

DATE: June 18, 2013

ISSUE : Application and Use of the National Base-Level Industrial Emissions Requirements (BLIERS) Within the Alberta Regulatory and Policy System

Implementation of the federal Air Quality Management System (AQMS) requires Base-Level Industrial Emissions Requirements (BLIERS) be considered in developing both provincial source emission requirements and industrial approvals. These federal requirements are not the only criteria used by Alberta Environment and Sustainable Resource Development (ESRD) to manage source air emissions in the province. Other considerations include a broad range of existing provincial requirements such as regulations, standards, policies, management frameworks, etc.

The BLIERS are a minimum national standard intended to ensure all significant industrial sources (i.e. industrial plants/facilities) in Canada, regardless of air quality where they are located, meet a consistent, good base-level of environmental performance. While BLIERS are a minimum national standard, each province/territory may require higher levels of performance through more stringent requirements for a variety of reasons – including some of which are unrelated to either technical or economic considerations. In other words, the BLIERS represent minimum national standards and do not prevent the Government of Alberta from utilizing or maintaining more stringent requirements.

Alberta is facing industrial growth and as such the Province must use a range of regulatory tools beyond minimum national standards to assure environmental and human health outcomes; and also, ensure the ability to accommodate industrial expansion and economic growth. Alberta's wise use of resources includes moving forward with our continuous improvement agenda, as well as, the current and future regulatory air emissions management frameworks.

POLICY PURPOSE

Provide policy clarity to staff with signing authority – along with those involved in developing provincial requirements and industrial approvals – on how BLIERS are applied within Alberta.

POLICY

The BLIERS are one component for consideration when developing provincial source emission requirements and industrial approvals; but, are not the sole consideration. Alberta, like all other jurisdictions, is entitled to set more stringent requirements especially where the BLIERS do not align with Provincial policy or the concept of leading jurisdiction requirements. In no way do the BLIERS compromise Alberta's ability to move forward with our continuous improvement initiatives or remove our ability to implement Alberta's current and future regulatory air emissions management frameworks.

The BLIERS represent minimum national source-based standards and their consideration leads to one of the three following scenarios.

CASE I: BLIERS ARE MORE STRINGENT THAN EXISTING PROVINCIAL STANDARDS

In this situation, the affected industrial site(s) need to be reassessed to confirm if they meet the national BLIERS. If the BLIERS are satisfied, no further action is required by industry; but, the Alberta government may review and update the existing Provincial requirements, as needed. If an industrial site does not meet the BLIERS; then, actions must be taken to ensure compliance with the BLIERS.

CASE II: BLIERS ARE EQUIVALENT TO THE EXISTING PROVINCIAL STANDARDS

All industrial sites are deemed to automatically meet the BLIERS if they are conforming to existing provincial standards equivalent to the BLIERS. No further action is required because the industrial site is already mandated to meet both the national and provincial requirements.

CASE III: BLIERS ARE LESS STRINGENT THAN EXISTING PROVINCIAL STANDARDS

Alberta Government's policy has been and is to supersede less stringent BLIERS in our regulatory and approval processes. The BLIERS are not a means or justification for backsliding in environmental performance to comply with a less stringent standard. Under no circumstances do the BLIERS entitle an industrial plant/facility to meet less stringent requirements. In cases where an industrial site is exceeding the BLIERS; but, failing to meet Provincial requirements, industry must be brought into compliance with the provincial requirements.

More stringent requirements may be appropriate – even in cases where the BLIERS are being met or exceeded – as Alberta moves forward with continuous improvement and/or updating existing regulatory requirements.

BACKGROUND AND CONTEXT

The BLIERS are one of three elements constituting the national approach to air quality regulation known as the Air Quality Management System (AQMS). The other two AQMS elements – not covered in the policy – are the Canadian Ambient Air Quality Standards (CAAQS) and place based air quality management. The CAAQS establish national ambient air standards; while, the place based approach allows air zones and airsheds flexibility in addressing regional differences in air quality.

All three elements work comprehensively together in addressing a range of air quality issues from air emissions control at significant industrial sources to transboundary migration of pollutants. AQMS is responsible for setting consistent, national ambient air quality and industrial emissions standards with the goal of achieving better air quality and significant health and environmental benefits for Canadians.

The BLIERS result from collaborative efforts between the Federal government, Provincial/Territorial governments, industry and non-governmental organizations (NGOs) working on national standards for various industrial sectors and cross-cutting equipment groups. From the beginning, BLIERS have always been defined as quantitative or qualitative source-performance standards for an individual source or piece of equipment, a facility, a specific process or a fuel type – or any combination of the preceding used to establish minimum national standards. All participating stakeholders understand that one of the major principles underlying the process is each individual provincial/territorial jurisdiction can use more stringent industrial requirements than the BLIERS. Also, if existing requirements in a given province/territory already exceed the BLIERS; then, the more stringent requirement is automatically applied.

In many cases, the BLIERS are less stringent than the current Alberta requirements for a variety of reasons which do not align with Alberta's social, economic and environmental objectives.

APPROVED: _____
Original signed by
Acting ADM, Policy

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APPROVED: _____
Original signed by
ADM, Operations

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