  
Email: madray@mts.net; Tel.: 204-256-9390

**Citizens Environment Alliance of Southwestern Ontario** [Windsor, Ontario]  
Derek Coronado, Coordinator  
Email: dcoronado@cogeco.net; Tel.: 519-973-1116

**Citizens' Network on Waste Management** [Kitchener, Ontario]  
John Jackson, Coordinator  
Email: jjackson@web.ca; Tel.: 519-744-7503

**Conseil provincial des femmes du Québec - Provincial Council of Women of Quebec** [Québec]  
Elizabeth Hutchinson, President CPFQ-PCWQ  
Email: ealasaïd@rougenet.qc.ca; Tel.: 819-687-8219

**MTL Chapter, Council of Canadians** [Montréal, Québec]  
Abdul Pirani, Chair  
Email: apirani.coc.montreal@gmail.com

**Quill Plains (Wynyard) Chapter, Council of Canadians** [Archerwill, Saskatchewan]  
Elaine Hughes, Chair  
Email: tybach.1933@sasktel.net; Tel.: 306-323-4901

**D.R. Garrett Construction Ltd.** [Hope, British Columbia]  
Don Garrett, Owner/President  
Email: drgarrett9@gmail.com; Tel.: 604-869-5826

**Eastern Ontario Labour Councils Health and Safety/Workers Compensation Board School** [Kingston, Ontario]  
MaryAnne Laurico, Director  
Email: kdlceducation@gmail.com; Tel.: 613-328-1659

**Environmental Defence Canada** [Toronto, Ontario]  
Muhannad Malas, Toxics Program Manager  
Email: mmalas@environmentaldefence.ca; Tel.: 416.323.9521 ext. 241

**FORPA Forest Protection Allies** [Quesnel, British Columbia]  
Douglas Gook, Director  
Email: gookmirth60@gmail.com; Tel.: 250-747-3363

**Friends of the Earth Canada** [CANADA]  
Beatrice Olivastri, CEO  
Email: beatrice@foecanada.org; Tel.: 613-241-0085

**Health & Safety Professionals Inc.** [Sault Ste. Marie, Ontario]  
Louise Caicco Tett, MPH, CRSP, RN, President  
Email: lctett@hspinc.ca; Tel.: 705-254-3752

**Ingersoll District Nature Club** [Ingersoll, Ontario]  
Sheila Fleming, President  
Email: galleryongearge@gmail.com; Tel.: 519-485-2645

**Injured Workers' Consultants** [Toronto, Ontario]  
John McKinnon  
Email: mckinnoj@lao.on.ca; Tel.: 416-461-2411 ext. 31

**International Association of Machinists and Aerospace Workers** [Toronto, Ontario]  
Heather Kelley  
Email: hkelley@iamaw.org; Tel.: 416-225-9003

**IPEN** [Ottawa, Ontario]  
Olga Speranskaya, Co-chair  
Email: olga@ipen.org; Tel.: 613-252-9839

**IAVGO Community Legal Clinic** [Toronto, Ontario]  
Maryth Yachnin, Staff Lawyer  
Email: m\_yachnin@lao.on.ca; Tel.: 416 924 6477

**MiningWatch Canada** [Ottawa, Ontario]  
Jamie Kneen, Co-Manager  
Email: jamie@miningwatch.ca; Tel.: 613-569-3439

**National Council of Women of Canada** [CANADA]  
Sandra Cohen-Rose, President  
Email: presncwc@gmail.com; Tel.: 613-712-4419/514-512-7269

**Occupational & Environmental Health Coalition - Peterborough (OEHCP)** [Peterborough, Ontario]

Marion Burton & Heather Brooks-Hill, OEHCP Co-Chairs  
Emails: marionburton@nexicom.net, heatherbrookshill@mac.com  
Tel.: 705-868-7352/ 705-927-1283

**Occupational Health Clinics for Ontario Workers Inc.** [Toronto, Ontario]

Michael Roche CEO  
Email: mroche@ohcow.on.ca; Tel.: 416-510-8713

**Oxford Coalition for Social Justice** [Oxford County, Ontario]

Bryan Smith, chair  
Email: bryasmit@oxford.net; Tel.: 519-456-5270

**Prevent Cancer Now** [Ottawa, Ontario]

Meg Sears PhD, Chair  
Email: Meg@PreventCancerNow.ca; Tel.: 613-832-2806 (office); 613-297-6042 (cell)

