**Call for Input - Pollution Information Portals and the right to know: Strengthening access to information on releases of hazardous substances**

**Statement**

* Canada sees much value in promoting rigorous registries and ensuring transparency and accountability concerning environmental matters, in alignment with the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. However, we are not in a position to provide specific input.
* Canada promotes pollutant release and transfer registers as part of our international environmental bilateral engagement.
* While Canada has multiple mechanisms in place to track pollutants throughout their lifecycle, the focus of this report will be information collected and published through Canada’s National Pollutant Release Inventory.

**Legal Framework of the National Pollutant Release Inventory**

The National Pollutant Release Inventory (NPRI) is Canada’s legislated, publicly accessible inventory of pollutants released (to air, water and land), disposed and transferred by certain industrial facilities. Under the authority of the *Canadian Environmental Protection Act, 1999* (CEPA), owners or operators of facilities that meet published reporting requirements are required to report to the NPRI by June each year. Sections of this Act contain information-gathering provisions that allow the Minister of Environment and Climate Change Canada (ECCC) to require reporting of information on substances. The provisions also require the Minister to establish a national inventory of releases of pollutants. These provisions form the primary legislative basis of Canada’s Pollutant Release and Transfer Register (PRTR) program. The ability to change the substance list and reporting requirements provided by Canada’s legislative structure does have advantages, notably substances can be added or modified as they are assessed and managed, which provides flexibility.

Canada participated in the Kyiv Protocol negotiations with the aim of fostering international alignment with the NPRI and facilitating international collaboration in the development of effective PRTRs. The NPRI comprehensively covers its elements and extends beyond, including reporting a wider range of substances and more industrial sectors such as automobile manufacturing and oil and gas extraction. To cover other elements of the Protocol, such as greenhouse gases, Canada employs alternative methods for managing and collecting information alongside the PRTR.

**Public Access to Environmental Information in Canada**

The Government of Canada has recently reaffirmed its commitment to advancing environmental justice and its understanding of environmental racism in Canada through two key bills. Access to justice and information are a core component of both environmental justice and PRTR protocols.

In March 2022, the Government of Canada supported private Member’s Bill C-226, *An Act Respecting the Development of a National Strategy to Assess, Prevent and Address Environmental Racism and to Advance Environmental Justice*[[1]](#footnote-2). This bill is currently under parliamentary review. It includes the requirement to have a strategy to promote efforts across Canada to advance environmental justice and to assess, prevent, and address environmental racism. This encompasses a study to examine the links between race, socio-economic status, and environmental risks. The ensuing strategy will include these findings and propose measures to advance environmental justice, potentially incorporating possible amendments to federal laws, policies, and programs.

In June 2023, Bill S-5, *Strengthening Environmental Protection for a Healthier Canada Act*[[2]](#footnote-3), received Royal Assent in Canada. This bill modernizes CEPA and represents its first set of comprehensive amendments since it was enacted. With Bill S-5, the Government of Canada is delivering on its commitment to strengthen CEPA and recognize, for the first time in federal law, the right to every individual in Canada to a healthy environment. Bill S-5 requires that decisions made under CEPA must respect this right.

Furthermore, the public “right to know” is a fundamental underlying principle of environmental justice and PRTRs. The information collected through Canada’s PRTR is publicly available and helps Canada set environmental priorities and monitor environmental performance. Canadians can also use this information to learn about pollution in their environment and engage in discussions about sources and impacts of pollution.

The United Nations Global Round Table on PRTRs called on countries to shift towards knowledge on-demand, as opposed to data on-demand. In response, Canada has improved its provision of products that translate release data into more understandable interpretations of pollution at the community level. With this added context, priorities and challenging areas are more clearly visible. Moving forward, Canada is actively seeking additional opportunities to provide more context for NPRI data to enhance public engagement and understanding.

