

RCC Environment Working Group: Particulate Matter (Air Pollutants) Work Plan

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Description:

The work plan addresses the Regulatory Cooperation Council initiative which states:

“Environment Canada, U.S. Department of State, and the Environmental Protection Agency to consider the expansion of the Canada-U.S. Air Quality Agreement to address transboundary particulate matter, the air pollutant most commonly associated with premature mortality, based on comparable regulatory regimes in the two countries”.

The work of this initiative will continue under the auspices and direction of the Canada-U.S. Air Quality Committee (AQC) established under the Canada-U.S. Air Quality Agreement (AQA). The work plan and all related regulatory and technical cooperation under the RCC is intended to support and inform related efforts in the AQC.

Canada and the United States have a long tradition of jointly addressing air emissions, best exemplified by the 1991 U.S.-Canada Air Quality Agreement, which originally focused on the issue of acid rain. Since that time, both countries have made great strides in the ongoing effort to reduce harmful air pollution and prevent serious health challenges for their citizens. There are significant health and environmental benefits to expanding the Agreement, with a focus on reducing particulate matter (PM).

These discussions are expected to inform the Canada-U.S. Air Quality Committee as it builds on previous bilateral work started in 2004 to complete the foundational elements for a PM annex.

Technical work will ensure that the PM Annex is based on sound scientific evidence and reflects the most effective regulatory actions that the United States and Canada are taking to address this issue in a way that improves air quality and, hence, public health.

The Air Quality Committee recently agreed to work toward reviewing and developing options for updating the relevant scientific evidence. Canada and the United States continue to work toward instituting regulatory programs for reducing PM. Canada, working with provinces/territories and stakeholders is finalizing an Air Quality Management System (AQMS) to be implemented starting in 2013. The U.S. 2011 Cross-State Air Pollution Rule (CSAPR) was stayed on December 30, 2011, by the U.S. Court of Appeals, pending the outcome of litigation. The United States anticipates having a final Court decision on the future of CSAPR by the fall of 2012. Canada and the United States are also taking regulatory actions in the transportation sector and possibly other sectors that will contribute to reducing PM.

Canada has established an extensive consultative network, comprised of representatives from key environmental and health non-government organizations (NGOs), industry associations and aboriginal groups for the development of the AQMS. The consultative network will provide an opportunity for regular dialogue on the RCC initiative.

Similarly, the United States will use its existing, broad stakeholder networks of representatives from NGOs, academia, industry and general citizenry for consultation.

Summary of activities:

Over the next 18 months, Canada and the United States will work toward completion of the necessary technical and regulatory foundations required to inform and support consideration of an *expansion of the Canada-U.S. Air Quality Agreement to address transboundary particulate matter*.

The first six months will focus on foundational work to develop and decide upon options for updating the scientific analysis of transboundary PM, and to identify each country’s PM-related regulatory actions. Additionally, technical review of regulatory development will take place along with regular information-sharing among experts. Within 6 to 12 months, both sides under the auspices of the AQC will assess and discuss possible scope and nature of commitments under a PM Annex, including potential regulatory actions that could be considered as bases for a PM Annex.

Within 18 months, both sides will finalize the transboundary PM science assessment.

The technical and regulatory work is intended to support the AQC in its efforts to develop options on commitments under a PM Annex.

Canada and the United States will each pursue their respective stakeholder processes in their own jurisdictions to inform this foundational work.

Timelines and Deliverables:

Action Plan Initiative	Environment Canada, U.S. Department of State, and the Environmental Protection Agency to consider the expansion of the Canada-U.S. Air Quality Agreement to address transboundary particulate matter, the air pollutant most commonly associated with premature mortality, based on comparable regulatory regimes in the two countries.			
Action Items	Action Item 1: Review of Science	Action Item 2: Countries’ Regulatory Actions to Reduce PM	Action Item 3: Amendments to the Agreement	Action Item 4: Engagement
Interim Deliverables:				
Three to six months	Within AQC, select an option for updating the analysis and initiate technical review of the science assessment on transboundary movement of PM, including: <ul style="list-style-type: none"> • Identification of sources • Magnitude and pattern of transboundary flows • Health impact assessments. 	Within AQC, identify countries’ PM-related regulatory actions Technical review and information sharing between experts on regulatory development in both countries		Information sharing on RCC initiatives.

Six to 12 months	Ongoing bilateral work on science assessment, and data-sharing Assessment of state of transboundary PM Report progress and key findings to AQC	Assessment of potential regulatory actions, including timelines, entry into force and impacts on emissions. Within the AQC, initiate discussion on possible scope and nature of commitments under the PM Annex.	Within the AQC, and based on preliminary findings, explore possible amendments required or desired to the AQA. Within the AQC, determine process, timing, and next steps as required.	Stakeholder updates and debriefs, as appropriate.
12 to 18 months	Finalize science assessment AQC recommendation on science elements of the Annex.	AQC will develop options on the scope and nature of commitments.	Within the AQC, legal work initiated to draft proposed amendment to the Agreement, as required.	Stakeholder updates and debriefs, as appropriate.
Beyond 18 months			Within the AQC, finalization of the Annex and amendments to the Agreement on an agreed upon schedule, based on results of the science assessment and regulatory efforts in each country.	Stakeholder updates and debriefs, as appropriate.

The work outlined above is being and will continue to be conducted by the relevant members of the well-established and successful bilateral Air Quality Committee and their staff, who nominally constitute the Working Group. Both countries envision that these AQC members/staff will conduct the work in their roles on the AQC within the AQA process.

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