
June 5th, 2018

The Right Honourable Justin Trudeau
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa (Ontario) K1A 0A2

Subject: Follow up on mine tailings (serpentine)

Mister Prime Minister,

A year and a half ago, your government initiated a regulatory process at the end of which the use, production as well as the importation and exportation of all forms of asbestos will be formally prohibited. The preferred approach does not differentiate between the various type of fibres [serpentine (chrysotile) and amphiboles] nor does it take into consideration the enormous differences in their toxicity and associated risks for human health.

In the wake of comments made on the December 2016 *Consultation on the proposed regulatory approach to prohibit asbestos and asbestos-containing products* document, a proposed decree was published in January 2018. In a section titled "Regulatory Cooperation", the planned Prohibition of Asbestos and Asbestos Products Regulations addresses the important issue of "International Cooperation":

"The importance of regulatory alignment between Canada and the United States and of ensuring a level playing field for Canadian and U.S. companies and enterprises is recognized. The United States is expected to publish a Problem Formulation document in December 2017 that will refine the scope of the risk evaluation for asbestos (...)."

It is important to note that, in accordance with the provisions of the Toxic Substances Control Act (TSCA), the United States' Environmental Protection Agency (EPA) has undertaken an evaluation process of the risks associated with various existing chemical substances or products, including all types of asbestos fibres, in order to eventually shed

Pour contribuer à la mise en valeur, à la défense et à la promotion de l'utilisation sécuritaire du chrysotile et de ses résidus miniers (SERPENTINE)

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Caisse d'Économie de la Vallée de l'Amiante, Comité des gens d'affaires de l'Amiante
Les municipalités de Thetford Mines, Asbestos et St-Joseph de Coleraine
Ressources naturelles du Québec et la SADC de l'Amiante
SONT DES PARTENAIRES PRÉCIEUX**

some light on the important differences between the various types of fibres, both in terms of their chemical composition and associated risk levels, and to determine whether they present an unreasonable risk level to human health or the environment.

In practice, the American government submitted itself to the rigorous process needed to conduct a serious, well-structured, methodical, orderly and unprecedented update (Asbestos Risk Evaluation under Amended TSCA) of existing scientific knowledge in order to document, on the basis of verified facts, the real dangers, risks associated to exposure and current conditions of use.

The clearest possible evidence of this can be found in the EPA's publication, last year, of the following preliminary documents:

- *Scope of the Risk Evaluation for Asbestos* (58 pages);
- *Strategy for Conducting Literature Searches for Asbestos: Supplemental Document to the TSCA Scope Document* (89 pages);
- *Asbestos Bibliography: Supplemental File for the TSCA Scope Document* (1582 pages).

Furthermore, on June 1st 2018, in a press release titled "EPA Takes Three Important Steps to Ensure Chemical Safety Under the Lautenberg Act, Proposes Action on Asbestos", the American Agency published another series of documents and noted that : *"These actions provide the American people with transparency and an opportunity to comment on how EPA plans to evaluate the ten chemicals undergoing risk evaluation, select studies, and use the best available science to ensure chemicals in the marketplace are safe. [...] The Agency's problem formulation documents are an important interim step prior to completing and publishing the final risk evaluations by December 2019."*

[\[www.epa.gov/newsreleases/epa-takes-three-important-steps-ensure-chemical-safety-under-lautenberg-act-proposes\]](http://www.epa.gov/newsreleases/epa-takes-three-important-steps-ensure-chemical-safety-under-lautenberg-act-proposes)

In the light of the necessary regulatory concordance outlined and hoped for in the January 2018 regulatory proposals as well as of the breadth of the process undertaken by our neighbours to the south, we wish to respectfully submit that the Canadian Government's precipitous approach is incomprehensible and undesirable. Indeed, if the Government of Canada refuses to wait for the conclusions of the EPA's work, not only will it seriously risk creating regulatory discrepancies, but could also generate negative and potentially irreparable impacts for some of Quebec's regions and communities whose economic revitalization and very future require a pragmatic approach based on scientific certainties, as opposed to preconceived notions and dogma.

It is for this reason that we ask that you take the necessary steps to ensure that the ongoing regulatory process concerning the asbestos file (all fibers included) be managed as rigorously as the one undertaken by the EPA and, above all, that it be subjected to a regulatory alignment with that of the United States. Accordingly, we urge the Government to wait for the results of the American process before making any decisions on this file.

We thank you for your attention on this matter and ask that you receive, Mister Prime Minister, our most distinguished regards.

Serge Boislard, The President MPCQ

- cc. The Honourable Catherine McKenna, Minister of Environment and Climate Change
The Honourable Ginette Petitpas Taylor, Minister of Health
The Honourable Kirsty Duncan, Minister of Science
The Honourable Marie-Claude Bibeau, Minister of International Development and la Francophonie and MP for Compton-Stanstead in the House of Commons
Mrs. Katie Telford, Chief of Staff, PMO