



July 3, 2014

Great Lakes Environment Office
Environment Canada
Greatlakes-grandslacs@ec.gc.ca

Re: Comments of the Council of Great Lakes Industries on the draft Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health (2014)

Dear Sir or Madam:

The Council of Great Lakes Industries (CGLI) appreciates this opportunity to submit comments on the draft Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health (2014) (Draft COA). Our comments focus on Annex 2: Harmful Pollutants.

General Comments

CGLI appreciates that the Draft COA formally recognizes and acknowledges the significant progress that has been made in past years to reduce the concentration of toxic chemicals in the Great Lakes. These significant accomplishments are the result of efforts expended by both Canada and the US under the Great Lakes Water Quality Agreement (GLWQA) (as revised) and other major programs, with substantial input and effort of many other sectors, including industry. CGLI has been deeply involved binational programs designed to improve Great Lakes water quality, including among others the Binational Toxic Strategy and the IJC's Virtual Elimination Task Force. We continue our commitment to these efforts through participation on the Extended Subcommittee for Annex 3 (Chemicals of Mutual Concern) of the GLWQA.

CGLI believes it is critical, however, that efforts to manage chemical pollutants (and/or chemicals of concern) in the Great Lakes be based on sound science and reflect an exposure-based assessment. As currently drafted, the Draft COA does not refer to objective scientific principles or risk and exposure-based criteria for identifying chemicals of concern or determining whether additional management action is required. Our members support the federal Chemical Management Plan (CMP) for assessing substances, because it is a risk-based assessment that considers both science and exposure. We strongly suggest that implementation of Annex 2 of the Draft COA be aligned with this approach.

CGLI also believes that existing programs in Canada and Ontario provide a more than adequate framework for achieving Annex 2 goals. As drafted, Annex 2 proposed to establish processes for identifying chemicals of concern (Annex 2, paragraph 5; Result 2.1). Existing programs are sufficient for this purpose and should not be second-guessed during implementation of the Draft COA.

Finally, CGLI encourages as much precision as reasonably possible in the definitions and concepts that are incorporated into Annex 2. Defining the terms in Annex 2 with precision is essential to developing an effective program for further improving Great Lakes water quality.

Imprecise definitions will promote uncertainty regarding the scope and applicability of the Annex and will subject the goals to multiple (and potentially conflicting) interpretations. We suggest re-visiting and refining the definitions with as much precision as possible before the COA is finalized.

Specific Comments

- *Annex 2, paragraph 4:* The "cosmetic pesticides" statement is of concern. The term "cosmetic pesticide" is undefined in the Draft COA and, to our knowledge, may have multiple meanings and definitions in Canadian jurisdictions. We suggest that this term be defined in the Draft COA so that its meaning can be commonly understood.
- *Annex 2, Goal 1, page 23:* The term "legacy substances" is used several times when describing desired results for Goal 1. What is the meaning of this term? Are "legacy substances" (as the term is used here) different from Tier I or II substances?
- *Annex 2, Result 2.2(a):* This result enables Canada and Ontario to nominate candidate chemicals for consideration as Chemicals of Concern. We support the concept of collaboration between Canada and Ontario on the nomination process, but would expect that the concept does not include establishing a whole new process to accomplish this task.
- *Annex 2, Result 2.2(b):* As noted above, CGLI believes that additional or enhanced chemical management programs in the Great Lakes region should be based on sound science and reflect an exposure-based assessment. These concepts should be specifically incorporated into this paragraph.

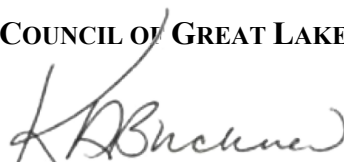
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CGLI appreciates the opportunity to offer these comments regarding Annex 2 of the Draft COA. Please contact me or Dale K. Phenicie (dkphenicie@cgli.org) if you have any questions about these comments or need additional information not provided in this letter.

CGLI is a binational non-profit organization representing the common policy interests of Canadian and US industrial organizations from the manufacturing, utilities, transportation, natural resources, and trade sectors that have investments in the Great Lakes region. The mission of CGLI is to promote the growth and vitality of the region in harmony with its human and natural resources (sustainable development).

Very truly yours,

COUNCIL OF GREAT LAKES INDUSTRIES



Kathryn A. Buckner, President