

## MEMBER STATEMENT—KEVIN O'REILLY MLA FRAME LAKE

### AIR QUALITY REGULATIONS

February 21, 2017

**MR. O'REILLY:** Merci, monsieur le President. In our mandate, there is a commitment to amend the *Environment Protection Act*, including the development of air quality regulations. Our government started the long-overdue process of developing air regulations in June of last year. The deadline for public submissions was September 16. Five months have passed, and the only thing I can see is a statement on the ENR website that says, "An update on the anticipated timelines will be posted in early 2017."

Those of us who lived in Yellowknife before 1999 will remember that sour taste in the back of our throats from the air emissions from Giant Mine. That went on for decades without any regulation whatsoever, contaminating most of the soils around this community. At least one Dene child died from those emissions, and many more people were made sick.

Indigenous elders have raised concerns about fugitive dust from roads of the diamond mines for over 20 years. While the companies have made some effort to reduce dusts from the road, a lot more could and should be done. The correlation of dust from the diamond mines with the avoidance of the mine sites by female and young caribou remains untested. Successive environmental assessments have recommended that air quality regulations be developed by GNWT, and ENR Ministers have accepted that challenge.

Air quality regulations can also be the essential tool to allow us to set a price on carbon emissions to meet our national and international obligations to fight climate change.

The complete absence of enforceable air quality legislation and regulations in the NWT has been highlighted as a problem for many years. It was noted in all the NWT environmental audits from 2005, 2010, and 2015. With devolution now almost three years behind us, there is no longer any excuse for the lack of regulations.

There are serious issues at stake with the proposed air quality regulations proposed by the Minister. Very significant and broad discretion would be housed in the Department of Environment and Natural Resources and its Minister. There are very few commitments or requirements to ensure that there is public access to documents, and no opportunities for public involvement. This is not consistent with the co-management approach currently in place for land and water, not consistent with the expectation of communities and the public, and not consistent with the mandate of the 18<sup>th</sup> Assembly towards open government.

I will have questions later today for the Minister of Environment and Natural Resources. Mahsi, Mr. Speaker.