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From: Walsh, Marnie (Canada) [mailto:Marnie.Walsh@maritz.com]
Sent: Thursday, January 23, 2003 11:46 AM
To: Commission@ottawa.ijc.org
Subject: SMOG !

Dear Mr. Gray:

Canada's Federal Minister of the Environment has repeatedly requested that Ontario bring its nitrogen oxides emission regulations for southern Ontario's fossil power plants into compliance with the Ozone Annex. Unfortunately, the Government of Ontario has not responded positively to these requests.

Ontario's regulations cap the total nitrogen oxides emissions of southern Ontario's power plants at 34.048 kt of NO or 52.093 kt of NO₂, not 25.49 kt of NO or 39 kt of NO₂ as is required by the Ozone Annex. That is, the Ontario regulations permit southern Ontario's power plants to exceed the Ozone Annex's cap by 33.6%!

I am writing to request that the IJC report clearly disclose to the Governments of Canada and the United States that Ontario's nitrogen oxides regulations do NOT ensure that the southern Ontario power plants will be in compliance with the Ozone Annex's 39 kt NO₂ cap in 2007. Specifically, the report should note that the Ontario regulations permit the power plants' emissions to exceed the Ozone Annex's cap by 33.6%.

The Ontario Clean Air Alliance also requests that the IJC recommend to the Government of Canada that it use its authority under the Canadian Environmental Protection Act to establish regulations which will cap the nitrogen oxides emissions of the southern Ontario power plants at 39 kt of NO₂ commencing in 2007.

Thank you for your attention to this matter.
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