

## DEPARTMENT OF THE ENVIRONMENT

### CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

#### ***Significant New Activity Notice No. 16509***

##### **Significant New Activity Notice**

(Section 85 of the *Canadian Environmental Protection Act, 1999*)

Whereas the Minister of the Environment and the Minister of Health have assessed information in respect of the substance Calcium magnesium hydroxide, Chemical Abstracts Service Registry No. 39445-23-3, under section 83 of the *Canadian Environmental Protection Act, 1999*;

Whereas the substance is not on the *Domestic Substances List*;

And whereas the ministers suspect that a significant new activity in relation to the substance may result in the substance becoming toxic within the meaning of section 64 of the *Canadian Environmental Protection Act, 1999*,

Therefore, the Minister of the Environment indicates, pursuant to section 85 of that Act, that subsection 81(4) of the same Act applies with respect to the substance in accordance with the Annex.

PETER KENT  
*Minister of the Environment*

## ANNEX

### Information Requirements

(Section 85 of the *Canadian Environmental Protection Act, 1999*)

1. In relation to the substance Calcium magnesium hydroxide, a significant new activity is any activity involving the use of the substance in quantities greater than 10 kg per calendar year, where the substance is engineered to contain particles ranging from 1 to 100 nanometres.
2. A person who proposes a significant new activity set out in this Notice for this substance shall provide to the Minister of the Environment, at least 90 days before the day on which the quantity of the substance involved in the activity exceeds 10 kg per calendar year, the following information:
  - (a) a description of the proposed significant new activity in relation to the substance;
  - (b) the analytical information to determine the average particle size and particle size distribution of the substance;
  - (c) the information describing the agglomeration and aggregation state, shape, surface area and surface charge of the substance;

- (d) the analytical information to determine the leachability potential of the substance and its precursors from the final product resulting from the new activity;
  - (e) the information specified in Schedule 6 to the *New Substances Notification Regulations (Chemicals and Polymers)* for this substance;
  - (f) the analytical information to determine the particle size distribution of the test substance as administered in the health and ecological toxicity tests required under paragraph (e); and
  - (g) the information describing the agglomeration and aggregation state, shape, surface area and surface charge of the test substance as administered in the health and ecological toxicity tests required under paragraph (e).
3. The above information will be assessed within 90 days after the day on which it is received by the Minister of the Environment.

### EXPLANATORY NOTE

**(This explanatory note is not part of the Significant New Activity Notice.)**

A Significant New Activity Notice is a legal instrument issued by the Minister of the Environment pursuant to section 85 of the *Canadian Environmental Protection Act, 1999*. The Significant New Activity Notice sets out the appropriate information that must be provided to the Minister for assessment prior to the commencement of a new activity as described in the Notice.

Substances that are not listed on the *Domestic Substances List* can be manufactured or imported only by the person who has met the requirements set out in section 81 of the *Canadian Environmental Protection Act, 1999*. Under section 86 of the *Canadian Environmental Protection Act, 1999*, in circumstances where a Significant New Activity Notice is issued for a new substance, it is the responsibility of every person who transfers the physical possession or control of the substance to notify all persons to whom the possession or control is transferred of the obligation to comply with the Significant New Activity Notice and of the obligation to notify the Minister of the Environment of any new activity and all other information as described in the Notice. It is the responsibility of the users of the substance to be aware of and comply with the Significant New Activity Notice and to submit a Significant New Activity notification to the Minister prior to the commencement of a significant new activity associated with the substance. However, as mentioned in subsection 81(6) of the *Canadian Environmental Protection Act, 1999*, a Significant New Activity notification is not required when the proposed new activity is regulated under an act or regulations listed on Schedule 2 to the *Canadian Environmental Protection Act, 1999*.

A Significant New Activity Notice does not constitute an endorsement from Environment Canada or the Government of Canada of the substance to which it

relates, or an exemption from any other laws or regulations that are in force in Canada and that may apply to this substance or activities involving the substance.