

# Canada Finalizes Mandatory National Air Pollutant Emissions Regulations



The government recently finalized the [\*Multi-Sector Air Pollutants Regulations\*](#), which establish Canada's first mandatory national air pollutant emissions standards for major industrial facilities. The regulations, which were published in the Canada Gazette on June 29, 2016, are an important element of the Air Quality Management System, which is a harmonized approach to air quality management across Canada, where all levels of government work collaboratively and efficiently to respond to the different air quality challenges across the country. Here's a look at the key elements of the new regulations.

## NEW REGULATIONS

**Key Dates:** The new regulations were registered on June 17, 2016 and took effect on that date in general. However, specific requirements take effect on later dates, ranging from Jan. 1, 2018 to Jan. 1, 2036.

**Targeted Emissions:** The regulations establish requirements for the emissions of the following air pollutants:

- $\text{NO}_x$  (oxides of nitrogen, which is the sum of nitric oxide and nitrogen dioxide) from boilers and heaters in certain regulated facilities in various industrial sectors;

- NO<sub>x</sub> from stationary spark-ignition engines that combust gaseous fuels in certain regulated facilities in various industrial sectors; and
- NO<sub>x</sub> and sulphur dioxide from cement manufacturing facilities.

These pollutants were targeted because emissions of air pollutants such as NO<sub>x</sub> are precursors to the formation of ground level ozone and secondary particulate matter.

**Targeted industries and facilities:** The requirements for each type of emissions source spell out the industries or facilities to which the requirements apply as well as any exceptions. For example, the requirements as to boilers and heaters apply to:

- > Oil and gas facilities; > Oil sands facilities;
- > Chemicals facilities; > Nitrogen-based fertilizer facilities;
- > Pulp and paper facilities; > Base metals facilities;
- > Potash facilities; > Alumina facilities and aluminum facilities;
- > Power plants; > Iron, steel and ilmenite facilities;
- > Iron ore pelletizing facilities; and > Cement manufacturing facilities.

Requirements for additional industrial sectors may be added to the regulations in the future.

**Who Must Comply:** Unless the context requires that a particular responsible person complies, a requirement in the regulations as to a boiler or heater, an engine or a cement manufacturing facility, including a kiln located in it, must be complied with by a responsible person for the boiler or heater, engine or cement manufacturing facility.

**Key Requirements:** The regulations impose mandatory performance standards specific to each sector or equipment group, including emissions intensity limits for each targeted emissions source. They also contain reporting requirements, including when reports are required and what information those reports must contain. In addition, the regulations have requirements for continuous emissions monitoring systems, which a facility must comply with if it uses such a system to determine its emissions intensity.

## **ANALYSIS**

The federal government claims that the regulations will contribute significantly to reducing emissions that contribute to smog and acid rain, including 2,000 kilotonnes of nitrogen oxide emission reductions in the first 19 years, which are equivalent to taking all passenger cars and trucks in Canada off the road for about 12 years. The regulations are also expected to reduce nitrogen oxide emissions from production and processing activities in the upstream oil and gas sector by 40%. In addition, the government estimates that the new standards will prevent hundreds of premature deaths, about 350,000 days with asthma, and more than one million days of activity restricted by poor air quality by 2035.