

Lack of Progress under Annex 3
Comments to GLEC by Toxics Free Great Lakes Binational Network
■ Presented by John Jackson, Co-Chair
■ June 23, 2020

We are failing to make rapid enough progress on toxics under Annex 3 of the Great Lakes Water Quality Agreement (GLWQA). Work under the Annex is focused on the development of Binational Strategies and on designation of Chemicals of Mutual Concern (CMCs).

Our assessment on lack of progress is based on slow progress and missed deadlines before further delays over the past few months that may have been the result of the pandemic.

1) Binational Strategies:

In 2016, the governments designated eight substances as CMCs: mercury, PCBs, PFOA, PFOS, LC-PFCAs, PBDEs, HBCD, and SCCPs. Four years later (June 2020) only three of the binational strategies have been finalized and approved: PCBs, HBCD, and PBDEs. In 2016, the Governments planned to have finalized and approved all of these binational Strategies by the end of 2019. As of mid-June 2020, five of the eight strategies that were to have been approved by now are still not completed.

2) Designation of Chemicals of Mutual Concern:

By March 2017, four substances were nominated through the public nomination process to be designated as chemicals of mutual concern. The public nominated two of these: radionuclides and sulfates. The other two were nominated by Environment and Climate Change Canada: lead and polycyclic aromatic hydrocarbons. Over three years later, none of these have gone through the process of being formally assessed and identified or rejected by the Parties as CMCs.

3) Binational Criteria:

In early 2018, the Parties appropriately decided that they needed to develop “binational screening criteria” before determining whether additional substances should be designated as CMCs. Over two years later, we still do not have finalized approved criteria. For over a year, we have been given assurances almost every month that we would have the final criteria “shortly.” We are still getting the same assurances and are still waiting.

These actions listed above, while essential, are not on the actual implementation of strategies. Guided by the principles of the GLWQA, we must get on to actions that prevent new problem substances and uses, and eliminate, reduce and clean up CMCs.

These types of constant delays are also being experienced in other annexes in the GLWQA. It makes us suspect that there are some fundamental flaws in the decision-

making process at the senior federal government levels and at the Great Lakes Executive Committee co-chairs level.

We cannot afford to have the system continuing to work as it is because pollution continues and new toxic substances are being brought into use and sold in products into the Great Lakes basin. We must figure out how to improve our decision-making processes in order to be able to take preventive and precautionary actions under the GLWQA so as to not keep allowing new threats to the health of the GL basin.