

International Joint Commission
Canada and United States



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Canada et États-Unis

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Re: Further advice and recommendations on addressing PBDEs and other flame retardants in the Great Lakes

In November 2016 the International Joint Commission (IJC) issued a report entitled [*Polybrominated Diphenyl Ethers \(PBDEs\) in the Great Lakes Basin: Reducing Risks to Human Health and the Environment*](#). The report included many recommendations aimed at contributing to the governments' process for developing a strategy to address the harmful presence of PBDEs in the Great Lakes.

The IJC's Great Lakes Water Quality Board (WQB) has continued to work on this issue and in February 2017 convened a binational workshop to search for solutions to key challenges in keeping PBDEs, and toxic flame retardants more generally, out of the Great Lakes. The workshop brought together approximately 20 participants including experts from various levels of government, municipal/waste management sectors, industry, nongovernmental organizations, fire fighters and academia. They shared their extensive knowledge and experience on the science and policy aspects of PBDE's and other flame retardants in the Great Lakes basin. The outcomes of this workshop are documented in the Water Quality Board's September 2017 report [*Addressing Polybrominated Diphenyl Ethers in the Great Lakes Basin: Searching for Solutions to Key Challenges*](#).

The International Joint Commission endorses this second report of the WQB and, in accordance with Article 7.1(c) of the Great Lakes Water Quality Agreement, which assigns to the IJC the role of tendering advice and recommendations on matters covered under the Annexes of the Agreement including Annex 3 (Chemicals of Mutual Concern), provides the following recommendations to the Parties:

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Recommendation 1: The responsible governments (federal, provincial, state, Tribes, First Nations, Métis and municipalities) ensure that product flammability standards for products and structures, toxicity standards for flame retardants, and use of redesign options are approached in an integrated way to ensure the best achievement of both protection from flammability problems and protection of the environment.

Recommendation 2: The responsible governments (federal, provincial, state, Tribes, First Nations, Métis and municipalities) educate the public on the issues with PBDE-containing products in use in their homes and how they can reduce the associated risks.

Recommendation 3: The responsible governments (federal, provincial, state, Tribes, First Nations, Métis and municipalities) and industry complete research to increase understanding of the implications of different recycling and disposal methods for products containing flame retardants.

Recommendation 4: The responsible governments (federal, provincial, state, Tribes, First Nations, Métis and municipalities) go beyond the requirement for an inventory of products containing PBDEs, as recommended in the IJC's 2016 report. Consumers should be able to access information about the presence of PBDEs in a product through product labelling and through mechanisms such as barcode scanning apps on phones.

Recommendation 5: The responsible governments (federal, provincial, state, Tribes, First Nations, Métis and municipalities) and industry should work jointly with a full range of stakeholders to develop an Extended Producer Responsibility (EPR) program for flame retardant-containing products. This would explore mechanisms for addressing not only products containing PBDEs but particularly for new products made with alternative flame retardants. This could become a model for EPR programs for other toxics-containing products.

The Commission expects that these recommendations will be useful to governments as they finalize and implement their draft Binational Strategy for Polybrominated Diphenyl Ethers (PBDEs) Risk Management and seek to reduce the risk from alternative flame retardants.

The Commission will keep you apprised of any further work to be undertaken within the IJC on the regulation of flame retardants. If you have any questions or comments on the recommendations provided in this letter or the attached reports, please do not hesitate to contact us. We look forward to your feedback.

Yours sincerely,



Lana B. Pollack
U.S. Chair



Gordon W. Walker
Canadian Chair

Enclosures:

1. [Addressing Polybrominated Diphenyl Ethers in the Great Lakes Basin: Searching for Solutions to Key Challenges](#)