



## **Joint Public Advisory Committee (JPAC) Plenary Session**

**24 June 2003  
Washington, DC**

### **Discussion questions on CEC Air Quality work plan: Assessments of transboundary air issues under the 2002 CEC Council Final Communiqué**

In June 2002, the Secretariat of the Commission for Environmental Cooperation (CEC) released, under Article 13<sup>1</sup> of the North American Agreement for Environmental Cooperation (NAAEC), a report entitled “Environmental Challenges and Opportunities of the Evolving North American Electricity Market.” This document included a number of recommendations from a nongovernmental advisory board that aimed at achieving the full environmental and economic benefits of an evolving North American electricity market. In consideration of those recommendations, the CEC Council (the three environment ministers, or equivalent, of North America) agreed to a number of items in its 2002 Council Communiqué, all of which are currently part of the CEC 2003 annual work plan. In the 2003 CEC work plan section for “Cooperation on North American Air Quality Issues,” the CEC has included three new items taken from the Council Communiqué, and as such, they can be considered new follow-up activities to the CEC Article 13 report on electricity and the environment. Therefore, this session is a key opportunity to publicly discuss the scope of assessments that could be undertaken in the CEC’s new work in these three areas.

Presented below are the three items posed for discussion in this JPAC plenary session. The three areas concern comparative surveys of North American air quality management systems, power plant environmental standards and evolving emissions trading systems. JPAC is gathering public comment on these in anticipation of the CEC Air Quality Program beginning input in these areas.

Also given below are sample questions concerning the scope and types of issues that could be covered within each of the three discussion areas. JPAC presents these questions as examples in order to help generate ideas for an initial dialogue among JPAC members and the public, but these are not intended to cover all possible areas of interest within the three items, nor indicate a preference for any particular topic. JPAC is very interested in hearing thoughts and new ideas during the public discussions that may expand upon, go beyond, or differ from the following sample questions.

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<sup>1</sup> **NAAEC Article 13 (1):** The Secretariat may prepare a report for the Council on any matter within the scope of the annual program. Should the Secretariat wish to prepare a report on any other environmental matter related to the cooperative functions of this Agreement, it shall notify the Council and may proceed unless, within 30 days of such notification, the Council objects by a two-thirds vote to the preparation of the report. Such other environmental matters shall not include issues related to whether a Party has failed to enforce its environmental laws and regulations. Where the Secretariat does not have specific expertise in the matter under review, it shall obtain the assistance of one or more independent experts of recognized experience in the matter to assist in the preparation of the report.

**2003 CEC work plan items**

- 1. Conduct a comparative study of the air quality standards, regulations, planning and enforcement practices at the national, state/provincial and local levels in the three countries, building on previous research and work undertaken by the CEC on the air management systems of the three countries.**

What government procedural issues for establishing air quality goals should be included in a comparative assessment?

- Process and timing of implementation to achieve air quality goals?
- Process for setting reduction goals?
- Degree of modeling and other technical support requirements?
- Transparency and accessibility of technical support documents used in setting air quality goals?
- Others?

Should a comparative study include issues relative to assessing reduction targets?

- Role of economic assessment requirements?
- Role of risk assessments?
- Extent of available legal recourse for inadequate targets?
- Types and extent of multi-stakeholder and public input processes?
- Others?

What program implementation issues should be included in a comparative study?

- Role of regulations?
- Permit requirements, transparency and enforceability?
- Role of voluntary programs?
- Use of market mechanisms?
- Extent of audit and enforcement programs?
- Others?

Should a comparative study look at how programs evaluate their results?

- Quality checks and update schedules of emission inventories?
- Extent of ambient monitoring networks?
- Reporting to the public on pollution trends/emissions/other progress indicators?
- Others?

- 2. Conduct a survey to obtain information on the comparability of North American environmental standards governing construction and operation of electricity generating facilities.**

- Should the survey compare operating permit requirements across jurisdictions?
- Should the survey compare emission limit requirements for conventional air pollutants (e.g. nitrogen oxides, sulfur dioxide, particulates)?
- Should the survey look at requirements concerning emissions of toxic substances (e.g. mercury and other heavy metals)?

- Should the survey look at public process requirements for the siting and construction of new power plants, and major modifications at existing plants?
- Should the survey look at enforcement programs for operating permits and other environmental requirements covering power plants?
- Should the survey look at non-air environmental issues, such as environmental requirements governing cooling water for fossil fuel plants?
- Should the survey include environmental requirements for non-fossil fuel generators, and if so, what might be included?
- Should the survey look at environmental requirements concerning the supporting infrastructure of new power plants, such as new transmission lines needed to link to new plants?
- Should a survey look at environmental reporting requirements for power plants, and public accessibility to that environmental information?
- Should a survey look at emissions monitoring requirements on power plants?
- Others?

**3. Identify, explore and address issues related to barriers, challenges, opportunities and principles under which emissions trading systems might evolve.**

- What are the issues relevant to barriers, challenges, opportunities and principles for emissions trading?
- Can lessons be learned from experiences (successes or failures) gained in previously existing trading programs? If so, what might these include?
- Is a survey of the extent and quality of air emissions inventory information needed?
- What issues concerning the environmental integrity of emissions trading programs should be included?
- What types of transparency measures might be considered for public confidence in trading programs?
- What issues surrounding establishing reduction targets and allocation methods should be included?
- What elements of measurement, monitoring, verification and reporting should be considered (e.g. “in-stack” monitoring versus calculated emissions, systems for tracking trades, public transparency of reporting, etc.)?
- What are the issues concerning compliance and enforcement of trades?
- Others?