All collected information is published annually and is [available in various formats](https://www.canada.ca/en/environment-climate-change/services/national-pollutant-release-inventory/tools-resources-data.html) to promote uptake by data users. Data dissemination and access is a core element of any PRTR system, and routine promotion of data and data products is essential. For the NPRI, this includes annual publishing of a database, subsets of data, interactive mapping products, and high-level informational summaries of reported data. Communication occurs year-round via social media, work group meetings, and various public outreach activities and [collaborations](https://www.canada.ca/en/services/environment/pollution-waste-management/national-pollutant-release-inventory/partnerships.html).

In an effort to initiate discussions amongst communities, researchers and policymakers about the sources and impacts of pollution in communities in close proximity to industrial pollution, the [NPRI Indigenous Series](https://www.canada.ca/en/environment-climate-change/services/national-pollutant-release-inventory/tools-resources-data.html) was developed in 2020. The most recent publication in this series, entitled [Reimagining Pollution Data](https://www.canada.ca/en/environment-climate-change/services/national-pollutant-release-inventory/tools-resources-data/reimagining-pollution-data.html), was led by the University of Toronto’s Technoscience Research Unit (TRU) in collaboration with Aamjiwnaang community members. Aamjiwnaang First Nation territory is located between Lakes Huron and Erie in Southern Ontario, Canada. The surrounding area, which is traditional land of the Aamjiwnaang Anishinaabeg, is known as Chemical Valley because of its more than 150 years’ history of petroleum-related production. Through this project, the TRU engaged members of Aamjiwnaang First Nation to assess the usefulness of NPRI data to communities on the frontlines and improve its accessibility and meaningfulness. Based on their feedback, the TRU developed an infographic that envisions a future where pollution data is community-defined and rooted in accountability to the land.

While the NPRI inventories quantities released, disposed and transferred, it does not contain information on chemical properties or other characteristics critical to understanding environmental and human health risks. Efforts to reconcile this gap include the use of the Risk Assessment IDentification And Ranking (RAIDAR) model to integrate NPRI release data with chemical property information in a multimedia mass balance model to combine exposure estimates with toxicity hazard data, ultimately yielding an estimate of risk for certain organic substances[[3]](#footnote-4). There are several known considerations and limitations regarding the application of existing risk-based ranking models. However, this tool provides a starting point for more contextual information on progress toward human health and environmental risk management and sustainability objectives.

Advancements in these areas, and towards larger prioritization and risk assessment frameworks for chemicals, would strengthen Canada’s PRTR.

**Interoperability**

Since 2011, the [Single Window](https://www.canada.ca/en/environment-climate-change/services/reporting-through-single-window.html) reporting system has been the administrative portion of the PRTR reporting system. It was initiated to reduce the administrative cost and paperwork burden of regulatory compliance. It was created in response to the Government of Canada's Paperwork Burden Reduction Initiative and was driven by federal-provincial collaboration. Creating one place where industry could report emissions data has allowed for a more efficient and effective submission process to the federal government, which supports the shared interest in tracking and reporting progress on the reduction of greenhouse gas emissions and pollutant releases. Partners reporting to this system report routine releases, such as annual pollutant releases, and information to facilitate the preparation and response to environmental emergency incidents, among others.

Correspondingly, Canada’s [Substances Search](https://pollution-waste.canada.ca/substances-search/Substance?lang=en) tool provides various lists and results for substances (chemicals, polymers, and organisms) referenced in Canadian legislative or regulatory instruments, or Government of Canada websites. This tool can be used to look up substance names and identifiers or to download results. Additionally, search results will provide a link to the authoritative source for regulatory or legislative decisions. Updates to the substances search tool are periodically made and new lists are added on an ongoing basis. Examples of lists currently available include Canada’s Domestic Substances List and Non-Domestic Substances List, New Substances Risk Assessment Summaries, Prohibition of Certain Toxic Substances Regulations, Significant New Activity (SNAc) Orders and Notices, the National Pollutant Release Inventory, and the list for Canadian Environmental Protection Act, 1999 Schedule 1 and Certain Substances. This tool is not, however, an exhaustive compilation of regulatory lists and is not to be relied upon as the only source for regulatory decisions in Canada.

