

**Technical Expert Group
for the Screening Assessment of Living Organisms
on the Domestic Substances List**

DRAFT TERMS of REFERENCE

OVERVIEW

The Technical Expert Group will assist Environment Canada and Health Canada's New Substances (NS) Program in identifying and resolving issues of a scientific, technical, and process-related nature that emerge from the implementation of screening assessments of Living Organisms on the Canadian Domestic Substances List (DSL) under the *Canadian Environmental Protection Act, 1999* (CEPA 1999). Environment Canada and Health Canada NS Program's personnel will also participate in the Technical Expert Group as resource persons.

The Technical Expert Group is responsible for making recommendations to the NS Program to ensure screening assessments of DSL organisms conducted by the NS Program are scientifically-sound and the process is transparent. In doing so, the Technical Expert Group will consider the opinions and concerns expressed by all stakeholders, which may include representatives from industry, federal and provincial government organizations, environmental and human health advocacy groups, academia and other interested parties.

MANDATE

The mandate of this Technical Expert Group is to:

1. Review, discuss, and make recommendations to the NS Program on issues related, but not limited to:
 - The proposed Screening Assessment process, including:
 - advising the NS Program on additional technical or scientific work and analysis, such as data gathering and external review, that the NS Program should undertake to better support conclusions and proposed measures arising from individual screening assessments.
 - ensuring that the stakeholders' involvement and its outputs meet the needs and expectations of the NS Program and that the consultation process is conducted in a timely and cost-effective manner.
 - identifying gaps which may challenge the transparency of the process and/or scientific validity of screening assessments.

- Guidance Documents being drafted which will guide the NS Program throughout the Screening Assessment process.
 - Need for and/or opportunities to engage additional stakeholders and/or external experts with relevant knowledge.
2. Assist the NS Program in establishing Working Groups (WG) as required. WGs will provide advice and recommendations to the Technical Expert Group or NS Program for specific issues or tasks (may include, for example, external reviewers for screening assessments).
 3. Provide advice to NSD to help ensure transparency throughout the entire screening assessment process.

MEMBERSHIP

The Technical Expert Group will consist of approximately 10 members drawn from academia, industry, federal and provincial government organizations, and non-government organizations such as public advocacy groups.

Members should have a scientific background (for example, expertise in environmental microbiology, industrial microbiology, pathogenic microorganisms, and/or environmental and human health risk assessments). Priority will be given to nominees who will represent a group of stakeholders (Associations, Institutes, etc). Experience in participating (on behalf of their constituency) in multi-stakeholder discussions would also be an asset.

Members of the Technical Expert Group will be chosen from among:

- Industry representatives (approx: 3 members);
- Environmental and Human Health non-governmental organizations¹ (approx: 2 members);
- Academia (approx: 2 members);
- Provincial and federal government departments independent of the NS Program of Environment Canada and Health Canada (approx. 3 members); and
- Other interested parties (may include consumers groups, aboriginal representatives, etc.).

Members will be selected by the NS Program from a pool of candidates that have expressed their interest in participating in the Technical Expert Group. Nominations will be accepted until the end of February 2007.

Members are expected to protect and maintain as confidential any privileged information divulged to them in the course of their work on the Group. Members

¹ Environmental Non-Governmental organization (ENGO) will be chosen by the Canadian Environmental Network (CEN).

are required to sign a conflict of interest declaration and a confidentiality agreement to ensure that integrity, objectivity and impartiality are maintained

ROLES OF THE NS PROGRAM

The NS Program will lead and coordinate activities of the Technical Expert Group to ensure that Group members, when formulating their recommendations, are fully apprised of the needs or views of the NS Program. More specifically, the NS program, with the help of an independent facilitator, will:

- ensure that communication and linkages are developed and maintained between the Technical Expert Group and working groups, when established;
- manage financial arrangements, including compensation expenses with Technical Expert group members;
- arrange all Technical Expert Group meeting logistics;
- prepare draft work plan, agendas and meeting minutes;
- prepare draft scientific documentation
- prepare additional background documentation addressing recommendations from the Technical Expert Group;
- prepare Draft Progress Report (i.e. summary of discussions and recommendations) for adoption by the Technical Expert Group; and
- make Progress Reports available to the public on the NS Program web page.

INTERNAL RESOURCE PERSONS

When necessary, other Environment Canada and Health Canada staff may attend as resource persons to provide views or expertise on specific issues.

DELIVERABLES AND OPERATING PRINCIPLES,

A work plan will be developed by the NS Program, in cooperation with the facilitator, for review and agreement by Technical Expert Group members.

Final recommendations of the Technical Expert Group will be submitted to the NS Program through Technical Expert Group Progress Reports. The Technical Expert Group will strive for consensus on all issues and activities, and will conduct its affairs in a consultative, team-oriented manner. Where consensus has not been achieved, the range of views will be used as a basis for decisions made by the NS Program. Reports prepared by the Technical Expert Group will acknowledge the various positions. It is recognized that individual members may disagree with specific decisions and may submit individually (or as a sub-group of the Group) written statements or analyses to this effect. Technical Expert Group Progress Reports will be public documents.

EXPENSES

All members will serve on the Technical Expert Group on a volunteer basis and receive no remuneration for their service. Requests by members of non-profit organizations for travel reimbursement can be submitted to the NS Program. The decision to cover travel costs will be made on a member by member basis and will be dependant on availability of resources. Recipients of travel reimbursement may be entitled to travel, accommodation, meal and incidental expenses incurred in relation to their attendance at meetings in accordance with the Government of Canada policy that can be found at:

http://www.tbs-sct.gc.ca/pubs_pol/hrpubs/TBM_113/HOSP_e.asp

MEETING FREQUENCY AND DURATION OF TECHNICAL EXPERT GROUP

Members will participate in a series of facilitated meetings and conference calls, and undertake other tasks as necessary between meetings.

During the initial planning phase of the project, the Technical Expert Group will be more active and will convene every three months (4 times per year) mostly through teleconference calls.

During the implementation phase of the project, the Technical Expert Group will likely meet on an *ad hoc* basis through face to face meeting or teleconference calls (approximately 2 times per year).

The Technical Expert Group will continue its work until publication in Canada Gazette Part I of the last screening assessment Summary Report and Proposed Measure expected by 2012.

Technical Expert Group members will be appointed for a two-year term. Appointments can be extended at the discretion of the NS Program.

ACCOUNTABILITY

The Technical Expert Group will provide advice and recommendations to the NS Program. The Minister of Environment and the Minister of Health share the ultimate authority and accountability for any decision arising out of the activities of the Group

REVIEW OF TERMS OF REFERENCE

The terms of reference will be reviewed by the Technical Expert Group before their approval, and may be updated as required to ensure they continue to reflect the mandate of the Technical Expert Group and the needs of the screening assessment project as mandated in Section 74(b) of CEPA 1999.