



To: Cynthia Wright
Director General, Strategic Priorities Directorate
Environmental Protection Service
Department of the Environment
Gatineau, Quebec K1A 0H3
DGSPD@ec.gc.ca

Re: Comments on the Proposed Canada-wide Standard (CWS) for Mercury Emissions from Coal-Fired Electric Power Generation Plants, *Canada Gazette*, Part I, July 23, 2005.

From: Pollution Probe

Date: September 21, 2005

Please accept this submission as Pollution Probe's formal comments on the proposed notice cited above.

Pollution Probe believes that the Canada-wide Standard (CWS) for Mercury Emissions from Coal-Fired Electric Power Generation Plants is a very important standard, given that the coal-fired electricity sector was responsible for emitting an estimated 2,695 kilograms — the largest single Canadian anthropogenic source — of mercury in 2003.

The Canadian government should strive for the highest possible standard to reduce mercury emissions from this sector. Pollution Probe believes that Canada should be looking for a longer term target of at least a 90 per cent national capture of mercury from coal burned. Currently, technologies are available for certain types of coal that allow for a 90 per cent capture and we believe that where these technologies are available, they should be implemented immediately. By the end of the CWS review period, the government should have a plan to achieve a 90 per cent capture for all coal-fired facilities. The current standard should be an interim standard, to be reviewed and revised in approximately five years time, when further data are available.

Please find below specific comments on the proposed standard.

Numerical Targets

Pollution Probe finds the proposed national cap for existing coal-fired electric power generation (EPG) plants to be insufficient relative to the seriousness of the problem of mercury in the environment. The 2010 cap of 1,130 kg/year is only a 58 per cent reduction from the current (2002–2004) mercury emissions of 2,695 kg/year. On top of this, the majority of the reductions (69 per cent) will come from two provinces — Ontario (495 kg reduction based on the province’s commitment to close existing EPG plants prior to 2010) and Alberta (590 kg reduction based on the province’s commitment to implement the Clean Air Strategic Alliance Electricity Team’s recommendations).

Another issue with the national cap is that it includes “recognition for early action” for Saskatchewan for its mercury switch collection program and the early mercury controls installed at its Poplar River Power Station. Without recognition for these actions, the overall national reduction is only 52 per cent. Recognition of early reductions is only appropriate if they have been independently verified.

A final concern with the targets is that the mercury emissions from new facilities are not included in the caps for existing facilities. Rather, new plants will have the choice to achieve either a per cent capture of mercury or an average annual mercury emission rate based on the type of coal used. It is unclear what the relationship is between the two standards and why two separate standards are proposed for new facilities. If two standards are specified, then the more stringent of the two should be met.

CWS Process — Reporting and Review

With respect to the CWS approach, Pollution Probe wishes to register its concern about the non-binding nature of the standards, as is clearly noted in the *Administration* section of Part 2, which allows for “any party to withdraw from the CWS given three month’s notice.” To ensure protection of the public and the environment, there should be clearly specified consequences for non-performance relative to the standards.

Finally, we recommend the following additions/changes (in bold) to the wording of Part 2 of the proposed standard:

In the *Reporting on Progress* section — “Ministers will receive reports from jurisdictions in 2008, 2009, 2010 and every two years thereafter until 2016 on the results of testing in accordance with the Monitoring Protocol. Ministers will ensure that a single report **for each of the reporting years** is prepared and posted on the CCME web site for public access.”

In the *Review* section — “Based on reports on progress, the CWS **will** be reviewed by 2012 to explore **ways to ensure the capture of 90%** or more from coal burned for 2018 and beyond.”

Thank you for the opportunity to submit these comments.

Sincerely,

A handwritten signature in black ink that reads "K. B. Ogilvie". The signature is written in a cursive style with a large, prominent "K" and "O".

Ken Ogilvie
Executive Director
Pollution Probe