In Canada, there are multiple mechanisms in place for tracking pollutants throughout their lifecycle. The NPRI provides linkages in its online dataset to the Greenhouse Gas Reporting Program and the Canadian Nuclear Safety Commission for radionuclides for facilities that report to multiple federal inventories.

Radionuclide release, transfer and disposal data from facilities that develop, produce, or use, nuclear energy and/or nuclear substances in Canada, is inventoried separately from the NPRI. Based on calls from environmental nongovernmental organizations, accessibility to this data was improved by publishing it in a PRTR-like format, to align with NPRI and allow interoperability of the two Pollution Information Portals. A recent NPRI-led study validated the usefulness of combining various PRTR data as an approach to address substance coverage gaps in Pollution Information Portals and emphasized the value of interoperable data in accelerating knowledge translation of PRTRs through the lens of sustainable development. Future Pollution Information Portals can be strengthened by integrating datasets together to cover substance gaps, as demonstrated here. The NPRI-led study also demonstrated the value of integrating PRTR data with thresholds of concern (e.g., release limits) and suggested that further integration of various goal-specific contexts (e.g., environmental quality guidelines and/or environmental monitoring data near facilities) would provide key information to the public to understand the data. This is an example of how to further advance access to information on releases of hazardous substances and suggestions for strengthening Pollution Information Portals.

Internationally, Canada, Mexico and the United States have collaborated in protecting North America’s environment through the Commission for Environmental Cooperation (CEC). The CEC was established in 1994 by the governments of Canada, Mexico and the United States through the North American Agreement on Environmental Cooperation, a parallel environmental agreement to the Canada-United States-Mexico Agreement (CUSMA). The CEC is recognized and maintained by the Environmental Cooperation Agreement.

The CEC brings together a wide range of stakeholders, including the public, Indigenous peoples, youth, non-governmental organizations, academia and the industry, to seek solutions to protect North America’s shared environment while supporting sustainable development for the benefit of present and future generations. The CEC is governed and funded equally by the Government of Canada through Environment and Climate Change Canada, the Government of Mexico through the Secretaría de Medio Ambiente y Recursos Naturales and the Government of the United States of America through the Environmental Protection Agency.

Through the CEC’s North American Pollutant Release and Transfer Register (NAPRTR) initiative, data is compiled for approximately 40,000 industrial facilities across the continent. This initiative develops linkages between Canadian, Mexican and American PRTR datasets, and supports the management of pollutants of common concern and across borders. Data and analyses are available to the public through the [Taking Stock Online](http://takingstock.cec.org/content/landing/en/) website and searchable database, enabling users to explore comparable North American PRTR data. The [Taking Stock report series](http://www.cec.org/files/tsinteractive/index-en.html) presents insights into industrial substances sources, locations, and handling, supporting decisions on pollution prevention and sustainability in North American industry.

PRTRs can complement existing programs, priorities and initiatives within a country, allowing governments and stakeholders to undertake more comprehensive analyses. Therefore, integration with existing infrastructure and datasets is a key consideration in any Pollution Information Portal.

1. [Creating a healthy, clean, and sustainable environment for all: Canada consulting on the right to a healthy environment in federal legislation and engaging on environmental justice and racism - Canada.ca](https://www.canada.ca/en/environment-climate-change/news/2024/02/creating-a-healthy-clean-and-sustainable-environment-for-all-canada-consulting-on-the-right-to-a-healthy-environment-in-federal-legislation-and-eng.html) [↑](#footnote-ref-2)
2. [Bill S-5: Strengthening Environmental Protection for a Healthier Canada Act - Canada.ca](https://www.canada.ca/en/environment-climate-change/news/2023/06/bill-s-5-strengthening-environmental-protection-for-a-healthier-canada-act.html) [↑](#footnote-ref-3)
3. [Risk‐based prioritization of organic substances in the Canadian National Pollutant Release Inventory using an evaluative regional‐scale multimedia mass balance model - Berthiaume - 2022 - Integrated Environmental Assessment and Management - Wiley Online Library](https://setac.onlinelibrary.wiley.com/doi/full/10.1002/ieam.4601) [↑](#footnote-ref-4)