

February 12, 2005

Summary of Discussions

Meeting in Ottawa, ON - February 11, 2005

To Receive Comments on the 2004 Progress Report on the Canada-U.S. Air Quality Agreement

A meeting to receive comments on the 2004 Progress Report on the 1991 Canada-U.S. Air Quality Agreement was convened by the International Joint Commission in Ottawa on February 11, 2005. Chair Gray and IJC staff received the following comments. These comments are summarized from the discussion and may not accurately reflect the statements made by the individuals.

1. The participants appreciated the opportunity to meet in an informal session to present comments on the Progress Report.
2. Bruce Walker, STOP, Montreal suggested that Canada should use its regulatory powers to level the playing field for pollution from base metal smelters. With respect to ozone controls, the Canadian approach is much softer than the U.S. and needs to be strengthened - codes and guidelines require no commitment for buy-in. He also indicated that the Canada Wide Standards are misnamed as Quebec is not party to them, and they are not really standards, as standards come with consequences. He points out that all multistakeholder committees have been sunset as of March 31, 2005, thus no real commitment to work with stakeholders. Questions why Figure 19 shows plots on different graphs, when Figures 17 and 18 show Canada and U.S. data on same plot. Questions reliability of inventories for PEMA emissions in Table 1 and the 2002 data deadline.
3. Dr. Albert Schumacher, President, Canadian Medical Association, which represents 59,000 physicians across the province, noted that poor air quality is provoking health effects, particularly in children, the elderly and those with respiratory and cardiac conditions. The Agreement established a formal and flexible method of addressing transboundary air pollution. Both countries have made progress in implementing acid rain controls and have focussed on ground level ozone. Many of the emission reduction commitments are on track but dangerous air pollution continues to blow across the borders indicating that the measures included in the Agreement are not sufficient. Future evaluations should describe air quality improvement as the outcome of interest, in addition to cataloguing emission reduction initiatives, as in the current report. An aggressive

strategy to reduce NO_x and VOCs to lessen smog and the adverse impact on humans in both countries is urgently required. Smog and climate change are not distinct problems. Canada's commitment to the Kyoto Accord provides an opportunity to significantly reduce smog and achieve cleaner air. Purchasing of emission credits from foreign countries to make up for a shortfall in greenhouse gas emissions in Canada is short-term thinking. Canada must bring air pollution down to safe levels and cut greenhouse gas emissions to halt climate change. Canada's physicians are concerned about pollutants and effects they are having on health. There needs to be appropriate mechanisms to warn those vulnerable and at risk. Call for a national Air Quality Index and health based reporting about pollutants to allow Canadians to partner in their own health protection.

4. Jamie Fortune, Ducks Unlimited (125,000 supporters) indicated that the Progress Report is interesting in that it presents published objectives, describes achievements and targets are acknowledged. As we learn more need to use adaptive management to make tighter. More work is needed on monitoring, basic science and impacts. Long term commitments in these areas are needed. Futuristic policies are needed to recognize our forests, wetlands, and the functionality of our landscapes.

5. Lynn Barber, Nature Canada (40,000 supporters) commented that clean air is a necessity if we are to preserve nature. Motor vehicles are a significant source of air quality issues. Must get more vehicles off the road to make communities sustainable.

6. City of Ottawa, Public Health recognized that smog alerts and heat alerts relate to health issues and that air quality has negative impacts on human health. Commitment made to provide additional comments in written submission.

7. Charles Caccia, Ottawa sees the Progress Report as an important document for bringing people together to engage in dialogue. No one is politically accountable for the document - there is no political accountability in the membership. He sees this as a problem although he is grateful for the document. On page 3, it notes that Canada's agenda to reduce NO_x is aggressive - he questions this statement and asks for real world evidence. Report should contain more up to date information, e.g. Canadian data in Figure 1 is only up to 2001, while U.S. data in Figures 2 and 3 are up to 2003. Recent data in Canada for 2001, '02, '03 may show a different trend. The absence of mercury emissions in the Agreement was noted. There is a need to get it on the table for discussion in

North America and across the Atlantic. A formula for political accountability should be sought for the Agreement.

8. Dr. Findlay, Institute of the Environment, University of Ottawa raised questions about the information and value of information in the report. In particular, confidence in the data with respect to emissions and progress towards objectives gives no indication of the uncertainty. Need to present measures of uncertainty along with estimates. Annotation throughout the Progress Report is poor. Where do sources, data bases, and estimates come from? Source annotations would be useful to researchers or users of the information. By calculating estimates for all program sources in a particular year and plotting temporal trends, important differences between historical sources and new sources are obscured. It seems important to know whether declines in emissions are due to better performance of traditional sources, or better performance of new sources. It would also be useful to know the number of new sources in comparison to sources no longer present. With respect to smog, data on voluntary initiatives to assess progress would be useful. An assessment of science capacity in areas providing information to the report would be useful as science capacity is known to have been diminished; suggests there is a science capacity deficit that needs to be pointed out. Another missing aspect is the reasonableness/adequacy of the objectives themselves.

9. Morag Carter, Suzuki Foundation (40,000 members) suggested that the omission of mercury under the Agreement is important and significant. Analysis in the report is shallow, reference is made to meeting targets, but the evidence on the ground is that smog days are increasing. The credibility gap between reporting and actual trends needs to be addressed. Canada's Action Plan 2000 for climate change reports on track to meet targets and timelines but there is a growing gap between trends and targets. Emissions and trends are still increasing.

10. Rick Findlay, Pollution Probe indicated that the IJC's Synthesis 2002 was a useful compilation of the last review. He endorsed some of the same comments as made on the 2002 Progress Report. The 2004 Progress Report although somewhat more eloquent, is a sterile discussion of issues, somewhat lacking in connection with the real issues such as climate change, etc. There should be a more meaningful role for the IJC under the Agreement - scope of Agreement and emission limits, direction, review of progress, etc. Mercury should be included. This point was made last time and emphasized again. Concern

expressed that the report does not relate to the bigger picture and relate the information addressed to other issues, such as climate change. There is a need for a broader conference on the state of our air quality.

11. Joan Kuyek, MiningWatch Canada (wide ranging membership of not-for-profit organizations) raised questions about data credibility and how analyzed, different data base years for figures in the report, and pointed out that years of deposition don't go away without extensive remediation. Mining Industry report indicates an inability to meet ARET indicators - first reporting year emissions took a huge drop, base year to date they went up. Raised concern with respect to the credibility of reporting in comparison to what is actually happening in reality. Increasing production at Flin Flon Smelter resulting in more mercury releases and dust from tailings with little will be shown to regulate. There are children's health problems attributable to the smelter. There is a lack of political accountability and the question was raised as to whether we can trust the data presented. Appreciation for the report was expressed but need tougher and stronger commitments in the future.