



## **JPAC Workshop on CEC Assessments of Transboundary Air Issues**

**24 June 2003  
Washington, DC**

### **Summary Record<sup>1</sup>**

#### **Opening Remarks**

Gustavo Alanís-Ortega, the 2003 Chair of the Joint Public Advisory Committee (JPAC) of the Commission for Environmental Cooperation (CEC), welcomed everyone to the workshop and explained that, following the presentations, comments from JPAC and the public would be solicited on the areas and questions that had been circulated in advance of the meeting. He explained that the results of the discussion would be reported to Council during an in-camera session later in the day.

#### **Overview of CEC Assessments of Transboundary Air Issues**

Paul Miller, CEC Program Manager, Pollutants and Health, explained that this was the first meeting of the North American Air Working Group (NAAWG) and that the areas under discussion in this session emerged from the CEC's Article 13 study on the electricity market. In 2002, the Council Communiqué identified areas for further work. The scope of the work program has not yet been determined and input is being sought from JPAC and the public on what would be the most fruitful area for CEC involvement in this area, understanding this is a multiyear effort and that resources are limited? Possibilities include:

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

#### **Comments from the public and JPAC included:**

- Work on pollution prevention would be more interesting and productive rather than surveying legal systems—something that would take years.
- How will JPAC and the NAAWG coordinate their work? We must ensure that we are not “going over the same ground, plowing separate furrows.”

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<sup>1</sup> **DISCLAIMER:** Although this summary was prepared with care, readers should be advised that while JPAC members have approved it, it has not been reviewed nor approved by the intervenors and therefore may not accurately reflect their statements.

- It was suggested that the process used for multi-stakeholder participation in developing air emissions standards in Alberta be explored as a model—a process where industry, government and NGOs are engaged in developing a consensus and decisions are then implemented by government. There has been a high degree of successful implementation and compliance. The web site is <[www.casahome.org](http://www.casahome.org)>.
- It is difficult to develop a methodology to assess cumulative impacts and risks. We have to make sense of what has happened in relation to public health.
- Other parts of the CEC Air Program are working on point sources and emissions inventories and developing information for models of air quality planning. Are methods transferable? Can there be common methods: for example, there is no equivalent to backyard pottery kilns as point sources in Canada or the US?
- Some countries have very heavily damaged ozone layers. It is important to work on risk-based standards. Many already exist and should be explored. (Mr. Miller made it clear that it is not the intention to develop standards, rather to generate information to inform decision-makers.)
- There seems to be a strong focus on research in an effort to better understand the various ways the three countries are handling air quality issues. How could this be complemented with reduction and prevention goals?
- The work needs to be focused. We have a good study on electricity. The point is—what is the impact? We should now get down to issues and measures. A graduate student could do this in six months. We are getting lost in backyard kilns when we should be focused on electricity facilities in our air sheds. What are the transboundary impacts of electricity plants?
- Where is the working group in this discussion? They were supposed to give us details. We are wasting our time, just chatting. We have no context. They were supposed to make presentations at the beginning. (It was explained that they were in an in-camera session with the Council and would arrive later).
- We are disappointed by the lack of progress of the working group. There are many serious issues to look at. For example, 30 permits from out-of-state developers for electricity facilities are being reviewed in Arizona alone.
- We should also be looking at related water-use issues. The proliferation of electricity generating plants creates huge demands for water. These are clearly transboundary matters. Also, the transmission lines often go through the poorest neighborhoods or sites of historical and ecological value. I would want the working group to issue guidelines on how to approach the problem in local areas.
- How do we get down to business in the areas and communities where problems exist? We have already done our own research with the American Lung Association and Harvard University. What we need now is a commitment to support the campaigns that already exist in our countries. We are not asking that the facilities be shut down, simply that they be updated and use modern filtration techniques to reduce up to 90 to 95% of the emissions. (The speaker was referring specifically to facilities in the area of Chicago.)
- There are 50 mega plants being planned along the Mexican border. Over 1 million people will be affected. These are US companies operating in Mexico. They are engaged in “CO<sub>2</sub> laundering.”
- As a final conclusion, you should adopt the highest standards in all three countries.

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- Energy efficiency and new technologies should also be part of the work. The air work should also be linked with the CEC's work on biodiversity, children's health and enforcement. Also, the work plan should look at initiatives for public education. Governments are doing a lot of work in this area.
- We should be focusing on reduction and prevention for environmental protection and human health. Examples exist of programs to replace farming equipment with internal combustion engines with more efficient technologies. The result is energy efficiency and cleaner water.
- We are off into all kinds of different directions. We should be looking at the best and highest standards in all three countries as a goal and focus on the electricity industry and border issues.

### **The NAAWG members presentations**

The NAAWG Chair explained that the working group had convened in conformity with CEC Council Resolution 02-04, "North American Air Working Group," and had held its first meeting the previous day, on 23 June.

The mandate of the group includes the development of a long-term strategic plan with a commitment to include the public. A timeline has now been approved and distributed to JPAC. A further public meeting will be organized early in 2004 on a draft strategic plan. Clearly, electricity should be the focus and developing a trinational initiative for the energy sector will be a first goal. The group will also look at transportation, including rail and marine.

Another member explained that the group would also be looking to develop a pilot project on monitoring at a border area. The strategic vision will also include technical questions and a commitment to consult the public on related social issues. Capacity building and developing new technologies are key, particularly for Mexico.

### **Comments from the public and JPAC included:**

- Are there specific plans to involve the private sector, including small and medium-size enterprises (SMEs)?
- Smaller enterprises are a real challenge. We will need to make specific efforts [with them].
- We need to ensure that efforts are not redundant or duplicative of other work already going on bilaterally or within the private sector.
- Look at private sector strategies for pollution prevention together for more effective results.
- Encouraging the use of public transportation through urban planning is where it all begins—this is where the behaviour of individuals can be positively affected. Urban design determines vehicle use.
- Along with the timeline, we need to see a proposed outcome. We are straying from the original mandate—transboundary issues around electricity generation. What is attainable in 12 months? What can we actually improve in the three countries?
- Canada will be revisiting Canada-wide standards for ambient levels—and the US/Canada ozone agreement that sets caps. This will lead to concrete action.

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

- On emissions trading, given that Canada and US have already committed to a feasibility study on how to conduct emissions trading between the two nations (see bilateral agreement: *Strengthening Our Cooperation for Cleaner Air*, signed on 22 June 2003, in Washington, DC) what more can we add? We should urge them towards success rather than spend scarce resources on the same issue.
- Work with such agreements to explore potential for trinational applications.
- What is the status of the CEC-sponsored pilot project on greenhouse gas trading in Mexico? Mr. Miller replied that no decision has yet been taken and opportunities were being explored.

In conclusion, JPAC stated that the meeting was perhaps premature and that the questions posed are highly technical and would best be explored by the NAAWG. JPAC could be much more involved in commenting on a substantive document.

Mr. Miller thanked all the participants and reiterated the commitment to continued public involvement in the development of the work plans.

Prepared by Lorraine Brooke  
7 July 2003