

A collaborative project by:

ENVIRONMENTAL DEFENCE

**CANADIAN ENVIRONMENTAL
LAW ASSOCIATION**

PollutionWatch
www.PollutionWatch.org

Tuesday, May 22, 2007

National Pollutant Release Inventory
Multi-stakeholder Work Group on Substances
c/o NPRI Office
Environment Canada
9th Floor Place Vincent Massey
351 St-Joseph Blvd.
Gatineau, Quebec
K1A 0H3

Dear Work Group Members,

Thank you for the opportunity to submit comments on recommendations to expand and improve the National Pollutant Release Inventory (NPRI) as outlined in the *Report of the National Pollutant Release Inventory Multi-stakeholder Work Group on Substances: Draft Report (March 2007)*.

Environmental Defence (www.environmentaldefence.ca) and the Canadian Environmental Law Association (www.cela.ca) work together on a community right-to-know web site called PollutionWatch – www.PollutionWatch.org. The web site uses NPRI data to allow the public to search, rank and create timelines for pollutants released and transferred in communities across Canada.

The PollutionWatch partners appreciate the efforts of Environment Canada and the contributions of the NPRI Work Group members to enhance the NPRI program. The NPRI is a critical community right-to-know program, allowing Canadians to access facility-level information about releases and transfers of pollutants from a wide range of sectors. The continuing interest in the PollutionWatch web site, and the significant number of visitors, suggests that Canadians want to know what pollutants are released and transferred in their communities.

Environmental Defence and the Canadian Environmental Law Association are providing the following comments on some key proposals outlined in the *Report of the National Pollutant Release Inventory Multi-stakeholder Work Group on Substances: Draft Report*.

(1) **Section 2.2 (Improving NPRI)**. While the PollutionWatch partners support efforts to review and improve the NPRI program, it is critically important that the review is not used to decrease the amount of information available through NPRI. Instead, the emphasis must be on expanding the information available to the public through the NPRI by making changes such as adding more substances, additional sectors and adjusting thresholds so that a greater number of facilities are required to report. Such improvements will contribute to an improved public right-to-know regime.

(**NPRI and the Domestic Substance List**). In addition, we suggest that the Work Group immediately begin proposing additions to the NPRI based on the results of the categorization process completed under the *Canadian Environmental Protection Act*. The results of this effort are of paramount importance to Canada's current and future efforts to take action on thousands of substances that have been used in the Canadian market for many decades. By immediately undertaking a process to add substances from categorization to

Environmental Defence [t] 416 323-9521 [f] 416 323-9301 [e] info@environmentaldefence.ca

Canadian Environmental Law Association [t] 416 960-2284 [f] 416 960-9392 [e] pollutionwatch@cela.ca

the NPRI, it would greatly expand the amount of information available to Canadians on some critically important substances.

- (2) **Sections 2.3 and 2.4 (Criteria Air Contaminants)**. Information on facility-level releases of Criteria Air Contaminants (CACs) was a very significant addition to the NPRI program. Visitors who use the PollutionWatch web site are particularly interested in releases to the air, including CACs. The PollutionWatch partners also recognize the ongoing data quality issues around reporting CACs to the NPRI. We support the need to review the requirements and criteria for listing VOC species, examining stack height criteria for reporting, and investigating speciation of Particulate Matter. We also support the expansion of the list of VOCs captured under NPRI, with the understanding that any changes in VOC reporting should maintain the current listing requirements of substances under Part 1 that are VOCs. The current listing of Part 1 substances that are VOCs allows comparisons with the US TRI because the substances are reported at similar thresholds.

As for reviewing the thresholds for reporting CACs, we believe it is important that changes made allow for greater accuracy and do not decrease the amount of information reported by facilities to the government. Public access to information about releases of CACs is important for protecting Canadians' health as well as the environment. As such, CACs must continue to be reported under the NPRI program. The PollutionWatch partners recommend the Work Group focus on addressing the need to improve the data for CACs so that Canada can meet its domestic and international obligations and the Canadian public can rely on the data provided through the NPRI.

- (3) **Section 2.6 (Alternate Thresholds)**. The PollutionWatch partners strongly recommend that the current Alternate Thresholds are maintained, not weakened. We also strongly recommend that appropriate thresholds are set according to the degree of hazard, toxicity and environmental fate of each substance. As we highlighted in our August 2006 letter to the Work Group, **the Canadian Environmental Law Association and Environmental Defence do not support the proposal to conduct air modelling given its significant limitations**. As outlined in the *2006 Working Group Draft Interim Report*, and highlighted by some members of the working group, air modelling requires significant expertise and resources that could needlessly delay this important process.
- (4) **Section 2.7 (Dioxins, Furans and Hexachlorobenzene)** The PollutionWatch partners recommend adding dioxin-like PCBs to the NPRI immediately. These substances have been part of the US TRI reporting for many years and such requirements have not demonstrated any significant burdens by facilities to report on these substances. In addition, the reporting of these compounds in biosolids should be considered.

We look forward to receiving an update of progress made on the above critical initiatives. If you have any questions about our comments, you can reach us directly at the phone numbers and email addresses listed below.

Sincerely,



Rick Smith, Ph.D.
Executive Director
Environmental Defence
(416) 323-9521 ext. 225
rsmith@environmentaldefence.ca



Fe de Leon
Researcher
Canadian Environmental Law Association
(416) 960-2284 ext. 223
deleonf@lao.on.ca

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