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via electronic transmission

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Subject: HCPA Comments on March 2021 Discussion Paper: *Renewal of the Federal Agenda on the Reduction of Volatile Organic Compound (VOC) Emissions from Consumer and Commercial Products for the 2021 to 2028 period*¹

The Household & Commercial Products Association² (HCPA) appreciates the opportunity to comment on the March 2021 Discussion Paper *Renewal of the Federal Agenda on the Reduction of Volatile Organic Compound (VOC) Emissions from Consumer and Commercial Product for the 2021 to 2028 period*. HCPA fully supports the comments filed by the Canadian Consumer Specialty Products Association (CCSPA).

HCPA is a voluntary, non-profit U.S. trade association representing approximately 250 companies engaged in the manufacture, formulation, distribution and sale of products for household, institutional, commercial and industrial use. HCPA member companies' wide range of products includes home, lawn and garden pesticides, antimicrobial products, air care products, automotive specialty products, detergents and cleaning products, polishes and floor maintenance products, and various types of aerosol products. HCPA and its members have worked with numerous state and national government agencies over the past thirty years that have developed regulations to limit the VOC content of consumer products.

The Government of Canada is seeking comments on the 2021 to 2028 agenda to reduce VOCs in consumer and commercial products. Emissions of VOCs originate from both biogenic (natural) and anthropogenic (human-made) sources. Section 1 of the Discussion Paper states that based on 2018 data "Most of the VOC emissions come from the oil and gas industry and from the use of

¹ Available at <https://www.canada.ca/en/environment-climate-change/services/canadian-environmental-protection-act-registry/federal-agenda-volatile-organic-compound-discussion-paper.html>

² The Household & Commercial Products Association (HCPA) is the premier trade association representing companies that manufacture and sell \$180 billion annually of trusted and familiar products used for cleaning, protecting, maintaining, and disinfecting homes and commercial environments. HCPA member companies employ 200,000 people in the U.S. whose work helps consumers and workers to create cleaner, healthier and more productive lives.

paints and solvents.” From Canada’s Air Pollutant Emissions Inventory Report 2020,³ approximately 38.8 percent of VOCs come from the oil and gas industry while approximately 17.6 percent of VOCs come from Paints and Solvents. From Figure 2 of the Discussion Paper, Paints and Solvents compose approximately 37 percent of total anthropogenic VOC emissions in Canadian urban areas utilizing 2018 data. From Canada’s Air Pollutant Emissions Inventory Report 2020, Paints and Solvents is composed of the following activities: Dry Cleaning, Printing, Surface Coatings, and General Solvent Use. The Discussion Paper notes that “the transportation and mobile equipment category was formerly the largest VOC emission category in urban areas in Canada; however, with the advancement of vehicle emission reduction technologies, the paints and solvents category has since become the largest source.”

Certainly the automobile industry has to be applauded for the innovation that they have undergone to reduce the pollutants out of tailpipes. With advancements in electric vehicles, this category should continue to see decreases in emissions and the pie chart for Figure 2 will continue to evolve. But HCPA believes these statements are unintentionally misleading as changes in the paints and solvents category has also occurred. Canada has benefited from the VOC regulations within the United States and the VOC content within consumer and commercial products has decreased over time as well. From the proposed *Volatile Organic Compound Concentration Limits for Certain Products Regulations* which were published in the Canada Gazette, Part I, on July 6, 2019, a technical study commissioned by the Department of the Environment in 2014⁴ estimated that over 90 percent of the products in the Canadian market complied with the California Air Resources Board’s (CARB) Consumer Products Regulations,⁵ clearly showing that the VOC content within consumer and commercial products sold in Canada has decreased.

The introduction of the Discussion Paper also states that the impact of air pollution includes a number of adverse cardio-respiratory outcomes. Section 1.5.1 of the Discussion Paper, Health Effects, discusses the literature on the health effects of particulate matter, especially particulate matter composed of fine inhalable particles with diameters that are 2.5 micrometers and smaller (PM_{2.5}) as well as the health effects of ground-level ozone. CARB has regulated the VOC content as part of an overall strategy in addressing the formation of ground-level ozone. This approach in regulating the VOC content of consumer and commercial products is not for addressing the formation of PM_{2.5}. If Canada were to harmonize with CARB’s Consumer Products Regulations, it would lower the VOC content of the less than 10 percent of consumer and commercial products sold in Canada; however, this Discussion Paper has not shown through data or citation that it would control ozone concentrations in Canada. With how the Discussion Paper is written, it can be interpreted that consumer and commercial products contribute to a number of adverse cardio-respiratory outcomes. To imply that regulating the VOC content of consumer and commercial products would address these adverse outcomes is highly inappropriate, especially considering that less than 10 percent of the market is estimated not to be compliant with these

³ ECCC, Pollution Data Division, Canada’s Air Pollutant Emissions Inventory Report 2020.

⁴ ToxEcology Environmental Consulting Ltd. *Technical and Socio-Economic Study on Certain Products Containing Volatile Organic Compounds*. 2014

⁵ Cal. Code Regs. Title 17 §§ 94507-17.

proposed regulations. If this were the case, the Canadian government would have acted with much more urgency in passing laws and regulations rather than develop a voluntary standard in 2002⁶ and be working on a mandatory regulation since then.

The formation of secondary pollutants like ozone and particulate matter is not a linear process. The reduction of VOCs or nitrogen oxides can lead to the increase of ozone due to a change in the ratio of the two primary pollutants. It would be beneficial for the Discussion Paper to include information showing how sensitive urban areas in Canada are to reductions in emissions. Further, because any potential regulatory activity to lower the VOC content of consumer and commercial products would only address VOC concentration, biogenic emissions also have to be considered as they also drive the reactions that form ground-level ozone and particulate matter when the other reactants are present. If Canada's goal is to lower VOC emissions in order to simply lower VOC concentration, the federal agenda reasonably targets sources of emissions, though that needs to be recognized in the Regulatory Impact Assessment Statement (RIAS) as a simple reduction of VOC does not necessarily translate directly to improved air quality. In this regard, it would have been helpful if the Discussion Paper included a citation to an article (or several) that modeled the impact of reducing these emissions.

HCPA supports the adoption and alignment of VOC regulations for consumer and commercial products that is harmonized with CARB's Consumer Products Regulation. But this activity should be justified, and the cost-benefit calculation needs to be properly accounted for. This includes the cost of not being harmonized with CARB's regulation as variation in the product definitions and provisions within the regulation will undoubtedly increase the cost of compliance and has the potential to cause confusion in the marketplace.

HCPA is supports and is aligned with the Canadian Consumer Specialty Products Association (CCSPA) in their request that this Discussion Paper be withdrawn and that more information and data is gathered to provide the justification of regulating the VOC content of consumer and commercial products. HCPA is committed to working cooperatively with CCSPA, the Government of Canada, and other interested stakeholders to shape an informed and accurate Discussion Paper, which is necessary for informing the important renewal of the Federal Agenda 2021 – 2028.

Sincerely,



Nicholas B. Georges

Vice President, Scientific & International Affairs

cc John Moffet, Assistant Deputy Minister, ECCC
Hillary Geller, Assistant Deputy Minister, ECCC
Cecile Siewe, Director General, ECCC

⁶ Guidelines for Volatile Organic Compounds in Consumer Products.