**Registered Nurses' Association of Ontario (RNAO)** [Toronto, Ontario]

Doris Grinspun, RN, MSN, PhD, LLD(hon), Dr(hc), O.ONT.,  
Chief Executive Officer  
Email: dgrinspun@rnao.org  
Tel.: 416-408-5600 (Direct) /1-800-268-7199 x 206 (Toll Free)/647-505-1531 (cell)

**Toronto Environmental Alliance** [Toronto, Ontario]

Heather Marshall, Campaigns Director  
Email: heather@torontoenvironment.org; Tel.: 416-596-0660

**Watershed Sentinel Education Society** [CANADA]

Anna Tilman  
Email: annatilman@sympatico.ca; Tel.: 905-841-0095

**Women's Healthy Environments Network** [Toronto, Ontario]

Cassie Barker, Executive Director  
Email: cassie@womenshealthyenvironments.ca; Tel.: 416-928-0880

**Workers United Canada Council** [Mississauga, Ontario]

Barry Fowlie, Director  
Email: bfowlie@workersunitedunion.ca; Tel.: 416-510-0887 Ext 233

**Asbestos Disease Awareness Organization (ADAO)** [UNITED STATES OF AMERICA]

Linda Reinstein, President/CEO,  
Email: LReinstein@yahoo.com

**International Ban Asbestos Secretariat** [London, UNITED KINGDOM]

Laurie Kazan-Allen, Coordinator

Email: lka@btinternet.com; Tel.: 0208-958-3887

**Sustainable Development Policy Institute (SDPI)** [PAKISTAN]

Dr. Mahmood A. Khwaja, Senior Adviser Chemicals and Sustainable Industrial Development

Email: khwaja@sdpi.org; Tel.: 0092-51-2278134 & 36

***Supporting Individuals***

Alissa Boardley [Ottawa, Ontario]

Email: Alissa\_Boardley@yahoo.ca; Tel.: 613-860-1982

Ernest Elliott [Botwood, Newfoundland and Labrador]

Volunteer, Network for Victims of Mesothelioma (In memory of Jerry Lanning, Cousin)

Email: baselliott@hotmail.com

James Brophy, PhD [Emeryville, Ontario]

University of Windsor, Sociology Department

Email: jimbrophy@yahoo.com

Dr. John R. Calvert [Burnaby, British Columbia]

Associate Professor

Faculty of Health Sciences,

Simon Fraser University,

Email: jrc@sfu.ca; Tel.: 778-782-8163 (office); 604-255-6601 (home)

Stacy Cattran [Guelph, Ontario]

Daughter of mesothelioma victim, Bill Coulbeck

Email: scattran@gmail.com; Tel.: 519-341-3642

Paul A. Demers, Ph.D. [Toronto, Ontario]

Director, Occupational Cancer Research Centre

Email: Paul.demers@cancercare.on.ca; Tel.: 416-217-1274

Alec Farquhar [Toronto, Ontario]

Email: afarquhar7@gmail.com; Tel.: 416-571-2114

Hugh C. Graham [Ottawa Ontario]

Member of the Ottawa and District Injured Workers Group (ODIWG)

Email: hcg@magma.ca; Tel.: 613-820-3794

Mark Goldberg, PhD [Montréal, Québec]  
Professor, Department of Medicine,  
McGill University  
Email: mark.goldberg@mcgill.ca

Margaret Keith, PhD [Emeryville, Ontario]  
University of Windsor, Sociology Department  
Email: margkeith@yahoo.com

Denis Lapointe [Ottawa, Ontario]  
Email: denislapointe@bell.net; Tel.: 613-746-3109

Gilles Paradis [Montréal, Québec]  
Strathcona Professor and Chair Department of Epidemiology,  
Biostatistics and Occupational Health,  
McGill University  
Email: Gilles.paradis@mcgill.ca; Tel.: 514-398-6259

Ellen Simmons [Toronto, Ontario]  
Email: eesimmons001@gmail.com; Tel.: 416-544-9262

Colin L. Soskolne [Montréal, Québec]  
Professor emeritus  
University of Alberta  
Email: colin.soskolne@ualberta.ca; Tel.: 1-780-966-6498

Donald W Spady, MD, MSc, FRCPC [Edmonton, Alberta]  
Adjunct Professor of Pediatrics, University of Alberta  
Email: dspady@ualberta.ca; Tel.: 780-487-1904