



CANADIAN ENVIRONMENTAL LAW ASSOCIATION
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

October 15, 1996

François Lavallée, Head
The National Pollutant Release Inventory
10th Floor, Place Vincent Massey
351 St. Joseph Blvd.
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FAX: (819)953-9542

Re: Submission to Proposed Modifications to the NPRI

Dear Mr. Lavallée

Please find attached, a joint letter signed by ENGOs on the public consultation document, *Proposals for Modifications to the National Pollutants Release Inventory*.

If you have any questions regarding the letter, please do not hesitate to contact any of the signatories. A contact list has been provided for your reference.

Sincerely;

Fé de Leon
Coordinator
Toxics Caucus of the Canadian Environmental Network
c/o Canadian Environmental Law Association

encl.

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CANADIAN ENVIRONMENTAL LAW
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Re: Proposed Modifications to the NPRI

Dear Mr. Lavallée:

Thank you for the opportunity to comment on the proposed modifications to the NPRI. Since our involvement in the *Multi-stakeholder Advisory Committee*, which developed the NPRI, we have been pushing for more substantial reporting requirements. In general, your proposed modifications are worthwhile and should be supported. However, we also are concerned about a number of omissions.

Pollution Prevention Tracking

We welcome and support the objective of using the NPRI to track pollution prevention. While all four proposed changes represent an improvement over the current NPRI, several elements are missing:

- (1) It is unclear whether the proposed changes will be a requirement or a voluntary activity. Environment Canada should make these changes mandatory starting with the 1997 reporting year.
- (2) The "use" of toxins is still not covered, even though the definition of pollution prevention in the *Federal Strategy for Action* clearly includes "use." NPRI should include the reporting of "uses" of toxins starting with the 1997 reporting year.
- (3) Reporting of NPRI list materials in products transferred off-site are still not covered. Environment Canada should develop methodologies for reporting transfers in products and release them for public consultations.

Substances and Thresholds

We welcome and support the additional chemicals to be reported by the NPRI, i.e. those chemicals listed under COA, CEPA-toxic and Schedule 1 chemicals, etc. We also welcome the lower thresholds for reporting some releases. However, we have a number of concerns with several important omissions:

- (1) There is no reason for the reporting of chemicals referenced in the ARET program to be voluntary. Environment Canada should make reporting ARET chemical releases mandatory starting with the 1997 reporting year.
- (2) The reporting thresholds for substances declared toxic under the PSL 1 process, as well as substances on Schedule 1 of CEPA, have not been lowered. You should lower the reporting thresholds.
- (3) The use and release of industrial/commercial pesticides are not covered. We urge you to include them starting in 1997. We understand there is a pesticides database being developed by the PMRA and would like to see the integration of all toxic use, release and transfer information.
- (4) Domestic pesticides are not covered. While it may be more difficult to track household use and release of pesticides, NPRI should capture regional sales of "domestic" pesticides, again in coordination with the PMRA database under development.
- (5) The 13 PSL 1 substances for which there was insufficient information to make a declaration of toxicity under CEPA should be included in the NPRI.
- (6) The threshold for mercury remains too high and needs to be lowered. Also, it is unclear why dioxins, furans, and alkyl-lead are not on the NPRI. We urge you to include these substances starting with the 1997 reporting year.
- (7) Greenhouse gases, oxides of nitrogen, sulphur dioxide, and volatile organic compounds continue to be off the NPRI. Thus, we urge you develop methodologies and reporting requirements for these substances and put them out for public consultation.
- (8) The U.S. TRI has been recently expanded to include 286 new substances. We urge you to analyze which are or are not appropriate for inclusion on NPRI of the 286 substances that are used or generated in Canada.
- (9) Finally, the existing threshold for NPRI reporting remains too high. Thus, we urge you to assess the adequacy of the existing threshold levels.¹ A submission by the citizens' caucus on NPRI in January 1993 outlines concerns regarding the reporting thresholds that should be considered.²

The original consultation on NPRI outlined a number of outstanding issues in Ch. 5 in the final report of the multi-stakeholder advisory committee.³

Overall, we regard the proposed modifications as good progress towards addressing some unresolved issues. We remain very interested in the NPRI and would like to have more specific consultation on issues relating to the program, particularly to address the unresolved

issues listed above and any future changes to the program. Finally, we would like to express our support for the comments submitted by the West Coast Environmental Law Centre, the Canadian Labour Congress and Great Lakes United on the proposed modifications to NPRI.

Again, thank you for the opportunity to respond to the proposed changes, and we look forward to your response.

Sincerely,

Canadian Environmental Law Association
Canadian Institute for Environmental Law and Policy
Canadian Labour Congress
Citizens Environment Alliance of South Western Ontario
Citizens Network on Waste Management
Environmental Law Centre
Great Lakes United
Ontario Toxic Waste Research Coalition
St. Clair River International Citizens Network
Toronto Environmental Alliance
Windsor & District Labour Council Environment Committee
World Wildlife Fund Canada

Encl.

c.c. The Hon. Sergio Marchi, Minister of the Environment
Tom Balint, Caucus Coordinator, CEN
Steering Committee, Toxics Caucus, CEN

ENDNOTES

1. See: A National Pollutant Release Inventory For Canada: The Final Report of the Multi-Stakeholder Advisory Committee (December 1992), pp. 16-17.
2. National Pollutant Release Inventory Citizens' Caucus, "Recommendations in Brief to the Minister of Environment on the National Pollutant Release Inventory," (January 1993).
3. For specific explanations of unresolved issues see: NPRI MSAC Final Report, pp. 14-23.

FOR MORE INFORMATION

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